

STATE OF NORTH DAKOTA

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# JOURNAL OF THE HOUSE

OF THE

TWELFTH SESSION.

OF THE

LEGISLATIVE ASSEMBLY

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*Begun and held at the Capitol at Bismarck,  
January 3 to March 3, 1911,  
Inclusive*

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VOLUME I.

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BISMARCK, N. D.  
TRIBUNE, STATE PRINTERS AND BINDERS  
1911

OFFICERS AND MEMBERS  
OF THE  
HOUSE OF REPRESENTATIVES OF  
NORTH DAKOTA

FOR THE  
TWELFTH LEGISLATIVE ASSEMBLY

1911

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OFFICERS

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Speaker ..... J. M. Hanley  
Chief Clerk ..... E. H. Griffin  
Assistant Chief Clerks ..... R. E. Walker, J. I. Roop  
Stenographer ..... Ollie Couch  
Chief Enrolling and Engrossing Clerk ..... Charles I. Cook  
Assistant Enrolling and Engrossing Clerks—Mrs. A. N. Page, A. L. Ingalls, G. S. Epler.  
Bill Clerk ..... George Martin  
Assistant Bill Clerk ..... H. B. Halldorson  
Sergeant-at-Arms ..... A. N. Offerdahl  
Voucher Clerk ..... Lars S. Jacobson  
Doorkeepers ..... John Haven, C. A. Hanson  
Doorkeeper to the Gallery ..... John Roscoe  
Messengers ..... K. M. Satern, N. O. Nelson  
Postmaster ..... Carl Magnusson  
Chaplain ..... Rev. A. Lincoln Shute  
Proof Reader ..... John F. Charnley  
Journal Clerk ..... A. E. Erickson  
Assistant Journal Clerks ..... Charles E. Forrest, W. L. Gill  
Mailing Clerks ..... B. H. Miller, H. N. Walker  
Watchman ..... M. Stansey  
Clerk of Judiciary Committee ..... Edward S. Johnson  
Clerk of Appropriation Committee ..... A. B. Wright  
Clerk of Committee on State Affairs ..... R. A. Furnett  
Clerk of Committee on Apportionment ..... F. N. Giles  
Stenographers and Typewriters for the Members—Miss Emma Coleman, Mary Kelly, Miss Mallough, Miss DeLance, Carrie McMillan, Deborah Lyman, Josie Eckern, Miss McArthur, Katherine Dwyer, Eva Hutchinson, Erma Sykes, Mrs. Martha Heinmeyer.  
Pages—F. W. Couch, Stanley Albertson, Clarence Solberg, Julius Albertson, Clarence Larson, Walter Knott, Austin Patzman, James McConkey.  
Janitors—Hans Thompson, Julius Johnson, George Fisher, E. A. Eryn.

## MEMBERS

Dist.	Name	County	P. O.
1	Chas. Edwards	Pembina	Drayton
	J. J. O'Connor	Pembina	Neché
2	Henry Geiger	Pembina	Hamilton
3	Nels T. Hedalen	Walsh	Medford
	Ed. Wambem	Walsh	Lankin
	C. I. Chrisenson	Walsh	Park River
4	John H. Fraine	Walsh	Grafton
	Jacob Nelson	Walsh	Voss
5	Albert A. Davis	Grand Forks	Larimore
	John S. Kylo	Grand Forks	McCanna
6	Jas. Collins	Grand Forks	Grand Forks
	W. V. O'Connor	Grand Forks	Grand Forks
7	Wm. S. Dean	Grand Forks	Holmes
	O. K. Lageson	Grand Forks	Reynolds
8	W. J. Burnett	Traill	Cummings
	I. K. Knutson	Traill	Buxton
	O. J. Sorlie	Traill	Buxton
9	W. J. Price	Cass	Fargo
	E. H. Sranahan	Cass	Fargo
	Alex Stern	Cass	Fargo
10	J. B. Akesson	Cass	Grandin
	S. E. Ulsaker	Cass	Kindred
11	A. L. Peart	Cass	Chaffee
	J. E. Hill	Cass	Erie
12	L. L. Brusletten	Richland	Wahpeton
	E. M. Nelson	Richland	Fairmount
13	Peter J. Narum	Sargent	Forman
14	John Aasheim	Ransom	Enderlin
	E. C. Andrus	Ransom	Elliott
15	George H. Law	Barnes	Leal
	Frank E. Ployhar	Barnes	Valley City
16	A. G. Anderson	Griggs	Hannaford
	Ole Paulson	Steele	Hope
	S. J. Tande	Griggs	Cooperstown
17	R. J. Gardiner	Nelson	Brocket
	E. C. Olsgard	Nelson	McVille
18	S. J. A. Boyd	Cavalier	Hannah
	A. Moritz	Cavalier	Dresden
19	Wesley Fassett	Rolette	Dunseith
20	James Kane	Benson	Knox
	P. J. Moen	Benson	Maddock
21	Berndt Anderson	Ramsey	Churchs Ferry
	F. H. Hyland	Ramsey	Devils Lake
	Norman Morrison	Ramsey	Webster
22	N. O. Johnson	Towner	Cando
	N. W. Hawkinson	Towner	Rock Lake
23	W. B. DeNault	Stutsman	Jamestown
	Richard Pendray	Stutsman	Jamestown
	R. H. Walters	Stutsman	Melville
	John B. Fried	Stutsman	Jamestown
24	A. W. Cunningham	LaMoure	Grand Rapids
	J. A. T Bjornson	LaMoure	Kulm
25	C. E. Knox	Dickey	Oakes
26	D. R. Streeter	Emmons	Linton
	W. P. Tuttle	Kidder	Dawson
27	Frank Fox	Burleigh	Bismarck
	E. A. Williams	Burleigh	Bismarck
28	H. C. Harty	Bottineau	Bottineau

## MEMBERS—Continued

	J. L. Gorder	Bottineau	Carbury
29	W. R. Eond	Ward	Minot
	John J. Lee	Ward	Minot
	R. A. Nestos	Ward	Minot
	A. M. Thompson	Ward	Minot
30	W. E. Martin	Morton	Mandan
	John C. Burns	Morton	Glen Ullin
	J. M. Hanley	Morton	Mandan
31	W. G. Ray	Stark	Dickinson
	F. L. Roquette	Stark	Dickinson
	Ole Tollefson	Stark	Dickinson
32	T. N. Putnam	Eddy	New Rockford
	S. J. Doyle	Foster	Carrington
33	Herman C. Scheer	Wells	Fessenden
	Julius Sgutt	Wells	Harvey
34	J. N. Kuhl	McHenry	Towner
	F. F. Fritz	McHenry	Towner
35	O. P. Jordal	Sheridan	Goodrich
36	John J. Doyle	McIntosh	Wishek
	H. H. France	Logan	Gackle
37	C. W. Carey	Richland	Lidgerwood
	Nels Olgard	Richland	Kindred
38	A. P. Hanson	Earnes	Litchville
39	George McClellan	Billings	Beach
	J. P. Reeve	Billings	Beach
	Harve Robinson	Billings	Sentinel Butte
40	E. J. Moen	Cavalier	Osnabrock
41	George P. Homnes	Divide	Crosby
	Robert Norheim	McKenzie	Alexander
42	L. A. Scott	Pierce	Barton
	Martin Benson	Pierce	Rugby
43	C. E. Davidson	Burke	Portal
	J. A. Englund	Ward	Kenmare
	L. W. Sauer	Renville	Tolley
44	Ole C. Dosseth	Mountrail	Plaza
	A. J. DeLance	Mountrail	Ross
45	T. E. Tostenson	McHenry	Voltaire
46	J. T. Hoge	McLean	Underwood
	Jerry O'Shea	McLean	Garrison
47	James Hill	Bottineau	Newburg
48	Victor H. Boerner	Mercer	Center
	C. E. Heinemeyer	Mercer	Expansion
	Charles H. Whitmer	Oliver	Yucca
49	Martin Hersrud	Adams	Petrel
	John G. Johns	Adams	Hettinger

# Journal of the House

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## TWELFTH SESSION

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### FIRST DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 3, 1911.

At the hour of twelve o'clock meridian, the third day of January, 1911, being the day and hour designated by law for the convening of the legislative assembly of the state of North Dakota, the members elect of the house of representatives of the Twelfth session of the legislative assembly assembled in the house chamber in the capitol at Bismarck, and were called to order by W. D. Austin, chief clerk of the house of representatives of the Eleventh legislative assembly of the state of North Dakota.

The session opened with prayer by Rev. Shute.

The Roll being called the following members responded to their names, as certified to by the secretary of state:

First district—Charles Edwards, J. J. O'Connor.

Second district—Henry Geiger.

Third District—Nels T. Hedalen, Ed. Wambem, C. I. Christenson.

Fourth district—John H. Fraine, Jacob Nelson.

Fifth district—Albert A. Davis, John S. Kylo.

Sixth district—James Collins, W. V. O'Connor.

Seventh district—Wm. S. Dean, O. K. Lageson.

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Eighth district—W. J. Burnett, S. K. Knutson, O. J. Sorlie.

Ninth district—W. J. Price, E. H. Stranahan, Alex Stern.

Tenth district—J. B. Akeson, S. E. Ulsaker.

Eleventh district—A. L. Peart, J. E. Hill.

Twelfth district—L. L. Brusletten, E. M. Nelson.

Thirteenth district—Peter J. Narum.

Fourteenth district—John Aasheim, E. C. Andrews.

Fifteenth district—George H. Law, Frank E. Ployhar.

Sixteenth district—A. O. Anderson, Ole Paulson, S. J. Tande.

Seventeenth district—R. J. Gardiner, E. C. Olsgard.

Eighteenth district—S. J. A. Boyd, A. Moritz.

Nineteenth district—Wesley Fassett.

Twentieth district—James Kane, P. J. Moen.

Twenty-first district—Bernt Anderson, F. H. Hyland. Norman Morrison.

Twenty-second district—N. O. Johnson, N. W. Hawkins.

Twenty-third district—Wilbert B. DeNault, Richard Pendray, R. L. Walters, John B. Fried.

Twenty-fourth district—A. W. Cunningham, J. A. T. Bjornson.

Twenty-fifth district—C. E. Knox.

Twenty-sixth district—D. R. Streeter, W. P. Tuttle.

Twenty-seventh district—Frank Fox, E. A. Williams.

Twenty-eighth district—H. C. Harty, J. L. Corder.

Twenty-ninth district—W. R. Bond, John J. Lee, R. A. Nestos, A. M. Thompson.

Thirtieth district—W. E. Martin, John C. Burns, J. M. Hanley.

Thirty-first district—W. G. Ray, F. L. Roquette, Ole Tollefson.

Thirty-second district—T. N. Putnam, S. J. Doyle.

Thirty-third district—Herman C. Scheer, Julius Sgutt.

Thirty-fourth district—J. N. Kuhl, F. F. Fritz.

Thirty-fifth district—C. P. Jordal.

Thirty-sixth district—John J. Doyle, H. H. France.

Thirty-seventh district—C. W. Carey, Nels Olsgard.

Thirty-Eighth district—A. P. Hanson.

Thirty-ninth district—Geo. McClellan, J. P. Reeves. Harve Robinson.

Fortieth district—E. J. Moen.

Forty-first district—Robert Norheim, Geo. P. Homness.

Forty-second district—L. A. Scott, Martin Benson.

Forty-third district—C. E. Davidson, J. A. Englund, L. W. Sauer.

Forty-fourth district—Ole C. Dosseth, A. J. DeLance.

Forty-fifth district—Tosten E. Tostenon.

Forty-sixth district—J. T. Hoge, Jerry O'Shea.

Forty-seventh district—James Hill.

Forty-eighth district—Victor R. Boerner, Charles H. Whitmer, C. B. Heinemeyer.

Forty-ninth district—Martin Hersrud, John G. Johns.

The oath of office was then administered to the members by the Hon. Burleigh F. Spaulding, judge of the supreme court.

The house then proceeded to its organization.

Mr. Sorlie nominated J. M. Hanley of Morton county, for speaker.

The following named members seconded the nomination of Mr. Hanley:

Mr. Fraine of Walsh; Mr. Homness of Divide; Mr. Ployhar of Barnes; Mr. Price of Cass; Mr. Williams of Burleigh; Mr. Anderson of Ramsey; Mr. Davidson on behalf of the new counties; Mr. Burnett of the Eighth district; Mr. DeNault of the Twenty-third district; Mr. Brusletten of Richland; Mr. Gardiner of Nelson; Mr. Paulson of Steele; Mr. Moen of Benson; Mr. Collins of Grand Forks; Mr. Kuhl of McHenry; Mr. Scott of the Forty-first district; Mr. Hill of Bottineau; Mr. Streeter of the Twenty-sixth district.

Mr. Bjornson of LaMoure, nominated S. J. Doyle for speaker.

The following named members seconded the nomination of Mr. Doyle.

Mr. O'Connor of Pembina; Mr. Edwards of the First district; Mr. Christensen of Walsh; Mr. Moen of Cavalier.

The roll was called and there were 89 votes cast for Mr. Hanley and 14 for Mr. Doyle.

Those voting for Mr. Hanley were:

Messrs.—

Aasheim  
Akeson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrews

Messrs.—

Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud

Messrs.—

Norheim  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson

Messrs.—	Messrs.—	Messrs.—
Boerner	Hoge	Peart
Bond	Homness	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Burns	Johns	Reeves
Carey	Johnson	Robinson
Collins	Jordal	Sauer
Cunningham	Kane	Scott
Davidson	Knox	Scheer
Davis	Knutson	Sgutt
Dean	Kuhl	Sorlie
DeLance	Kylo	Stern
DeNault	Lageson	Stranahan
Dosseth	Law	Streeter
Doyle, of Foster	Lee	Tande
Doyle, of McIntosh	Martin	Thompson
Englund	McClellan	Tostenson
Fassett	Moen of Benson	Tuttle
Fox	Morrison	Ulsaker
France	Moritz	Walters
Fraine	Narum	Wambem
Gardiner	Nelson of Richland	Whitmer
Geiger	Nelson of Walsh	Williams
Hanson	Nestos	

Those voting for Mr. Doyle were:

Messrs.—	Messrs.—	Messrs.—
Benson	Fritz	O'Connor of Pembina
Bjornson	Gorder	Ray
Christenson	Hanley	Roquette
Edwards	Moen of Cavalier	Tollefson
Fried	O'Connor of Gd. Forks	

Mr. Hanley, having received a majority of all votes cast, was declared elected speaker.

Mr. Fraine, Mr. Sorlie and Mr. Williams were appointed by the chief clerk to escort the speaker elect to the chair.

The oath of office was administered to the speaker elect by Hon. John Carmody, judge of the supreme court.

Mr. Anderson of Ramsey, nominated E. H. Griffin of Ramsey, for chief clerk. The following members seconded the nomination of Mr. Griffin: Mr. Olsgard of Nelson, Mr. Burns of Morton.

The roll was called and there were 103 votes cast, of which Mr. Griffin received 103, and was declared duly elected.



## Those voting for Mr. Griffin were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

The oath of office was administered to E. H. Griffin as chief clerk by the speaker.

Mr. Putnam of Foster, nominated R. E. Walker of Foster for assistant chief clerk.

The roll was called and there were 103 votes cast, of which Mr. Walker received 103, and was declared duly elected.

## Those voting for Mr. Walker were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar

Messrs.—	Messrs.—	Messrs.—
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavaller	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestós	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Mr. Streeter of Emmons, nominated J. I. Roop of Emmons, for assistant chief clerk.

The roll was called and there were 103 votes cast, of which Mr. Roop received 103, and was declared duly elected.

Those voting for Mr. Roop were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern

Messrs.—	Messrs.—	Messrs.—
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Frane	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Miss Ollie Couch was nominated for house stenographer.

The roll was called and there were 103 votes cast, of which Miss Couch received 103, and was declared duly elected.

Those voting for Miss Couch were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Frane	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Charles I. Cook was nominated for chief enrolling and engrossing clerk.

The roll was called and there were 103 votes cast, of which Mr. Cook received 103, and was declared duly elected.

Those voting for Mr. Cook were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Mrs. A. N. Payn, A. L. Ingalls and G. S. Epler were nominated for assistant enrolling and engrossing clerks.

The roll was called and there were 103 votes cast, of which each received 103, and were declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland

## Messrs.—

Andrews  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Cunningham  
Davidson  
Davis  
Dean  
DeLance  
DeNault  
Dosseth  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
Fox  
France  
Fraine  
Fried  
Fritz  
Gardiner  
Geiger

## Messrs.—

Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homness  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
Martin  
McClellan  
Moen of Benson  
Moen of Cavalier  
Morrison  
Moritz  
Narum  
Nelson of Richland  
Nelson of Walsh  
Nestos  
Norheim

## Messrs.—

O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Reeves  
Robinson  
Roquette  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tollefson  
Tostenson  
Tuttle  
Ulsaker  
Walters  
Wambem  
Whitmer  
Williams  
Mr. Speaker

George Martin was nominated for bill clerk.

The roll was called and there were 103 votes cast, of which Mr. Martin received 103, and was declared duly elected.

Those voting for Mr. Martin were:

## Messrs.—

Aasheim  
Akeson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrews  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Cunningham

## Messrs.—

Gorder  
Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homness  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knox

## Messrs.—

O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Reeves  
Robinson  
Roquette  
Sauer  
Scott

Messrs.—	Messrs.—	Messrs.—
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

H. B. Halldorson was nominated for assistant bill clerk.

The roll was called and there were 103 votes cast, of which Mr. Halldorson received 103, and was declared duly elected.

Those voting for Mr. Halldorson were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sorlie
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters

Messrs.—	Messrs.—	Messrs.—
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

A. M. Offerdahl was nominated for sergeant of arms.

The roll was called and there were 103 votes cast, of which Mr. Offerdahl received 103, and was declared duly elected.

Those voting for Mr. Offerdahl were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sorlie
Dean	Lillo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

T. D. Baldwin was nominated for voucher clerk.

The roll was called and there were 103 votes cast, of which Mr. Baldwin received 103, and was declared duly elected.

Those voting for Mr. Baldwin were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	Oshea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Réeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

John Haven and C. A. Hanson were nominated for door keepers.

The roll was called and there were 103 votes cast, of which each received 103, and each was declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price



Messrs.—	Messrs.—	Messrs.—
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

John Roscoe was nominated for gallery door keeper.

The roll was called and there were 103 votes cast, of which Mr. Roscoe received 103, and was declared duly elected.

Those voting for Mr. Roscoe were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan

## Messrs.—

Dosseth  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
Fox  
France  
Fraine  
Fried  
Fritz  
Gardiner  
Geiger

## Messrs.—

Lee  
Martin  
McClellan  
Moen of Benson  
Moen of Cavalier  
Morrison  
Moritz  
Narum  
Nelson of Richland  
Nelson of Walsh  
Nestos  
Norheim

## Messrs.—

Streeter  
Tande  
Thompson  
Tollefson  
Tostenson  
Tuttle  
Ulsaker  
Walters  
Wambem  
Whitmer  
Williams  
Mr. Speaker

K. M. Sattern and N. O. Nelson were nominated for messengers.

The roll was called and there were 103 votes cast, of which each received 103, and each was declared duly elected.

Those voting for each were:

## Messrs.—

Aasheim  
Akeson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrews  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Cunningham  
Davidson  
Davis  
Dean  
DeLance  
DeNault  
Dosseth  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
Fox  
France  
Fraine  
Fried  
Fritz  
Gardiner  
Geiger

## Messrs.—

Gorder  
Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homness  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
Martin  
McClellan  
Moen of Benson  
Moen of Cavalier  
Morrison  
Moritz  
Narum  
Nelson of Richland  
Nelson of Walsh  
Nestos  
Norheim

## Messrs.—

O'Connor of Gd. Forks  
O'Connor of Pembina  
Olgard of Nelson  
Olgard of Richland  
O'Shea  
Paulson  
Peart  
ePndray  
Ployhar  
Price  
Putnam  
Ray  
Reeves  
Robinson  
Roquette  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tollefson  
Tostenson  
Tuttle  
Ulsaker  
Walters  
Wambem  
Whitmer  
Williams  
Mr. Speaker

Carl Magnusson was nominated for postmaster.

The roll was called and there were 103 votes cast, of which Mr. Magnussen received 103, and was declared duly elected.

Those voting for Mr. Magnusson were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Rev. A. Lincoln Shute was nominated for chaplain.

The roll was called and there were 103 votes cast, of which Rev. Shute received 103, and was declared duly elected.

Those voting for Rev. Shute were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Frane	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

John F. Charmley was nominated for proof reader.

The roll was called and there were 103 votes cast, of which Mr. Charmley received 103, and was declared duly elected.

Those voting for Mr. Charmley were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt

Messrs.—	Messrs.—	Messrs.—
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

A. E. Erickson was nominated for Journal clerk.

The roll was called and there were 103 votes cast, of which Mr. Erickson received 103, and was declared duly elected.

Those voting for Mr. Erickson were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem

Messrs.—	Messrs.—	Messrs.—
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Charles E. Forrest and W. L. Gill were nominated for assistant Journal clerks.

The roll was called and there were 103 votes cast, of which each received 103, and each was declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutte
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McCiellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

B. H. Miller and H. N. Walker were nominated for mailing clerks.

The roll was called and there were 103 votes cast, of which each received 103, and each was declared duly elected.

## Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

M. Stansey was nominated for watchman.

The roll was called and there were 103 votes cast, of which Mr. Stansey received 103, and was declared duly elected.

## Those voting for Mr. Stansey were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam

Messrs.—	Messrs.—	Messrs.—
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Edward S. Johnson was nominated for clerk of the judiciary committee.

The roll was called and there were 103 votes cast, of which Mr. Johnson received 103, and was declared duly elected.

Those voting for Mr. Johnson were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan



Messrs.—	Messrs.—	Messrs.—
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

A. R. Wright was nominated for clerk of the committee on appropriations.

The roll was called and there were 103 votes cast, of which Mr. Wright received 103, and was declared duly elected.

Those voting for Mr. Wright were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer

Messrs.—	Messrs.—	Messrs.—
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

R. A. Burnett was nominated for clerk of the committee on state affairs.

The roll was called and there were 103 votes cast, of which Mr. Burnett received 103, and was declared duly elected.

Those voting for Mr. Burnett were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

F. N. Gilles was nominated for clerk of the committee on apportionment.

The roll was called and there were 103 votes cast, of which Mr. Gillis received 103, and was declared duly elected.

## Those voting for Mr. Gillis were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsгарu of Nelson
Anderson, of Ramsey	Hawkinson	Olsгарd of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Mertin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

F. W. Couch, Stanley Alberston, Clarence Solberg, Julius Ambertson, Clarence Larson, Walter Knott, Austin Patzman, James McConkey were nominated for pages.

The roll was called and there were 103 votes cast, of which each received 103, and each was declared duly elected.

## Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsгарu of Nelson
Anderson, of Ramsey	Hawkinson	Olsгарd of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Hoge	Pendray

Messrs.—	Messrs.—	Messrs.—
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyilo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Hans Thompson, Julius Johnson, Geo. Fisher, E. A. Bryn were nominated for janitors.

The roll was called and there were 103 votes cast, of which each received 103, and each was declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyilo	Sorlie

Messrs.—	Messrs.—	Messrs.—
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Thorval Torgerson was nominated for cloak room attendant.

The roll was called and there were 103 votes cast, of which Mr. Torgerson received 103, and was declared duly elected.

Those voting for Mr. Torgerson were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akeson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrews	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homness	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeves
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters

Messrs.—	Messrs.—	Messrs.—
Fraine	Nelson of Richland	Wambem
Fried	Nelson of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

### MOTIONS AND RESOLUTIONS.

Mr. Burnett introduced the following resolution, and  
Moved its adoption.

*Resolved*, That during this session of the legislature the employes of the house of representatives shall be limited in all respects to those absolutely necessary, and that in every case the employes must be well qualified to perform the duties for his or her respective position, and that any employe found at any time to be incapable or not needed, they will be dispensed with immediately.

Which motion prevailed, and  
The resolution was adopted.

Mr. Homness presented the following resolution and  
Moved its adoption.

*Resolved*, That following the usual custom, members of the house shall, so far as possible, send two copies of bills to the desk, one for the use of the newspaper men at the capitol.

Which motion prevailed, and  
The resolution was adopted.

Mr. Fraine moved that the house take a recess of ten minutes.

Which motion prevailed, and  
The house took a recess.

### AFTER RECESS.

### MOTIONS AND RESOLUTIONS.

Mr. Price introduced the following resolution and  
Moved its adoption.

*Resolved*, That there be printed and furnished each member of the legislative assembly, five extra copies of all bills and journals of the respective houses, and that all regular correspondents of the press be supplied with files of the bills and journals.

Which motion prevailed, and  
The resolution was adopted.

Mr. Davidson introduced the following resolution and  
Moved its adoption.

*Resolved*, That the chief clerk of the house of the 11th legislative assembly be allowed the sum of six dollars for one day's service for calling the house to order, as by law provided.

Which motion prevailed, and

The resolution was adopted.

Mr. Nelson introduced the following resolution and  
Moved its adoption.

*Resolved*, That the secretary of state be authorized and directed to furnish the speaker and chief clerk of the house with necessary postage stamps during the session.

Which motion prevailed, and

The resolution was adopted.

Mr. Sorlie introduced the following resolution and  
Moved its adoption.

*Resolved*, That the speaker be authorized to appoint a temporary committee on revision and correction of the Journal.

Which motion prevailed, and

The resolution was adopted.

The speaker appointed as such committee, Messrs. Ployhar, Davis and Streeter.

Mr. Burnett introduced the following resolution and  
Moved its adoption.

*Resolved*, That the speaker is hereby requested and authorized to appoint a committee of three on mileage and per diem.

Which motion prevailed, and

The resolution was adopted.

The speaker appointed as such committee, Messrs. Burnett, Nestos and Boerner.

Mr. Doyle introduced the following resolution and  
Moved its adoption.

*Resolved*, That the speaker be authorized to appoint a committee of three to inform the governor that the house of representatives of the Twelfth session of the legislative assembly has organized and is ready to receive any message he desires to communicate to the house.

Which motion prevailed, and

The resolution was adopted.

The speaker appointed as such committee, Messrs. Doyle, of Foster, Price and Homness.

Mr. Ployhar introduced the following resolution and Moved its adoption.

*Resolved*, That the house hereby adopts temporarily as its rules to govern its proceedings, the rules in force during the Eleventh legislative assembly.

Which motion prevailed, and  
The resolution was adopted.

Mr. Fraine introduced the following resolution and Moved its adoption.

*Resolved*, That the speaker appoint a committee of three to notify the senators that the house has completed its organization and is ready for the transaction of business.

Which motion prevailed, and  
The resolution was adopted.

The speaker appointed on such committee, Messrs. Fraine, Bond and Williams.

#### REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committees appointed to notify the governor that the house of representatives of the Twelfth legislative assembly is duly organized for the transaction of business and to receive any message he may desire to communicate, it begs leave to report that it delivered said notice and was directed by the governor to report that he would be ready to communicate his inaugural message to the house and senate at 2 o'clock p. m., tomorrow.

S. J. DOYLE,  
Chairman.

Mr. Price moved that a recess be taken until 1:30 o'clock tomorrow.

Which motion prevailed, and

The house took a recess until 1:30 p. m. tomorrow.

E. H. GRIFFIN,  
Chief Clerk.



## FIRST DAY—AFTER RECESS

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

January 4, 1911.

The house assembled after recess at 1:30 p. m.

Miss Emma Coleman, Miss Mamie Knudson, Miss Mallough, Miss Delance, Miss Carrie McMillan, Miss Deborah Lyman, Miss Josie Eckern, Miss McArthur, Miss Katherine Dwyer, Miss Eva Hutchinson, Miss Erma Sykes, Miss Martha Heinemeyer were nominated for stenographers.

The roll was called and there were 69 votes cast, of which each received 69 and each was declared duly elected.

Those voting for each were:

Messrs.—

Aasheim  
Akeson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrews  
Benson  
Carey  
Christenson  
Collins  
Davidson  
Davis

Messrs.—

Hawkinson  
Hedalen  
Hersrud  
Homues  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johnson  
Kane  
Knox  
Knutson

Messrs.—

Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Paulson  
Peart  
Ployhar  
Price  
Reeves  
Scott

Messrs.—	Messrs.—	Messrs.—
Dean	Kuhl	Nelson of Walsh
DeNault	Kyllo	Scheer
Dosseth	Lageson	Sgutt
Doyle, of Foster	Law	Stranahan
Englund	Lee	Streeter
Fassett	Moen of Benson	Thompson
Fraine	Moen of Cavalier	Tostenson
Fried	Morrison	Tuttle
Fritz	Moritz	Ulsaker
Geiger	Narum	Walters
Gorder	Nelson of Richland	Wambem
Hanson		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	France	Pendray
Boerner	Gardiner	Putnam
Bond	Harty	Ray
Boyd	Heinemeyer	Robinson
Brusletten	Hoge	Roquette
Burnett	Johns	Sauer
Burns	Jordal	Sorlie
Cunningham	Martin	Stern
DeLance	McClellan	Tollefson
Doyle, of McIntosh	Olsgard of Richland	Whitmer
Edwards	O'Shea	Williams
Fox		

The speaker administered the oath of office to the following employes:

J. I. Roop, A. L. Ingalls, G. S. Epler, George Martin, H. B. Halldorson, A. M. Offerdahl, T. D. Baldwin, John Haven, C. A. Hanson, John Roscoe, N. O. Nelson, K. M. Sattern, Carl Magnusson, John F. Charmley, A. E. Erickson, Charles E. Forrest, W. L. Gill, B. H. Miller, H. N. Walker, M. Stansey, Edward S. Johnson, F. W. Couch, Stanley Alberston, Clarence Solberg, Julius Ambertson, Clarence Larson, Walter Knott, Austin Patzman, James McConkey, Hans Thompson, Julius Johnson, George Fisher, E. A. Bryn, Thorval Torgerson, Emma Coleman, Miss Mallough, Miss Delance, Katherine Dwyer, Erma Sykes, Martha Heinemeyer.

## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
January 4, 1911.

Mr. Speaker:

I have the honor to inform you that the senate has organized with the following officers:

President pro tem—C. W. Plain.

Secretary to the senate—James W. Foley.

First assistant secretary to the senate—L. M. Roque.

Second assistant secretary to the senate—H. B. Gray.

Chief enrolling and engrossing clerk—C. G. Parsons.

First assistant enrolling and engrossing clerk—John O'Rourke.

Second assistant enrolling and engrossing clerk—G. O. Hougen.

Third assistant enrolling and engrossing clerk—Carl Magnusson.

Voucher clerk—Miss Ethel Mangold.

Stenographer to the senate—R. H. Johnston.

Sergeant at arms—James Walsh.

Doorkeeper—John Hogan.

Messenger—F. A. McDonald.

Postmaster—John O. Quamme.

And is ready to receive messages from the house.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

Mr. Speaker:

I have the honor to inform you that the senate has adopted the following resolution:

*Be it Resolved by the Senate, the House concurring:*

That when the two houses of the legislative assembly adjourn on Wednesday, January 4, they stand adjourned until two o'clock p. m., January 12.

And your concurrence is respectfully requested.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

Mr. Streeter moved that the concurrent resolution relating to adjournment be amended by striking out January 12th and inserting January 10th.

Mr. Fraine moved that the resolution be passed for ten minutes until absent members returned.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Davidson offered the following resolution and moved its adoption:

*Resolved*, That during the coming recess of the house, the chief clerk instruct and direct his clerks to annotate the copies of the Revised Code of 1905 furnished for the use of the members, by noting thereon all amendments found in the 1907 and 1909 Session Laws.

Which motion prevailed, and  
The resolution was adopted.

Mr. Davidson offered the following resolution and moved its adoption:

WHEREAS, we find that the attorney general has only a small, busy office, and that we find it necessary for him to have a consulting room during the session,

*Therefore be it Resolved:*

That the room adjoining his office which has previously been used as a house committee room be set aside for the attorney general as a consulting room during this session.

Which motion prevailed, and  
The resolution was adopted.

The speaker appointed as such committee Messrs. Davidson, Homnes and Stranahan.

Mr. Sorlie offered the following resolution and moved its adoption:

*Resolved*, That the Speaker appoint a committee of seven (7) on permanent rules for the House of Representatives of the Twelfth Legislative Assembly.

Which motion prevailed, and  
The resolution was adopted.

The speaker appointed as such committee Messrs. Homnes, Sorlie, Williams, Fraine, Ployhar, Doyle of Foster and Price.

Mr. Collins offered the following resolution and moved its adoption:

WHEREAS, it is necessary for the orderly and expeditious transactions of the House of Representatives to have certain employes not specifically employed by statute,

*Now, therefore, be it Resolved:*

That the Speaker be and he is hereby authorized and requested to appoint a committee of three members of the house who shall report to him a list giving the different positions and employments necessary for the proper transaction of the business of the house that have not already been filled by election;

*And be it further Resolved:*

That when said committee shall report to the Speaker as aforesaid, he shall make the appointments, and when so made the names of those appointed shall be entered upon the roll of employes and they shall thereafter be entitled to compensation as shall be hereinafter provided.

Which motion prevailed, and  
The resolution was adopted.

The speaker appointed as said committee, Messrs. Hoge, Norheim, and Hyland, and on their recommendation Messrs. E. B. Johnson, W. A. Staley and Elmer E. Jacobson were appointed as clerks, and the speaker administered the oath of office.

#### MESSAGE FROM THE SENATE.

Senator Overson as chairman of a committee from the senate, announced to the speaker that the senate was organized and ready to receive any communications from the house.

Mr. Streeter withdrew his motion relating to senate resolution on adjournment.

Mr. Fraine moved that the house do now concur in the senate concurrent resolution relating to adjournment.

Which motion prevailed, and

The resolution was concurred in.

Mr. Fraine moved that the house do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## SECOND DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 4, 1911.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Hoge, who was excused.

### REFERENCE TO THE JOURNAL.

Mr. Speaker:

Your committee on revision and correction of the Journal have carefully examined the Journal of the first day and recommend that the same be corrected as follows:

On page 2, line 16, change name of "Berndt" to "Bernt."

On page 5, line 40, change the word "Eddy" to "Foster."

On page 22, line 48, change the word "appropriations" to "apportionment."

On page 3, line 30, the words "Mr. O'Connor of Grand Forks" changed to read "Mr. Bjornson of LaMoure."

On page 2, line 21, "John E. Fried" to be changed to "John B. Fried."

On page 2, line 28, "R. E. Nestos" should be changed to "R. A. Nestos."

And when so corrected, recommend that the same be approved.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved that the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Streeter moved that the speaker appoint a committee of three to notify the senate that the house is now ready to meet the senate in joint session.

Which motion prevailed, and  
The speaker appointed as such committee Messrs. Street-  
er, Thompson and Cunningham.

Mr. Doyle of Foster moved that the house take a recess  
subject to the call of the speaker.

Which motion prevailed, and  
The house took a recess.

#### AFTER RECESS.

The house reassembled.

The sergeant at arms announced the members of the  
senate.

#### JOINT SESSION.

Prayer by Rev. Harris.

Senator Gilbert moved that a committee of one member  
of the senate and two members of the house be appointed  
to wait upon the governor and notify him that the joint  
session is now ready to receive him.

Which motion prevailed, and

The president appointed as such committee Senator  
Cashel and Representatives Fraine and Doyle of Foster.

Senator Duis moved that a committee of one member of  
the senate and two members of the house be appointed to  
wait upon the state officials and escort them to the joint  
session.

Which motion prevailed, and

The president appointed as such committee Senator  
Talcott and Representatives Collins and Hyland.

The sergeant at arms announced the arrival of the com-  
mittee escorting the governor elect and state officials.

Governor Burke was introduced to the members of the  
joint assembly by the president of the senate.

Governor Burke then delivered his message.

#### GOVERNOR'S MESSAGE.

Gentlemen of the Twelfth Legislative Assembly of the State of North  
Dakota:

In Section 75 of the Constitution is found this language, viz: "He (the  
governor) shall at the commencement of each session communicate to  
the legislative assembly, by message, information of the condition of the  
state, and recommend such measures as he shall deem expedient." It  
does not impose any legal obligation on the members to be guided by

the conditions presented, or to approve the recommendations made. The information is for the benefit of the members to enable them to act intelligently; and the governor is required to furnish it for the reason that he is in position to know the conditions of the state and to make recommendations in reference thereto. He is a member of many of the state boards. The institutions and the officials all make reports to his office and this gives him a knowledge of the conditions of the state and its institutions greater than that of any other official.

The most important information to the legislative assembly is the information of the financial condition of the state, for without it the legislature is working in the dark and may appropriate more money than the revenues of the state warrant, and while there is no legal obligation imposed upon the legislative assembly by the constitution to be guided by information of the conditions of the state furnished by the governor, there is an implied moral obligation to keep within the revenues of the state in making appropriations.

In my message to the Eleventh Legislative Assembly I furnished an itemized statement showing the expenditures of the state for the two years previous, and included an official estimate of the revenues of the state for the ensuing two years, in spite of which the appropriations made by the legislature exceeded the revenues of the state in large amounts. I do not believe that the legislature intended to appropriate more money than there was revenue. Many of the appropriation bills were passed at a late hour on the last night of the session and in the confusion and hurry always incident to the closing hours of the legislature, it is doubtful if any member knew that they had exceeded the revenues of the state, but whether it was the intention or not, it was certainly negligence on the part of some one to allow so many appropriation bills to remain in the hands of the committees until the last night of the session. The appropriations should be taken care of as early in the session as possible; not in the confusion of the last night of the session when the members are cleaning up their desks and preparing to leave, but at a time when there is nothing to distract the attention of the members from the mature deliberation and consideration they should give to so important a matter as the expenditure of the people's money.

Most of the appropriations made by the Eleventh Legislative Assembly did reach the governor's office early in the session, and they were signed as a matter of course; for, as you know, the governor can hold a bill only three days when it becomes a law without his signature unless vetoed. He has no right to assume that the legislature would exceed the revenues of the state in their appropriations and the bills were signed as a matter of course, and when the legislature sent to his office on the last night of the session appropriation bills aggregating between eight and nine hundred thousand dollars, and he discovered that more money had been appropriated than the state had provided, it was, of course, necessary for him to cut the appropriations down so as to make the



revenues and the appropriations as near equal as possible. He could only veto items in bills that had not been signed; for those that were signed had become laws and the governor was bound by them the same as every other citizen. This made it exceptionally hard and unfair to the institutions whose appropriations came in on the last night.

If the governor could have had all the appropriation bills before him with a free hand to veto items in each and all, he could, perhaps, easily have gotten within the revenues of the state and have dealt fairly by the institutions, so it must be apparent to you that the delaying of so many appropriation bills until the last night of the session is not only carelessness upon the part of the legislature, but it is unfair to the institutions. Then again, you are leaving matters of great importance that you should decide yourselves with the assistance of the governor, to the governor alone; for when the legislature sends to the governor's office so many appropriation bills in excess of the revenues of the state after adjournment with no opportunity of sending them back to the legislature, you are placing upon the governor alone the responsibility of fixing the appropriations.

I repeat, I do not believe that the legislature intended to do this. I do not believe that the members either collectively or individually shirked any duty or responsibility, but through carelessness they did in effect place this responsibility upon the governor and the effect is just the same as though it were intentional.

The veto power is one that I do not care to use and ought not to use except in case of great necessity. I do not want to place my judgment against the judgment of all the representatives of the people, except when conscience dictates that I should. I am not here to oppose you but to work with you for the betterment of our laws and the upbuilding of our great state.

In compliance with the provisions of the Constitution heretofore referred to, I have furnished you with an itemized statement showing the disposition of the revenues of the state for the past two years and an official estimate of what the revenues will be for the ensuing two years.

Total Expenditures, 1909-1910 For	Bal. Jan. 1st, Appropriat'ns Collections 1909-1910	Total Pay'ts 1909-1910	Bal. Dec. 31, 1910
Salaries—			
Elective and appointive...	\$ 231,468.49	\$ 229,204.14	\$ 2,264.35
Personal expense accounts—			
1909 Session Laws for state officials .....	20,855.78	20,855.78	.....
Expense			
Elective and Appointive..	20,326.92	10,616.86	9,710.06
Clerk Hire—			
State Officials .....	97,937.40	95,938.48	1,998.92
Miscellaneous—			
Institutions, Build'gs Fund, Maintenance, Exp. Irri- gation, Immigr'n, Farm- ers institutes, etc. ....	2,427,623.54	2,154,625.97	272,997.57
Miscellaneous—			
Judge Burr, Flur Case, Abercrombie Park, Tem- perance Comm'r, etc....	9,453.68	8,352.69	1,100.99
Unlimited Appropriations—			
Transportation Convicts and Insane .....	35,340.82	35,340.82	.....
Per diem trustees of institu- tions .....	19,277.42	19,277.42	.....
Miscellaneous Unlimited ...	141,830.63	141,830.63	.....
11th Legislative Assembly..	49,387.50	49,387.50	.....
Mileage and per diem members .....	32,311.50	32,311.50	.....
Per diem officers and em- ployes .....	15,793.10	15,793.10	.....
Expense 10th Assembly....	320.00	320.00	.....
Expense 12th Assembly....	168.75	168.75	.....
Publish'g Constitut'l Amend- ments .....	2,973.50	2,973.50	.....
<b>Grand total .....</b>	<b>\$3,105,069.03</b>	<b>\$2,816,997.14</b>	<b>\$288,071.89</b>

Official estimate of the state revenue for 1911-1912, as made by the State Auditor:

From taxes .....	\$1,750,000.00
From miscellaneous collections .....	750,000.00
<b>Total .....</b>	<b>\$2,500,000.00</b>

The following data is found in the report of the Superintendent of Public Instruction for the biennial period ending June 30, 1910:

PUBLIC SCHOOL INCOME.	Year Ending June 30, 1909	Year End- ing June 30, 1910
State apportionment .....	\$ 413,035.07	\$1,197,251.55
Two mill tax and school poll.....	542,219.25	653,222.18
From taxes levied by districts.....	2,881,252.35	3,321,766.69
Tuition .....	.....	14,293.50
Sinking fund .....	22,722.16	31,447.20
Miscellaneous .....	234,555.77	192,418.00
Total .....	\$4,093,824.60	\$5,410,429.12

In the miscellaneous item above is included the annual appropriation of \$45,000.00 for State Aid to High Schools.

And now at the threshold of your labors I ask you to keep your appropriations within the revenues of the state. Introduce your appropriation bills as early as possible in the session. Consider them all as nearly at the same time as may be, for it is only by careful consideration of all that you can justly determine what each should have. Inasmuch as the Constitution permits the Governor to retain a bill for three days only, try and have all the appropriation bills reach the governor's office within three days from the time that he receives the first bill. He will then have them all before him at the same time, and if in his judgment something should be cut out, you will still be in session to receive his judgment and subject it to your own. This is only fair to yourselves, to the governor, to the institutions and to the people of the state.

#### ECONOMY IN LEGISLATIVE EXPENSES.

Do not construe my request to keep within the revenues of the state as a demand to appropriate all the revenue provided by the state. This is a good year to practice economy, and economy, like charity, should begin at home. The state has been extraordinarily prosperous since 1900 until the last year, and because of our abundant crops the people have assumed great obligations which under present conditions compel them to practice the most rigid economy.

Beginning at home, that is, right in the legislature, I call your attention to the fact that it has always been the custom to print all the bills introduced in the legislature, whether the same have any merit or any prospects of ever becoming laws, and a large number of clerks are daily employed mailing newspapers of the state such bills and the legislative journals.

This has always seemed to me a useless waste of public money. As a remedy, I recommend that no bills be printed until they are reported favorably from the committees and that the mailing out of bills and journals be entirely dispensed with.

That the legislature is extravagant in the matter of unnecessary employes is common knowledge. It is this extravagance that is responsible for the law requiring the enrolling and engrossing of the bills to be done by contract, and which law failed in its purpose to diminish the number of clerks, until last year when the Senate, heeding the gentle admonition in the governor's message, had but 65 employes as against the 80 the preceding session, while the House had 74 employes as against 65 the preceding session. There is room for improvement in both houses, and to encourage you to continue the good work, I quote from my last message the following, viz:

"The legislature has not only been extravagant in the employment of clerks, but it has by resolution increased the pay of clerks and favored officers, and has by resolution given away state property.

"You are here as representatives of the people who have reposed a sacred trust in you, and you have no legal or moral right to give away the property or money of the state as a gift or in a spirit of good fellowship. You are entitled to have necessary and competent clerks to facilitate business and the clerks are entitled to fair and just remuneration for their services. Most of this extravagance comes through a spirit of good fellowship without wrongful intent and from force of custom that has prevailed for many years. I call your attention to it now at the threshold of your duties so that you may be on your guard against this pernicious custom throughout the session. It is no kindness to young men or women to put them on the pay roll unless there is something for them to do. It only encourages them to live by their wits instead of by honest endeavor."

The Constitution limits the session to sixty days. This does not mean that you must be in session sixty days. It means that you cannot be in session longer than sixty days and draw pay. Thus far we never have had legislation of such pressing importance as to keep the legislature in session after the time for drawing pay had expired. But it has always been of sufficiently pressing importance to keep the legislature busy for the full sixty days. With a sincere desire on the part of each member to shorten the term, I am sure that you can complete your labors long before the expiration of the sixty days and prove to the people of the state that you are really and truly here in their interests.

#### LEGISLATIVE APPROPRIATIONS.

I have already said that it is not my intention to recommend the appropriation of all the revenue provided by the state. Indeed, I think this legislature ought to appropriate only so much as is absolutely necessary for the running of the state and the maintenance of our state institutions. As regards the state institutions their reports will be upon your desks containing the information of their growth and development and their necessities. Where the institu-

tions have buildings in course of construction there should be, of course, appropriations for the completion and equipment of such buildings, but outside of this, in my judgment, the legislature should be very careful about appropriating money for the construction of new buildings, except in case of the Normal School at Minot. The electors in the recent election approved the amendment to the Constitution providing a normal school at the city of Minot, and by so doing have decided that an institution is necessary at that place. It is our duty to accept their verdict and make provision for such institution consistent with the financial condition of the state.

#### ELECTION OF UNITED STATES SENATORS.

It will be your duty to elect two United States Senators, one to succeed and fill the unexpired term of the late Hon. M. N. Johnson, and one to succeed Senator Porter J. McCumber.

The sentiment of the people in reference to the election of United States senators by direct vote of the people is well known, and while senators are elected under the provisions of the Constitution of the United States, some of the states have adopted laws under which the legislature elects senators who are elected by the people. In view of the general sentiment in this state in favor of the election of United States senators by direct vote, I recommend such an amendment to the election laws of the state.

The death of Hon. M. N. Johnson, an early pioneer of the territory and state, an honored and respected citizen, a member of the Constitutional Convention, our representative in Congress for many years and finally one of our representatives in the United States Senate, is a great loss to the state and it is proper for this body to express by resolution its respect and esteem for a great and good man and its sorrow for his untimely death.

#### GRAIN INSPECTION.

The last legislative assembly made provision for two state grain commissioners to serve on the Minnesota Board of Appeals and when the law became operative H. O. Brown, of Benson county, and J. T. Clifford, of Ward County, were duly appointed commissioners and have acted as such since that time. By virtue of the law under which they were appointed they have made a valuable report which will be duly printed and placed upon your desks, and which shows the manner of handling, weighing, docking, sampling and grading of our grains at these terminals. It shows further a tremendous loss to the grain growers of this state and recommends as a remedy the building of warehouses at Minneapolis, Duluth and Superior and at some points within our own state, in which our wheat could and would be handled, cleaned and conditioned under our state inspection, and when shipped from our elevators identified as North Dakota wheat by certificate of inspection would command a premium of from 5 to 8 cents per bushel. Not only does it appear that our grain is mixed with other grains of

poorer quality but it appears that our Durum wheat is mixed with No. 1 Hard and manufactured into the best patent flour. The remedy recommended by the commissioners, the building of elevators and warehouses at Duluth, Superior and Minneapolis and within our own state, is at least in part in conflict with section 185 of the Constitution which reads as follows:

"Section 185. Neither the state nor any county, city, township, town, school district or any other political subdivision, shall loan or give its credit or make donations to or in aid of any individual, association or corporation except for necessary support of the poor, nor subscribe to or become the owner of the capital stock of any association or corporation, nor shall the state engage in any work of internal improvement unless authorized by a two-thirds vote of the people."

This question came up on the report of the grain commissioners two years ago who made the same recommendations and I took some pains to examine the law at that time for the purpose of determining just how far the state might go, and inasmuch as the same recommendations came to this legislative assembly from the present commissioners, I deem it necessary to dwell briefly on the power of the state under this provision of the Constitution. It says, in fact, that the state shall not donate money or loan or give its credit to an individual, an association or a corporation except for the necessary support of the poor. It shall not subscribe to or become the owner of capital stock of any association or corporation. It shall not engage in any work of internal improvement unless authorized by a two-thirds vote of the people. If there is any power in the state to comply with the recommendations it is under the last class, viz., nor shall the state engage in any work of internal improvement unless authorized by a two-thirds vote of the people. The people could not by a two-thirds vote authorize the building of elevators or warehouses at Minneapolis, Duluth or Superior, for the building of elevators at such places would not be works of internal improvement. Only internal improvements are so authorized. This means, of course, within the interior or within the limits of the state.

The question of whether the building of a state elevator within the state is a work of internal improvement was before the court of Minnesota in the case of Rippe vs. Becker, reported in the 56 Minn. page 100. The Minnesota law construed in this case was an act to provide for the purchase of a site and for the erection of a state elevator or warehouse at Duluth for the public storage of grain, so that the purpose of the Minnesota law was the same as the purpose of the elevators recommended by our grain commissioners, and the court, in a well considered opinion by Mitchell, sustained by abundant authority, held that such act was not an exercise of police power to regulate the business of receiving, weighing and inspecting grain in elevators,

that it had no relation to the regulation of the business but provides for the state itself engaging in and carrying it on. It further held that the act was in violation of Article 9, Section 5, of the Constitution of Minnesota, providing that the state shall never contract any debts for works of internal improvement to be a party in carrying on such works. The building of the elevator was an internal improvement because it was in fact a part of a system of transportation and the state could neither contract the debt nor engage in the grain business and the Minnesota law authorized both. If the building of an elevator is an internal improvement our state can build or lease elevators within the state provided the same is authorized by a two-thirds vote of the people of the state as provided in section 185 of the Constitution, but it has no authority to go outside the state for the construction of any such improvements without an amendment to the Constitution.

#### RAILROAD COMMISSION.

In the report of the railroad commissioners you will find many valuable suggestions, much important information and recommendations, to some of which I call special attention. It is first suggested that the tenure of office of the railroad commissioners be changed in such a way that there will always be a majority of holdovers on the board, thus enabling the board to keep a working membership who are familiar with the details of the work. That Section 369 of the Revised Codes of 1905 be amended so as to give to the commission supervision over all common carriers, whether operated by steam, electricity, gasoline or other motive power. That under the law it be made the duty of the commission to forward all complaints of an interstate character to the interstate commerce commission and to appear and prosecute such cases before the interstate commerce commission, and in support of this recommendation it is claimed that the expenses incident thereto and the lack of knowledge of the procedure on the part of individuals will prevent such individuals from bringing action; in other words, they would rather suffer the loss than the trouble and expense. That section 4305 of the Revised Codes of 1905 be amended so as to make it the duty of railroad corporations to maintain a station house and agency when freight charges on shipments therefrom amount to \$12,000 and where the receipts on incoming freight and passengers amount to a sufficient sum in the discretion of the railroad commissioners. That it be made the duty of all transportation companies to construct viaducts underneath their tracks and over crossings when in the opinion of the commissioners the grade crossings are deemed to be unsafe. That the commissioners of railroads be authorized to employ a competent person to inspect all railroad track scales and that a penalty be provided by law for the failure to correct any irregularities when ordered so to do by the commissioners. That the commission be given the power to require competing railroads to arrange their passenger train schedules when possible to insure sufficient and satisfactory connec-

tions at junction points within the state. That the commission be given the power to determine the maximum speed of passenger trains and to require railroad companies to add additional coaches when necessary. That the commissioners be authorized to employ a rate clerk for investigation of express and freight rates. That the commission be given more power and authority over claims for overcharges made by carriers. That it be authorized to employ an inspector and competent person to inspect grain elevators, warehouses, test scales, investigate the issuance of storage receipts and the sufficiency and solvency of sureties on personal bonds given by elevator companies, and that the elevator companies be required to make sworn statements, in the discretion of the commission, showing the number and value of storage tickets and remaining tickets unpaid and the number of bushels of grain of each kind, grade and value in storage in their elevators. That the commission be authorized to refund license fees pro rata upon the surrendering or cancellation of an elevator license before its expiration. That the commission be authorized to represent the owners of storage tickets and assist in the enforcement of claims when the same are not redeemed. That section 4392 of the Revised Codes of 1905 be amended so that the commission may exercise some discretion in determining the necessity for installing of Ys and connecting tracks. That the commission be given supervision over telephone, telegraph, gas, water and electric companies, and other public utility corporations. That they be given the power to employ a stenographer. And finally, the commission asks that the money received from the issuance of elevator licenses be appropriated to defray the expenses of the commission. To all of which I call your attention and ask your careful consideration.

#### WOLF BOUNTY.

The state auditor has issued a statement showing the amount of taxes levied and the amount of taxes paid under the wolf bounty law since its enactment, and recommending the repeal of this law. The law is unjust to the people in the eastern and central part of the state where there are no wolves and the law authorizing the payment of wolf bounty by counties is fair and just and apparently adequate under present circumstances and conditions.

#### MILITIA.

According to the Adjutant General's report, the members of the National Guard of this state are well satisfied with the new military code and with present appropriations. The report recommends that the adjutant general be made ex officio member of the military board controlling the military reservation and that there be a small standing appropriation for the care and improvement of the military grounds. The recommendations are just and reasonable. The Adjutant General should be a member of the military board so that all moneys appropriated for the improvement and maintenance of the military ground



could appear accounted for in his report. Under the present law the military board is not connected with his department in any way.

#### LEGAL DEPARTMENT.

In the Attorney General's report you will find comments on the recent coal rate case and the probability of its again being brought into the courts by the railroads. The questions involved in this case were not permanently settled in the decision of the supreme court of the United States, and the railroads were given the right to bring another action at any time they can show that the rates fixed by the legislature are unreasonable. The Attorney General's office is handicapped by not having funds to cover the costs of such actions. The coal rate case is only used as an illustration. There may be others at any time where it is the duty of the attorney general to appear on behalf of the state and prosecute or defend and he ought not to be hampered by lack of funds necessary for the prosecution or defense of the case. This is a matter of great importance for it is better for the state not to appear at all than to appear unprepared on such important cases.

#### TUBERCULOSIS SANITARIUM.

The last legislative assembly appropriated ten thousand dollars to secure and improve a site for a tuberculosis sanitarium; the site to be selected by a board consisting of Dr. G. F. Ruediger, of the Public Health Laboratory of the University, Dr. J. L. Grassick, superintendent of the State Board of Health, Dr. Fannie Dunn Quain of Bismarck, Hon. C. J. Lord, of Cando, and the Governor. As provided by law, the board met, organized, and finally selected a site for such sanitarium on the south side of the Turtle Mountains, where the board secured by purchase gift a large tract of land, protected on the north and west by the hills and timber, overlooking and extending to a deep freshwater lake on and gift a large tract of land, protected on the north and west by the hills and timber, overlooking and extending to a deep freshwater lake on the south side of the Turtle Mountains, where the board secured by purchase gift a large tract of land, protected on the north and west by the hills and timber, overlooking and extending to a deep freshwater lake on the north and west by the hills, is still very high in altitude and is a perfect garden spot. The soil is deep and fertile and well adapted to all kinds of gardening. It is surrounded by a fine grove of natural burr-oak trees, while from the side hill immediately adjacent there flows several fine springs of pure water, all flowing into one little stream flowing by the building site.

To the members of the board it seems like an ideal spot—high altitude, pure air, pure water, shade and sunshine and protection from the bleak winds of the north and west.

We have expended altogether \$4,052.25 for the land and \$4,119.40 for laying out roads and improvement of the land. We have about \$1,800 of the appropriation still unexpended. We are under obligations to Prof. Waldron, the landscape gardener from the Agricultural College, who did for us the landscape work, accepting for his services his expenses only.

We have expended about \$100,000 in the last two years fighting diseases of animals. Surely we can afford to spend a little fighting this dread disease among our own kind. Everywhere war is being waged against the great white plague. It is no longer an experiment. We know that consumptives are being cured every day in sanitariums throughout the land. Let us not be behind the times in this respect. We have already made a start. And I recommend a reasonable appropriation for the building of a sanitarium upon the site selected.

#### GLANDERS.

In 1907 the legislature passed a law indemnifying owners for loss of horses killed by order of the state veterinarians on account of having the disease of glanders, but there being no appropriation for the payment of such indemnity, there was no way to pay the bills accumulating against the state on account of the killing of such horses and the legislature of 1909 appropriated \$80,000 for the payment of such claims without repealing the law passed in 1907. It being still in force, after the appropriation of \$80,000 made by the last legislative assembly was exhausted the bills again began to accumulate in the auditor's office until there are today bills aggregating \$53,970.83 awaiting the action of this legislature. The live stock sanitary board has been operating under this law the last two years the same as during the first two years of its existence, and while the state has a right, as a police regulation to condemn and kill animals infected with dangerous diseases without indemnifying the owner, the indemnity act is a good law for the owner of such animals under this law will be anxious to disclose the condition of the animal while without the indemnity he is disposed to conceal it, and with this law upon the statute books and our officials operating and acting under it with the full expectation that the claims will be paid, we are under, at least, a moral obligation to appropriate a sufficient sum of money to pay the claims, and I therefore recommend the same.

#### HEBRON EXPERIMENT STATION.

The experiment station at Hebron in Morton county, North Dakota, has made great progress in the manufacture of briquettes and of gas taken from the lignite coal from which the briquettes are manufactured. The report of Professors Babcock and Snyder show that they can manufacture briquettes, a ton of which is equal to twelve-thirteenths of a ton of the best anthracite coal, for \$5.00 per ton, and gas of great value for heat, light and power. The lignite coal is one of the greatest resources that we have in this state, and I invite your attention to the report of Professors Babcock and Snyder, with a view of determining for yourselves the great importance and value of the work they are doing and of continuing the experiments and the development of this great resource.

#### ANTI-PASS LEGISLATION.

In the campaigns of 1908 and 1910 the two great political parties of this state were pledged in their platforms to enact an anti-pass

law. The legislature in 1909 refused to redeem the pledges made in the party platforms by failing to pass the law. The parties in 1910, knowing that there was a general sentiment throughout the state for anti-pass legislation, again pledged such legislation in their party platforms. You are all members of one party or the other. You have all been elected to this legislative assembly upon one or the other platform, both of which are pledged to anti-pass legislation. It is now up to you to redeem or repudiate this pledge twice made to the people by the two great political parties in this state. There is no argument that can be used in favor of the pass. It is contrary to the principles of our government of equal rights and of equality before the law. Your election and my election to public office does not make us any better than any other citizen of the state nor entitle us to any privilege that is denied to others. The railroads are for the use of the whole public and no person is entitled to any special privilege on or over the railroads not common to all. They can afford to carry no one free, and if they do it is done either at the expense of the general traveling public or by a return of favors. The railroads are entitled to fair remuneration for their services, and the people are entitled to the best possible rates. Make everybody pay and the railroads can afford to carry everybody cheaper. Most of the states have adopted anti-pass legislation. The congress of the United States put an anti-pass provision in the interstate commerce act. I have every confidence that this legislative assembly will redeem the party pledges and that this law will be enacted. Do not endanger it by connecting it with any other legislation. Let the bill include only anti-pass legislation and introduce it into this assembly just as soon as possible.

#### INCOME TAX.

The Honorable P. C. Knox, secretary of state of the United States, has certified to the secretary of state of this state, a joint resolution proposing an amendment to the constitution of the United States, as follows:

#### "JOINT RESOLUTION

"Proposing an Amendment to the Constitution of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each house concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several states, shall be valid to all intents and purposes as a part of the Constitution:

"Article XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration."

It is my duty to submit this resolution to you for ratification or rejection. The purpose of this amendment is to enable Congress to pass a constitutional law taxing incomes, and both of the great political

parties of this state have many times approved of such a law in their platforms. Hence, unless there is something objectionable in the language of the amendment itself, you ought in justice to the demands of the people of this state ratify this amendment. Some of the ablest lawyers in the land object to the broad terms in which the language giving the power to tax is couched. It is claimed that the power to levy and collect taxes on incomes from whatever source derived is too broad and that under it Congress would have the power to impair the obligations and destroy the credit of the state. While upon the other hand just as able lawyers insist that the constitution contemplates the independent exercise by the nation and the state of their constitutional powers and the obligations of the state cannot be impaired by this grant of power.

There is, however, one question of fact which in my judgment makes it safe for the states to ratify this amendment. The members of Congress have their constituencies in the several states, and if they had the power to pass a law under this amendment that would impair the obligations and credits of the states, they would not do so. In the first place they would not do so because they do not want to impair the obligations and credits of the states. They are all anxious to have the state from which they severally came, the best state in the Union and their own district the best district in the state, and those who have not this pride in their homes, would not dare to vote in favor of such legislation for if they did it would mean their defeat at the next election, and for these reasons we need not take into consideration the questions of law, but we can safely be governed by the questions of fact which appeal to our reason and good sense.

This amendment passed the United States Senate without a dissenting vote and in the House there were only fourteen against it. It is not a partisan measure. It is intended to raise revenue by taxing the incomes of those who are most able to pay. This is right because those who have the most property have the most protection of the law. Next to life property is our most sacred asset. Next to life it has and should have the fullest protection of the law. It is property that gives us stable government and the taxes paid and invested for the protection of property under laws that make property safe, are good investments. This is a non-partisan measure and I hope to see it ratified by the legislature of this great progressive state without a dissenting vote. The ratification may be by joint resolution signed by the governor and certified to the secretary of state at Washington and to the presiding officer of each house.

#### SCHOOL LAWS.

The last legislative assembly provided for the appointment of a commission to compile the school laws of the state, of which commission the attorney general and the deputy state superintendent of public instruction are, by law, members. Upon this commission the governor appointed Professor Joseph Kennedy of the state university, Professor

A. D. Weeks of the agricultural college, and Professor R. M. Black of the School of Science. These gentlemen have compiled the laws, added thereto and taken therefrom and have tried to put the school law in as compact form as possible. The members have all been engaged in school work for many years. They are familiar with the school laws and with their defects. Their report will come to you in the shape of a bill embodying all the school law under one appropriate title. I believe that it will be a great improvement on the present school law, and I hope that it may receive careful consideration and your approval.

#### DAIRIES.

The dairy interests have continued to grow and develop under reasonably liberal legislation passed by the last assembly. It is of great importance to the state because of its enriching and resting the soil as well as for the revenue derived from it. It needs some encouragement and I hope that you can see your way clear to at least continue if not improve on the legislation of the last assembly upon this subject.

#### UNIFORM LEGISLATION.

There is a great movement in the United States for uniform legislation. Many of the states, in fact, nearly all of them, have provided by law for commissions to act with commissioners of other states in drafting uniform legislation. Of course, it is impossible to adopt uniform legislation upon every subject. Our country is so big and the conditions are so different that some principles of law are not applicable to all parts of the country, but where the legislation can be made uniform it is of great advantage. Some of this uniform legislation adopted in other states and approved by the conventions for uniform legislation will be introduced in this legislature, and I recommend it to your most careful consideration.

Many of the states provide for commissions on uniform legislation without compensation. Some allow expenses. I know of lawyers in this state that are willing to act on a commission without either pay or expenses, but if their services are worth anything to the state, it is hardly fair to ask them to work for the state without, at least, paying their expenses. The matter I deem of sufficient importance, at least, to call your attention to it.

#### GOOD ROADS.

Good road legislation is receiving much attention throughout the different states, and surely this subject is of great importance in an agricultural country where the products of the farm must necessarily be hauled over the country roads to the railroad. The compilation of Mr. Svenbjorn Johnson, who is in charge of the legislative reference library, of the laws of the different states will be of great service to you in the selection of laws for the building of good roads. I repeat my recommendation to the last legislative assembly, viz., to enact a law requiring all road taxes to be paid in cash and the building of the roads to be let by contract to contractors experienced in road building.

#### ASSESSMENT OF PROPERTY.

In my message to the legislature in 1907 and again in 1909, I called attention to the necessity of amending our laws on assessment and taxation so that all property might be assessed at its actual value, that while the present law requires all property to be assessed at its actual value, it is a matter of common knowledge that it is not, and that if it were, officers' salaries based upon the assessed valuation would be too high and the increase in the mill tax would be unnecessarily burdensome upon the people, and that legislation furnishing the machinery necessary to secure the assessment of property at its actual value would also require amendments to the laws regulating officers' salaries based upon the assessed valuation of the property and amendments to the mill tax. By the term mill tax, I mean, of course, the tax levied for the maintenance of our educational institutions.

The platform of the dominant party in the last campaign contained a plank in favor of providing by law for a tax commissioner. I believe the growth and development and enormous increase in the taxable property in the state in the last few years will now warrant the legislature in providing for a tax commissioner whose duty it will be to look after the assessments, see that they are just and uniform and for full value, to assist in the collection of taxes, and to furnish the state board of equalization with all the information necessary to enable them to justly equalize the assessment.

#### CAPITOL BUILDING.

In reference to the capitol building, I can only repeat my recommendations made to the last assembly. I invite your inspection of the building so that you may determine for yourselves the necessity of the improvements recommended. There is no supply of water for fire protection, except that contained in two tanks near the top of the building, which is not a sufficient supply in case of fire. The tanks frequently leak, spoil and loosen the plaster and are a great source of annoyance. There should be a tank or standpipe outside the building, large enough to furnish ample protection against fire.

#### JUDICIAL DISTRICTS.

In my judgment there should be a re-adjustment of the judicial districts of the state. In some of the eastern districts of the state the business is decreasing and there is scarcely enough of work to keep one judge employed, while in some of the central and western districts of the state the legal business has increased so that it is impossible for a judge to keep abreast of his work. This is especially true of the Eighth and Tenth districts.

#### EXECUTIVE.

Among the recommendations made to the Eleventh legislative assembly was one for the enactment of a law giving the governor power to remove officers not subject to impeachment for wilful neglect of duty. Such a law was introduced but failed to pass. The opposition claimed that it would give too much power to the governor, and that

under it he would remove his enemies and appoint his friends to office. This reasoning has been before the courts in construing such laws and the courts have invariably held that the responsibility to the people of the officer to whom this power is given will always prevent him from removing an officer without just cause.

It was also strenuously argued that such a law would be unconstitutional upon the theory that it would give judicial power to an executive officer, and this argument, no doubt, had great influence in preventing the passage of the bill. This question has also been determined by the courts and always in favor of the constitutionality of the law. "The removal of an officer is considered a quasi-judicial function and statutes authorizing removals are not unconstitutional as delegating judicial power." *People v. Raymond*, (N. Y.) 129 Appellate Div. 477. *State v. Wells*, 210 Missouri, 601. *People v. Chicago*, 334 Illinois 416. I have been unable to find a single authority holding such laws unconstitutional. The same principle was before the supreme court of our own state in the case of *Kermott v. Bagley*, 124 Northwestern Reporter 397. The druggist's permit law under which the granting of permits was imposed on the district judges of the state was construed in this case. The claim was made that it was unconstitutional inasmuch as it conferred administrative powers upon a judicial officer, and the court held that while it was an administrative power that the law was not unconstitutional. Under this same reasoning the power to remove officers must be upheld.

Having determined the constitutionality of the law, the next question is its necessity. There certainly ought to be a responsible head to the state government. Some official that the people might look to for the enforcement of law and hold responsible. There is no business concern in the state without a responsible head. Every store, every farm, every city, in fact every family in the state has a responsible head. Some person or some officer that can be held responsible. The mayor of every city has the power and the people generally believe that the governor has. If the state should have a responsible head, who should be the responsible head? To determine this we should look to the constitution, and see if it in any way indicates that such power should be given to any of the officers. The indication is found in section 71 which says "the executive power of the state is vested in the governor." This vests in the governor the executive power, and standing alone it would be sufficient to indicate that it was the intention of the constitution that the governor should be held responsible for the enforcement of the laws of the state. But it does not stand alone. Section 75 of the constitution says that he shall take care that the laws be faithfully executed. The constitution would not command the governor to enforce the laws of the state unless it intended that he should have the power to obey the command.

The governor has no inherent right to remove. It is a right that must be conferred by law. *Bruce v. Mallock*, 111 S. W. Reporter 990.

State v. Haynes, 105 Minnesota 309. The power must be conferred by statute. Does our statute confer the power? The only legislation on the subject is found in chapter 3 of the Political Code, section 86, and section 1761 of the Revised Codes of 1905. Under section 86 the governor is to supervise the official conduct of all executive and ministerial officers. Second, he is to see that all offices are filled and the duties thereof performed, or in default thereof, apply such remedies as the law allows. If the remedy is imperfect, acquaint the legislative assembly therewith at its next session. This does not confer any power upon the governor to remove anyone. It says that he must supervise the official conduct of the executive and ministerial officers, that he must see that the offices are filled and the duties performed. If the law stopped at this the governor would probably have the implied power to remove officers in case their duties were not performed or in case they refused to submit to his supervision. But it does not stop with the commands referred to. It goes further and says that in default thereof he must apply such remedies as the law allows, and the remedy that the law allows is an action in the court for their removal, which would be wholly without effect in counties where the officers refused to enforce the law because the law is unpopular.

If the governor is to be charged with their supervision and must see that officers perform their duties he should be given the power to compel them to perform their duties or to remove them from office. The constitution which invests him with the executive authority of the state and commands him to faithfully execute the laws intends that he shall have the power to obey the command. It further intends that you shall give him this power. It places on you this moral obligation, not by implication but expressly in section 68 which reads, "the legislative assembly shall pass all laws necessary to carry into effect the provisions of this constitution." If this provision stood alone it would be sufficient because it is couched in mandatory language, that is, it is put in the form of a command; but it is strengthened and enforced by section 21 which says, "the provisions of this constitution are mandatory and prohibitory unless by express words they are declared to be otherwise." By mandatory provision the executive power is vested in the governor, by mandatory provision he is commanded to faithfully execute the laws, and by mandatory provision you are required to pass all laws that are necessary to carry into effect the provisions of the constitution vesting the executive power in the governor and commanding him to faithfully execute the laws. If you do not do this and the governor fails in the execution of the laws for want of power it will be your fault and not his.

Section 196 of the constitution provides that certain officials may be removed by impeachment and it follows that such officials cannot be removed in any other way. Section 197 provides that all officials not liable to impeachment shall be subject to removal for misconduct,



malfeasance, crime or misdemeanor in office, or for habitual drunkenness or gross incompetency in such manner as may be provided by law. This clearly gives you the right to provide by law for the removal of all officers not liable to impeachment for the causes mentioned in this section. The present law is grossly inadequate to carry into effect the provisions of the constitution and I recommend the enactment of a law giving the governor power to remove officers not liable to impeachment for the causes mentioned in section 197 of the constitution.

#### INITIATIVE AND REFERENDUM.

Upon this subject I find in the republican platform of 1910 the following plank, viz., "We affirm our belief in the wisdom of the principles of the initiative, referendum and recall, as well as a stringent corrupt practice law." Upon the same subject in the democratic platform of 1910 appears the following plank, viz., "We are in favor of the initiative and referendum and recall." Both parties agreeing and demanding the initiative, referendum and recall, and the republican party asking also for the enactment of a corrupt practice act, the people of the state must be in favor of this legislation when it finds expression in the platforms of both parties. If we believe in the theory that this is a government of the people there ought not to be any objection to such legislation for it places the power of governing right in the hands of the people where it belongs. It gives the people control not only over legislation, but over the officials as well. Inasmuch as it is demanded in the platforms of the two great political parties of this state, the legislation should be passed as a matter of course in redemption of the pledges made to the people. I recommend the enactment of such legislation, including the corrupt practice act demanded in the republican platform. The initiative, referendum, and recall will of course require a constitutional amendment.

With every confidence that these recommendations will receive fair consideration and that those which appeal to your good judgment will meet with your approval, they are most respectfully submitted.

JOHN BURKE, Governor.

Senator Talcott moved that the joint session do now dissolve.

Which motion prevailed, and

The joint session dissolved.

The house reassembled.

Mr. Fraine moved that the house take a recess subject to the call of the speaker.

Which motion prevailed, and

The house took a recess.

#### AFTER RECESS.

The house reassembled.

## MOTIONS AND RESOLUTIONS.

**Mr. Fraine** offered the following resolution and moved its adoption:

WHEREAS, the Honorable Frank M. Baker, a member of the House of Representatives of the State of North Dakota in the 11th session thereof, has been, by that Supreme Intelligence which governs the affairs of man, removed from this earth, and

WHEREAS, his colleagues, the members of the House of Representatives of said session, and the membership of the 12th session, have heard with profound sorrow of his death;

*Be it Resolved:*

That as a token of our love and esteem for him, a copy of this resolution be engrossed and forwarded by the chief clerk of his house to the family of the late Honorable Frank M. Baker, and that as a tribute of respect for his memory, the House, when the order of business under the heading of "Motions and Resolutions" shall have been finished, adjourn.

The Honorable Frank M. Baker was a native of Iowa and was born in said state June 12th, 1877. He was educated in Iowa University and the University of Minnesota, coming to North Dakota in 1902. Though a young man and serving his first term as a member of the Legislature, his zeal, ability, intelligence and kindness of manner stamped him as one of the best members of the House and endeared him to his colleagues. His life, though short, was full of examples showing his patriotism, energy and kindly spirit. During the Spanish-American war he served in the 52nd Iowa Regiment. At the time of his death he was second lieutenant in the 1st Infantry, North Dakota National Guards. He had served as Assistant State's Attorney of Stark County for four years, from 1904 to 1908. He had built up a splendid business in his chosen profession, that of law, and his life held forth promises of great benefit to the state of North Dakota, and the community in which he lived, and while it was not permitted that this great promise be realized in its entirety, it may be said of him that to the best of his opportunity he was a good and faithful servant, and has entered into his reward.

Which motion prevailed, and  
The resolution was adopted.

**Mr. Price** offered the following resolution and moved its adoption:

WHEREAS, at the 10th and 11th North Dakota Legislative Assembly there was among the membership of the House of Representatives the Honorable Francis E. Dibley of the 9th Legislative District.

Mr. Dibley was born at Milwaukee, Wisconsin, on November 28th, 1860, and died August 30th, 1910, at his summer home in Detroit, Minnesota. Mr. Dibley came to North Dakota in 1879 and followed farming for several years, and then established himself in business as a bridge and structural builder. He was a kindly, courteous gentleman who was highly regarded by his fellow-members. He was known to be an honest, upright man at home, and the same methods that he adopted for his business and his home were given by him in his service as a representative of the people of his district and the state for two consecutive terms. He was one of the strong men of the House, and we feel that the state, by the untimely death of the Honorable Francis E. Dibley, suffered a great and lasting loss. He was conservative in his habits and thoughts, and had the most profound respect for and toleration of the beliefs of others, even though they were diametrically opposed to him, and asked and received the same consideration from others.

He was one of those men that it is a pleasure to meet. He was intensely devoted to his home state and was ever ready to aid by his counsel and active assistance in any movement that would be, in his judgment, to the best interests of the state and nation.

Now that the life work of our friend has ended; now that he has laid down the burden of human existence and passed into and beyond the Valley of the Shadow of Death, it is just that we, the members of the Legislative Body immediately succeeding that of which he was a member, pay a proper tribute of respect to his memory.

*Therefore be it Resolved:*

That the members of the House of Representatives of the 12th Legislative Assembly express their respect and regard for the memory of our fellow legislator; that they hereby pay the deserved tribute to his memory and that the members that served with him in the sessions of 1907 and 1909, some of whom are also members of the present session, and therefore knew the departed personally, express the love and respect they felt for him.

*And be it further Resolved:*

That a copy of this resolution be engrossed and forwarded by the chief clerk of the House to the wife of the late Honorable Francis E. Dibley, and that as a tribute of respect to his memory the House, when the order of business under the heading of "Introduction of Adoptions and Resolutions" shall have been finished, we adjourn.

Which motion prevailed, and  
The resolution was adopted.

Mr. Kuhl offers the following resolution and moved its adoption:

WHEREAS, the Hon. J. R. Nelson, a member of the House of Representatives of the State of North Dakota in the 11th session thereof, has been removed from this earth by the Supreme Being who governs the affairs of men, and

WHEREAS, his colleagues, the members of said session, and the members of the 12th Legislative Session, have heard with profound sorrow of his death,

*Be it Resolved:*

That as a token of love and esteem for him, a copy of this resolution be engrossed and forwarded by the chief clerk of the House to the family of the late Honorable J. R. Nelson, and that as a tribute of respect for his memory the House, when the order of business under the heading of "Motions and Resolutions" shall have been finished, adjourn.

Which motion prevailed, and  
The resolution was adopted.

#### COURTESIES OF THE FLOOR.

The privileges of the floor were extended to Grant S. Hager of Grafton and N. B. Black of Grand Forks.

Mr. Fraine moved that the house do now adjourn.

Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## TENTH DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 12, 1911.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Benson, Boerner, Bond, Doyle of McIntosh, Fassett, Fraine, Harty, Kylo, O'Connor of Pembina, Ray, Roquette, Sauer and Whitmer, who were excused.

### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the first day after recess, have carefully examined the same and recommend that the same be corrected as follows:

On page 1, line 22, in roll call, correct spelling of name "Homness" to "Homnes."

On page 3, line 17, correct name "Quammee" to "Quamme."

On page 4, line 19, correct spelling of name "Homness" to "Homnes."

On page 4, line 23, change the word "bills" to "rules."

On page 4, line 28, correct spelling of name "Homness" to "Homnes."

At the bottom of page 4, insert the following paragraph:

The speaker appointed as said committee Messrs. Hoge, Norheim and Hyland, and on their recommendation Messrs. E. B. Johnson, W. A. Staley and Elmer E. Jacobson were appointed as clerks, and the speaker administered the oath of office.

On page 6, line 10, correct spelling of name "Hogue" to "Hoge."

On page 27, line 18, insert the letter "t" in the word "resolution."

On page 27, line 44, change "M. B. Black" to "N. B. Black."

And when so amended recommend that the same be approved.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

### STANDING COMMITTEES.

The speaker announced the following standing committees:

#### HOUSE STANDING COMMITTEES.

*Warehouse and Grain Grading.*—Messrs. Knox, chairman; Lee, Reeves, Tuttle, Cunningham, Moritz, Gardiner, Peart, Lageson, Andrus, Bond, O'Shea, Heinemeyer Johns, Fried.

*Agriculture.*—Law, chairman; Lee, DeLance, Hill of Bottineau, Moritz, Gardiner, Nelson of Walsh, Narum, Aasheim, Paulson, Tande, Moen of Benson, Carey, Ols-gard of Richland, Scott, Sauer, Tostenson, O'Shea, Hersrud.

*Ways and Means.*—Dean, chairman; Burnett, Putnam, Norheim, Thompson, Englund, Wambem, Burns, Aasheim, Kane, Scheer, Hoge, France, Tuttle, O'Connor of Grand Forks.

*Apportionment.*—Putnam, chairman; Johnson, Kane, Fraine, Nestos, Homnes, Hyland, Fox, O'Connor of Pembina, Geiger, Kylo, O'Connor of Grand Forks, Lageson, Knutson, Price, Akesson, Peart, Brusletten, Narum, Andrus, Law, Anderson of Griggs, Ols-gard of Nelson, Fassett, Moritz, Walters, Bjornson, Knox, Tuttle, Harty, Burns, Ray, Sgutt, Kuhl, Carey, Hanson, Reeves, Moen of Cavalier, Davidson, Dosseth, Tostenson, Hoge, Hill of Bottineau, Heinemeyer, Hersrud, Hedalen, Jordal, France, Scott.

*Banking.*—Kuhl, chairman; Dosseth, Hill of Cass, Anderson of Griggs, Morrison, Roquette, Robinson, Hanson, Doyle of McIntosh, Fried, Ols-gard of Nelson.

*Counties and County Boundaries.*—Anderson of Ramsey, chairman; Fox, Burns, Homnes, Nelson of Richland, Ray, Jordal, Tollefson, Dosseth.

*Corporations other than Municipal.*—Harty, chairman; Hanson, Sorlie, Dean, Knutson, Ulsaker, Tande, Benson, Gorder.

*Coal Lands and Mining.*—Davidson, chairman; Williams, Martin, Bond, Roquette, Heinemeyer, O'Shea, McClellan, Hersrud.

*Drainage.*—Akesson, chairman; Peart, Kullo, Fraine, Geiger, Nelson of Richland, Boyd, Anderson of Ramsey, Harty, Fritz, Burnett, Edwards, **Wamdem, Dean, Stranahan.**

*Education.*—Olsgard of Nelson, chairman; Davis, Knox, Thompson, Kuhl, Stranahan, Geiger, Brusletten, Gardiner, Boyd, Johnson, Jordal, Hanson, Boerner, Moen of Benson, Edwards, Bjornson.

*Election and Election Privileges.*—Bond, chairman; Davidson, Doyle of Foster, Collins, Anderson of Ramsey, DeNault, Sauer, Carey, Harty, Fassett, Paulson, Akesson, Ulsaker, Christianson, Aasheim.

*Engrossment.*—Doyle of Foster, chairman; Putnam, Streeter, Hawkinson, Paulson, O'Connor of Grand Forks, France, DeLance, Scheer.

*Enrollment.*—Davis, chairman; Norheim, Sauer, Roquette, Thompson, Cunningham, Pendray, Paulson, Knutson.

*Federal Relations.*—Dossseth, chairman; Norheim, Doyle of McIntosh, Olsgard of Richland, Fritz, Scheer, Lee, Tollefson, Pendray.

*Forestry.*—Moen of Cavalier, chairman; Stern, Geiger, O'Connor of Pembina, Moritz, Hersrud, Anderson of Ramsey, Tollefson, Tande.

*Game and Fish.*—Johnson, chairman; Christianson, Sgutt, Ray, Englund, Kullo, O'Connor of Pembina, Anderson of Ramsey, Walters.

*Highways.*—Stranahan, chairman; Hyland, Gardiner, Akesson, Olsgard of Richland, Scott, Whitmer, Knutson, Lageson, DeLance, Edwards.

*Immigration.*—Jordal, chairman; Hoge, Wamben, Hyland, Tuttle, Fox, Burns, Ray, McClellan.

*Insurance.*—Hanson, chairman; Nestos, Fraine, Dean, Geiger, Martin, Hoge, Boyd, Brusletten, Fried, Gorder.

*Irrigation.*—Boerner, chairman; Norheim, Tuttle, Fox, Burns, Hersrud, Jordal, Tollefson, O'Shea.

*Judiciary.*—Homnes, chairman; Fraine, Nestos, Williams, Jordal, Doyle of Foster, Hanson, Davis, Thompson, Norheim, Hoge, Davidson, Moen of Benson, Narum, Olsgard of Nelson, Dossseth, Bjornson, Hawkinson, Anderson of Ramsey.

*Labor.*—Fassett, chairman; Nelson of Walsh, Tollefson, Englund, Hill of Cass, Hedalen, Edwards, Morrison, Gorder.

*Live Stock.*—Cunningham, chairman; Law, Hyland, Robinson, Whitmer, Hill of Bottineau, Hill of Cass, Narum, Scheer, Olsgard of Richland, Tostenson, Englund, Edwards.

*Municipal Corporations.*—Stern, chairman; Nestos, Fritz, Knox, Bond, Williams, Aasheim, Davis, Sgutt.

*Military Affairs.*—Hill of Bottineau, chairman; Fraine, Hawkinson, Streeter, Kane, Pendray, Benson, Walters, Ulsaker.

*Manufactures.*—DeNault, chairman; Williams, Kuhl, Fritz, Scheer, Bond, Ployhar, Stranahan, Collins.

*Milcage and Per Diem.*—Burnett, chairman; Morrison, Boerner.

*Public Health.*—Fraine, chairman; Price, Johns, Gardiner, Boyd, Olsgard of Nelson, Brusletten, Doyle of Foster, Benson.

*Public Debt.*—Hawkinson, chairman; Robinson, Kane, Walters, France, Fassett, Nelson of Richland, Scott, Roquette.

*Public Printing.*—Streeter, chairman; Moritz, Stern, Fraine, Collins, Bcyd, Sgutt, Reeves, Benson.

*Revision and Correction of the House Journal.*—Hyland, chairman; Davis, O'Connor of Grand Forks, Ployhar, Streeter, Carcy, Boerner.

*Railroads.*—Sorlie, chairman; Law, Putnam, Collins, Davis, Nelson of Richland, Andrus, Paulson, Pendray, Cunningham, Lee, Martin, Whitmer, Englund, Fritz, Moen of Cavalier, Hedalen, Doyle of McIntosh, Ray.

*Rules.*—Thompson, chairman; Homnes, Doyle of Foster, Williams, Fraine, Christianson, Sorlie, Price, Ployhar.

*School and Public Lands.*—Heinemeyer, chairman; McClellan, Anderson of Griggs, Hill of Cass, Harty, Tande, Doyle of McIntosh, O'Connor of Pembina, Scott.

*Supplies and Expenditures.*—Robinson, chairman; Anderson of Griggs, Christianson, Hedalen, Nelson of Walsh, Ray, Tostenson, Roquette, Morrison.

*State Affairs.*—Price, chairman; Bond, DeNault, Morrison, Sgutt, Fried, Hill of Bottineau, Peart, Pendray, Martin, Kylo, Reeves, Johns, Johnson, O'Connor of Pembina.

*Temperance.*—Brusletten, chairman; Dean, Peart, Nestos, Sorlie, DeNault, Hyland, Putnam, Johns, Hill of Bottineau, Davidson, Ray, Moen of Benson, Nelson of Richland, Gorder.

*Tax and Tax Laws.*—Nestos, chairman; Burnett, Jordal, DeLance, Whitmer, Johns, Lageson, Moritz, Harty, Kane, Ulsaker, Nelson of Walsh, Sauer, Moen of Cavalier, Hedalen, Christianson, Roquette.

*Appropriations.*—Ployhar, chairman; Bond, Collins, Norheim, Sorlie, Davidson, Stern, Burns, Andrus, Fox, Hyland, Sgutt, Olsgard of Nelson, DeNault, Knox, Putnam, Olsgard of Richland.

#### JOINT COMMITTEES.

*Charitable Institutions.*—Peart, chairman; Hedalen, Akeson, Andrus, Morrison, Fried, Kuhl, McClellan, Boerner.

*Educational Institutions.*—Lee, chairman; Burnett, Cunningham, Collins, Olsgard of Nelson, Brusletten, Hill of Cass, Tostenson, Björnson.

*Joint Rules.*—Williams, chairman; Doyle of Foster, Streeter, Ployhar, Price, O'Connor of Grand Forks, Hawkinson, Tande, Narum.

*Public Buildings.*—Aasheim, chairman; Nelson of Walsh, Sgutt, Olsgard of Richland, Hersrud, Law, Stern, Knutson, Lageson.

*Penal Institutions.*—Reeves, chairman; Anderson of Griggs, Ulsaker, Martin, Doyle of McIntosh, France, O'Shea, Heinemeyer, Johns.

*State Library.*—Doyle of McIntosh, chairman; Wambem, Carey, Robinson, Moen, Benson, Sauer, DeLance, Whitmer.

### REPORT OF SELECT COMMITTEE.

We recommend that the following rules, standing committees and order of daily rules be adopted:

Your Committee on Rules beg leave to report as follows:

1. The speaker shall take the chair at the time to which the House stands adjourned, and the House shall then be called to order, and the roll of members called and the names of the absentees entered upon the Journal of the House.

2. Upon the appearance of a quorum the Journal of the preceding day shall be referred to the committee on revision and correction. Any mistakes therein shall be corrected by the committee and reported to the House for action.

3. Thirty-six members of the House may order a call of the House and cause absent members to be sent for, but a call must not be made while a vote is being taken. The call being moved, the Speaker shall require those desiring the call to rise, and if thirty-six or more members shall rise the call shall be ordered. The call being ordered, the sergeant-at-arms shall close the door and allow no member to leave the room. The clerk shall then call the roll and furnish the sergeant-at-arms with a list of those members absent without leave, and that officer must proceed forthwith to find and bring in such absentees. While the House is under call no business can be transacted except to receive and act upon the report of the sergeant-at-arms and no motion is in order except a motion to suspend further proceedings under the call, and said motion shall not be adopted unless a majority of all members-elect vote in favor thereof. Unless a report of the sergeant-at-arms showing that all members who were absent without leave, naming them, are present, the call shall be at an end, and the doors shall be opened, and the business pending at the time the call was made be proceeded with.

4. The Speaker shall preserve order and decorum and decide all questions of order subject to an appeal to the House.

5. The Speaker shall vote on all questions taken by ayes and nays (except on appeals from his own decisions) and in all elections or decisions called for by any member.

6. When the House adjourns the members shall keep their seats until the speaker announces the adjournment.

7. Every member previous to his speaking shall rise from his seat and respectfully address "Mr. Speaker," and remain standing in his place before proceeding to speak until he is recognized by the chair.

8. When two or more members rise at the same time to speak the Speaker must designate the member who is to speak, but in all cases the member who shall rise first and address the chair may speak first.

9. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten



minutes at the first time, nor more than five minutes at the second time, without unanimous consent of the House.

10. No motion shall be debated or put unless the same be seconded. It must then be stated by the Speaker before the debate and any such motion must be reduced to writing if the Speaker or any member desires it.

11. After the motion shall be stated by the Speaker, it shall be deemed to be in possession of the House, but may be withdrawn at any time before amendment or decision, but all motions, resolutions or amendments must be entered on the Journal, whether rejected or adopted.

12. When a question is under debate, no motion shall be received but to adjourn, to lay on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely—which several motions shall have precedence in the order which they stand arranged.

13. A motion to adjourn shall always be in order, except when a member is addressing the chair or a vote is being taken; that, and the motion to lay upon the table shall be decided without debate.

14. The previous question shall be in this form: "Shall the main question be now put?" It shall be admitted only when demanded by a majority of the members present, and its effect shall be to put an end to all debate and bring the House to a direct vote upon the amendments reported by a committee, if any, upon the pending amendments and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to decision of the main question.

15. When the previous question is decided in the negative it shall leave the main question under debate for the remainder of the sitting unless sooner disposed of in some other manner.

16. All incidental questions of order arising after motion is made for the previous question, during the pendency of such motion, or after the House shall have determined that the main question shall be now put shall be decided, whether on appeal or otherwise without debate.

17. Petitions, memorials and other papers addressed to the House shall be presented by the Speaker or by a member in his place.

18. Every member who is present, before the vote is declared from the chair, must vote for or against the question before the House, unless the House excuses him or unless he is immediately interested in the question, in which case he must not vote.

19. When the Speaker is putting the question, no member shall walk out of, or across the House, nor when a member is speaking, shall any person entertain any private discourse, or pass between the person speaking and the chair.

20. If a question in debate contains several propositions, any member may have the same divided.

21. A member called to order must immediately sit down unless permitted to explain, and the House, if appealed to, must decide the case. If there be no appeal, the decision of the chair shall stand. On appeal no member shall speak more than once without leave of the House. When a member is called to order for offensive language there shall be no debate.

22. A bill can only be introduced on the report of a committee or on a call for bills, or by a motion for leave.

23. Every bill, before being introduced, shall be in type-written form and shall have endorsed thereon its title, and every bill and resolution shall have endorsed thereon the name of the member introducing the same, and when ordered by a committee the name of such committee shall be endorsed thereon.

24. Every bill, memorial, order and resolution, requiring the approval of the governor, or a change in the constitution of the state of North Dakota, shall, after second reading, be referred to its appropriate committee, and if reported without amendment, shall pass to its third reading, unless otherwise ordered, and when amended it shall go to committee of the whole house.

25. All bills shall be properly engrossed before their final passage.

26. No amendment shall be received on the third reading, except to fill blanks, without unanimous consent of the House, but all bills and resolutions may be committed at any time previous to their passage. If any amendment be reported on such commitment by any other than a committee of the whole, it shall be read a second time, and the question of third reading and passage put.

27. No motion or proposition on a subject different from that under consideration shall be admitted, under color of amendment; no bill or resolution shall at any time be amended by annexing thereto, or incorporating therewith, any other bill or resolution pending before the House.

28. In forming a committee of the whole House the Speaker shall appoint a chairman to preside.

29. Bills committed to the committee of the whole House shall be read, be open to amendment, and debated by sections, unless otherwise ordered, leaving the title to be last considered; all amendments shall be noted in writing and reported to the House by the chairman.

30. All questions, whether in committee, or in the House, shall be put in the order in which they are moved, except in the case of privileged questions, and in filling blanks the largest sum and the longest time shall be first put.

31. A similar mode of procedure shall be observed with bills which have originated in and passed the senate as with bills which have originated in the House, except that they shall not be printed nor engrossed or enrolled.

32. No motion for reconsideration shall be in order unless on the same day or the day following that on which the decision proposed to be reconsidered took place, nor unless one of the majority shall move a reconsideration.

33. When notice of intention to move the reconsideration of any bill or joint resolution shall be given by a member, the clerk of the House shall retain the said bill or joint resolution until after the time during which the said motion can be made unless the same can previously be disposed of.

34. Any member who votes on the majority side of a question may move a reconsideration of the same, which motion shall be decided by a majority vote.

35. The rules of the House shall be observed in committee of the whole House so far as may be applicable except that the ayes and nays shall not be called, the previous question enforced nor the time of speaking limited.

36. A motion that the committee rise shall always be in order and shall be decided without debate.

37. No bill reported from standing or select committees or from the committee of the whole shall come up for a third reading until the first day after such report unless the House by a two-thirds vote otherwise orders.

38. Standing committees shall be appointed on the following subjects:

- On rules to consist of nine members.
- On mileage and per diem to consist of three members.
- On judiciary to consist of nineteen members.
- On ways and means to consist of fifteen members.
- On railroads to consist of nineteen members.
- On appropriations to consist of seventeen members.
- On engrossment to consist of nine members.
- On enrollment to consist of nine members.
- On education to consist of seventeen members.
- On elections and privileges to consist of fifteen members.
- On municipal corporations to consist of nine members.
- On corporations other than municipal to consist of nine members.
- On agriculture to consist of nineteen members.
- On public printing to consist of nine members.
- On irrigation to consist of nine members.
- On insurance to consist of eleven members.
- On banking to consist of eleven members.
- On labor to consist of nine members.
- On immigration to consist of nine members.
- On apportionment to consist of a member from each senatorial district.
- On schools and public lands to consist of nine members.
- On public health to consist of nine members.
- On military affairs to consist of nine members.
- On warehouses, grain grading and dealing to consist of fifteen members.
- On federal relations to consist of nine members.
- On temperance to consist of fifteen members.
- On highways, bridges and ferries to consist of nine members.
- On state affairs to consist of fifteen members.
- On supplies and expenditures to consist of nine members.
- On forestry to consist of nine members.
- On public debt to consist of nine members.
- On manufactures to consist of nine members.
- On counties and county boundaries to consist of nine members.
- On taxes and tax laws to consist of seventeen members.
- On coal lands and mining to consist of nine members.
- On live stock industry to consist of thirteen members.
- On revision and correction of the Journal to consist of seven members.
- On game and fish to consist of nine members.
- On drainage to consist of fifteen members.
- Also joint committees on the following subjects:
  - On public buildings to consist of nine members.
  - On charitable institutions to consist of nine members.
  - On penal institutions to consist of nine members.
  - On educational institutions to consist of nine members.
  - On state library to consist of nine members.
  - On joint rules to consist of nine members.

39. The first named member of each committee shall be the chairman and in his absence or being excused by the House the next named member and so on as often as the case shall happen, shall act as chairman.

40. The committee on engrossment shall examine all bills after they are engrossed and report the same to the House correctly engrossed before their third reading; said committee may report at any time.

41. The committee on enrollment shall examine all House bills and memorials which have passed the two houses, and when reported correctly enrolled, they shall be presented to the presiding officers of the House and senate for their signatures, and when so signed, presented to the governor for his approval; said committee may report at any time.

42. Select committees to whom reference shall have been made, must, in all cases, report a state of facts and their opinion thereon to the House.

43. In all cases where a bill, order or resolution, or motion shall be entered upon the Journal of the House, the name of the member moving the same shall be entered on the Journal.

44. No person shall be admitted within the bar of the House except the executive, members of the senate, state officers, judges of the supreme and district courts, members of congress, ex-members of the legislative assembly, delegates to the state constitutional convention, all federal officers of the state and reporters for newspapers, except by card of the Speaker. Any person lobbying on the floor of the House shall forfeit the privilege granted by this rule.

45. After calling the House to order the order of business for the day shall be as follows:

1. Prayer by the chaplain.
2. Calling the roll.
3. Reference of the Journal.
4. Presentations of petitions and communications.
5. Reports of standing committees.
6. Reports of select committees.
7. Motions and resolutions.
8. Unfinished business.
9. Introduction of bills and memorials.
10. First and second reading of House bills and memorials.
11. Third reading of the same.
12. Consideration of messages from the senate.
13. First and second reading of senate bills and memorials.
14. Third reading of the same.
15. Consideration of general orders.

46. Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.

47. When the House has arrived at "the general orders of the day" it shall go into committee of the whole upon such orders, or a particular order designated by a vote of the House, and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up the committee of the whole shall consider, act upon, or pass the general order, according to the order of reference.

48. The Speaker may leave the chair, and appoint a member to preside, but not for a longer time than one day, except by leave of the House.

49. The rules of parliamentary practice adopted by the house of representatives of the United States shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the House, and the joint rules and orders of the senate and House of Representatives.

50. No rule of the House shall be suspended, altered or amended without the concurrence of two-thirds of the members of the whole house.

51. The hour of daily meeting of the House shall be 2 o'clock in the afternoon, until the House directs otherwise.

52. The ayes and nays shall not be ordered unless demanded by one-sixth of the members present except on the final passage of bills, concurrent resolutions to amend the constitution, and memorials, in which case ayes and nays shall be had without demand.

53. In case all the members of any committee, required or entitled to report on any subject referred to them, cannot agree upon any report the majority and minority may each make a special report, and any member dissenting in whole or in part, from the reasonings and conclusions of both majority and minority may also present to the House a statement of his reasonings and conclusions; and all reports, if decorous in language, and respectful to the House, shall be entered at length on the Journal.

54. No smoking shall be allowed in the House while in session.

55. No member or any other person shall remain by the clerk's desk when the ayes and nays are being called.

56. In case of any disturbance or disorderly conduct in the lobby or gallery, the Speaker or chairman of the committee of the whole shall have power to order the same to be cleared.

57. No member or officer of the House, unless he, from illness or other cause shall be unable to attend, shall absent himself from a session of the House during an entire day without first having obtained leave of absence, and no one shall be entitled to draw pay while absent more than one day without leave.

58. Neither the chief clerk nor his assistant shall permit any records or papers belonging to the House to be taken out of their custody otherwise than in the regular course of business. The chief clerk shall report all missing bills, resolutions and papers to the Speaker; shall have general supervision of all clerical duties appertaining to the business of the House; shall perform, under the direction of the Speaker, all duties pertaining to the office, and shall also keep a book showing the situation and progress of all the bills, memorials and joint resolutions.

59. At least one day's notice shall be given of the introduction of any motion or resolution calling for or involving the expenditure of any money.

60. The chairmen of the different standing committees shall send to the chief clerk's desk, to be read previous to adjournment, notice of the time and place of meeting of such committee.

61. All bills of a general nature, including all bills appropriating money or lands, shall be printed; provided, that

no bills shall be printed until after the same shall have been reported upon favorably by the committee to whom the same shall be referred.

62. Every bill amending any section of the Constitution, or any section of the statute, shall be printed so that the wording of that portion of the section that is to be omitted will be included in brackets and new matter to be included in the amendment will be printed in italics. The enrollment committee will omit that portion of the bill that is included in brackets.

GEO. P. HOMNES.  
E. A. WILLIAMS.  
S. J. DOYLE.  
W. J. PRICE.  
O. J. SORLIE.  
FRANK E. PLOYHAR.  
J. H. FRAINF

Mr. DeNault moved

That the report of the committee on rules be amended as follows:

That no bill shall be finally acted upon by this house until at least ten days after said bill has been printed and placed on the desks of the house members.

Which motion was lost.

Mr. Homnes moved

That the report of the committee on rules be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Speaker:

Your committee to which you referred the matter of investigating the necessity for a consulting room for the attorney general during the session of the legislature, have investigated such matter and find that the committee room cannot be spared for such purposes and therefore recommend that no further action be taken therein.

And your committee further recommends that a committee of three be appointed to arrange committee rooms for the various committees.

C. E. DAVIDSON,  
GEO. P. HOMNES,  
E. H. STRANAHAN.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## MOTIONS AND RESOLUTIONS.

Mr. Hedalen introduced the following resolution, and moved its adoption:

WHEREAS, It will be the duty of this 12th Legislative Assembly, now in session, to elect a United States senator to serve out the unexpired term of Senator M. N. Johnson, deceased, and

WHEREAS, A moment's reflection on the life and deeds of this distinguished senator would now seem to be in order,

*It Being Therefore Resolved:*

That a committee of three be appointed by the speaker of the House to, in conjunction with a committee of two from the Senate, draft a joint resolution in honor of the late Senator Johnson. Same committee also to arrange for appropriate memorial services in joint session to be held at a date agreed upon by said joint committee and reported to and ratified by the two houses of the legislature.

Which motion prevailed, and  
The resolution was adopted.

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Doyle of Foster introduced  
House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Which was read the first and second time and  
Referred to the committee on judiciary.

Mr. Fried introduced  
House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Which was read the first and second time and  
Referred to the committee on temperance.

Mr. Davidson introduced  
House Bill No. 3.

A bill for an act to repeal Sections 1953, 1954, 1955, 1956, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971 of the Revised Code of 1905, relating to wolf bounty.

Which was read the first and second time and  
Referred to the committee on state affairs.

Mr. Davidson introduced  
House Bill No. 4.

A bill for an act to create a glandered horse indemnity fund.

Which was read the first and second time and  
Referred to the committee on appropriations.

Mr. Davidson introduced  
House Bill No. 5.

A bill for an act to appropriate the sum of fifty-five thousand dollars, or as much as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Which was read the first and second time and  
Referred to the committee on appropriations.

Mr. Davidson introduced  
House Bill No. 6.

A bill for an act entitled an act to regulate and provide admission for live stock into the state of North Dakota from all other states, territories and foreign countries.

Which was read the first and second time and  
Referred to the committee on live stock.

Mr. Price introduced  
House Bill No. 7.

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory, and for the equipment and furnishing of same; for the installation of a boiler and smoke stack for the heating plant, and for the purchase of additional land for the use of the government experiment station at Fargo.

Which was read the first and second time and  
Referred to the committee on appropriations.

Mr. Stern introduced  
House Bill No. 8.

A bill for an act amending Section 4458 of the Revised Codes of North Dakota for 1905.

Which was read the first and second time and  
Referred to the committee on corporations other than municipal.

Mr. Burns introduced  
House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.



Which was read the first and second time and  
Referred to the committee on state affairs.

Mr. Dean introduced

House Bill No. 10.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who entitled to vote.

Which was read the first and second time and

Referred to the committee on elections and privileges.

Mr. Nestos introduced

House Bill No. 11.

A bill for an act to create a permanent non-partizan tax commission, defining its power and duties and making an appropriation for the maintenance thereof.

Which was read the first and second time and

Referred to the committee on taxes and tax laws.

Mr. Doyle of Foster introduced

House Bill No. 12.

A bill for an act to prohibit the use of public drinking cups in the state of North Dakota.

Which was read the first and second time and

Referred to the committee on public health.

Mr. Anderson of Ramsey introduced

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Which was read the first and second time and

Referred to the committee on judiciary.

Mr. Walters introduced

House Bill No. 14.

A bill for an act to amend and re-enact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Which was read the first and second time and

Referred to the committee on state affairs.

Mr. Martin introduced

House Bill No. 15.

A bill for an act to extend the payment of taxes for the year 1910, and providing when the same shall become delinquent.

Which was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. DeLance introduced

House Bill No. 16.

A bill for an act entitled, an act to appropriate the sum of ninety thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Which was read the first and second time and  
Referred to the committee on appropriations.

Mr. Hoge introduced

House Bill No. 17.

A bill for an act to amend Section 9373 of the Codes of North Dakota of 1905, relating to punishment for maintaining a common nuisance and abatement thereof.

Which was read the first and second time and  
Referred to the committee on temperance.

Mr. Scheer introduced

House Bill No. 18.

A bill for an act to repeal wolf bounty.

Which was read the first and second time and  
Referred to the committee on state affairs.

Mr. McClellan introduced

House Bill No. 19.

Amending the Constitution of the State of North Dakota, providing for the sale of the school and public lands.

Which was read the first and second time and  
Referred to the committee on judiciary.

Mr. Ployhar moved that the house proceed to draw for seats by counties.

Mr. Sorlie moved as an amendment, that the house draw by counties where there is more than one legislative district in the county, and where there are more than one county in a legislative district, that it shall be drawn by districts, and that no delegation shall be allowed to take seats on two sides of any circle, and that the delegation must be seated in one row.

Which motion prevailed, and  
The amendment was adopted.

The house proceeded to the drawing of seats.

The speaker administered the oath of office to the following employes:

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C. F. Cook, John Roscoe, Ollie Couch, Winifred Hutchinson, K. M. Salter, G. C. Epler, Josie Eckern, John Haaven-

Mr. Ployhar moved

That the house do now adjourn.

Which motion prevailed.

And the house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## ELEVENTH DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 13, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Bjornson, Fassett, Kylo, Martin and Streeter,

Who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the tenth day, have carefully examined the same and recommend that the same be corrected as follows:

- On page 1, line 13, strike out the word "France."
- On page 2, line 12, change the word "resolution" to read "report." On line 27, "Wamben" to "Wambem." On line 31, "Hestos" to "Nestos."
- On page 3, line 1, change "mines" to read "mining." On line 4, "Akeson" to "Akesson." On line 6, "Wamben" to "Wambem." On line 14, "Akeson" to "Akesson." On line 31, "McClelland" to "McClellan."
- On page 4, line 9, "Mortiz" to read "Moritz."
- On page 5, line 1, "Wamben" to "Wambem."

On page 11, line 17, "J. W. Fraine" to "J. H. Fraine." On line 19, "amend" to "amended." On line 41, "Stranahan" to read "E. H. Stranahan."

And when so amended recommend that the same be approved.

FRANK H. HYLAND, Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The Speaker appointed Messrs. Davidson, Fraine and Burns a committee to select committee rooms for the standing committees.

The speaker appointed Messrs. Williams, Hedalen and Moen of Benson to confer with a like committee from the Senate to draft resolutions of respect and arrange for appropriate memorial services in honor of the late Senator M. N. Johnson.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Moritz introduced

House Bill No. 20.

A bill for an act to amend Section 6295 of the Revised Codes of 1905, providing for a lien for repairs of personality.

Which was read the first and second time and

Referred to the committee on Judiciary.

Mr. Hill of Bottineau introduced

House Bill No. 21.

A bill for an act to prohibit the removing of threshing machines or bundle wagons from one farm to another before cleaning, and providing penalties thereof.

Which was read the first and second time and

Referred to the committee on Agriculture.

Mr. Englund introduced

House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws of North Dakota, for the year 1909, relating to the taking of fish.

Which was read the first and second time and

Referred to the committee on Game and Fish.

Mr. Nestos introduced

House Bill No. 23.

A concurrent resolution amending the constitution of the state of North Dakota, relating to uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Which was read the first and second time and

Referred to the committee on Tax and Tax Laws.

Mr. Scheer introduced

House Bill No. 24.

A bill for an act providing that the experiment station enforce this law; providing for the appointment of county deputies to enforce the pure food and drug law, fixing their duties and qualifications; defining foods and drugs; prohibiting the peddling of foods and drugs in bulk; providing for a permit for peddlers of foods and drugs, and manner and use thereof, and fixing fees to be paid therefor; providing for labeling of parcels and recording sales; making permit holder special agent of North Dakota government agricultural experiment station in the proper use of his permit; defining contraband goods; defining a violation hereof and prescribing a penalty therefor.

Which was read the first and second time and

Referred to the committee on Ways and Means.

Mr. Nestos introduced

House Bill No. 25.

A bill for an act to re-district the state of North Dakota into senatorial districts and apportion the senators and representatives therein.

Which was read the first and second time and

Referred to the committee on Apportionment.

The speaker called Mr. Sorlie to the chair.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 13, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has adopted the House Concurrent Resolution relating to me-

morial for the late M. N. Johnson and the President of the Senate has named as a committee Senators Linde and Kennedy.

Very respectfully,  
J. W. FOLEY,  
Secretary.

The Speaker in the chair.

INTRODUCTION, FIRST AND SECOND READING  
OF HOUSE BILLS.

Mr. Sorlie introduced  
House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Which was read the first and second time and  
Referred to the committee on Agriculture.

Mr. Edwards introduced  
House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Which was read the first and second time and  
Referred to the committee on Drainage.

Mr. Geiger introduced  
House Bill No. 28.

A bill for an act providing a penalty for obstructing water courses or diverting the water therefrom.

Which was read the first and second time and  
Referred to the committee on Drainage.

Mr. Davis introduced  
House Bill No. 29.

A bill for an act to provide for the establishment and maintenance of department of agriculture, manual training and domestic economy in state, high, graded and consolidated schools.

Which was read the first and second time and  
Referred to the committee on Education.

Mr. Ployhar introduced  
House Bill No. 30.

A concurrent resolution, amending Section 25 of the Constitution of the state of North Dakota, providing for the initiative and referendum.

Which was read the first and second time and  
Referred to the committee on Judiciary.

Mr. Christenson introduced

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses, and providing a bond therefor.

Which was read the first and second time and  
Referred to the committee on Warehouses and Grain Grading.

Mr. Christenson introduced

House Bill No. 32.

A bill for an act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Which was read the first and second time and  
Referred to the committee on Tax and Tax Laws.

Mr. Edwards introduced

House Bill No. 33.

A bill for an act to amend Section 2445 of Chapter 28, of the Revised Codes of 1905, relating to the monthly statement by depository.

Which was read the first and second time and  
Referred to the committee on State Affairs.

Mr. Gardiner introduced

House Bill No. 34.

A bill for an act repealing Sections 8, 9, 10, 11, 12, 13, 14 and 15 of Chapter 135 of the Session Laws of North Dakota of 1907, and Section 6 of Chapter 141 of the laws of 1909, amending Section 15 of Chapter 135 of the laws of 1907.

Which was read the first and second time and  
Referred to the committee on Ways and Means.

Mr. Aasheim introduced

House Bill No. 35.

A bill for an act to amend Section 1571 of the 1905 Revised Codes of North Dakota, relating to delinquent real estate axes.

Which was read the first and second time and  
Referred to the committee on Tax and Tax Laws.



Mr. Burnett introduced

House Bill No. 36.

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

Which was read the first and second time and  
Referred to the committee on Railroads.

Mr. Martin introduced

House Bill No. 37.

A bill for an act regulating insurance companies doing business in the state of North Dakota.

Which was read the first and second time and  
Referred to the committee on Insurance.

Mr. Burnett introduced

House Bill No. 38.

A bill for an act to repeal Sections 1961 and 1968 of the 1905 Revised Codes of the state of North Dakota, relating to wolf bounty and assessment therefor.

Which was read the first and second time and  
Referred to the committee on State Affairs.

Mr. Olsgard of Nelson introduced

House Bill 39.

A bill for an act to provide a system of free public schools for the state of North Dakota and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983,

984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, and section 1038 of the Revised Codes of 1905, with any and all amendments thereto, and also Chapters 49, 98, 100, 103, 124, 153, and 201 of the Session Laws of 1909.

Which was read the first and second time and  
Referred to the committee on Education.

Mr. Hoge introduced  
House Bill No. 40.

A bill for an act authorizing counties to issue bonds or warrants to establish a fund to aid needy farmers residing therein to procure seed grain, regulating its disbursements and fixing penalty for violation thereof.

Which was read the first and second time and  
Referred to the committee on Judiciary.

Mr. Boyd introduced  
House Bill No. 41.

A bill for an act to prohibit the granting to or use by any person, of any free pass, frank or special privilege withheld from any other person, and to fix the penalty for violation thereof.

Which was read the first and second time and  
Referred to the committee on Railroads.

Mr. Sgutt introduced  
House Bill No. 42.

A bill for an act placing the location of new lines of railroad in this state under the jurisdiction of the board of railroad commissioners, and defining the powers and duties of such board in such matters.

Which was read the first and second time and  
Referred to the committee on Railroads.

Mr. Nestos moved

That House Bill No. 25 be printed.

Which motion prevailed, and  
The bill was ordered printed.

Mr. Olsgard of Nelson moved

That House Bill No. 39 be printed.

Which motion prevailed, and  
The bill was ordered printed.

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The Speaker substituted Miss Mary Kelly in lieu of Miss Mamie Knudson as stenographer.

Also, L. S. Jacobson in lieu of T. D. Baldwin.

The Speaker administered the oath of office to the above-named clerks.

The privileges of the floor were extended to Arthur Harshman.

Mr. Ployhar moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## TWELFTH DAY.

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 14, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Bjornson, Collins, Fassett, Kyllö and Streeter, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the Eleventh day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, and line 10, the word "Sheer" to read "Scheer."

On page 4, and line 14, insert the word "lands."

On page 5, line 3, the word "Christianson" to read "Christenson." On line 6, insert words "and providing a bond therefor." On line 31, insert words "relating to delinquent real estate taxes."

And when so corrected, recommend that the same be approved.

FRANK H. HYLAND, Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

*To the House of Representatives of the State of North Dakota:*

We, the undersigned, patrons of the schools and residents of the county of Cavalier and the state of North Dakota, respectfully petition your honorable body to enact such legislation as will permit boards of directors of schools to include within the branches to be taught in the schools under their authority, when deemed advisable, one foreign language—not more than one period each day, to be devoted to such study, and only in such schools as shall be maintained at least six months in each school year.

K. J. DIEP,  
and 120 others.

## REPORT OF STANDING COMMITTEES.

The committee on Engrossment made the following report:

Mr. Speaker:

Your committee on Engrossment have examined Memorial Resolutions of Hon. J. R. Nelson, Hon. Frank M. Baker, Hon. Francis E. Dibley, and find the same correctly engrossed.

S. J. DOYLE, Chairman.

Mr. Doyle of Foster moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

## REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee on Assignment of Committee Rooms beg leave to make the following report:

The State Affairs and Railroad committee will meet in room adjoining cloak room.

The Judiciary, Appropriation and committee on Labor will meet in the state examiner's office.

The committee on Temperance, Manufactures, Revision and Correction of the Journal, and Forestry will meet in the northeast corner of the House chamber.

The committees on Highways and Bridges, Immigration, Public Printing, Taxes and Tax Laws, Educational, and Warehouses and Grain Grading will meet in the north half of the law library—upper floor.

The committee on Military Affairs will meet in the adjutant general's office.

The committee on Agriculture, School and Public Lands, Public Health, Coal Lands and Mining, Live Stock, and Irrigation will meet in the south half of the law library—upper floor.

The committees on Banking, County and County Boundaries, Federal Relations, Game and Fish, Rules will meet in the supply department office.

The committees on Means and Ways, Election and Privileges, Insurance, Supplies and Expenditures, Mileage and Per Diem, and Drainage will meet in the House cloak room.

The committees on Apportionment, Municipal Corporations, Corporations Other than Municipal, Engrossing, Enrollment, and Public Debt will meet in the old Senate chamber.

It is recommended that this committee be allowed to arrange for one committee room at some convenient place down town for the general use of House committees, and it is further recommended that the superintendent of the capitol building be ordered to have printed cards giving the names of committees and places of meeting and have them posted at the proper places and at the rooms.

Respectfully submitted,

C. E. DAVIDSON,  
J. H. FRAINE,  
J. C. BURNS.

Mr. Davidson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## MOTIONS AND RESOLUTIONS.

Mr. Thompson introduced the following resolution and moved its adoption:

*Resolved:*

That the secretary of state be authorized and directed to furnish the members with necessary postage stamps during the session.

Mr. Fraine moved

That the resolution be laid upon the table.

Which motion was lost.

Mr. Thompson moved

That the resolution be adopted.

Mr. Ployhar moved

As an amendment that the resolution be referred to the committee on Expenditures.

Which motion prevailed

And the resolution was so referred.

Mr. O'Shea introduced the following resolution and moved its adoption:

*Resolved:*

That the committee on agriculture be appointed a special committee to attend the Tri-State Grain Growers' convention, to be held in Fargo, N. D., January 18 and 19, 1911.

Mr. O'Shea moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

Mr. Homnes introduced the following concurrent resolution and moved its adoption:

WHEREAS, The governor has, in his message to the 12th Legislature, called attention to the necessity for certain improvements and repairs in the capitol building; and

WHEREAS, It will be necessary to make some appropriation for the maintenance and repairs of the capitol building;

*Therefore, be it Resolved by the House of Representatives, the Senate Concurring:*

That a committee of two members of each branch of this legislature be appointed by the respective presiding officers thereof to inspect the capitol building, power house and electric car line, and investigate the condition thereof for the purpose of ascertaining what improvements may be needed; and

*Be it Further Resolved:*

That said committee report its findings and recommendations to the two branches of the legislature not later than the 25th day of this session.

Mr. Homnes moved

That the concurrent resolution be adopted.

Which motion prevailed, and

The concurrent resolution was adopted;

And the Speaker appointed as House members of such committee Messrs. Homnes and Price.

Mr. Putnam moved

That the statistics with reference to the apportionment bill be printed for the information of the House.

Which motion prevailed, and

The statistics were ordered printed.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Stern introduced

House Bill No. 43.

A bill for an act appropriating money for the purpose of building and equipping a chemistry building and laboratories for the North Dakota Agricultural college at Fargo, North Dakota.

Which was read the first and second time and

Referred to the committee on Appropriations.

Mr. France introduced

House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Which was read the first and second time and

Referred to the committee on Railroads.

Mr. Burnett introduced

House Bill No. 45.

A bill for an act entitled, an act prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor, and providing transportation for the board of railroad commissioners and its secretary.

Which was read the first and second time and

Referred to the committee on Railroads.



Mr. Dean introduced

House Bill No. 46.

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

Which was read the first and second time and

Referred to the committee on Judiciary.

Mr. Hoge introduced

House Bill No. 47.

A bill for an act to amend Section 9353 of the Revised Codes of North Dakota of 1905, relating to penalties for the manufacturing and sale of intoxicating liquors.

Which was read the first and second time and

Referred to the committee on Judiciary.

Mr. Tollefson introduced

House Bill No. 48.

A bill for an act to amend and re-enact Section 2630 of Chapter 29 of the Political Code of the Revised Codes of North Dakota for 1905, relating to compensation of bailiffs of district court.

Which was read the first and second time and

Referred to the committee on Judiciary.

Mr. Tollefson introduced

House Bill No. 49.

A bill for an act to amend and re-enact Section 2614 of the Revised Codes of North Dakota for 1905, relating to fees allowed jurors.

Which was read the first and second time and

Referred to the committee on State Affairs.

Mr. Fraine introduced

House Bill No. 50.

A bill for an act entitled, an act to provide for the determination of heirship and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Which was read the first and second time and

Referred to the committee on Judiciary.

Mr. O'Connor of Grand Forks introduced

House Bill No. 51.

A bill for an act to amend Section 1, Chapter 158, of the Session Laws of 1909, relating to the filing of mechanic's liens, the giving of notice of labor, and the furnishing materials to contractors and sub-contractors.

Which was read the first and second time and  
Referred to the committee on Judiciary.

Mr. Johns introduced  
House Bill No. 52.

A bill for an act to appropriate money for the buildings,  
live stock, machinery and other equipment for the Het-  
tinger sub-experiment station.

Which was read the first and second time and  
Referred to the committee on Appropriations.

Mr. Johns introduced  
House Bill No. 53.

A bill for an act providing for the management and con-  
trol of, for making annual reports by the respective super-  
intendents, and appropriating money annually for the sup-  
port and maintenance of the Agricultural sub-experiment  
stations located at Dickinson, Williston, Langdon and Het-  
tinger.

Which was read the first and second time and  
Referred to the committee on Appropriations.

Mr. Akesson introduced  
House Bill No. 54.

A bill for an act to amend Section 3062 of the Revised  
Codes of 1905, and to provide for the appointment of over-  
seers of highways.

Which was read the first and second times and  
Referred to the committee on Highways.

Mr. Gardiner introduced  
House Bill No. 55.

A bill for an act reinstating and validating the charters  
of corporations that have been cancelled for failure to  
make and file with the secretary of state, reports as requir-  
ed by and under Section 4186, Revised Codes of 1905.

Which was read the first and second times and  
Referred to committee on Corporations Other than Muni-  
cipal.

Mr. Hedalen introduced  
House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of  
the Revised Codes of 1905, relating to the disposition of  
unclaimed shares of estate in county court.

Which was read the first and second times and  
Referred to the committee on Judiciary.

Mr. Pendray introduced  
House Bill No. 57.

A bill for an act to amend Section 5511 of the Revised Codes of 1905, defining usury.

Which was read the first and second times and  
Referred to the committee on Banking.

Mr. Tuttle introduced  
House Bill No. 58.

A bill for an act entitled, an act to amend Section 5513 of the Revised Civil Code of 1905, relating to loan of money and usury.

Which was read the first and second times and  
Referred to the committee on Banking.

Mr. Brusletten introduced  
House Bill No. 59.

A bill for an act to appropriate a sum of money for the maintenance and conservation of the state park at Fort Abercrombie.

Which was read the first and second times and  
Referred to the committee on Appropriations.

Mr. Kuhl introduced  
House Bill No. 60.

A bill for an act to provide for the filing of mortgages on personal property, and to prevent fraud in the taking of security in same, and to provide a penalty for violation.

Which was read the first and second times and  
Referred to the committee on State Affairs.

Mr. Sgutt introduced  
House Bill No. 61.

A bill for an act making an appropriation for the establishing of the Harvey Agricultural experiment station and for conducting agricultural experiments thereat.

Which was read the first and second times and  
Referred to the committee on Appropriations.

Mr. Tuttle introduced  
House Bill No. 62.

A bill for an act entitled, an act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes.

Which was read the first and second times and  
Referred to the committee on Public Health.

Mr. Brusletten introduced  
House Bill No. 63.

A bill for an act to amend Section 4466 of the Revised Codes of 1905, relating to insurance.

Which was read the first and second times and  
Referred to the committee on Public Printing.

Mr. Sorlie introduced  
House Bill No. 64.

A bill for an act to amend Section 1380 of the Session Laws of 1907, relating to location and building of bridges.

Which was read the first and second times and  
Referred to the committee on Highways and Bridges.

Mr. Lageson introduced  
House Bill No. 65.

A bill for an Act to repeal Chapter 128 of the Laws of North Dakota of 1909.

Which was read the first and second times and  
Referred to the committee on Game and Fish.

Mr. Price introduced  
House Bill No 66.

A bill for an Act to provide additional maintenance for the Government Experiment Station and North Dakota Agricultural College at Fargo.

Which was read the first and second times and  
Referred to the committee on Appropriations.

The Speaker appointed as assistant clerks, Peer Stromme and Eggert Erlandson.

The Speaker administered the oath of office to the above-named clerks.

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The privileges of the floor were extended to Messrs. Dr. Orr Sanders and A. T. Kraabel.

Mr. Fraine moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 16, 1911.

The house assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Fasset and Streeter, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 12th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 1, line 26, change word "recomended" to read "recommend."

On page 4, after line 14, insert "which motion prevailed."

On page 5, line 5, change word "as" to "of," and the word "apopinted" to "appointed."

On page 6, line 10, change the word "Daokta" to "Dakota," and on line 18 "Doakta" to "Dakota."

On page 8, after line 2, insert "Title of Bill No. 57."

On page 9, after line 9, insert "Title of Bill No. 63."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

REPORT OF SELECT COMMITTEES.  
REPORT OF COMMITTEE ON JOINT RULES.

Your committee on joint rules beg leave to report the same joint rules for the government of the senate and house as were adopted by the legislative assembly of 1909, and recommend that the secretary of state be authorized to incorporate them in proper form in the legislative manual for 1911, which shall also contain similar information to that contained in the last manual, and when printed that copies be furnished the state officers, and ten copies to each member of the 12th legislative assembly; one to each newspaper in the state, exchange with other states, and sufficient others shall be retained by the secretary of state to supply each member of the 13th legislative assembly with one copy which shall be forwarded to him immediately upon his election. Advance sheets of the manual, containing the rules of each house and the standing committees, shall be furnished at once for the use of the respective bodies.

Respectfully submitted,  
C. W. PLAIN,  
Chairman of the Senate Committee.  
E. A. WILLIAMS,  
Chairman of the House Committee.

Mr. Williams moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

MOTIONS AND RESOLUTIONS.

Mr. Ployhar moved  
That the resolution passed on the 12th day relating to the agricultural committee visiting the Tri-State meeting at Fargo, be reconsidered.

Which motion prevailed, and  
The resolution was reconsidered.

Mr. Fraine moved

That the resolution be referred to the committee on expenditures.

Which motion prevailed, and  
The resolution was so referred.

Mr. Hawkinson introduced the following concurrent resolution and moved its adoption:

WHEREAS, It is represented that a shortage of \$60,000 and upwards exists in the funds belonging to the state of North Dakota in the state treasurer's office, and

WHEREAS, Cognizance of said matter must be taken by this assembly; and

WHEREAS, If such condition exists or has existed, such action should be taken by this Legislative Assembly to prevent a recurrence thereof;

*Be it Therefore Resolved by the House of Representatives, the Senate Concurring:*

That a committee be appointed, consisting of three members from the House of Representatives and two members from the Senate, for the purpose of examining into such matter and ascertaining if any change in the law relating to state funds is necessary.

*Be it Further Resolved:*

That the committee shall organize by electing one of its members chairman and that the powers usually conferred upon committees of investigation be conferred upon this committee, and that the state examiner shall be subject to its orders during such investigation; and that said committee report its findings and recommendations on or before the thirtieth day of this session.

Mr. Doyle of Foster moved

That the resolution be referred to one of the standing committees selected by the speaker.

Which motion was lost.

Mr. Hawkinson moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

And the Speaker named as House members of such committee, Messrs. Norheim, Ployhar and Hawkinson.



## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 16, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

## RESOLUTION.

A concurrent resolution providing for a committee to examine the report of the North Dakota Game and Fish Board of Control, now on file in the state auditor's office.

WHEREAS, the governor of the state did duly appoint a Game and Fish Board of Control in accordance with House Bill numbered 156, approved March 5th, 1909, and

WHEREAS, the report of said board of control up to December 31st, 1910, shows a total expenditure of \$42,630.18, and

WHEREAS, this amount seems extravagant and unreasonable, and

WHEREAS, the strictest economy should be practiced in all departments of state and public institutions,

*Be it therefore Resolved:*

That the president of the Senate is hereby authorized to appoint a committee of three to act with a like committee of four to be appointed by the Speaker of the House of Representatives, for the purpose of examining the above mentioned report and to ascertain as far as possible if the game of the state is receiving proper attention under the present law, and to make a report of its findings and conclusions to this assembly, on or before the twentieth day of its session; also to make such other reports and recommendations in connection with this subject matter as it may deem proper and for the best interest of the state, and to call for any legislative power from this assembly that it may consider necessary and expedient for the carrying out of its duties.

*Be it further Resolved:*

That the committee shall organize by electing one of its members chairman and a stenographer from either branch of the assembly to act as secretary thereof.

Which the senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully.

J. W. FOLEY,  
Secretary.

Mr. Homnes moved

That the senate concurrent resolution relating to the investigation of the game and fish board of control, be made

a special order on Thursday, January 19th at 3 o'clock p. m.

Mr. Hoge moved, as an amendment,

That the house do now concur in the senate concurrent resolution relating to game and fish.

Mr. Ployhar moved as an amendment to the amendment,

That the amendment be laid upon the table.

Roll call demanded.

The question being upon the amendment to the amendment.

The roll was called and there were 47 ayes; 48 nays; 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gardiner	Moritz
Benson	Geiger	Nelson of Walsh
Bond	Gorder	Norheim
Boyd	Hanson	O'Connor of Gd. Forks
Burnett	Harty	O'Connor of Pembina
Christenson	Hedalen	Ployhar
Cunningham	Homes	Price
Davidson	Hill, of Bottineau	Putnam
DeLance	Hyland	Ray
DeNault	Johns	Reeves
Dosseth	Knox	Sorlie
Doyle, of Foster	Knutson	Stern
Doyle, of McIntosh	Kuhl	Wambem
Fraine	Law	Whitmer
Fried	Moen of Cavalier	Mt. Speaker
Fritz	Morrison	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hill, of Cass	Paulson
Akesson	Johnson	Peart
Anderson, of Ramsey	Jordal	Pendray
Andrus	Kane	Robinson
Boerner	Kyllo	Sauer
Brusletten	Lageson	Scott
Carey	Lee	Scheer
Davis	Martin	Sgutt
Dean	McClellan	Stranahan
Edwards	Moen of Benson	Tande
Englund	Narum	Thompson
Fox	Nelson of Richland	Tostenson
France	Nestos	Tuttle
Hawkinson	Olsgard of Richland	Ulsaker
Hersrud	Olsgard of Nelson	Walters
Hoge	O'Shea	Williams

Absent and not voting: Messrs. Burns, Collins, Fassett, Heinemeyer, Roquette, Streeter, Tollefson, Bjornson.

Messrs. Collins, Fassett and Streeter being excused.

So the amendment to the amendment was lost.

The question now being upon the amendment.

Roll call demanded.

The roll was called and there were 41 ayes; 54 nays; 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hoge	O'Shea
Akesson	Hill, of Cass	Pearl
Anderson, of Ramsey	Johnson	Robinson
Brusletten	Jordal	Sauer
Carey	Kane	Scheer
Cunningham	Lageson	Sgutt
Davis	Lee	Thompson
Dean	McClellan	Tollefson
Englund	Moen of Benson	Tostenson
Fox	Narum	Tuttle
France	Nelson of Richland	Ulsaker
Gardner	Nestos	Walters
Hawkinson	Olsgard of Nelson	Williams
Hersrud	Olsgard of Richland	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	Nelson of Walsh
Andrus	Gorder	Norheim
Benson	Hanson	O'Connor of Gd. Forks
Boerner	Harty	O'Connor of Pembina
Bond	Hedalen	Paulson
Boyd	Homness	Pendray
Burnett	Hill, of Bottineau	Ployhar
Christenson	Hyland	Price
Davidson	Johns	Putnam
DeLance	Knox	Ray
DeNault	Knutson	Reeves
Dosseth	Kuhl	Scott
Doyle, of Foster	Kyllo	Sorlie
Doyle, of McIntosh	Law	Stern
Edwards	Martin	Stranahan
Fraine	Moen of Cavalier	Wambem
Fried	Morrison	Whitmer
Fritz	Moritz	Mr. Speaker

Absent and not voting: Messrs. Bjornson, Burns, Collins, Fassett, Heinemeyer, Roquette, Streeter and Tande.

Messrs. Collins, Fassett and Streeter being excused.

So the amendment was lost.

The question being upon the original motion, the same prevailed, and the resolution was made a special order for 3 o'clock Thursday, January 19th, 1911.

## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 16, 1911.

Mr. Speaker:

I have the honor to inform you that the senate has concurred in the house resolution relative to repairs of the capitol, and the president of the senate has named as such senate committee, Messrs. Kennedy and Turner.

Very respectfully,  
J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, Professor W. E. Larson, inspector of the rural schools for the state of Wisconsin, will be at Fargo to address the Grain Growers' convention on Thursday, January 19, 1911; and

WHEREAS, Professor Larson has made a special study of the rural school problem, has been actively engaged in his work, and has achieved an enviable reputation therein; and

WHEREAS, The rural school system of the state of North Dakota is in a formative state, and good legislation on this subject would be a great benefit to the children of this state and eventually to the whole state,

*Therefore, Be It Resolved by the Senate, the House of Representatives concurring:*

That an invitation be extended to Professor Larson to address the legislature in joint session on the 20th day of January, or some other day more convenient, to be arranged by the Senate and the speaker of the House of Representatives.

Which the senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,  
J. W. FOLEY,  
Secretary.

Mr. Sorlie moved

That the senate concurrent resolution relating to invitation to Professor Larson to address the legislature in joint session, be adopted.

Which motion prevailed, and  
The concurrent resolution was adopted.

## MOTIONS AND RESOLUTIONS.

Mr. Englund introduced the following resolution and moved its adoption:

*Resolved:*

That the speaker appoint a committee of three from the House Committee on Live Stock, to attend the annual meeting of the North Dakota Live Stock Association, to be held at Fargo January 18th, and report to the House Committee on Live Stock.

Mr. Aasheim moved that the resolution be indefinitely postponed.

Which motion was lost.

Mr. Narum moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

Mr. Homnes introduced the following joint resolution and moved its adoption:

WHEREAS, The edition of the Revised Codes of North Dakota of 1905 is entirely exhausted, and there is a general demand and necessity for a compilation that shall embrace all laws and conform to all amendments made by the Legislative Assembly since 1905, up to and including the Twelfth Legislative Assembly; and

WHEREAS, The secretary of state is already empowered by law, in the publication of codes and statutes, to have general supervision over the compilation, renumbering and readjusting of sections, chapters, articles and subdivisions, and general arrangement thereof; and

WHEREAS, It is advisable to secure at least expense to the state the compilation of laws up to date,

*Now, Therefore, Be it Resolved by the House of Representatives, the Senate Concurring:*

As soon as practicable after the adjournment of the Twelfth Legislative Assembly, the secretary of state, with the approval of the governor, is authorized, on the general plan of the Revised Codes of 1905, to eliminate such sections, articles and chapters therein as shall have been repealed by the Legislative Assemblies of 1907, 1909 and 1911, substitute and incorporate all amendments and include all new statutes, without change or modification, renumber the sections, articles and chapters, where necessary to perfect and harmonize the statutes, revise and rearrange the index and table of contents, according to the most modern system of indexing, and in a general way supervise the compilation and have charge of the publication of a Revised Codes of 1911. The said Revised Codes shall contain by appropriate references annotations to each section, so far as decided by the supreme courts of the territory of Dakota and the state of South Dakota and the state of North Dakota. In order that the said edition of the Revised Codes may be issued as speedily as possible, and with the least expense to the state, the secretary of state is hereby empowered to employ, with the approval of the governor, one or more competent compilers and digestors who shall be versed in the law and familiar with the work to be performed, and he may also employ one or more stenographers and typewriters, as may in his judgment, with the approval of the governor, be deemed necessary to facilitate the work

and prepare the copy for said publication, the same to be completed and the codes ready for delivery as early as possible.

When the revision herein provided for shall be completed and the books delivered to the secretary of state, the governor shall issue a proclamation setting forth the fact. Thirty days thereafter said Revised Codes shall be in full force and be received as evidence of the laws of this state in all courts thereof. The entire cost to the state for the compilation, annotations and printing herein authorized shall not exceed the sum of five dollars per volume for five thousand copies, and after allotting a sufficient number of said Revised Codes of 1911 to supply all state and other officers entitled thereto, and the public libraries and other institutions authorized by law to receive the same, the secretary of state shall keep for sale the remainder for the benefit of the state, at seven dollars and fifty cents per volume. All vouchers for the payment of services and furnishing the supplies called for by this act shall be audited by the governor and commissioners of public printing, a sufficient amount being hereby appropriated out of the general fund of the state, not otherwise appropriated to pay the same.

Mr. Homnes moved

That the joint resolution be referred to the committee on judiciary.

Which motion prevailed, and

The resolution was so referred.

The house returned to the sixth order of business.

#### REPORTS OF SELECT COMMITTEES.

Mr. Speaker:

Your committee appointed to confer with a like committee to be appointed on the part of the senate with reference to holding a memorial session to commemorate the death of the late Senator Martin N. Johnson, have conferred with the senate committee, and we have agreed that the senate meet the house in joint session on February 1st, at 3 p. m., and that Justice Spalding be invited to deliver the memorial address, and that Representative Olsgard from Nelson county, and Senator Gunderson of Nelson county, be invited to deliver brief addresses.

Respectfully submitted,  
E. A. WILLIAMS,  
N. F. HEDALEN,  
P. J. MOEN,

Committee.

Mr. Williams moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

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INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Fraine introduced

House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Which was read the first and second times and  
Referred to the committee on Military Affairs.

Mr. O'Connor of Grand Forks introduced

House Bill. No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Which was read the first and second times and  
Referred to the committee on Judiciary.

Mr. Kuhl introduced

House Bill No. 69.

A bill for an act to provide for the ascertaining and giving notice of the title of lands to the heirs of deceased persons and establishing the right of heirship to real property and to provide a method of procedure therefor.

Which was read the first and second times and  
Referred to the committee on Judiciary.

Mr. DeNault introduced

House Bill No. 70.

A bill for an act to amend Section 1575 of the Revised Codes of the State of North Dakota for the year 1905, relating to the disposition of the penalty and interest on taxes.

Which was read the first and second times and  
Referred to the committee on Municipal Corporations.

Mr. Hoge introduced

House Bill No. 71.

A concurrent resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Which was read the first and second times and  
Referred to the committee on School and Public Lands.

Mr. Cunningham introduced  
House Bill No. 72.

A bill for an act to appropriate the sum of sixty-five thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Which was read the first and second times and  
Referred to the committee on Appropriations.

Mr. Morrison introduced  
House Bill No. 73.

A bill for an act making an appropriation to meet the deficiency incurred by the State Live Stock Sanitary board in carrying out the purpose of Chapter 169 of the Session Laws of 1907.

Which was read the first and second times and  
Referred to the committee on Appropriations.

Mr. Anderson of Ramsey introduced  
House Bill No. 74.

A bill for an act to amend Section 19, Chapter 169 of the Laws of 1907, entitled, an act to establish the Live Stock Sanitary Board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Which was read the first and second times and  
Referred to the committee on Appropriations.

Mr. Olsgard of Nelson introduced  
House Bill No. 75.

A bill for an act to amend and re-enact Sections 1031, 1033, 1034, 1035 and 1036 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907.

Which was read the first and second times and  
Referred to the committee on Education.

Mr. Price introduced  
House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Which was read the first and second times and  
Referred to the committee on Public Printing.



Mr. Heinemeyer introduced

House Bill No. 77.

A bill for an act to amend Section 544 of the Revised Codes of 1905, relating to the seals of notaries public.

Which was read the first and second times and

Referred to the committee on State Affairs.

Mr. O'Connor of Pembina introduced

House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Which was read the first and second times and

Referred to the committee on Education.

Mr. Walters introduced

House Bill No. 79.

A bill for an act to amend and re-enact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Which was read the first and second times and

Referred to the committee on State Affairs.

The House returned to the Seventh order of business.

Mr. Walters moved

That House Bill No. 14 be withdrawn from the committee on State Affairs.

Which motion prevailed, and

The bill was withdrawn from the committee on State Affairs.

#### COURTESIES OF THE FLOOR.

The privileges of the floor were extended to Thos. Barry, Osnabrock; G. T. Killion and H. T. Boyle, of Fargo.

The Speaker appointed E. C. Hedson clerk and Miss Eva Martin as stenographer.

And the Speaker administered the oath of office to the above-named appointees.

Mr. Davidson moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 17, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Collins, who was excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the fourteenth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, on line 37, after the word "as" insert "house members of."

On page 5, on line 34, change the word "Akeson" to "Akeson."

On page 6, on line 10, change the word "Akeson" to "Akeson."

On page 11, on line 26, change the word "Olsgard" to "Olsgard."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

PRESENTMENT OF PETITIONS AND COMMUNICATIONS.

The following communications were received from the secretary of state:

OFFICE OF SECRETARY OF STATE,  
BISMARCK, NORTH DAKOTA,  
January 16, 1911.

*To the Members of the House of Representatives of the Twelfth Legislative Assembly of the State of North Dakota:*

SIRS: I, P. D. Norton, secretary of state, do hereby certify that the following-named persons are the duly nominated candidates of their respective parties, for the office of United States senator from this state, as certified to by the canvassing board:

LONG TERM, ENDING MARCH 3RD, 1917.  
Republican—Porter J. McCumber, of Richland County.  
Democrat—John Bruegger, of Williams County.  
SHORT TERM, ENDING MARCH 3RD, 1915.  
Republican—Asle J. Gronna, of Nelson County.  
Democrat—W. E. Purcell, of Richland County.

In witness whereof I have hereunto set my hand and affixed the great seal of the state, at the capitol, in Bismarck, this 16th day of January, A. D. 1911.

Very respectfully,  
(SEAL) P. D. NORTON,  
Secretary of State.  
By JOHN ANDREWS,  
Deputy.

OFFICE OF SECRETARY OF STATE,  
BISMARCK, NORTH DAKOTA,  
January 16, 1911.

*To the Members of the House of Representatives of the Twelfth Legislative Assembly of the State of North Dakota:*

SIRS: I, P. D. Norton, secretary of state of the state of North Dakota, do hereby certify that the following proposed constitutional amendments were passed by the

Eleventh legislative assembly and are hereby respectfully submitted to the Twelfth legislative assembly, for your approval or rejection.

(SEAL)

Very respectfully,

P. D. NORTON,

Secretary of State.

By JOHN ANDREWS,

Deputy.

#### PROPOSED CONSTITUTIONAL AMENDMENT.

##### Increasing Number of Justices of the Peace.

That Section 112 of the Constitution of the State of North Dakota is amended so as to read as follows:

(Sec. 112. Amendment.) The legislative assembly shall provide by law for the election of justices of the peace in each organized county within the state, but the number of said justices to be elected in each organized county shall be limited by law to such a number as shall be necessary for the proper administration of justice. The justices of the peace herein provided for shall have concurrent jurisdiction with the district courts and with all county courts in all civil actions when the amount in controversy, exclusive of costs, does not exceed two hundred dollars, and they shall have such jurisdiction to hear and determine cases of misdemeanor as may be provided by law, but in no case shall said justices of the peace have jurisdiction when the boundaries of or title to real estate shall come in question. The legislative assembly shall have power to abolish the office of justice of the peace and confer that jurisdiction upon judges of county courts or elsewhere.

Filed in the office of the secretary of state, February 24, 1909.

#### PROPOSED CONSTITUTIONAL AMENDMENT.

##### Term of Office of Judges Supreme Court.

That Section 91 of the Constitution of the State of North Dakota is amended to read as follows:

(Sec. 91. Amendment.) The term of office of the judges of the supreme court, except as in this article otherwise provided, shall be ten years, beginning on the first Tuesday after the first Monday in January of the year next following their election, and they shall hold their offices until their successors are duly qualified. This section shall not be construed as extending the term of office of the judges serving at the time of the adoption of this amendment, except as herein provided. The terms of office of the judges of the supreme court elected at the general election in 1910 shall be as follows: The one receiving the highest number of votes at such election shall hold his office for a term of ten years; the one receiving the next highest number of votes at such election shall hold his office for a term of eight years, and the one receiving the lowest number of votes at such election shall hold his office for a term of six years.

Filed in the office of the secretary of state, February 24, 1909.

## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 16, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, On the 12th day of February next will occur the anniversary of the birth of Abraham Lincoln, and

WHEREAS, It is proper that this occasion should be observed, and

WHEREAS, Hon. Smith Stimmel of Casselton, North Dakota, the only surviving member of Abraham Lincoln's bodyguard, and now a famous lecturer upon the subject of Abraham Lincoln, has offered to give his address before both houses of the legislature upon the occasion of Lincoln's birthday;

*Now, Therefore, Be It Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That the birthday of Abraham Lincoln be observed by proper memorial exercises by the Legislature, that the state officials be invited to attend thereon, and that Hon. Smith Stimmel of Casselton, North Dakota, be invited by the legislature to give the address of the day upon the subject of Abraham Lincoln, and that a joint committee of six, three from each house, including the lieutenant governor and the speaker, be appointed to make arrangements for and take charge of such memorial exercises, to be jointly participated in by both houses of the Legislative Assembly and the state officers, in honor of Abraham Lincoln, and to send an invitation to Hon. Smith Stimmel of Casselton, North Dakota, to make the address on that day and to provide for the proper program of music and exercises on that day.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Sorlie moved

That the House do now concur in the Senate concurrent resolution relating to Lincoln memorial address.

Which motion prevailed, and

The resolution was concurred in.

## REPORT OF STANDING COMMITTEES.

The committee on Agriculture made the following report:

Mr. Speaker:

Your committee on Agriculture to whom was referred House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Have had the same under consideration and recommend that the same do pass.

GEO. H. LAW,  
Chairman.

Mr. Law moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Mr. Speaker:

Your committee on Supplies and Expenditures to whom was referred Mr. Thompson's resolution:

That the secretary of state be authorized and directed to furnish the members with necessary postage stamps during the session.

Have had the same under consideration and report as follows:

By adding: "Provided, that no member shall be allowed postage stamps to exceed \$4.00 in value."

HOWE ROBINSON,  
Chairman.

Mr. Stern moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Mr. Gardiner moved

That the House now proceed to the election of a United States senator to represent North Dakota in congress of the United States for the unexpired term of the late Senator M. N. Johnson.

Mr. Gardiner placed in nomination Asle J. Gronna of Nelson county.

Mr. Doyle of Foster placed in nomination W. E. Purcell of Richland county to represent the state of North Dakota in congress of the United States for the unexpired term of the late Senator M. N. Johnson.

The roll was called and there were 102 votes cast of which Asle J. Gronna received 88 and W. E. Purcell received 14.

## Those voting for Mr. Gronna were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olsgard of Nelson
Akesson	Heinemeyer	Olsgard of Richland
Anderson, of Griggs	Hersrud	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Andrus	Homnes	Peart
Boerner	Hill, of Bottineau	Pendray
Bond	Hill, of Cass	Ployhar
Boyd	Hyland	Price
Brusletten	Johns	Putnam
Burnett	Johnson	Reeves
Burns	Jordal	Robinson
Carey	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen of Benson	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Walters
Gardiner	Nelson of Richland	Wambem
Geiger	Nelson of Walsh	Whitmer
Hanson	Nestos	Williams
Harty	Norheim	Mr. Speaker
Hawkinson		

## Those voting for Mr. Purcell were:

Messrs.—	Messrs.—	Messrs.—
Benson	Fried	O'Connor of Pembina
Bjornson	Fritz	Ray
Christenson	Gorder	Roquette
Doyle, of Foster	Moen of Cavalier	Tollefson
Edwards	O'Connor of Gd. Forks	

Absent and not voting, Mr. Collins. Mr. Collins being excused.

Mr. Streeter placed in nomination Porter J. McCumber of Richland county to represent the state of North Dakota in congress of the United States for the term of six years beginning March 4, 1911.

Mr. O'Connor of Grand Forks placed in nomination John Bruegger of Williams county to represent the state of North Dakota in congress of the United States for the term of six years beginning March 4, 1911.

The roll was called and there were 102 votes cast of which P. J. McCumber received 87 and John Bruegger received 15.

Those voting for P. J. McCumber were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olsgard of Nelson
Akesson	Heinemeyer	Olsgard of Richland
Anderson, of Griggs	Hersrud	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Andrus	Homnes	Peart
Boerner	Hill, of Bottineau	Pendray
Bond	Hill, of Cass	Ployhar
Boyd	Hyland	Price
Brusletten	Johns	Putnam
Burnett	Johnson	Reeves
Burns	Jordal	Robinson
Carey	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Englund	McClellan	Thompson
Fox	Moen of Benson	Tostenson
France	Morrison	Tuttle
Fraine	Moritz	Ulsaker
Gardiner	Narum	Walters
Geiger	Nelson of Richland	Wambem
Hanson	Nelson of Walsh	Whitmer
Harty	Nestos	Williams
Hawkinson	Norheim	Mr. Speaker

Those voting for Mr. Brugger were:

Messrs.—	Messrs.—	Messrs.—
Benson	Fassett	O'Connor of Gd. Forks
Bjornson	Fried	O'Connor of Pembina
Christenson	Fritz	Ray
Doyle, of Foster	Gorder	Roquette
Edwards	Moen of Cavalier	Tollefson

Absent and not voting, Mr. Collins. Mr. Collins being excused.

Mr. Hoge asked unanimous consent to withdraw House Bill No. 71 for amendments.

There being no objections, House Bill No. 71 was withdrawn.

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Kuhl introduced

House Bill No. 80.

A bill for an act providing for the examination of the financial affairs of school districts.

Which was read the first and second times and Referred to the committee on Education.



Mr. Collins introduced

House Bill No. 81.

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the state university of North Dakota.

Which was read the first and second times and

Referred to the committee on Appropriations.

Mr. Englund introduced

House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Which was read the first and second times and

Referred to the committee on Railroads.

Mr. Fritz introduced

House Bill No. 83.

A bill for an act to authorize cities, towns and villages to levy and collect taxes for municipal purposes.

Which was read the first and second times and

Referred to the committee on Municipal Corporations.

Mr. Fritz introduced

House Bill No. 84.

A bill for an act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

Which was read the first and second times and

Referred to the committee on Public Health.

Mr. Fried introduced

House Bill No. 85.

A bill for an act to provide an appropriation for the current and contingent expenses of the state hospital for the insane of North Dakota, at Jamestown.

Which was read the first and second times and

Referred to the committee on Appropriations.

Mr. DeNault introduced

House Bill No. 86.

A bill for an act to provide an appropriation for the erection of new buildings and for other necessary improve-

ments at the state hospital for the insane of North Dakota, at Jamestown.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Tuttle introduced

House Bill No. 87.

A bill for an act to amend Section 8 of Chapter 109 of the Session Laws of 1907.

Which was read the first and second times and  
Referred to the committee on Elections and Privileges.

Mr. Geiger introduced

House Bill No. 88.

A bill for an act to amend Section 35, Chapter 128, of the Session Laws of 1909—House Bill No. 156.

Which was read the first and second times and  
Referred to the committee on Game and Fish.

Mr. DeNault introduced

House Bill No. 89.

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for the year 1905, and all acts or parts of acts amendatory thereof, relating to the redemption of real estate.

Which was read the first and second times and  
Referred to the committee on Taxes and Tax Laws.

Mr. Stranahan introduced

House Bill No. 90.

A bill for an act to reimburse members of the legislative assembly for personal expenses incurred while attending the session thereof.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Akesson introduced

House Bill No. 91.

A bill for an act to provide for fixing the amount to be allowed for labor on highways when performed in payment of road taxes.

Which was read the first and second times and

Referred to the committee on Highways, Bridges and Ferries.

Mr. Johns introduced

House Bill No. 92.

A bill for an act providing for the election of county, school and judicial officers by a non-partisan, majority vote.

Which was read the first and second times and

Referred to the committee on Elections and Election Privileges.

Mr. Hoge introduced

House Bill No. 93.

A concurrent resolution to amend Section 154 of the Constitution of the state of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Which was read the first and second times and

Referred to the committee on School and Public Lands.

Mr. Andrus introduced

House Bill No. 94.

A bill for an act to amend and re-enact Section 496 of the Revised Codes of North Dakota, relating to qualifications of applicants for admission to the bar of the state of North Dakota.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Ulsaker introduced

House Bill No. 95.

A bill for an act entitled "An Act to Provide for the Equitable Assessment and Taxation of Real Property and Mortgage Liens Thereon."

Which was read the first and second times and

Referred to the committee on Taxes and Tax Laws.

Mr. Williams introduced

House Bill No. 96.

A bill for an act creating a state board of dental examiners; to regulate the practice of dentistry in the state of North Dakota; to provide for licensing dentists; and to provide penalties for the violation of this Act.

Which was read the first and second times and

Referred to the committee on Public Health.

Mr. Law introduced

House Bill No. 97.

A bill for an act to amend Section 2869 of the Revised Codes of 1905 providing for the contracting of loans and

for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Which was read the first and second times and  
Referred to the committee on Municipal Corporations.

Mr. Williams moved

That the rules be suspended and House Bill No. 96 be printed.

Which motion was lost.

The Speaker appointed as a committee to attend the North Dakota Live Stock association, Messrs. Englund, Hyland and Narum.

Courtesies of the floor were extended to Alex. Reid, Hannah; S. W. Bond, D. A. Dinnie, Jno. E. Green, Minot; John O. Schulz, Andrew Kerstein, Judge Liles, Art Falley, Hon. John Bruegger, Williston; Walter Phillips, Arthur.

The Speaker appointed Miss Tess Henry as stenographer; Charles Simons and James D. Wakeman clerks.

And the Speaker administered the oath of office to the above-named appointees.

The Speaker assigned Miss Henry to the Judiciary committee.

Mr. Fraine moved

That the House take a recess until 12 o'clock noon tomorrow.

Which motion prevailed.

And the House took a recess until 12 o'clock noon tomorrow.

E. H. GRIFFIN,  
Chief Clerk.

FIFTEENTH DAY—AFTER RECESS AND  
SIXTEENTH DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 18, 1911.

The house reassembled at 12 o'clock, noon, pursuant to recess taken.

The following telegrams were received by the speaker:

Washington, D. C., January 17, 1911.  
HON. J. M. HANLEY, Speaker,  
Bismarck, N. D.

Please express to the House of Representatives my sincere thanks for the vote of today and an assurance of my deep appreciation.  
P. J. McCUMBER.

Washington, D. C., January 17, 1911.  
HON. J. M. HANLEY, Speaker,  
Bismarck, N. D.

Please convey to the members of the House my sincere thanks and assurance of deep appreciation for the vote given me today.  
A. J. GRONNA.

MOTIONS AND RESOLUTIONS.

Mr. Sorlie offered the following resolution and moved its adoption:

*Resolved*, That the chief clerk forthwith notify the senate that the house is now ready to receive the senate in joint session for the purpose of taking such further proceedings in relation to the election of United States senators as shall be necessary and proper.

And that the Speaker appoint a committee of three to notify the Senate that the House is now in session and escort the Senate to the House chamber.

Which motion prevailed, and  
The resolution was adopted.

The Speaker appointed Messrs. Sorlie, Whitmer and O'Connor of Grand Forks a committee to escort and seat the senators.

The sergeant-at-arms announced the members of the Senate and officers in waiting.

### JOINT SESSION.

The joint session of the two houses was called to order by the lieutenant governor, who announced that the hour had arrived for the joint session.

Prayer by the chaplain of the Senate.

The roll of the members of the Senate was called by the secretary of the Senate.

All members present except Senators Ganssle and Putnam.

The roll of the members of the House was called by the chief clerk.

All members present except Messrs. Aasheim, Bond, Collins, Englund, Hersrud, Moen of Benson, Tostenson.

The president announced that the purpose of the joint session was for the comparison of the Journals of the House and the Senate relative to the election of two United States senators, one for the unexpired term of the late Senator M. N. Johnson and one for the term of six years beginning March 4, 1911.

The Journals of the Senate and House being read, and it appearing therefrom that Asle J. Gronna had received a majority of all the votes cast by senators and representatives of the Twelfth session of the legislative assembly of the state of North Dakota, the president of the joint assembly formally declared Asle J. Gronna of Nelson county duly elected United States senator for the unexpired term of the late Senator M. N. Johnson.

The Journals of the Senate and House being read, and it appearing therefrom that Porter J. McCumber had received a majority of all the votes cast by senators and representatives of the Twelfth session of the legislative assembly of the state of North Dakota, the president of the joint assembly formally declared Porter J. McCumber of Richland county duly elected United States senator for the term of six years beginning March 4, 1911.

The following certificates were then signed in open session:

STATE OF NORTH DAKOTA,  
CHAMBER OF THE HOUSE OF REPRESENTATIVES,  
TWELFTH LEGISLATIVE SESSION.

Bismarck, North Dakota,  
January 18, 1911.

This is to certify that at a meeting of the Twelfth Legislative Assembly of the state of North Dakota, in joint session held on Wednesday, the 18th day of January, A. D. 1911, at 12 o'clock meridian, it was found upon examination and comparison of the journals of the respective houses, that upon the day before, and after the meeting and organization of the legislative assembly, each house had by an open vive voce vote of the members present, a majority of all senators and representatives elect being present and voting, named Asle J. Gronna of Lakota, Nelson county, state of North Dakota, for senator in the congress of the United States, for the state of North Dakota, for the term ending March 4, A. D. 1915. Whereupon the joint assembly in session, as aforesaid, formally declared said Asle J. Gronna of Nelson county, North Dakota, duly elected senator to represent the state of North Dakota in the congress of the United States to fill the unexpired term of the late Martin N. Johnson, said term ending March 4, A. D. 1915.

USHER L. BURDICK,  
President of the Senate and Joint Assembly.  
J. M. HANLEY,  
Speaker of the House of Representatives.  
JAMES W. FOLEY,  
Secretary of the Senate.  
E. H. GRIFFIN,  
Chief Clerk of the House of Representatives.

STATE OF NORTH DAKOTA,  
CHAMBER OF THE HOUSE OF REPRESENTATIVES,  
TWELFTH LEGISLATIVE SESSION.

Bismarck, North Dakota,  
January 18, 1911.

This is to certify that at a meeting of the Twelfth Legislative Assembly of the state of North Dakota, in joint session held on Wednesday, the 18th day of January, A. D. 1911, at 12 o'clock meridian, it was found upon examination and comparison of the journals of the respective houses, that upon the day before, and after the meeting and organization of the legislative assembly, each house had by an open vive voce vote of the members present, a majority of all senators and representatives elect being present and voting, named Porter J. McCumber of Wahpeton, Richland county, state of North Dakota, for senator in the congress of the United States, for the state of North Dakota, for the term beginning March 4, A. D. 1911. Whereupon the joint assembly in session, as aforesaid, formally declared Porter J. McCumber of Richland county, North Dakota, duly elected senator to represent the state of North Dakota in the congress of the United States for the term beginning March 4, A. D. 1911, and for the full term of six years.

USHER L. BURDICK,  
President of the Senate and Joint Assembly.  
J. M. HANLEY,  
Speaker of the House of Representatives.  
JAMES W. FOLEY,  
Secretary of the Senate.  
E. H. GRIFFIN,  
Chief Clerk of the House of Representatives.

Senator Bessensen moved  
That the joint assembly do now dissolve.  
Which motion prevailed, and  
The joint assembly dissolved.

### REPORTS OF STANDING COMMITTEES.

Mr. Speaker:

Your committee on Rules begs leave to submit the following report:

That pursuant to a call of the chairman, your committee on Rules convened for deliberation at 8 o'clock p. m., January 17, 1911, and said committee unanimously agreed to adopt the following resolution, and recommend the same for immediate adoption by this House:—

*Be it Resolved:*

That Rules 61 and 62 of the House Rules be repealed, and the following rule adopted in lieu thereof:

Rule 61.—That all bills introduced in the house shall be printed, save and except as otherwise ordered by a majority vote of the House.

Respectfully submitted,

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Mr. Thompson moved  
That Rules 61 and 62 be stricken from the rules.  
Which motion prevailed by a two-thirds vote.

Mr. Thompson moved  
That Rule 61 as reported by the committee be adopted.  
Which motion prevailed by a two-thirds vote.  
And Rule 61 was adopted.

The Speaker appointed Messrs. Hanley, Streeter, and Hill of Cass as committee on Memorial Day exercises.

Mr. Sorlie moved  
That the House do now adjourn.  
Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.



## SIXTEENTH DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 18, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Aasheim, Bond, Collins, Hersrud, Moen of Benson, Narum, Tollefson, Tostenon, Whitmer, who were excused.

### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the fifteenth day have carefully examined the same and recommend that the same be corrected as follows:

On page 6, line 6, change "Homness" to "Homnes."

On page 6, line 46, change "Brugger" to "Bruegger." On line 5, "Bruger" to "Bruegger."

On page 7, line 6, "Homness" to "Homnes."

On page 11, line 11, "Eglund" to "England."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on revision and correction of the Journal of the eleventh day have carefully examined the same and recommend that the same be corrected as follows:

On page 4, take out line 7, which reads "The speaker in the chair," and insert same after line 16.

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 18, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Be It Resolved by the Senate, the House of Representatives Concurring:*  
That the necessary expenses in connection with printing and mailing of the Senate and House journals and bills be paid out of the general fund of the state on proper vouchers as other legislative expenses.

Which the senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,  
J. W. FOLEY,

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 18, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, There are in Williams and McKenzie counties three irrigation projects known as the Williston-Buford-Trenton and Lower Yellowstone projects, operating under the provisions of the United States Reclamation Act, and

WHEREAS, By the terms of said act the owners of land under those projects who get the benefit of irrigation are compelled to repay to the United States the actual cost of construction, operation and maintenance; and

WHEREAS, The cost of construction, operation and maintenance of said irrigation projects was much greater than was estimated at the time that the land owners entered into a contract with the United States government for the reclamation of said land; and

WHEREAS, Practically all of the said owners of land in said projects are new settlers who came to North Dakota with little or no money and have been gradually improving their land as fast as possible; and

WHEREAS, The expenses of breaking and cultivating said land, digging ditches and leveling said land has been so large, that if the payments of the government charges for irrigation are insisted upon at this time, as provided by law, a great hardship will be worked on said land owners; and

WHEREAS, A bill has passed the Senate of the United States, known as Senate Bill No. 6842, providing that the secretary of the interior may modify the time of payments or the annual amount of payments for irrigation until such time as the said land owners have been able to so prepare their land as to get the benefits of irrigation and returns for the additional money invested; and

WHEREAS, We believe that the passage of the said bill by Congress would result in a great benefit to the said land owners and to the cause of irrigation in said projects, and in the state of North Dakota;

*Therefore, Be it Resolved by the Senate, the House of Representatives Concurring:*

That our members of Congress be requested to use their best efforts to secure the passage of said Senate Bill No. 6842; and

*Be it Further Resolved:*

That a duly certified copy of this resolution be by the secretary of the Senate forwarded to each member of the North Dakota delegates in Congress.

Which the senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Ployhar moved

That the House do now concur in the Senate concurrent resolution relating to expense of printing and mailing Journals and bills.

Which motion prevailed, and

The resolution was concurred in.

Mr. Homnes moved

That the House do now concur in the Senate concurrent resolution relating to irrigation.

Which motion prevailed, and

The resolution was concurred in.

#### REPORTS OF STANDING COMMITTEES.

The committee on Mileage and Per Diem made the following report:

Mr. Speaker:

Your committee on Mileage and Per Diem beg leave to make the following report:

## MILEAGE OF THE HOUSE MEMBERS.

District.		Nor. Pac.	Gt. Nor.	Soo Line.	Mil. R. R.	Team.	Total Miles.
1	Chas. Edwards, Drayton .....	259	78	.....	.....	.....	337
	J. J. O'Connor, Neche .....	194	161	.....	.....	4	359
2	Henry Geiger, Hamilton .....	264	145	.....	.....	3	412
	Nels T. Hedalen, Medford .....	174	106	30	.....	6	316
3	Ed. Wambem, Lånkin .....	174	112	.....	.....	9	295
	C. I. Christenson, Park River.....	174	112	.....	.....	.....	286
4	John H. Fraine, Grafton .....	194	119	.....	.....	.....	313
	Jacob Nelson, Boss .....	235	78	.....	.....	.....	313
5	Albert A. Davis, Larimore .....	174	75	.....	.....	.....	249
	John S. Kyllö, McCanna .....	174	84	.....	.....	.....	258
6	James Collins, Grand Forks .....	194	78	.....	.....	.....	272
	W. V. O'Connor, Grand Forks .....	194	78	.....	.....	.....	272
7	W. S. Dean, Holmes .....	194	58	.....	.....	14	266
	O. K. Lageson, Reynolds .....	194	58	.....	.....	12	264
8	W. J. Burnett, Cummings .....	194	46	.....	.....	.....	240
	S. K. Knutson, Buxton .....	194	52	.....	.....	12	258
9	O. J. Sorlie, Buxton .....	194	52	.....	.....	.....	246
	W. J. Price, Fargo .....	194	.....	.....	.....	.....	194
10	E. H. Stranahan, Fargo .....	194	.....	.....	.....	.....	194
	Alex. Stern, Fargo .....	194	.....	.....	.....	.....	194
11	J. D. Akesson, Grandin .....	194	26	.....	.....	7	227
	S. E. Ulsaker, Kindred .....	214	.....	.....	.....	3	217
12	A. L. Peart, Chaffee .....	187	.....	.....	.....	.....	187
	I. E. Hill, Erie .....	194	.....	.....	.....	.....	194
13	L. L. Brusletten, Wahpeton .....	194	46	.....	.....	3	243
	E. M. Nelson, Fairmont .....	194	.....	.....	60	5	259
14	Peter J. Narum, Forman .....	.....	.....	179	.....	9	188
	John Aasheim, Enderlin .....	137	30	.....	.....	6	173
15	E. C. Andrus, Elliott .....	258	.....	.....	.....	.....	258
	George H. Law, Leal .....	137	.....	29	.....	7	165
16	Frank E. Ployhar, Valley City.....	137	.....	.....	.....	.....	137
	A. G. Anderson, Hannaford.....	152	.....	.....	.....	.....	152
17	Ole Paulson, Hope .....	174	47	.....	.....	14	255
	S. J. Tande, Cooperstown .....	174	67	.....	.....	8	249
18	R. J. Gardiner, Brockett .....	174	123	.....	.....	4	301
	E. C. Olsgard, McVile .....	174	90	.....	.....	.....	264
19	S. J. A. Boyd, Hanna .....	174	173	.....	.....	.....	247
	A. Moritz, Dresden .....	174	181	.....	.....	.....	255
20	Wesley Fassett, Dunseith .....	174	204	.....	.....	3	381
	James Kane, Knox .....	174	176	.....	.....	.....	250
21	P. J. Moen, Maddock .....	195	.....	.....	.....	.....	195
	Berndt Anderson, Churches Ferry..	174	144	.....	.....	8	326
22	F. H. Hyland, Devils Lake .....	174	125	.....	.....	.....	299
	Norman Morrison, Webster .....	174	125	.....	.....	12	311
23	N. O. Johnson, Cando .....	174	159	.....	.....	.....	333
	N. W. Hawkinson, Rock Lake .....	174	125	.....	57	.....	356
23	W. B. DeNault, Jamestown .....	101	.....	.....	.....	.....	101
	Richard Pendray, Jamestown .....	101	.....	.....	.....	7	108
	R. N. Walters, Melville .....	135	.....	.....	.....	2	137
	John B. Fried, Jamestown .....	101	.....	.....	.....	.....	101

## MILEAGE OF THE HOUSE MEMBERS—Continued.

District.		Nor. Pac.	Gt. Nor.	Soo Line.	Mil. R. R.	Team.	Total Miles.
24	A. W. Cunningham, Grand Rapids..	142	.....	.....	.....	.....	142
	J. A. T. Bjornson, Kulm .....	.....	.....	119	.....	.....	119
25	C. E. Knox, Oakes .....	.....	.....	156	.....	3	159
26	R. D. Streeter, Linton .....	63	.....	.....	.....	.....	63
	W. P. Tuttle, Dawson .....	51	.....	.....	.....	.....	51
27	Frank Fox, Bismarck .....	.....	.....	.....	.....	.....	.....
	E. A. Williams, Bismarck .....	.....	.....	.....	.....	.....	.....
28	H. C. Hart, Bottineau .....	174	221	.....	.....	.....	395
	J. L. Gorder, Carbury .....	174	228	.....	.....	.....	402
29	W. R. Bond, Minot .....	137	.....	181	.....	.....	318
	John J. Lee, Minot .....	137	.....	181	.....	.....	318
	R. A. Nestos, Minot .....	137	.....	181	.....	.....	318
	A. M. Thompson, Minot .....	137	.....	181	.....	.....	318
30	W. E. Martin, Mandan .....	5	.....	.....	.....	20	25
	J. C. Burns, Glen Ullin .....	63	.....	.....	.....	.....	63
	J. N. Hanley, Mandan .....	5	.....	.....	.....	.....	5
31	W. G. Ray, Dickinson .....	115	.....	.....	.....	.....	115
	F. L. Roquette, Dickinson .....	115	.....	.....	.....	.....	115
	Ole Tollefson, Dickinson .....	115	.....	.....	.....	.....	115
32	T. N. Putnam, Carrington .....	145	.....	.....	.....	.....	145
	S. J. Doyle, Carrington .....	145	.....	.....	.....	.....	145
33	Herman C. Scheer, Fessenden.....	137	.....	93	.....	.....	240
	Julius Sgutt, Harvey .....	137	.....	109	.....	.....	246
34	J. N. Kuhl, Towner .....	137	40	181	.....	.....	358
	F. F. Fritz, Towner .....	137	40	181	.....	.....	358
35	O. P. Jordal, Goodrich .....	193	.....	.....	.....	.....	193
36	John J. Doyle, Wishek .....	.....	.....	79	.....	.....	79
	H. H. France, Gackle .....	202	.....	.....	.....	4	206
37	C. W. Carey, Lidgerwood.....	137	.....	94	.....	10	241
	Nels Olsgard, Kindred .....	214	.....	.....	.....	4	218
38	A. P. Hanson, Litchville .....	227	.....	.....	.....	.....	227
39	George McClellan, Beach .....	180	.....	.....	.....	.....	180
	J. P. Reeve, Beach .....	180	.....	.....	.....	13	193
	Harve Robinson, Sentinel Butte.....	174	.....	.....	.....	.....	174
40	E. J. Moen, Osnabrock .....	174	140	.....	.....	4	318
41	George P. Homnes, Crosby .....	137	.....	294	.....	.....	413
	Robt. Norheim, Alexander .....	137	122	181	.....	25	465
42	L. A. Scott, Barton .....	174	198	.....	.....	10	382
	Martin Benson, Rugby .....	174	198	.....	.....	.....	372
43	C. E. Davidson, Portal .....	137	.....	263	.....	.....	400
	J. A. Englund, Kenmare .....	137	.....	231	.....	.....	368
	L. W. Sauer, Tolley .....	137	.....	245	.....	.....	382
44	Ole C. Dosseth, Plaza .....	137	22	181	.....	29	369
	A. J. DeLance, Ross .....	137	61	181	.....	2	381
45	T. E. Tostenson, Voltaire .....	137	.....	155	.....	.....	292
46	J. T. Hoge, Underwood .....	.....	.....	60	.....	.....	60
	Jerry O'Shea, Garrison .....	.....	.....	80	.....	16	96
47	James Hill, Newburg .....	174	242	.....	.....	2	418
48	Victor H. Boerner, Center .....	33	.....	.....	.....	23	56
	C. B. Heinemeyer, Expansion .....	.....	.....	80	.....	26	106

## MILEAGE OF THE HOUSE MEMBERS—Continued.

District.		Nor. Pac.	Gt. Nor.	Soo Line.	Mil. R. R.	Team.	Total Miles.
49	Chas. H. Whitmer, Yucca .....	5	.....	.....	.....	21	26
	Martin Hersrud, Petrel .....	260	.....	.....	171	.....	431
	John G. Johns, Hettinger .....	260	.....	.....	154	.....	414

W. J. BURNETT,  
 NORMAN MORRISON,  
 VICTOR R. BOERNER,  
 Committee.

Mr. Hyland moved

That the report of the committee on Mileage and Per Diem be amended to read: from Devils Lake to Grand Forks; Grand Forks to Fargo; and Fargo to Bismarck.

Mr. Nestos moved

As an amendment, that the report be referred to the committee on Mileage and Per Diem with instructions to change the different members' mileage according to the usual route of travel.

Which motion prevailed

And the report was so referred.

The Committee on railroads made the following report  
 Mr. Speaker:

Your committee on Railroads to whom was referred  
 House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,  
 Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on State Affairs to whom was referred House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

Have had the same under consideration and recommend that the same be amended as follows:

Add to the last line:

“Provided further that the county judge shall retain on file in his office all papers and records pertaining to such marriage license.”

And when so amended recommend that the same do pass

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on State Affairs to whom was referred House Bill No. 3.

A bill for an act to repeal Sections 1953, 1954, 1955, 1956, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971 of the Revised Code of 1905, relating to wolf bounty.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on State Affairs to whom was referred House Bill No. 33.

A bill for an act to amend Section 2445 of Chapter 28, of the Revised Codes of 1905, relating to the monthly statement by depository.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.  
Also,

Mr. Speaker:

Your committee on State Affairs to whom was referred House Bill No. 38.

A bill for an act to repeal Sections 1961 and 1968 of the 1905 Revised Codes of the state of North Dakota, relating to wolf bounty and assessment therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Hyland offered the following concurrent resolution and moved its adoption:

WHEREAS, Experience has demonstrated that the interests of the people would be best served by the election of United States senators by the direct vote of the people of the various states,

*Therefore, Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

That, under authority of Article V. of the Constitution of the United States, application is hereby made to Congress to forthwith call a constitutional convention for the purpose of submitting to the states for ratification an amendment to the Federal Constitution, providing for the election of United States senators by direct vote of the electors of the various states; and

*Be it Further Resolved:*

That this resolution be ordered enrolled, and that the chief clerk of this House be instructed to forthwith transmit duly authenticated copies thereof, one to the President of the United States, and one to the Speaker of the House of Representatives of the United States.

Mr. Hyland moved  
That the resolution be adopted.  
Which motion prevailed, and  
The resolution was adopted.



## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 18, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 39.

A joint resolution.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully.

J. W. FOLEY,  
Secretary.

INTRODUCTION, FIRST AND SECOND READING  
OF HOUSE BILLS.

Mr. Norheim introduced  
House Bill No. 98.

A bill for an act to provide a judicial procedure to determine the identity of the grantees and the shares of each in cases where lands have been or may be patented, granted or conveyed by the United States to the heirs or devisees of a deceased person without naming therein the persons so designated as grantees.

Which was read the first and second times and  
Referred to the committee on Judiciary.

Mr. Nestos introduced  
House Bill No. 99.

A bill for an act to amend Section 1575 of the Revised Codes of the State of North Dakota of 1905, relating to taxes.

Which was read the first and second times and  
Referred to the committee on Taxes and Tax Laws.

Mr. O'Connor of Grand Forks introduced  
House Bill No. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

Which was read the first and second times and  
Referred to the committee on Public Health.

Mr. Johnson introduced  
House Bill No. 101.

A concurrent resolution for an amendment to the State of North Dakota, relative to the right of trial by jury.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Norheim introduced

House Bill No. 102.

A bill for an act to amend Section 9791 of the Revised Codes of 1905, relating to prosecution on information and in what cases.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Moritz introduced

House Bill No. 103.

A bill for an act to create a state text book commission and to provide for the adoption and use of uniform text books throughout the state.

Which was read the first and second times and  
Referred to the committee on State Affairs.

Mr. Collins introduced

House Bill No. 104.

A bill for an act to amend Sections 1, 6, 12, 14 and 16 of Chapter 135 of the Laws of 1907.

Which was read the first and second times and  
Referred to the committee on Public Health.

Mr. Burns introduced

House Bill No. 105.

A bill for an act to provide for uniform accounts for state banks.

Which was read the first and second times and  
Referred to the committee on Banking.

Mr. Cunningham introduced

House Bill No. 106.

A bill for an act to appropriate the sum of thirty thousand dollars annually, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Price introduced

House Bill No. 107.

A bill for an act to amend Section 1555 of the Revised Code of North Dakota for the year 1905, relating to the

sheriff's list of uncollected personal property taxes, his certificate for the same and creating a fee therefor.

Which was read the first and second times and  
Referred to the committee on Taxes and Tax Laws.

Mr. Price introduced

House Bill No. 108.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the office of police magistrate so as to provide for the establishment of municipal courts.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Johnson introduced

House Bill No. 109.

A bill for an act appropriating money to provide needed equipment, permanent improvements, repairs, employes' wages, officers' salaries, messengers, railway fares and express charges in the transportation of fish, for the North Dakota state fish hatchery at Fish Lake in Rolette county, North Dakota.

Which was read the first and second times and  
Referred to the committee on Appropriations.

Mr. Gorder introduced

House Bill No. 110.

A bill for an act to provide for the distribution of Blue Books among the district schools of the state.

Which was read the first and second times and  
Referred to the committee on Joint Rules.

Mr. Andrus introduced

House Bill No. 111.

A bill for an act entitled, an act fixing the salaries and providing for the payments of the necessary expenses of the judges of the district courts of the state of North Dakota, and the furnishing of proper chambers, including furniture, heat, light, stationery and postage for such judges.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Law introduced

House Bill No. 112.

A bill for an act amending Section 2400 of the Revised Codes of 1905, relating to additional powers of the board of county commissioners.

Which was read the first and second times and  
Referred to the committee on State Affairs.

Mr. Law introduced  
House Bill No. 113.

A bill for an act to regulate the width of sleighs, sleds,  
and cutters used on public highways.

Which was read the first and second times and  
Referred to the committee on Agriculture.

Mr. Peart introduced  
House Bill No. 14.

A bill for an act to prevent the giving away or otherwise  
disposing of intoxicating liquors as a beverage at public  
sales and gatherings.

Which was read the first and second times and  
Referred to the committee on Temperance.

Mr. Knox introduced  
House Bill No. 115.

A bill for an act to amend and re-enact Section 981 of the  
Revised Codes of North Dakota of 1905, relating to in-  
creasing the debt limit.

Which was read the first and second times and  
Referred to the committee on ways and means.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 39.

A joint resolution.

Which was read the first and second times and  
Referred to the committee on Ways and Means.

Mr. Fraine moved

That the rules be suspended and Senate Bill No. 39 be  
placed upon its third reading and final passage.

Mr. Williams raised the point of order as to the consti-  
tutional provision of procedure.

The Speaker declared the point well taken and the motion  
out of order.

Mr. Price moved

That Senate Bill No. 39 be made a special order for 2:30  
o'clock p. m. tomorrow.

Which motion prevailed, and

Senate Bill No. 39 was made a special order for 2:30  
o'clock tomorrow.

There being no objection, the House returned to the Sev-  
enth order of business.

## MOTIONS AND RESOLUTIONS.

Mr. Streeter offered the following resolution and moved its adoption:

*Resolved:*

That a copy of each House bill and of the House Journal, daily, be sent to each newspaper of the state.

Which motion prevailed, and  
The resolution was adopted.

## COURTESIES OF THE FLOOR.

The privileges of the floor were extended to D. C. Greenleaf, Minot; Frank Fisk, Williston; Hon. A. L. Butler, Williston; O. W. Ohnstad, Devils Lake; E. R. Brownson, Williston; Judge Howard, Traill county; Judge Hanson, Cass county; E. C. Fritz, J. A. Johnson, Hon. Hugh McDonald, Prof. G. A. McFarland, O. M. Roe, Valley City; Judge Bagley and H. H. Bergh, Towner; Chas. Mudgett, Hans C. Stensland, Valley City; Clarence A. Hale, Grand Forks; Rev. Father Leigman, Dickinson.

Mr. Bjornson moved

That the House do now adjourn.

Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

January 19, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Aasheim, Brusletten, Collins and Whitmer, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 16th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, on line 5, change the word "Eleventh" to read "Twelfth," and on line 33 change word "Eleventh" to Twelfth."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,  
Mr. Speaker:

Your committee on revision and correction of the Journal of the 15th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 6, on line 23, change "Tollefson" to "Tostenson," and on line 36 change "Tostenson" to "Tollefson."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 19, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, The free distribution of garden seeds, flower seeds and bulbs has come to be looked upon as a vast expenditure of money annually without adequate recompense, seeds being distributed promiscuously by our senators and congressmen generally far removed from places where grown, hence are not suited to climate or soil conditions, and are therefore no material benefit, besides encumbering our senators and representatives with a vast amount of unnecessary trouble and labor;

*Therefore, Be it Resolved by the Senate of the State of North Dakota, the House Concurring:*

That it believes the expenditure of approximately the sum of five hundred thousand dollars annually for the free distribution of the various kinds of garden seeds is uncalled for and unnecessary and should be abolished, unless for the propagation and distribution of the various kinds of grasses and clover seed.

*Be it Further Resolved:*

That the secretary of the Senate and the chief clerk of the House be and they are hereby instructed to mail a copy of these resolutions to our senators and representatives in Congress.

Which the Senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Sorlie moved

That the House do now concur in the Senate concurrent resolution relating to free distribution of garden seeds.

Which motion prevailed, and

The resolution was concurred in.

#### REPORT OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred House Bill No. 20.

A bill for an act to amend Section 6295 of the Revised Codes of 1905, providing for a lien for repairs of person-  
alty.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homness moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred Senate Bill No. 39.

A joint resolution.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Dean moved

That the rules be suspended and Senate Bill No. 39 be placed upon its third reading and final passage.

Which motion was lost.



## MOTIONS AND RESOLUTIONS.

Mr. Putnam introduced the following resolution and moved its adoption:

*Be it Resolved by the House of Representatives:*

That the salaries of employes of said House not provided for by statute be as follows:

Two mailing clerks .....	\$5.00 per day.
All committee clerks .....	5.00 per day.
All other clerks .....	4.00 per day.

Mr. Putnam moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

Mr. Johnson introduced the following concurrent resolution and moved its adoption:

WHEREAS, A concurring resolution passed the House of Representatives on January 16th, 1911, and concurred in by the Senate, provided for a committee to investigate the condition of the state treasurer's office, and

WHEREAS, The committee is about to begin its labors;

*Now, Therefore, Be it Resolved by the House of Representatives, the Senate Concurring Therein*

That the committee be instructed and authorized to extend its investigation to cover a period of at least eight years, and that the conditions under which the business of this office has been conducted during said period be thoroughly investigated and a complete report made, and such report to show the amounts of money deposited in the various banks of the state, also whether or not such deposits were authorized by law.

Mr. Johnson moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

Mr. Davidson introduced the following joint resolution and moved its adoption.

*Resolved by the House of Representatives, the Senate Concurring:*

WHEREAS, This body has adopted a practice of economy, and

WHEREAS, It has come to the notice of the two legislative bodies, that according to the result of the rule established regarding the presentation of bills, that there is usually a congestion at the end of the term;

*Now, Therefore, Be it Resolved:*

That all bills of a general nature shall be presented for first and second reading prior to the fifty-first day of the session.

Mr. Davidson moved

That the resolution be referred to the committee on joint rules.

Which motion prevailed, and

The resolution was so referred.

Mr. Hoge introduced the following concurrent resolution and moved its adoption:

WHEREAS, The members of the Legislative Assembly are almost continually engaged in committee work during business hours, and which makes it extremely difficult for any member to watch the progress of any bills that they may have before the various committees;

*Now, Therefore, Be it Resolved by the House of Representatives, the Senate Concurring:*

That it is hereby made the duty of the chairman of every standing committee to notify the author of any bill, at least one hour prior to the time that such bill will be taken up and considered by his committee.

Mr. Hoge moved

That the resolution be adopted.

Mr. Homnes moved as an amendment,

That the resolution be laid upon the table.

Which motion prevailed.

And the resolution was so laid upon the table.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Thompson, by request, introduced

House Bill No. 116.

A bill for an act to amend Chapter 68 of the Session Laws of the State of North Dakota for the year 1909, prescribing the salary of the state's attorney, assistant and clerk.

Which was read the first and second time and

Referred to the committee on ways and means.

Mr. Davis introduced

House Bill No. 117.

A bill for an act to amend Section 9768 of the Revised Codes of 1905, relating to the examination of witnesses in a preliminary examination before a magistrate.

Which was read the first and second time and

Referred to the committee on judiciary.

Mr. Stern introduced

House Bill No. 118.

A bill for an act to amend subdivisions six (6) and seven (7) of Section five (5) of Chapter one seventy-nine (179) of the Session Laws of 1907, in relation to the powers of the board of park commissioners.

Which was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Hyland introduced

House Bill No. 119.

A bill for an act making an appropriation for the improvement, betterment, conservation and preservation of the Rock Island Military Wood reservation in Ramsey county, North Dakota.

Which was read the first and second time and

Referred to the Committee on Appropriations.

Mr. Fritz introduced

House Bill No. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Which was read the first and second time and

Referred to the committee on railroads.

Mr. Williams, by request, introduced

House Bill No. 121.

A bill for an act requiring railways doing business in this state to furnish at all stations in this state where a business of \$15,000 or more a year is done, suitable loading and unloading facilities for traction engines and other heavy machinery, and prescribing for violations thereof.

Which was read the first and second time and

Referred to the committee on railroads.

Mr. Ployhar introduced

House Bill No. 122.

A bill for an act to provide furniture for the new dormitory, and to complete and make adequate the heating plant of the State Normal school at Valley City, and making appropriation therefor.

Which was read the first and second time and

Referred to the committee on appropriations.

Mr. Fraine introduced

House Bill No. 123.

A bill for an act making an appropriation for a storehouse on the Rock Island Military Wood reservation near Devils Lake, North Dakota.

Which was read the first and second time and

Referred to the committee on appropriations.

Mr. Pierce introduced

House Bill No. 124.

A bill for an act relating to the construction of public buildings, prescribing the duties of boards of trustees there-

of in the matter of securing plans and specifications, advertising for bids, letting contracts, allowance and payment of estimates, payment of premiums on contractor's bonds, and insurance on unfinished buildings and material on the ground, and protecting architects, contractors, manufacturers and producers resident within the state of North Dakota.

Which was read the first and second time and  
Referred to the committee on state affairs.

Mr. Burnett introduced  
House Bill No. 125.

A bill for an act relating to the assessment of lands for the construction of drains and providing for an appeal from the decision of the drainage board, and fixing the compensation of drain commissioners.

Which was read the first and second time and  
Referred to the committee on drainage.

Mr. Williams introduced  
House Bill No. 126.

A bill for an act to amend Section 2594 of the Revised Codes of 1905, of the State of North Dakota.

Which was read the first and second time and  
Referred to the committee on ways and means.

### SPECIAL ORDER.

Senate Bill No. 39.

A joint resolution.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 92 ayes; no nays; 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Olgard of Richland
Anderson, of Griggs	Harty	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Andrus	Heinemeyer	Peart
Benson	Hersrud	Pendray
Bjornson	Hoge	Ployhar
Boerner	Homness	Price
Bond	Hill, of Bottineau	Putnam
Boyd	Hill, of Cass	Ray
Burnett	Hyland	Reeves
Burns	Johns	Robinson
Carey	Johnson	Roquette
Christenson	Jordal	Sauer

Messrs.—	Messrs.—	Messrs.—
Cunningham	Geiger	Olgara of Nelson
Davidson	Kane	Scott
Davis	Knox	Scheer
Dean	Knutson	Sgutt
DeLance	Kuhl	Sorlie
DeNault	Kyllo	Stern
Dosseth	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	McClellan	Thompson
Englund	Moен of Benson	Tollefson
Fassett	Morrison	Tostenson
Fox	Moritz	Tuttle
France	Narum	Ulsaker
Fraine	Nelson of Richland	Walters
Fried	Nelson of Walsh	Wambem
Fritz	O'Connor of Gd. Forks	Williams
Gardiner	O'Connor of Pembina	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nestos
Brusletten	Hawkinson	Norheim
Collins	Martin	Whitmer
Moen of Cavalier		

Messrs. Aasheim, Brusletten, Collins and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Pierce moved

That the House take a recess until 3 o'clock p. m.

Which motion prevailed, and

The house took a recess until 3 o'clock p. m.

The House reassembled at 3 o'clock p. m., pursuant to recess taken.

## SPECIAL ORDER.

A concurrent resolution providing for a committee to examine the report of the North Dakota Game and Fish Board of Control, now on file in the state auditor's office.

WHEREAS, the governor of the state did duly appoint a Game and Fish Board of Control in accordance with House Bill numbered 156, approved March 5th, 1909, and

WHEREAS, the report of said board of control up to December 31st, 1910, shows a total expenditure of \$42,630.18, and

WHEREAS, this amount seems extravagant and unreasonable, and

WHEREAS, the strictest economy should be practiced in all departments of state and public institutions,

*Be it therefore Resolved:*

That the president of the Senate is hereby authorized to appoint a committee of three to act with a like committee of four to be appointed by the Speaker of the House of Representatives, for the purpose of examining the above mentioned report and to ascertain as far as possible if the game of

the state is receiving proper attention under the present law, and to make a report of its findings and conclusions to this assembly, on or before the twentieth day of its session; also to make such other reports and recommendations in connection with this subject matter as it may deem proper and for the best interest of the state, and to call for any legislative power from this assembly that it may consider necessary and expedient for the carrying out of its duties.

*Be it further Resolved:*

That the committee shall organize by electing one of its members chairman and a stenographer from either branch of the assembly to act as secretary thereof.

Mr. Homnes moved

That the House do now concur in the Senate concurrent resolution relating to the investigation of the state game and fish board of control.

Which motion prevailed, and

The resolution was concurred in.

The Speaker appointed Messrs. Fraine, Olsgard of Nelson, Brusletten and Benson as House members of the committee to investigate the state game and fish board of control.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 19, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the house resolution calling for an investigation of the office of the state treasurer and the president of the Senate has named as such committee, Messrs. Elken and Allen.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully.

J. W. FOLEY,  
Secretary.

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INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Sorlie introduced

House Bill No. 127.

A bill for an act making appropriation for the Mayville State Normal school located at Mayville, North Dakota, for hospital, green house, fuel bin, library, museums, boiler, grounds, lecture course, manual training and domestic science, and improvements on ventilating system, and for reimbursement of money transferred from local and interest and income funds.

Which was read the first and second time and

Referred to the committee on appropriations.

The privileges of the floor were extended to the following gentlemen:

Judge Kerk of Bottineau.

Mayor W. E. Byerly of Velva.

Capt. C. F. Mudgett of Valley City.

John Ethington, W. S. Vanbergen, C. C. Lory, of La Moure county.

Mr. Ployhar moved

That the house do now adjourn.

Which motion prevailed.

And the house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 20, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Mr. Law, who was excused.

### REFERENCE TO THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the seventeenth day have carefully examined the same and recommend that the same be corrected as follows:

On page 8, after line 16, insert the word "Fritz," and on line 24 take out the word "Fritz."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.



Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

### REPORTS OF STANDING COMMITTEES.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 34.

A bill for an act repealing Sections 8, 9, 10, 11, 12, 13, 14 and 15 of Chapter 135 of the Session Laws of North Dakota of 1907, and Section 6 of Chapter 141 of the laws of 1909, amending Section 15 of Chapter 135 of the laws of 1907.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 79.

A bill for an act to amend and re-enact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, seventh line, after the word "depositories" insert "and the amount of interest received from each depository."

In the sixth line from the bottom of the page, after the word "depository" insert "and also a copy thereof to each county auditor of the state, which

shall be posted in some prominent place in the office of said county auditor.”

Add the following section to the bill:

“Section 5. Emergency.) Whereas an emergency exists in that there is no law giving an adequate publicity of state finances, therefore this act shall take effect and be in force from and after its passage and approval.”

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 77.

A bill for an act to amend Section 544 of the Revised  
Codes of 1905, relating to the seals of notaries public.

Have had the same under consideration and recommend  
that the same be amended as follows:

Section 1, third line, strike out the word “full,” and after the word im-  
pressed insert, “as shown in the notarial commission.”

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Nestos introduced

House Bill No. 128.

A bill for an act entitled, an act to amend Section 9189  
of the Revised Codes of 1905, defining grand and petit  
larceny.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Kylo introduced

House Bill No. 129.

A concurrent resolution for an amendment to the Consti-  
tution, providing for a state hail insurance department and  
making the commissioner of agriculture and labor also the  
commissioner of state hail insurance, prescribing rules,  
regulations and duties of all officers and persons connected  
therewith prescribing how taxes for same shall be levied

and collected and how expense and indemnity for losses by hail shall be paid.

Which was read the first and second times and  
Referred to the committee on insurance.

Mr. DeNault introduced

House Bill No. 130.

A bill for an act to amend Section 9366 of the Revised Codes of North Dakota, as amended by Chapter 191 of the Laws of 1907, and Chapter 187 of the Laws of 1909, defining intoxicating liquors.

Which was read the first and second times and  
Referred to the committee on temperance.

Mr. O'Connor of Grand Forks by request introduced

House Bill No. 131.

A bill for an act to provide a fund for the payment of losses of growing crops caused by tornadoes and hailstones.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Lee introduced

House Bill No. 132.

A bill for an act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state, to equip locomotives with electric headlights.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. DeLance by request introduced

House Bill No. 133.

A bill for an act to amend Section 2763 of the Revised Codes of the State of North Dakota for the year 1905, providing for the vacation of streets and alleys, establishing the procedure and providing for an appeal.

Which was read the first and second times and  
Referred to the committee on municipal corporations.

Mr. Moen of Cavalier introduced

House Bill No. 134.

A bill for an act to amend Sections 4324 and 4343 of the Revised Codes of 1905, relative to the powers and duties of the board of railroad commissioners.

Which was read the first and second times and  
Referred to the committee on railroads.

Mr. Harty introduced

House Bill No. 135.

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.

Which was read the first and second times and  
Referred to the committee on elections and election privileges.

Mr. Hill of Cass introduced

House Bill No. 136.

A bill for an act declaring to be common nuisances bawdy houses, houses of ill fame, of assignation, of prostitution, or any other house, room or place for persons to visit for unlawful sexual intercourse or for any other lewd, obscene, indecent or disorderly purpose; and prescribing remedies and penalties for the prevention of the same.

Which was read the first and second times and  
Referred to the committee on public health.

Mr. Homnes introduced

House Bill No. 137.

A bill for an act to reimburse district judges called to sit in hearing of cases before supreme court when regular members thereof are disqualified.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Fox introduced

House Bill No. 138.

A bill for an act requiring county auditors in all counties in the State of North Dakota, to deliver to the county treasurer all tax lists, and requiring the treasurer to publish the delinquent personal property tax assessed, and appearing unpaid and not cancelled.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Burnett introduced  
House Bill No. 139.

A bill for an act defining the powers of county commissioners relating to highways and bridges.

Which was read the first and second times and  
Referred to the committee on judiciary.

### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 20, 1911.

Mr. Speaker:

I have the honor to inform you that the president of the Senate has named as Senate members of the game and fish investigation committee, Messrs. Garden, McDonald and McDowell.

Very respectfully.

J. W. FOLEY,  
Secretary.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Sorlie introduced .

House Bill No. 140.

A bill for an act to amend Sections 4036, 4037, 4039 and 4042 of the Revised Codes of the State of North Dakota for 1905, relating to marriage contract, who may solemnize marriages, marriage licenses, marriage certificates, marriage records and certified copies of marriage records.

Which was read the first and second time and  
Referred to the committee on state affairs.

Mr. Peart introduced

House Bill No. 141.

A bill for an act establishing a fruit and plant breeding station in North Dakota.

Which was read the first and second time and  
Referred to the committee on appropriations.

Mr. Fox introduced

House Bill No. 142.

A bill for an act to prevent the setting of fires by threshing engines or other stationary or portable engines, that exhaust through the smoke stack.

Which was read the first and second times and  
Referred to the committee on agriculture.

Mr. Fox introduced

House Bill No. 143.

A bill for an act to prevent the setting of fire and to provide that all threshing machines or traction or portable engines shipped into the state of North Dakota shall be provided with the most effective spark arrester.

Which was read the first and second times and  
Referred to the committee on agriculture.

Mr. Doyle of Foster introduced

House Bill No. 144.

A bill for an act providing for defraying the expenses incurred by judges of the district courts in attending sessions of the supreme court when called so to do pursuant to Section 100 of the Constitution.

Which was read the first and second times and  
Referred to the committee on Judiciary.

Mr. Ployhar introduced

House Bill No. 145.

A bill for an act to provide for making permanent improvements at the State Normal school at Valley City, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Which was read the first and second times and  
Referred to the committee on Appropriations.

The House returned to the seventh order of business.

## MOTIONS AND RESOLUTIONS.

Mr. Reeve moved

That the Speaker appoint a committee of three to advise the Senate that the House was ready to receive them in joint session.

Which motion prevailed, and

The Speaker appointed Messrs. Reeve, Johns and Collins as such committee.

The sergeant-at-arms announced the Senate in waiting.

## JOINT SESSION.

The President of the Senate announced that the purpose of the joint session was to hear an address by Prof. W. E. Larson of Wisconsin on the subject of Rural Schools.

The joint session was then addressed by Prof. Larson

Senator Talcott moved

That the joint session do now dissolve.

Which motion prevailed, and

The joint session dissolved.

INTRODUCTION, FIRST AND SECOND READING  
OF HOUSE BILLS.

Mr. Ulsaker introduced

House Bill No. 146.

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory, and for the equipment and furnishing of same; for the installation of a boiler and smoke-stack for the heating plant and for the purchase of additional land for the use of the government experiment station at Fargo.

Which was read the first and second times and

Referred to the committee on Appropriations.

Mr. Walters introduced

House Bill No. 147.

A bill for an act providing for the appointment of a superintendent of roads in organized counties, who shall have charge and supervision of the construction, grading,

improving, repairing and draining of roads within said county, and fixing the salary, and providing for the appointment of deputies and repealing all laws in conflict therewith, and particularly Sections 1386, 3062, 3110 of the Revised Codes of 1905, insofar as they apply to the appointment or election of road overseers and road supervisors.

Which was read the first and second times and

Referred to the committee on highways, bridges and ferries.

Mr. Doyle of McIntosh introduced

House Bill No. 148.

A concurrent resolution for an amendment to the Constitution for the initiative and referendum.

Which was read the first and second times and  
Referred to the committee on Judiciary.

Mr. Tollefson introduced

House Bill No. 149.

A bill for an act to prohibit the hunting, shooting at, killing, or in any way destroying any deer within the boundary limit of the State of North Dakota, before January 1st, 1915.

Which was read the first and second times and  
Referred to the committee on Game and Fish.

The Speaker assigned E. B. Johnson as clerk of committee on public health.

Privileges of the floor were extended to John Mahon, Langdon; Geo. A. Phelps, Cass county; E. G. Warren, Minot; and Nels Nelson, Sherwood.

Mr. Akesson moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clcrk.



NINETEENTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

January 21, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Andrus, Cunningham, Hawkinson, Olsgard of Nelson, Ployhar, Price, Sorlie, Stranahan and Stern, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 18th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 21, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House resolution for an extension of the investigation of the state treasurer's office.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### REPORT OF STANDING COMMITTEES.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Have had the same under consideration and recommend that the same be amended as follows:

In line 24 of the original bill strike out the word "general" and substitute the word "legislative," and also in the last paragraph of the original bill strike out all after the word "Washington" and insert the following words: "and to the President of the Senate and the Speaker of the House of Representatives of the National Congress."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Doyle of McIntosh asked unanimous consent to withdraw House Bill No. 148.

There being no objection, House Bill No. 148 was withdrawn.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Norheim introduced

House Bill No. 150.

A bill for an act to amend Section 36, Chapter 128 of the Session Laws of 1909, relating to the hunting, shooting, killing and capturing of deer within the limits of the State of North Dakota, and providing for penalty for violation of the provisions of this act.

Which was read the first and second times and  
Referred to the committee on game and fish.

Mr. Davis introduced

House Bill No. 151.

A bill for an act to amend Section 2437 of the Revised Codes of North Dakota for 1905., relating to proposals and acceptance of bonds of county depositaries.

Which was read the first and second times and  
Referred to the committee on banking.

Mr. Fraine introduced

House Bill No. 152.

A bill for an act to specify and authorize a state flag.

Which was read the first and second times and  
Referred to the committee on military affairs.

Mr. Jordal introduced

House Bill No. 153.

A bill for an act to amend and re-enact Section 1597 of Chapter 219, Laws of 1907, relative to duty of county auditor, and requirements of tax deeds.

Which was read the first and second times and  
Referred to the committee on Taxes and Tax Laws.

Mr. Kyлло introduced

House Bill No. 154.

A bill for an act to amend Section 9363 of the Revised Codes of the State of North Dakota of 1905, as amended by Section 10 of Chapter 183 of the Laws of 1909.

Which was read the first and second times and

Referred to the committee on temperance.

Mr. Fassett introduced

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Lee introduced

House Bill No. 156.

A bill for an act relating to the qualifications of all state, county and city elective officers.

Which was read the first and second times and

Referred to the committee on elections and election privileges.

Mr. Moen of Benson introduced

House Bill No. 157.

A bill for an act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Sauer introduced

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Williams introduced (by request.)

House Bill No. 159.

A bill for an act to amend Section 1, Chapter 45, Laws of 1907.

Which was read the first and second times and  
Referred to the committee on municipal corporations.

Mr. Sgutt introduced

House Bill No. 160.

A bill for an act to amend Section 8799 of the Revised Codes of the State of North Dakota for the year 1905.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Burnett introduced

House Bill No. 161.

A bill for an act regulating the taxation of mortgages.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Sauer introduced

House Bill No. 162.

A bill for an act to amend Section 5049 of the Revised Codes of North Dakota, 1905, creating and defining and limiting the homestead of the head of a family residing in this state.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Lee introduced

House Bill No. 163.

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Anderson of Ramsey introduced  
House Bill No. 164.

A bill for an act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this act.

Which was read the first and second times and  
Referred to the committee on agriculture.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 39.

A joint resolution.

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 21, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the Senate, the House of Representatives Concurring:*

That the joint committee appointed to investigate the report of the state Game and Fish Board of Control be granted an extension of time until the fortieth day of the session, to perform its duties and make its report to the assembly.

Which the senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Fraine moved

That the House do now concur in the Senate concurrent resolution asking for extension of time for investigation of the state game and fish board of control.

Which motion prevailed, and

The resolution was concurred in.

The Speaker administered the oath of office to F. M. Gillis and R. A. Burnett on the second day.

The privileges of the floor were extended to D. I. Armstrong, Willow City; Paul Fried, John Heimes, Fred Jacobson, Edward Cox, Thomas Moore, Harry Davidson, Wm. Stewart, Louis Craswell of Valley City.

Mr. Fraine moved

That the House adjourn until 2 o'clock p. m., Monday, January 23rd.

Which motion prevailed, and

The House adjourned until 2 o'clock Monday, January 23rd.

E. H. GRIFFIN,  
Chief Clerk.

## TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

January 23, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Andrus, Benson, Collins, Cunningham, Dosseth, Hanson and Olsgard of Nelson, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 19th day, have carefully examined the same and recommend that the same be corrected as follows:

On line 12, page 1, change word "Andrews" to "Andrus."  
On line 1, page 3, change word "Foster" to "McIntosh."



And when so corrected, recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

The following petition was presented:

We, the undersigned electors within and for the county of Mountrail and the Forty-fourth legislative district, do hereby protest against the passage of House Bill No. 25 providing for the creation of Mountrail and McKenzie counties into one legislative district, for the reason that the interests of the two counties are entirely opposite in every respect, McKenzie county being across the Missouri river from Mountrail, and for the further reason that Mountrail county should be left as one legislative district as heretofore, with one senator and two representatives.

L. L. EVJE AND 16 OTHERS,  
Ross, N. D.

Mr. Williams moved  
That the petition be referred to the committee on apportionment.  
Which motion prevailed, and  
The petition was so referred.

### MOTIONS AND RESOLUTIONS.

Mr. Edwards moved  
That House Bill No. 26 be re-committed to the committee on drainage.  
Which motion prevailed, and  
The bill was so re-committed.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Nestos introduced  
House Bill No. 165.  
A bill for an act to create a bureau of inspection and supervision of public offices, and to establish a uniform

system of public accounting, auditing and reporting, under the administration of the state examiner.

Which was read the first and second times and  
Referred to the committee on ways and means.

Mr. Hoge introduced

House Bill No. 166.

A bill for an act to Amend Section 1484 of the Political Code, Revised Codes of North Dakota, 1905, and amendments thereto, relating to property exempt from taxation.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Fraine introduced

House Bill No. 167.

A bill for an act to amend Section 2586 of the Revised Codes of North Dakota of 1905.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Homnes introduced

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Scott introduced

House Bill No. 169.

A bill for an act to pay road tax in money.

Which was read the first and second times and

Referred to the committee on Highways, Bridges and Ferries.

Mr. Hyland introduced

House Bill No. 170.

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Fraine introduced

House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Moen of Benson introduced

House Bill No. 172.

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota of 1905, relating to proof of planting trees.

Which was read the first and second times and  
Referred to the committee on forestry.

Mr. Hoge introduced

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Which was read the first and second times and  
Referred to the committee on corporations other than municipal.

Mr. De Nault introduced

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

Which was read the first and second time and  
Referred to the committee on appropriations.

Mr. Doyle of McIntosh introduced

House Bill No. 175.

A concurrent resolution for an amendment to the Constitution, providing for the initiative and referendum.

Which was read the first and second time and  
Referred to the committee on judiciary.

Mr. Fraine introduced  
House Bill No. 176.

A bill for an act to amend Sections 2 and 4 of Chapter  
174 of the Session Laws of 1907.

Which was read the first and second time and  
Referred to the committee on military affairs.

### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 23, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following con-  
current resolution:

A concurrent resolution providing for a joint committee to examine the  
records and economical methods of the state auditing board.

WHEREAS, We believe in the fullest publicity of public affairs and deem  
it obligatory on our part to fully inform ourselves and the public as to the  
business methods employed and economy practiced in auditing and allowing  
the expenses of government; and

WHEREAS, The laws of our state imposed the duty of auditing and allow-  
ing the expenses of government on the State Auditing Board,

*Be it Therefore Resolved:*

That a joint committee of six be appointed, three by the president of the  
Senate and three by the speaker of the House of Representatives, for the  
purpose of examining the records of said board in order to ascertain the  
business methods used, economy practiced and adherence to law by it in the  
auditing and allowing of bills and expenses of government, and to make  
a report thereof to this Assembly, together with such other suggestions and  
recommendations as it may deem for the best interest of the state.

*Be it Further Resolved:*

That the committee shall organize as it deems best for the carrying out of  
its duties and it may select some member of the clerical force of the As-  
sembly as its secretary.

Which the Senate has adopted and your favorable con-  
sideration is respectfully requested.

Also,

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 40.

A bill for an act to confirm title to real estate sold by de-  
cedents in their lifetime under contract, conveyed pursuant

to Article 8, of Chapter 6, of the Probate Code of North Dakota in estates now closed, and not approved by the county judge.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Ployhar moved

That the Senate concurrent resolution relating to the examination of the state auditing board be referred to the committee on judiciary.

Which motion prevailed, and

The concurrent resolution was so referred.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 40.

A bill for an act to confirm title to real estate sold by decedents in their lifetime under contract, conveyed pursuant to Article 8, of Chapter 6, of the Probate Code of North Dakota in estates now closed, and not approved by the county judge.

Was read the first and second time and

Referred to the committee on judiciary.

#### GENERAL ORDERS.

Mr. Homnes moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Homnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration:

House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

And recommend that the same be amended as follows:

In line 24 of the original bill strike out the word "general" and substitute the word "legislative," and also in the last paragraph of the original bill strike out all after the word "Washington" and insert the following words: "and to the President of the Senate and the Speaker of the House of Representatives of the National Congress."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Hompes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 23, 1911.

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 15.

A bill for an act making Good Friday a legal holiday.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

The privileges of the floor were granted to Harry Throdahl.

Mr. Ployhar moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

January 24, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. De Lance, De Nault and Hanson, who were excused.

## REFERENCE TO THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 21st day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,

Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

#### REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to  
the constitution of the United States.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Mr. Speaker:

Your committee on temperance to whom was referred  
House Bill No. 17.

A bill for an act to amend Section 9373 of the Codes of  
North Dakota of 1905, relating to punishment for maintain-  
ing a common nuisance and abatement thereof.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

L. L. BRUSLETTEN,  
Chairman.

Mr. Brusletten moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.



Also,

Mr. Speaker:

Your committee on temperance to whom was referred

House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Have had the same under consideration and recommend that the same do pass.

L. L. BRUSLETTEN,  
Chairman.

Mr. Brusletten moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the original bill, strike out the abbreviated word "art." and substitute the word "section."

In line 13, insert the word "from" between the words "take" and "the."

In line 17, strike out the word "on" and substitute the word "of."

In line 20, strike out the word "have" and substitute the word "has."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 102.

A bill for an act to amend Section 9791 of the Revised Codes of 1905, relating to prosecution on information and in what cases.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 47.

A bill for an act to amend Section 9353 of the Revised Codes of North Dakota of 1905, relating to penalties for the manufacturing and sale of intoxicating liquors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 94.

A bill for an act to amend and re-enact Section 496 of the Revised Codes of North Dakota, relating to qualifications of applicants for admission to the bar of the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 48.

A bill for an act to amend and re-enact Section 2630 of Chapter 29 of the Political Code of the Revised Codes of North Dakota for 1905, relating to compensation of bailiffs of district court.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 107.

A bill for an act to amend Section 1555 of the Revised Code of North Dakota for the year 1905, relating to the sheriff's list of uncollected personal property taxes, his certificate for the same and creating a fee therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out section two thereof, being the Emergency clause.

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 24.

A bill for an act providing that the experiment station enforce this law; providing for the appointment of county deputies to enforce the pure food and drug law, fixing their duties and qualifications; defining foods and drugs; prohibiting the peddling of foods and drugs in bulk; providing for a permit for peddlers of foods and drugs, and manner and use thereof, and fixing fees to be paid therefor; providing for labeling of parcels and recording sales; making permit holder special agent of North Dakota government agricultural experiment station in the proper use of his permit; defining contraband goods; defining a violation hereof and prescribing a penalty therefor

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 24, 1911.

Mr. Speaker:

I have the honor to inform you that the President of the Senate has appointed as Senate members of the joint committee on the Lincoln Memorial, Messrs. Gilbert and Welch.

Very respectfully,  
J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 22.

An act requiring railroad companies to provide suitable rooms in railroad station waiting rooms, or in places adjacent thereto.

Also,

Senate Bill No. 79.

A bill for an act to amend and re-enact Section 2323 of the Revised Codes for the year 1905, of the State of North Dakota.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Englund introduced

House Bill No. 177.

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway commissioners to appoint agents at terminal points of Duluth and Minneapolis, for the benefit of shippers of grain of this state, and providing for the compensation and appropriating funds for the purpose of carrying out the provisions of this act.

Which was read the first and second times and

Referred to the committee on warehouses and grain grading.

The Committee on Insurance introduced

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by

Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

Which was read the first and second time and  
Referred to the committee of the whole.

Mr. Gorder introduced

House Bill No. 179.

A bill for an act to repeal Chapter 158 of the Session Laws of 1907.

Which was read the first and second times and  
Referred to the committee on insurance.

Mr. Stern introduced

House Bill No. 180.

A bill for an act amending Section 8406, Revised Codes of 1905, providing when an action of forcible detainer is maintainable.

Which was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Tuttle introduced

House Bill No. 181.

A bill for an act entitled, an act to amend Section 2 of Chapter 204 of the laws of 1909, entitled, "An act to amend Sections 811, 829, 882 and 883 of the Revised Codes of 1905, pertaining to education."

Which was read the first and second times, and  
Referred to the committee on education.

Mr. Burns introduced

House Bill No. 182.

A bill for an act making appropriations for the current and contingent expenses of the State Reform school of North Dakota, and for making permanent improvements thereto.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Boyd introduced

House Bill No. 183.

A bill for an act to amend Section 5187 of the Revised Codes of 1905, relating to order of succession.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Martin introduced

House Bill No. 184.

A bill for an act making appropriation for establishing an agricultural sub-station on the reform school grounds near Mandan in Morton county.

Which was read the first and second times, and  
Referred to the committee on appropriations.

Mr. Stern introduced (by request)

House Bill No. 185.

A bill for an act entitled, an act to regulate legal and equitable procedure in courts of record.

Which was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Stern introduced

House Bill No. 186.

A bill for an act to amend Section 2406, Revised Codes, 1905, relating to the submission of extraordinary county expenditures to the vote of the people, and providing that the board of county commissioners may purchase land adjoining county buildings without submitting the question of such purchase to the vote of the people.

Which was read the first and second times, and  
Referred to the committee on counties and county boundaries.

Mr. O'Shea introduced

House Bill No. 187.

A bill for an act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all

acts or parts of acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Which was read the first and second times, and

Referred to the committee on school and public lands.

Mr. Moen of Benson introduced

House Bill No. 188.

A bill for an act to amend Section 521 of the Revised Codes of 1905, relating to the furnishing of a list of jurors to the clerk of the district court.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Fried introduced

House Bill No. 189.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees of the office of the register of deeds.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Fox introduced

House Bill No. 190.

A bill for an act providing for aid to the poor, consisting of persons convicted of crime who have been placed upon probation subject to the provisions of law, or who have been paroled or whose term of imprisonment has expired, and making an appropriation therefor.

Which was read the first and second times, and

Referred to the committee on labor.



Messrs. Brusletten and Nelson introduced

House Bill No. 191.

A bill for an act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the State School of Science at Wahpeton.

Which was read the first and second times, and  
Referred to the committee on appropriations.

### THIRD READING OF HOUSE BILLS.

House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Was read the third time.

Mr. Streeter moved

That House Bill No. 1 be made a special order for 3 o'clock Monday, January 30th.

Which motion prevailed, and

House Bill No. 1 was made a special order for 3 o'clock Monday, January 30th.

### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 22.

An act requiring railroad companies to provide suitable rooms in railroad station waiting rooms, or in places adjacent thereto.

Was read the first and second times and

Referred to the committee on public health.

Senate Bill No. 79.

A bill for an act to amend and re-enact Section 2323 of the Revised Codes for the year 1905, of the State of North Dakota.

Was read the first and second times and

Referred to the committee on counties and county boundaries.

Senate Bill No. 15.

A bill for an act making Good Friday a legal holiday.

Was read the first and second times and

Referred to the committee on ways and means.

### GENERAL ORDERS.

Mr. Akesson moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Price to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

And recommend that the same be amended as follows:

Add to the last line: "Provided further that the county judge shall retain on file in his office all papers and records pertaining to such marriage license."

Strike out the letter "s" in "marriages" in line 6 of the printed bill.

Before the word "oath," on line 16, the word "an" be inserted; and after the word "if" and between the word "if" on line 19 and the word "deemed" be inserted, "such affidavits are"; and the words, in line 21, "in which event" be stricken out, and also the comma following statement be stricken out.

And when so amended recommend the same do pass.

Also,

House Bill No. 77.

A bill for an act to amend Section 544 of the Revised Codes of 1905, relating to the seals of notaries public.

And recommend that the same be amended as follows :

Section 1, third line, strike out the word "full," and after the word "impressed" insert "is shown in the notarial commission"; that after the figures "544" in line 3 of the printed bill be inserted the words "official seal"; and after the word "public" and before the word "before" in line 3 be inserted the words "hereafter appointed."

And when so amended recommend the same do pass.

Also,

House Bill No. 79.

A bill for an act to amend and re-enact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

And recommend that the same be amended as follows :

Section 1, seventh line, after the word "depositories" insert "and the amount of interest received from each depository."

In the sixth line from the bottom of the page, after the word "depository" insert "and also a copy thereof to each county auditor of the state, which shall be posted in some prominent place in the office of said county auditor."

Add the following section to the bill:

"Section 5. Emergency.) Whereas an emergency exists in that there is no law giving an adequate publicity of state finances, therefore this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

W. G PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 24, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, An exposition will be held to commemorate the completion of the Panama canal, an event of world-wide importance and benefit; and

WHEREAS, The splendid courage and energy of the citizens of San Francisco in rebuilding a modern city proves their capacity and worth, and that they are capable of such effort as will be necessary to make such an exposition a success; and

WHEREAS, The selection of San Francisco as the site for the Panama-Pacific International Exposition means the building of such an exposition of progress, culture, business and commercial growth as the world has seldom seen;

*Now, Therefore, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That the city of San Francisco be indorsed as the site for the Panama-Pacific International Exposition, and that President Taft be requested to lend his indorsement to the city of San Francisco, and

*Be it Further Resolved:*

That the substance of this resolution be immediately telegraphed to the President of the United States.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

There being no objections, the House returned to the 7th order of business.

### MOTIONS AND RESOLUTIONS.

Mr. Price moved

That the vote by which House Bill No. 1 was made a special order for Monday at 3 o'clock, be reconsidered.

Mr. Streeter moved, as an amendment,

That the motion to reconsider be laid on the table.

Which motion was lost.

The question being upon the original motion,

The same prevailed, and

The special order was reconsidered.

Mr. Price moved

That the rules be suspended and House Bill No. 1 be placed upon its third reading and final passage.

Which motion prevailed.

## House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 98 ayes, 1 nay, 4 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Olsgaru of Nelson
Anderson, of Griggs	Hedalen	Olsgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Andrus	Hersrud	Paulson
Benson	Hoge	Peart
Bjornson	Homnes	Pendray
Boerner	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Putnam
Brusletten	Johns	Ray
Burnett	Johnson	Reeve
Burns	Jordal	Robinson
Carey	Kane	Roquette
Christenson	Knox	Sauer
Collins	Knutson	Scott
Cunningham	Kuhl	Scheer
Davidson	Kylo	Sgutt
Davis	Lageson	Sorlie
Dean	Law	Stern
Dosseth	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Doyle, of McIntosh	McClellan	Tande
Edwards	Moen of Benson	Thompson
Englund	Moen of Cavalier	Tollefson
Fassett	Morrison	Tostenson
Fox	Moritz	Tuttle
France	Narum	Ulsaker
Fraine	Nelson of Richland	Walters
Fried	Nelson of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Forks	Mr. Speaker
Gorder	O'Connor of Pembina	

Mr. Akesson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	Hawkinson	Hanson
DeNault		

Messrs. De Lance, De Nault and Hanson, being excused.  
So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which House Bill No. 1 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objections, the House returned to the 12th order of business.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Sorlie moved

That the House do now concur in the Senate concurrent resolution relating to San Francisco as the site for the Panama-Pacific International Exposition.

Which motion prevailed, and

The resolution was concurred in.

The privileges of the floor were extended to Rev. W. A. Snow, John Simons, Valley City; T. M. Murphy, Sanborn; Chas. Carley, Wm. Jones, G. W. Lynn and Harry Lynn, Linton.

Mr. Burnett moved

That the house do now adjourn.

Which motion prevailed.

And the house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## TWENTY-THIRD DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 25, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Cunningham, DeLance, Hanson, Ray and Walters, who were excused.

### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 22nd day, have carefully examined the same and recommend that the same be corrected as follows:

On page 15, after line 42, insert the following: "Those who voted in the negative were Messrs. Akesson."

And when so corrected recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 77.

A bill for an act to amend Section 544 of the Revised Codes of 1905, relating to the seals of notaries public.

Also

House Bill No. 79.

A bill for an act to amend and re-enact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Also

House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.



Also

Mr. Speaker:

Your committee on game and fish to whom was referred  
House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws  
of North Dakota, for the year 1909, relating to the taking  
of fish.

Have had the same under consideration and recommend  
that the same do pass.

N. O. JOHNSON,  
Chairman.

Mr. Johnson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### REPORT OF HOUSE COMMITTEE ON RAILROADS.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred  
House Bill No. 121.

A bill for an act requiring railways doing business in this  
state to furnish at all stations in this state where a business  
of \$15,000 or more a year is done, suitable loading and un-  
loading facilities for traction engines and other heavy ma-  
chinery, and prescribing for violations thereof.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### REPORT OF HOUSE JUDICIARY COMMITTEE.

The committee on judiciary made the following report:

Mr. Speaker

Your committee on judiciary to whom was referred

House Bill No. 46.

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the caption of the original bill insert the word "and" between the words "grain" and "dairy," and strike out the last three words of that line. In line 8 insert the word "and" between the words "grain" and "dairy," and strike out the words "or other commodities." In line 10 insert the word "and" between the words "grain" and "dairy," and strike out the words "or other commodities." In line 12 insert the word "and" between the words "grain" and "dairy," and strike out the word "or." In line 13, strike out the words "other commodities." In line 29, after the

word "dollars," change the period to a comma and add the following words: "and the permit, license or charter of such person, firm or corporation, as the case may be, shall be subject to forfeiture."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

## REPORT OF HOUSE COMMITTEE ON BANKS AND BANKING.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

House Bill No. 57.

A bill for an act to amend Section 5511 of the Revised Codes of 1905, defining usury.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on banks and banking to whom was referred

House Bill No. 58.

A bill for an act entitled, an act to amend Section 5513 of the Revised Civil Code of 1905, relating to loan of money and usury.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### REPORT OF HOUSE COMMITTEE ON DRAINAGE.

The committee no drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred  
House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Have had the same under consideration and recommend that the same do pass.

J. B. AKESSON,  
Chairman.

Mr. Akesson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### REPORT OF HOUSE COMMITTEE ON TAXES AND TAX LAWS.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 23.

A concurrent resolution amending the constitution of the state of North Dakota, relating to uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Have had the same under consideration and recommend that the same be amended as follows:

In line 9 of section 179, strike out the words "tax commission," and insert instead the words "board of equalization."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 15.

A bill for an act to extend the payment of taxes for the year 1910, and providing when the same shall become delinquent.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 32.

A bill for an act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Have had the same under consideration and recommend that the same be amended as follows:

Between lines 7 and 8 of section 1571 insert the following: "and on the first day of June following an additional penalty of three per cent"; and

also in line 12 of section 1571, strike out the words "one dollar" and insert instead the words "ten dollars."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA.,  
January 25, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

A concurrent resolution providing for a committee to investigate the records and business methods of the Board of University and School Lands.

*Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

WHEREAS, Our public institutions of learning are essential to the development of our state, and through the wisdom of congress these institutions have been provided with a liberal asset in state land endowment for the maintenance of our public school system and the encouragement of education; and

WHEREAS, The investments of the funds arising from this endowment and the business methods of the department having charge of these investments are equally important elements in the wise and efficient administration of this trust,

*Now, Therefore, Be it Resolved:*

That the president of the Senate is hereby authorized to appoint a committee of three to act with a committee of three to be appointed by the speaker of the House of Representatives, such joint committee to investigate the affairs and methods of the Board of University and School Lands, and its general agent, the commissioner of university and school lands, and to report to this Assembly its findings and recommendations.

*Be it Further Resolved:*

That said committee shall have full power to require the production of all books, securities, papers and records relative to the subject matter of this investigation and to the possession thereof from time to time as it may deem necessary; and shall have the assistance of any member of the clerical force belonging thereto, and of the state examiner's office.

*Be it Further Resolved:*

That said committee shall give a complete report of the following:

The amounts invested in different securities with the rate of interest.  
The amount of matured securities and investments that have not been paid.

The amount of past due interest.

Render an opinion as to the methods used in purchasing securities or making investments.

Render an opinion as to whether the fund could be invested more economically and at a better rate of interest.

Suggest such amendments to the present laws governing or relating to the permanent funds of the public schools and state educational institutions as the committee may deem wise.

To make any and all other reports or suggestions that may in its opinion be considered beneficial and proper.

*Be it Further Resolved:*

That the committee shall organize by electing one of its members chairman, a stenographer be assigned from the clerical force of the Senate or House of Representatives, as secretary thereof; and employ, if necessary, an accountant. The expense of the investigation when approved by the chairman of the committee, shall be paid out of the state's general fund in the same manner as other expenses of government, and to suggest such changes in the business of the land department as will promote simplified, safe and efficient administration.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Also

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 50.

A bill for an act to amend and re-enact Section 1576 of the Revised Codes of North Dakota of 1905, relating to the sale of real property for delinquent taxes and reducing the rate of interest on the purchase price of the lands so sold for delinquent taxes.

Also

Senate Bill No. 59.

A bill for an act prohibiting ball games and other sports until 3 o'clock p. m.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

## MOTIONS AND RESOLUTIONS.

Mr. Davidson moved .

That the Chief Clerk be instructed to have the pages use all their efforts to have all bills on the desks by tomorrow.

Which motion prevailed.

And the Chief Clerk was so instructed.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Streeter introduced

House Bill No. 192.

A bill for an act to amend Paragraph 2, Section 5187, Revised Codes of 1905, relating to succession of estates.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Tollefson introduced

House Bill No. 193.

A bill for an act to amend and re-enact Section 2401, Article 10, Chapter 28 of the Revised Codes of 1905, relating to the duties of boards of county commissioners, superintend county fiscal affairs and providing for auditing and checking of officers.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Cunningham introduced

House Bill No. 194.

A bill for an act regulating the issue of health certificates for live stock in transit or before shipment out of the state or upon entering the state and making certain acts in violation thereof misdemeanors.

Which was read the first and second times, and

Referred to the committee on live stock.



Mr. Anderson of Ramsey, introduced

House Bill No. 195.

A bill for an act to amend Section 2, Chapter 80, Laws of 1909, relating to practice in county courts.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Peart introduced

House Bill No. 196.

A bill for an act to amend Section 2972 of the Political Code of the Revised Codes of North Dakota of 1905.

Which was read the first and second times, and

Referred to the committee on municipal affairs.

Mr. McClellan introduced

House Bill No. 197.

A bill for an act to provide information to the resident tax payers of the state in respect to the various publications which are published for free distribution by the agricultural college and prescribing the duties of the agricultural college and of the county auditors in relation thereto.

Which was read the first and second times, and

Referred to the committee on ways and means.

Mr. Doyle of Foster, (by request) introduced

House Bill No. 198.

A bill for an act to amend Article 18, Chapter 4, of the Political Code of the Revised Codes of North Dakota of 1905, providing for the inspection of barber shops and the registration of barbers, the appointment of an inspector and examiner and compensation for duties performed.

Which was read the first and second times, and

Referred to the committee on public health.

## THIRD READING OF HOUSE BILLS.

House Bill No. 33.

A bill for an act to amend Section 2445 of Chapter 28, of the Revised Codes of 1905, relating to the monthly statement by depository.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 87 ayes, 9 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Norheim
Akesson	Geiger	O'Connor of Gd. Forks
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Andrus	Hawkinson	Olsgard of Nelson
Benson	Heinemeyer	Olsgard of Richland
Bjornson	Hersrud	Paulson
Boerner	Hoge	Peart
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Burns	Johns	Reeve
Carey	Johnson	Roquette
Collins	Jordal	Sauer
Davidson	Knox	Scott
Davis	Knutson	Scheer
Dean	Kuhl	Sgutt
DeNault	Kyllo	Sorlie
Dosseth	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Thompson
Englund	McClellan	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Fritz	Nestos	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Kane	Robinson
Christenson	Moen of Benson	Tande
Hedalen	Narum	Wambem

Absent and not voting:

Messrs.—

Cunningham  
DeLance  
Hanson

Messrs.—

Harty  
O'Shea

Messrs.—

Ray  
Walters

Messrs. Cunningham, De Lance, Hanson, Harty, O'Shea, Ray and Walters, being excused.

So the bill passed and the title was agreed to.

Mr. Doyle of Foster moved

That the vote by which House Bill No. 33 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Was read the third time.

Mr. Streeter moved

That House Bill No. 44 be re-referred to the committee on railroads.

Which motion prevailed, and

House Bill No. 44 was re-referred to the committee on railroads.

House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

Was read the third time.

Mr. Fraine moved

That further consideration of House Bill No. 9 be deferred.

Which motion prevailed.

## House Bill No. 77.

A bill for an act to amend Section 544 of the Revised Codes of 1905, relating to the seals of notaries public.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 97 ayes, no nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Norheim
Akesson	Harty	O'Connor of Gd. Forks
Anderson, of Griggs	Hawkinson	O'Connor of Pembina
Anderson, of Ramsey	Hedalen	Olsgard of Nelson
Andrus	Heinemeyer	Olsgard of Richland
Benson	Hersrud	Paulson
Bjornson	Hoge	Peart
Boerner	Homnes	Pendray
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Reeve
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeNault	Lageson	Stern
Dosseth	Law	Stranahan
Doyle, of Foster	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cunningham	Hanson	Ray
DeLance	O'Shea	Walters

Messrs. Cunningham, De Lance, Hanson, O'Shea, Ray and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Heinemeyer moved

That the vote by which House Bill No. 77 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 79.

A bill for an act to amend and re-enact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 96 ayes, no nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homnes	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Reeve
Burns	Johns	Robinson
Carey	Johnson	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeNault	Lageson	Stern
Dosseth	Law	Stranahan
Doyle, of Foster	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cunningham	Jordal	Ray
DeLance	O'Shea	Walters
Hanson		

Messrs. Cunningham, De Lance, Hanson, O'Shea, Ray and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Fried moved

That the vote by which House Bill No. 79 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 89 ayes, 6 nays, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Norheim
Anderson, of Griggs	Hawkinson	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	O'Connor of Pembina
Andrus	Heinemeyer	Olsgard of Nelson
Benson	Hersrud	Olsgard of Richland
Bjornson	Hoge	Paulson
Bond	Homnes	Peart
Boyd	Hill, of Bottineau	Pendray
Brusletten	Hill, of Cass	Ployhar
Burnett	Hyland	Price
Christenson	Johns	Putnam
Collins	Johnson	Reeve
Davidson	Jordal	Robinson
Davis	Kane	Roquette
Dean	Knox	Sauer
DeNault	Knutson	Scott
Dosseth	Kuhl	Scheer
Doyle, of Foster	Kyllo	Sgutt
Doyle, of McIntosh	Lageson	Sorlie

Messrs.—	Messrs.—	Messrs.—
Edwards	Law	Stern
Englund	Lee	Stranahan
Fassett	McClellan	Tande
Fox	Moen of Benson	Tollefson
France	Moen of Cavalier	Tuttle
Fraine	Morrison	Ulsaker
Fried	Moritz	Wambem
Fritz	Narum	Whitmer
Gardiner	Nelson of Richland	Williams
Geiger	Nelson of Walsh	Mr. Speaker
Gorder	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Carey	Streeter
Burns	Martin	Thompson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Hanson	Tostenson
Cunningham	O'Shea	Walters
DeLance	Ray	

Messrs. Cunningham, De Lance, Hanson, O'Shea, Ray and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Sgutt moved

That the vote by which House Bill No. 2 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Akesson explained his vote.

House Bill No. 102.

A bill for an act to amend Section 9791 of the Revised Codes of 1905, relating to prosecution on information and in what cases.

Was read the third time.

Mr. Homnes asked unanimous consent to amend the bill.

There being no objections, Mr. Homnes offered the following amendment and moved its adoption:

By inserting the word "if" after the word "that" in line 60 on page 4 of the printed bill.

Which motion prevailed, and  
The amendment was adopted.

The question being on the final passage of the bill as amended.

The roll was called and there were 97 ayes, no nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Norheim
Akesson	Harty	O'Connor of Gd. Forks
Anderson, of Griggs	Hawkinson	O'Connor of Pembina
Anderson, of Ramsey	Hedalen	Olsgard of Nelson
Andrus	Heinemeyer	Olsgard of Richland
Benson	Hersrud	Paulson
Bjornson	Hoge	Pearl
Boerner	Homnes	Pendray
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Reeve
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeNault	Lageson	Stern
Dosseth	Law	Stranahan
Doyle, of Foster	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cunningham	Hanson	Ray
DeLance	O'Shea	Walters

Messrs. Cunningham, De Lance, Hanson, O'Shea, Ray and Walters being excused.

So the bill passed and the title was agreed to.



Mr. Streeter moved

That the vote by which House Bill 102 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### CONSIDERATION OF MESSAGES FROM THE SENATE

Mr. Sorlie moved

That the Senate concurrent resolution relating to the investigation of the board of university and school lands be referred to the committee on state affairs.

Which motion prevailed.

And the concurrent resolution was so referred.

### FIRST AND SECOND READING OF SENATE BILLS.

House Bill No. 50.

A bill for an act entitled, an act to provide for the determination of heirship and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Was read the first and second time and

Referred to the committee on taxes and tax laws.

House Bill No. 59.

A bill for an act to appropriate a sum of money for the maintenance and conservation of the state park at Fort Abercrombie.

Was read the first and second time and

Referred to the committee on state affairs.

### GENERAL ORDERS.

Mr. Sorlie moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Hyland to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

And recommend that the same be amended as follows:

In line 7 of the original bill, strike out the abbreviated word "art." and substitute the word "section."

In line 13, insert the word "from" between the words "take" and "the."

In line 17, strike out the word "on" and substitute the word "of."

In line 20, strike out the word "have" and substitute the word "has."

And when so amended recommend the same do pass.

Also

House Bill No. 107.

A bill for an act to amend Section 1555 of the Revised Codes of North Dakota for the year 1905, relating to the sheriff's list of uncollected personal property taxes, his certificate for the same and creating a fee therefor.

And recommend the same be amended as follows:

Strike out section two thereof, being the Emergency clause.

And when so amended recommend the same do pass.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The privileges of the floor were extended to the following:

Arthur G. Lewis, Robert Blakemore, Francis Lewis, E. J. Moore of Fargo.

John W. Goodall, of Plaza.

Henry L. Currier, Minot.

O. M. Fraser, Walsh county.

A. F. Kiefer, Dutton McDonald, Towner.

H. B. Postelwaite, Carrington.

J. Cramer, T. S. Hunt, LaMoure.

D. R. Taylor.

A. Thurberg.

C. A. Massingham.

H. L. Hussamen.

Mr. Akesson moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## TWENTY-FOURTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

January 26, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Cunningham, Ray and Walters, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 23rd day, have carefully examined the same and find the same to be correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

### REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Also,

House Bill No. 33.

A bill for an act to amend Section 2445 of Chapter 28, of the Revised Codes of 1905, relating to the monthly statement by depository.

Also,

House Bill No. 102.

A bill for an act to amend Section 9791 of the Revised Codes of 1905, relating to prosecution on information and in what cases.

Also,

House Bill No. 107.

A bill for an act to amend Section 1555 of the Revised Codes of North Dakota for the year 1905, relating to the sheriff's list of uncollected personal property taxes, his certificate for the same and creating a fee therefor.

Also,

House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman:

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the caption, after the word "cities," insert the words "and villages." In line 6 of the original bill, after the word and figure "Section 1," insert the words "Special Assessments, Validated." In line 14, after the word and figure "Section 2," insert the words "Conclusive Evidence, What is." In line 18, after the word "council," insert the words "or board of village trustees."

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 108.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the office of police

magistrate so as to provide for the establishment of municipal courts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11 of the printed bill, strike out the word "Rolette" and substitute the word "Benson." In line 13, strike out the word "Benson" and substitute the word "Rolette."

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 40.

A bill for an act to confirm title to real estate sold by decedents in their lifetime under contract, conveyed pursuant to Article 8, of Chapter 6, of the Probate Code of North Dakota in estates now closed, and not approved by the county judge.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 19.

Amending the Constitution of the State of North Dakota, providing for the sale of the school and public lands.

Have had the same under consideration and the same is referred back to the House without recommendation.

GEO. P. HOMNES,  
Chairman.

Mr. McClellan asked unanimous consent to withdraw House Bill No. 19.

There being no objection, House Bill No. 19 was withdrawn.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

A concurrent resolution providing for a joint committee to examine the records and economical methods of the state auditing board.

WHEREAS, We believe in the fullest publicity of public affairs and deem it obligatory on our part to fully inform ourselves and the public as to the business methods employed and economy practiced in auditing and allowing the expenses of government; and

WHEREAS, The laws of our state impose the duty of auditing and allowing the expenses of government on the State Auditing Board,

*Be it Therefore Resolved:*

That a joint committee of six be appointed, three by the president of the Senate and three by the speaker of the House of Representatives, for the purpose of examining the records of said board in order to ascertain the business methods used, economy practiced and adherence to law by it in the



auditing and allowing of bills and expenses of government, and to make a report thereof to this Assembly, together with such other suggestions and recommendations as it may deem for the best interest of the state.

*Be it Further Resolved:*

That the committee shall organize as it deems best for the carrying out of its duties and it may select some member of the clerical force of the Assembly as its secretary.

Have had the same under consideration and recommend that the same be concurred in by the House.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. De Nault moved

That House Bill No. 27 be stricken from the calendar and re-referred to the committee on taxes and tax laws.

Which motion prevailed, and

The bill was so re-referred.

Mr. Stern moved

That House Bill No. 70 be re-referred to the committee on taxes and tax laws.

Which motion prevailed, and

And the bill was so re-referred.

Mr. Anderson of Ramsey, introduced the following concurrent resolution and moved its adoption:

*Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

That when the Legislative Assembly adjourns on Wednesday, February 1st, 1911, it stand adjourned until two o'clock p m. the following Tuesday, February 7th.

Mr. Fraine moved

That the concurrent resolution be referred to the committee of the whole House.

Mr. Streeter moved

That the concurrent resolution be laid upon the table.

Which motion prevailed, and

The concurrent resolution was laid upon the table.

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Kylo introduced

House Bill No. 199.

A bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how taxes for same shall be levied and collected, and how expense and indemnity for losses by hail shall be paid.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Roquette introduced

House Bill No. 200.

A bill for an act to regulate the importation of live stock into this state.

Which was read the first and second times and

Referred to the committee on live stock.

Mr. Fraine introduced

House Bill No. 201.

A bill for an act providing that railroad and telephone companies file with county auditors, maps showing exact location of their lines in each assessment district and school district and the mileage of said lines and description of any other property owned in said district, and make reports to state auditor and state board of equalization, and providing penalties for violations of this act.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. Streeter introduced

House Bill No. 202.

A bill for an act to appropriate the sum of nine hundred dollars with which to pay the amounts due, under Section 9202, Revised Codes of 1905, for the capture of horse thieves who were afterwards convicted.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. O'Connor of Grand Forks, introduced

House Bill No. 203.

A bill for an act to amend Section 4069 of the Revised Codes of 1905, relating to the proof and procedure in cases of divorce.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. O'Connor of Grand Forks, introduced

House Bill No. 204.

A bill for an act entitled, an act requiring railway companies to furnish sites for flour and feed mills on their right of way and fixing the manner in which sites may be obtained.

Which was read the first and second times and  
Referred to the committee on warehouses and grain grading.

Mr. Hyland introduced

House Bill No. 205.

A bill for an act appropriating money for the construction and equipment of a dairy laboratory building and dairy cattle barn at the North Dakota Agricultural college at Fargo.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Whitmer introduced

House Bill No. 206.

A bill for an act establishing a Missouri Slope agricultural fair at Mandan and making appropriation therefor.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Anderson of Ramsey, introduced

House Bill No. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

Which was read the first and second times and  
Referred to the committee on forestry.

Mr. Ployhar introduced

House Bill No. 208.

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Edwards introduced

House Bill No. 209.

A bill for an act to amend Chapter 70, Laws of 1909, relating to the investment of county sinking funds.

Which was read the first and second times and  
Referred to the committee on ways and means.

Mr. Olsgard of Nelson, introduced

House Bill No. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

Which was read the first and second times and  
Referred to the committee on education.

Mr. Burnett introduced

House Bill No. 211.

A bill for an act defining the method of assessing, determining the rate of taxation and disposition of taxes, railways, freight line companies, dining car companies, express companies, telegraph companies, telephone companies, or corporations engaged in carrying persons, property or messages in the State of North Dakota.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. McClellan introduced

House Bill No. 212.

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of the school and public lands and reserving to the state the coal in them.

Which was read the first and second times and

Referred to the committee on school and public lands.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

January 26, 1911.

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 66.

A bill for an act to amend and re-enact Section 437 of the Revised Codes of the State of North Dakota, for 1905, relating to the qualifications of deputies, clerks and employes of the state, county and municipal governments of and within the State of North Dakota, and members of the official boards.

Also

Senate Bill No. 70.

A bill for an act regulating and governing contracts relative to the shipment of live stock, and the giving of notice or claim for loss or damage thereto.

Also

Senate Bill No. 71.

A bill for an act amending Section 8519 of the Revised Codes of 1905, relating to reports of justices of the peace.

Also

Senate Bill No. 76.

A bill for an act to amend and re-enact Sections 6 and 9 of Chapter 174 of the Laws of North Dakota of 1909, being an act to provide for probation of persons convicted of felonies and misdemeanors.

Also

Senate Bill No. 77.

A bill for an act to amend and re-enact Section 3 of Chapter 175 of the Laws of North Dakota for 1909, being an act to provide indeterminate sentences of persons convicted of certain crimes, providing for a board of experts empowered to prescribe suitable rules of conduct and treatment, and to determine how and when a person sentenced under this act shall be paroled or released.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

### THIRD READING OF HOUSE BILLS.

House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 93 ayes, no nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Norheim
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Griggs	Hedalen	O'Connor of Pembina
Anderson, of Ramsey	Heinemeyer	Olgard of Nelson
Andrus	Hersrud	Olgard of Richland
Benson	Hoge	O'Shea
Bjornson	Homnes	Paulson
Boerner	Hill, of Bottineau	Peart
Boyd	Hill, of Cass	Pendray
Brusletten	Hyland	Price
Burnett	Johns	Putnam
Carey	Johnson	Reeve
Christenson	Jordal	Robinson
Davis	Kane	Roquette
Dean	Knox	Sauer
DeNault	Knutson	Scott
Dosseth	Kuhl	Scheer
Doyle, of Foster	Kyllo	Sgutt
Doyle, of McIntosh	Lageson	Sorlie
Edwards	Law	Stern
Englund	Lee	Stranahan
Fassett	Martin	Streeter
Fox	McClellan	Tande
France	Moen of Benson	Thompson
Fraine	Moen of Cavalier	Tostenson
Fried	Morrison	Tuttle
Fritz	Moritz	Ulsaker
Gardiner	Narum	Wambem
Geiger	Nelson of Richland	Whitmer
Gorder	Nelson of Walsh	Williams
Hanson	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Davidson	Ray
Burns	DeLance	Tollefson
Collins	Ployhar	Walters
Cunningham		

Messrs. Collins, Cunningham, Ray and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Burns moved

That the vote by which House Bill No. 9 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 98 ayes, no nays, 5 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	O'Connor of Pembina
Anderson, of Griggs	Hawkinson	Olgard of Richland
Anderson, of Ramsey	Hedalen	Olgard of Nelson
Andrus	Heinemeyer	O'Shea
Benson	Hersrud	Paulson
Bjornson	Hoge	Peart
Boerner	Homnes	Pendray
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Reeve
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Davis	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sgutt
DeNault	Kylo	Sorlie
Dosseth	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen of Benson	Tollefson
Fox	Moen of Cavalier	Tostenson
France	Morrison	Tuttle
Fraine	Moritz	Ulsaker
Fried	Narum	Wambem
Fritz	Nelson of Richland	Whitmer
Gardiner	Nelson of Walsh	Williams
Geiger	Nestos	Mr. Speaker
Gorder	Norheim	



Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Davidson	Walters
Cunningham	Ray	

Messrs. Collins, Cunningham, Ray and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the consideration of House Bill No. 107 be deferred.

Which motion was lost.

House Bill No. 107.

A bill for an act to amend Section 1555 of the Revised Code of North Dakota for the year 1905, relating to the sheriff's list of uncollected personal property taxes, his certificate for the same and creating a fee therefor.

Was read the third time.

Mr. Sorlie moved

That the bill be re-referred to the committee on taxes and tax laws.

Which motion prevailed, and

The bill was so re-referred.

Mr. Price gave notice that at 3 o'clock tomorrow he would move a reconsideration of the vote by which House Bill No. 107 was re-referred.

House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws of North Dakota, for the year 1909, relating to the taking of fish.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 98 ayes, no nays, 5 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrus	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homnes	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Reeve
Burns	Johns	Robinson
Carey	Johnson	Roquette
Christenson	Jordal	Sauer
Davidson	Kane	Scott
Davis	Knox	Scheer
Dean	Knutson	Sgutt
DeLance	Kuhl	Sorlie
DeNault	Kyllo	Stern
Dosseth	Lageson	Stranahan
Doyle, of Foster	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Law	Walters
Cunningham	Ray	

Messrs. Collins, Cunningham, Ray and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Sgutt moved

That the vote by which House Bill No. 22 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed

Mr. Fraine moved

That the consideration of House Bill No. 82 be deferred until the printed copy is on the desks.

Which motion prevailed.

And the bill was so deferred.

### GENERAL ORDERS.

Mr. Fraine moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Fraine to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 23.

A concurrent resolution amending the constitution of the state of North Dakota, relating to uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

And recommend that the same be amended as follows:

In line 9 of section 179, strike out the words "tax commission," and insert instead the words "board of equalization," and the matter contained in brackets in sections 176 and 179 be stricken out.

In line 5, section 179, at the end of one sentence and before the words "all railroads," that the following words be inserted, "all property of"; and that at the beginning of line 6 the word "of" be inserted, and in line 8 the word "operated" be stricken out, and the word "operating" be inserted.

And when so amended recommend the same do pass.

Also

House Bill No. 32.

A bill for an act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall be-

come due and delinquent, and for penalty and interest in the event of delinquency thereof.

And recommend that the same be amended as follows:

Between lines 7 and 8 of section 1571 insert the following: "and on the first day of June following an additional penalty of three per cent"; and also in line 12 of section 1571, strike out the words "one dollar" and insert instead the words "ten dollars."

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The Speaker appointed John Simons as assistant mailing clerk, and the Speaker administered the oath of office to John Simons.

The privileges of the floor were extended to the following:

C. B. Severson, Walter J. Kelly of Hettinger.

Einer Muus, Mr. Lee, Mr. Kulaas, Cline Mulick, of Minot.

Peter Glein of Balfour.

Harold M. Price of Fargo.

R. A. Jackson of Grand Forks.

R. F. Rinker, James Manley, R. S. Craig of New Rockford.

Carlo Burnham of Carrington.

P. O. Hall of Minot.

A. P. Paulson of Valley City.

B. G. Skulason, P. O. Thorson of Grand Forks.

John R. Snyder of Linton.

F. W. Ames of Mayville.

Nels Lindoss of Hillsboro.

Dr. McAllister of Jamestown.

J. E. Arnston of Lisbon.

E. H. McHugh of Mandan.

Mr. Price moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

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TWENTY-FIFTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 27, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Cunningham, Johnson, Norheim, Ray, Reeve and Walters, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 24th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 27, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 19.

A bill for an act to amend Section 7782 of the Revised Codes of 1905, relating to the priority of claims in insolvency proceedings.

Also

Senate Bill No. 65.

A bill for an act to authorize cities to levy and collect a tax to pay judgments obtained against such cities.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

## House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws of North Dakota, for the year 1909, relating to the taking of fish.

Also

## House Bill No. 23.

A concurrent resolution amending the constitution of the state of North Dakota, relating to uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Also,

## House Bill No. 32.

A bill for an act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Also,

## House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred  
House Bill No. 115.

A bill for an act to amend and re-enact Section 981 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

Have had the same under consideration and return same to the House and recommend that the bill be referred to the committee on education.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public printing made the following report:

Mr. Speaker:

Your committee on public printing to whom was referred

House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 15 of section 1 of the printed bill, after the words "all tabulated matter," insert the words "which shall consist of at least three justifications in each line."

And when so amended recommend the same do pass.

D. R. STREETER,  
Chairman.



Also

Mr. Speaker:

Your committee on public printing to whom was referred

House Bill No. 63.

A bill for an act to amend Section 4466 of the Revised Codes of 1905, relating to insurance.

Have had the same under consideration and recommend that the same do pass.

D. R. STREETER,  
Chairman.

Mr. Streeter moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on highways made the following report:

Mr. Speaker:

Your committee on highways to whom was referred

House Bill No. 64.

A bill for an act to amend Section 1380 of the Session Laws of 1907, relating to location and building of bridges.

Have had the same under consideration and recommend that the same do pass.

E. H. STRANAHAN,  
Chairman.

Mr. Stranahan moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

## House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred

## House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same be amended as follows:

Section 4. Emergency.) An emergency exists in this that no adequate means is provided by law for the adequate maintenance of the inmates of the state hospital for the insane, this act shall be in force from and after its passage and approval.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

## House Bill No. 36.

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

Have had the same under consideration and recommend that the same be amended as follows:

In line three of the printed bill, before the word "every," insert "Sec. 4305. Where Station to be Maintained." In line eight of the printed bill, between the words "miles" and "upon," insert the word "apart."

And when so amended recommend the same do pass.

O. J. SORLIE,  
Chairman.

Also

Mr. Speaker:

Your committee on railroads to whom was referred  
House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out in line eleven the word "main," and insert in lieu thereof the word "side," and in line twenty-nine strike out the word "main" and insert in lieu thereof the word "side."

And when so amended recommend the same do pass.

O. J. SORLIE,  
Chairman.

#### MOTIONS AND RESOLUTIONS.

Mr. Price moved

That the committee on investigation of capitol building be granted an extension of at least ten days in which to report.

Which motion prevailed.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Stern (by request) introduced

House Bill No. 213.

A bill for and act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Which was read the first and second times, and  
Referred to the committee on public health.

Mr. Bjornson introduced

House Bill No. 214.

A bill for an act to re-district the State of North Dakota into senatorial districts and apportion the senators and representatives therein.

Which was read the first and second times, and  
Referred to the committee on apportionment.

Mr. Ployhar introduced

House Bill No. 215.

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.

Which was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Ployhar introduced

House Bill No. 216.

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Knox introduced

House Bill No. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

Which was read the first and second times and  
Referred to the committee on warehouses and grain grading.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 23.

A concurrent resolution amending the constitution of the state of North Dakota, relating to uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 86 ayes, 7 nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	O'Connor of Gd. Forks
Anderson, of Griggs	Gorder	O'Connor of Pembina
Anderson, of Ramsey	Hanson	Olsgard of Nelson
Andrus	Harty	Olsgard of Richland
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Cass	Price
Burns	Hyland	Putnam
Carey	Johns	Roquette
Christenson	Jordal	Sauer
Davidson	Kane	Scheer
Davis	Knox	Sgutt
Dean	Knutson	Sorlie
DeLance	Kylo	Stranahan
DeNault	Lageson	Streeter
Dosseth	Law	Tande
Doyle, of Foster	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	McClellan	Tostenson
Englund	Moen of Benson	Tuttle
Fassett	Moen of Cavalier	Ulsaker
Fox	Moritz	Wambem
France	Narum	Whitmer
Fried	Nelson of Richland	Williams
Fritz	Nelson of Walsh	Mr. Speaker
Gardiner	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Morrison	Scott
Hawkinson	Robinson	Stern
Hill, of Bottineau		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Johnson	Ray
Collins	Kuhl	Reeve
Cunningham	Norheim	Walters
Fraine		

Messrs. Collins, Cunningham, Johnson, Norheim, Ray, Reeve and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which House Bill No. 23 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objections, Messrs. Fraine and Kuhl were excused from voting.

Mr. Homnes moved

That the House take a recess for ten minutes to hear an address from Mr. Braatlien, state's attorney of Williams county, on the subject of tuberculosis.

Which motion prevailed.

The House took a recess for ten minutes.

Mr. Braatlien then addressed the House.

The House reassembled pursuant to recess taken.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 27, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That Dr. F. L. McVey, president of the State University, is hereby invited to speak before the Assembly, Wednesday, February 22, 1911, on the subject, "Conflicts of Administrations," all arrangements therefor to be left with the President of the Senate and Speaker of the House.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the Senate, the House of Representatives Concurring:*

That the mailing force be directed to mail to the judge of each judicial district in the state copies of the printed bills and journals of the Senate and the House of Representatives.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

### THIRD READING OF HOUSE BILLS.

House Bill No. 32.

A bill for an act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 59 ayes, 36 nays, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fried	Nestos
Benson	Geiger	O'Connor of Gd. Forks
Boerner	Gorder	O'Connor of Pembina
Bond	Hawkinson	O'Shea
Burnett	Hedalen	Paulson
Burns	Heinemeyer	Pendray
Christenson	Hersrud	Price
Davidson	Homnes	Robinson
Davis	Hill, of Bottineau	Roquette
Dean	Johns	Scott
DeLance	Jordal	Sorlie
DeNault	Kane	Stern
Dosseth	Knutson	Tande
Doyle, of Foster	Kyllo	Thompson
Doyle, of McIntosh	Lageson	Tostenson
Edwards	Lee	Ulsaker
Englund	Martin	Whitmer
Fassett	McClellan	Williams
Fox	Moen of Cavalier	Mr. Speaker
France	Moritz	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hoge	Olsgard of Richland
Akesson	Hill, of Cass	Peart
Anderson, of Ramsey	Hyland	Ployhar
Andrus	Knox	Putnam
Bjornson	Kuhl	Sauer
Brusletten	Law	Scheer
Carey	Moen of Benson	Sgutt
Fraine	Morrison	Stranahan
Fritz	Narum	Streeter
Gardiner	Nelson of Richland	Tollefson
Hanson	Nelson of Walsh	Tuttle
Harty	Olsgard of Nelson	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boyd	Johnson	Reeve
Collins	Norheim	Walters
Cunningham	Ray	

Messrs Bond, Collins, Cunngham, Johnson, Norheim, Ray, Reeve and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Doyle of Foster, moved



That the vote by which House Bill No. 32 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Sorlie moved

That the House do now concur in the Senate resolution relating to an address from the President of the State university.

Which motion prevailed.

And the concurrent resolution was concurred in.

Mr. Davidson moved

That the House do now concur in the Senate concurrent resolution relating to the mailing of all Journals and Bills of the House and Senate to the judge of each judicial district.

Which motion prevailed, and

The concurrent resolution was concurred in.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 19.

A bill for an act to amend Section 7782 of the Revised Codes of 1905, relating to the priority of claims in insolvency proceedings.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 65.

A bill for an act to authorize cities to levy and collect a tax to pay judgments obtained against such cities.

Was read the first and second times, and

Referred to the committee on municipal corporations.

## Senate Bill No. 71.

A bill for an act amending Section 8519 of the Revised Codes of 1905, relating to reports of justices of the peace.

Was read the first and second times and

Referred to the committee on ways and means.

## Senate Bill No. 77.

A bill for an act to amend and re-enact Section 3 of Chapter 175 of the Laws of North Dakota for 1909, being an act to provide indeterminate sentences of persons convicted of certain crimes, providing for a board of experts empowered to prescribe suitable rules of conduct and treatment, and to determine how and when a person sentenced under this act shall be paroled or released.

Was read the first and second times, and

Referred to the committee on state affairs.

## Senate Bill No. 76.

A bill for an act to amend and re-enact Sections 6 and 9 of Chapter 174 of the Laws of North Dakota of 1909, being an act to provide for probation of persons convicted of felonies and misdemeanors.

Was read the first and second times, and

Referred to the committee on state affairs.

## Senate Bill No. 70.

A bill for an act regulating and governing contracts relative to the shipment of live stock, and the giving of notice or claim for loss or damage thereto.

Was read the first and second times, and

Referred to the committee on railroads.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 27, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 16.

A bill for an act creating and defining the Eleventh judicial district, within the State of North Dakota, providing for the appointment and election of a judge therein and fixing the boundaries thereof, and fixing the terms of court therein.

Which the senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

## FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 66.

A bill for an act to amend and re-enact Section 437 of the Revised Codes of the State of North Dakota, for 1905, relating to the qualifications of deputies, clerks and employes of the state, county and municipal governments of and within the State of North Dakota, and members of the official boards.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 16.

A bill for an act creating and defining the Eleventh judicial district, within the State of North Dakota, providing for the appointment and election of a judge therein and fixing the boundaries thereof, and fixing the terms of court therein.

Was read the first and second times, and  
Referred to the committee on judiciary.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 40.

A bill for an act to confirm title to real estate sold by decedents in their lifetime under contract, conveyed pursuant to Article 8, of Chapter 6, of the Probate Code of North Dakota in estates now closed, and not approved by the county judge.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 92 ayes, no nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nestos
Akesson	Hanson	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Pearl
Boyd	Homnes	Peardray
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Robinson
Carey	Johns	Roquette
Christenson	Jordal	Sauer
Davis	Kane	Scott
Dean	Knox	Scheer
DeLance	Knutson	Sorlie
DeNault	Kuhl	Stern
Dosseth	Kyllo	Stranahan
Doyle, of Foster	Lageson	Streeter
Doyle, of McIntosh	Law	Tande
Edwards	Lee	Thompson
Englund	Martin	Tollefson
Fassett	McClellan	Tostenson
Fox	Moen of Benson	Tuttle
France	Moen of Cavaller	Ulsaker
Fraine	Morrison	Wambem
Fried	Moritz	Whitmer
Fritz	Narum	Williams
Gardiner	Nelson of Richland	Mr. Speaker
Geiger	Nelson of Walsh	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Johnson	Reeve
Collins	Norheim	Sgutt
Cunningham	Ployhar	Walters
Davidson	Ray	

So the bill passed and the title was agreed to.

Messrs. Collins, Cunningham, Johnson, Norheim, Ray, Reeve and Walters being excused.

Mr. Anderson of Ramsey, moved

That the vote by which Senate Bill No. 40 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

## GENERAL ORDERS.

Mr. Williams moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Williams to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

And recommend that the same be amended as follows:

In line 11 of the printed bill, strike out the word "Rolette" and substitute the word "Benson." In line 13, strike out the word "Benson" and substitute the word "Rolette."

And when so amended recommend the same do pass.

Also

House Bill No. 46.

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

And recommend that the same be amended as follows:

In line 2 of the caption of the original bill insert the word "and" between the words "grain" and "dairy," and strike out the last three words of that line. In line 8 insert the word "and" between the words "grain" and "dairy," and strike out the words "or other commodities." In line 10 insert the word "and" between the words "grain" and "dairy," and strike out the words "or other commodities." In line 12 insert the word "and" between the words "grain" and "dairy," and strike out the word "or." In line 13, strike out the words "other commodities." In line 29, after the word "dollars," change the period to a comma and add the following words: "and the permit, license or charter of such person, firm or corporation, as the case may be, shall be subject to forfeiture."

And when so amended recommend the same do pass.

E. A. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

There being no objections, the House returned to the 11th order of business.

### THIRD READING OF HOUSE BILLS.

House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 93 ayes, 1 nay, 9 absent and not voting.

## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina
Anderson, of Griggs	Gorder	Olsгарu of Nelson
Anderson, of Ramsey	Hanson	Olsгарd of Richland
Andrus	Harty	O'Shea
Benson	Hawkinson	Paulson
Bjornson	Hedalen	Peart
Boerner	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Robinson
Burns	Hyland	Roquette
Carey	Johns	Sauer
Christenson	Kane	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Wambem
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Fritz	Nestos	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Johnson	Ray
Cunningham	Knox	Reeve
Heinemeyer	Norheim	Walters

Mr. Jordal voted in the negative.

Messrs. Collins, Cunningham, Johnson, Norheim, Ray, Reeve and Walters being excused.

Mr. Sorlie moved that the title be amended as follows:

After the figure "1905" in the title, insert the following: "As amended by Chapter 211 of the Session Laws of North Dakota, 1907, and repealing Sections 4393 and 4394 of the Revised Codes of 1905."

And after the word "Facilities" in the title, insert the following: "At Railroad Crossings."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

Mr. Englund moved

That the vote by which House Bill No. 82 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Geiger asked unanimous consent to withdraw House Bill No. 88.

There being no objections, House Bill No. 88 was withdrawn.

The privileges of the floor were extended to the following:

H. H. Aaker, Otto Fowler of Cass county.

Mr. BJORKE of Abercrombie.

H. T. Helgeson.

N. O. Hagen.

Walter Laidlaw of Minneapolis.

Alex Curry of Sharon.

Ed. Nuckols, Dr. Taylor of Menoken.

F. B. Paul of Fessenden.

W. C. Gibb, B. W. Taylor of Stanley.

R. D. Irving of Forman.

J. LaMoure, Jr., of Pembina.

Hon. Marion Conklin.

Al. Mikalson of Hazelton.

Mr. Burnett moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.



## TWENTY-SIXTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 28, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Aasheim, Bjornson, Cunningham, France, Paulson, Ployhar, Ray, Reeve and Walters, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 25th day, have carefully examined the same and recommend that the same be corrected as follows:

Strike out line 40 on page 19. Strike out the word "bill" in line 43, page 19, and insert the word "title."

And when so corrected recommend that the same be approved

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Towner, N. D., January 19, 1911.

HON. JOHN N. KUHL, Bismarck, N. D.

Dear Sir: We, the undersigned, citizens of Towner, McHenry county, earnestly request you to vote for the concurrent resolution amending section 121 of article 3 of the Constitution by striking out the word "male." We believe that the women who are qualified to vote, and deserve to do so, ought to be allowed, of right, to do so. They pay their taxes and do their share of the life of every community.

REV. ARTHUR E. HALL AND 24 OTHERS.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

January 28, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 20.

A bill for an act prescribing the conditions by which the public examiner, his deputies and employes of the state public examiner's department, the stockholders, officers and employes of any banking association in this state may secure loans from banking associations with which they are in any way connected, and fixing the liability for non-compliance with the provisions of this act.

Also,

Senate Bill No. 54.

A bill for an act providing for the attendance of certain persons upon certain schools.

Also,

Senate Bill No. 126.

A bill for an act entitled, an act relative to deposits made in banks or other institutions, authorized to receive deposits under the laws of North Dakota, when such deposits are made in two or more names.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Also,

House Bill No. 46.

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

Also,

House Bill No. 63.

A bill for an act to amend Section 4466 of the Revised Codes of 1905, relating to insurance.

Also,

House Bill No. 64.

A bill for an act to amend Section 1380 of the Session Laws of 1907, relating to location and building of bridges.

Also,

House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 51.

A bill for an act to amend Section 1, Chapter 158, of the Session Laws of 1909, relating to the filing of mechanic's liens, the giving of notice of labor and the furnishing materials to contractors and sub-contractors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 137.

A bill for an act to reimburse district judges called to sit in hearing of cases before supreme court when regular members thereof are disqualified.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of section 1 of the original bill, after the word and figure "Section 1," insert the words "District Judges Reimbursed, in Certain Cases."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 111.

A bill for an act entitled, an act fixing the salaries and providing for the payments of the necessary expenses of the judges of the district courts of the state of North Dakota, and the furnishing of proper chambers, including furniture, heat, light, stationery and postage for such judges.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 117.

A bill for an act to amend Section 9768 of the Revised Codes of 1905, relating to the examination of witnesses in a preliminary examination before a magistrate.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 144.

A bill for an act providing for defraying the expenses incurred by judges of the district courts in attending sessions of the supreme court when called so to do pursuant to Section 100 of the Constitution.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred  
House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Have had the same under consideration and recommend that the same be amended as follows:

In the title, insert the words "and private" between the words "public" and "sales." Also strike out the words "and gatherings" and insert the words "of property." Also in line 4 of the printed bill, after the word "others," strike out "to give, sell, barter or furnish," and insert "in giving, selling, bartering or furnishing." And in line 5, strike out the word "distribute" and insert the word "distributing."

And when so amended recommend the same do pass.

L. L. BRUSLETTEN,  
Chairman.

## MOTIONS AND RESOLUTIONS.

Mr. Kuhl introduced the following resolution and moved its adoption:

*Be it Resolved by the House of Representatives, the Senate Concurring:*

That when the two houses of this Assembly adjourn on Wednesday, February 1st, they stand adjourned until Tuesday, at two o'clock p. m., February 7th, 1911.

Mr. Fraine moved

That the resolution be referred to the committee of the whole House.

Which motion prevailed.

And the resolution was so referred.

Mr. Geiger introduced the following concurrent resolution and moved its adoption:

WHEREAS, The people of the state of North Dakota, being an agricultural population interested in the raising of food products, are especially concerned in obtaining fair and reasonable prices for such products, and are supporters of a doctrine of protection of home industries;

*Now, Therefore, Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

That this Legislative Assembly, representing the agricultural population of this state, vigorously protests against the adoption of the Canadian reciprocity agreement, by which the food products of a foreign country will be brought into competition with those of the United States and of the state of North Dakota.

*Be it Further Resolved:*

That a copy of this resolution be forwarded at once to the senators and representatives in Congress.

Mr. Price moved

That the concurrent resolution relating to Canadian reciprocity agreement be referred to the committee on ways and means.

Which motion prevailed, and

The concurrent resolution was so reported.

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Thompson introduced

House Bill No. 218.

A bill for an act making an appropriation for the normal school at the city of Minot to meet the expenditure for

the erection of buildings, and permanent improvements necessary in connection therewith, and for furnishings, equipment and maintenance.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Kuhl introduced

House Bill No. 219.

A bill for an act to prevent fraud in taking mortgages on personal property, to extend the time of validity of the same, to provide a penalty for alteration, and to repeal Section 6186 of the Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Fraine introduced

House Bill No. 220.

A bill for an act to repeal Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362, 9363, 9364 and 9365 of the Revised Codes of 1905, and Chapter 183 of the Session Laws of 1909, relating to permits to sell intoxicating liquors.

Which was read the first and second times, and

Referred to the committee on temperance.

Mr. Martin introduced

House Bill No. 221.

A bill for an act to amend and re-enact Section 4303 of the Revised Codes of 1905, and repeal Section 4304 of said code.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Homnes introduced

House Bill No. 222.

A bill for an act to divide the State of North Dakota into three congressional districts, and defining the boundaries thereof.



Which was read the first and second times and  
Referred to the committee on apportionment.

Mr. Streeter introduced

House Bill No. 223.

A bill for an act to amend Section 2613 of the Revised Codes of 1905, relating to the compensation and office hours of county commissioners.

Which was read the first and second times and  
Referred to the committee on counties and county boundaries.

Mr. Fox introduced

House Bill No. 224.

A bill for an act to amend Section 9465 of the Revised Codes of North Dakota of 1905, relative to the killing of beaver.

Which was read the first and second times and  
Referred to the committee on game and fish.

Mr. Heinemeyer introduced

House Bill No. 225.

A bill for an act to amend and re-enact Section 537 of the Revised Codes of North Dakota for 1905, relating to the bonds of notaries public.

Which was read the first and second times and  
Referred to the committee on state affairs.

Mr. Tostenson introduced

House Bill No. 226.

A bill for an act to amend Sections 1954, 1955, 1956, 1962, 1963, 1964 and 1965, relating to the bounty on wolves.

Which was read the first and second times, and  
Referred to the committee on state affairs.

Mr. Tostenson introduced

House Bill No. 227.

A bill for an act to amend and re-enact Section 7475 of the Revised Codes of 1905, State of North Dakota, relating to costs and disbursements on the foreclosure of a real estate mortgage by advertisement.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Price introduced

House Bill No. 228.

A bill for an act providing for the appointment of a fire marshal, defining his duties and his compensation therefor.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Homnes introduced

House Bill No. 229.

A bill for an act amending Section 476 of the Revised Codes of North Dakota of 1905, relating to boundaries of, and terms of court in the Eighth judicial district.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Fraine introduced

House Bill No. 230.

A bill for an act to amend Chapter 120 of the Session Laws of 1909.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Geiger introduced

House Bill No. 231.

A bill for an act to amend Section 35, Chapter 128 of the Session laws of 1909—House Bill No. 156.

Which was read the first and second times and  
Referred to the committee on game and fish.

Mr. Lee introduced

House Bill No. 232.

A bill for an act providing for salary for sheriffs and providing for fees collected by sheriffs to be turned into the county treasurer of their respective counties, and prescribing for a penalty for failure to do so.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Pendray introduced

House Bill No. 233.

A bill for an act relating to the duties of auctioneers.

Which was read the first and second times and  
Referred to the committee on ways and means.

Mr. Scheer introduced

House Bill No. 234.

A bill for an act to provide funds to reimburse the counties whose treasurers paid reward for arrest and conviction of violaters of the prohibition law, according to Section 9395, of the Revised Codes of 1905, which section provides for a reward of fifty (\$50) dollars for each conviction, to be paid by the county treasurer upon the order of the court in which the conviction was made, and for which payment the county treasurer shall be allowed to withhold taxes due the state any such amounts as he may have paid.

Which was read the first and second times and  
Referred to the committee on appropriations.

### THIRD READING OF HOUSE BILLS.

House Bill No. 63.

A bill for an act to amend Section 4466 of the Revised Codes of 1905, relating to insurance.

Was read the third time.

Mr. Fraine asked unanimous consent to amend the bill.

There being no objections, Mr. Fraine offered the following amendment and moved its adoption:

Beginning at line 3, before the word "every," insert "section 4466" and the words "annual statement and publication thereof."

Which motion prevailed.

The question being on the final passage of the bill, as amended:

The roll was called and there were 84 ayes, no nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	Nelson of Walsh
Anderson, of Griggs	Hanson	Nestos
Anderson, of Ramsey	Harty	Norheim
Andrus	Hawkinson	O'Connor of Gd. Forks
Benson	Hedalen	O'Connor of Pembina
Boerner	Heinemeyer	Olgard of Nelson
Bond	Hoge	Olgard of Richland
Boyd	Homnes	O'Shea
Brusletten	Hill, of Bottineau	Peart
Burnett	Hill, of Cass	Pendray
Carey	Hyland	Price
Christenson	Johns	Putnam
Collins	Jordal	Robinson
Davidson	Kane	Sauer
Dean	Knox	Scott
DeLance	Knutson	Scheer
DeNault	Kuhl	Sorlie
Dosseth	Kylo	Stern
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Thompson
Fassett	Moen of Benson	<b>Tostenson</b>
Fox	Moen of Cavalier	Tuttle
Fraine	Morrison	Ulsaker
Fried	Moritz	Whitmer
Fritz	Narum	Williams
Geiger	Nelson of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Reeve
Bjornson	Johnson	Roquette
Burns	McClellan	Sgutt
Cunningham	Paulson	Tollefson
Davis	Ployhar	Walters
France	Ray	Wambem
Gardiner		

Messrs. Aasheim, Bjornson, Cunningham, France, Paulson, Ployhar, Reeve and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which House Bill No. 63 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 64.

A bill for an act to amend Section 1380 of the Session Laws of 1907, relating to location and building of bridges.

Was read the third time.

Mr. Fraine asked unanimous consent to amend the bill.

There being no objections, Mr. Fraine offered the following amendment and moved its adoption:

In section one by inserting after the figures "1380" the words, "Revised Code of 1905, as amended by Chapter 42."

Which motion prevailed.

Mr. Homnes asked unanimous consent to amend the bill.

There being no objections, Mr. Homnes offered the following amendment and moved its adoption:

In line 5, by striking out the words "County Board" and inserting the words "Board of County Commissioners."

Which motion prevailed.

The question being on the final passage of the bill, as amended:

The roll was called and there were 85 ayes, no nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Boerner  
Bond

Messrs.—

Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hoge  
Homnes

Messrs.—

Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea

Messrs.—	Messrs.—	Messrs.—
Boyd	Hill, of Bottineau	Pearl
Brusletten	Hill, of Cass	Pendray
Burnett	Hyland	Price
Carey	Johns	Robinson
Christenson	Jordal	Sauer
Collins	Kane	Scott
Davidson	Knox	Scheer
Dean	Knutson	Sgutt
DeLance	Kuhl	Sorlie
Dosseth	Kyllo	Stern
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Thompson
Fassett	Moen of Benson	Tostenson
Fox	Moen of Cavalier	Tuttle
France	Morrison	Ulsaker
Fried	Moritz	Wambem
Fritz	Narum	Whitmer
Gardiner	Nelson of Richland	Williams
Geiger	Nelson of Walsh	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Putnam
Bjornson	Hersrud	Ray
Burns	Johnson	Reeve
Cunningham	McClellan	Roquette
Davis	Paulson	Tollefson
DeNault	Ployhar	Walters

Messrs. Aasheim, Bjornson, Cunningham, France, Paulson, Ployhar, Ray, Reeve and Walters being excused.

Mr. Fraine moved

That the title be amended as follows:

After the figures "1380" the words "Revised Code of 1905, as amended by Chapter 42," be inserted.

Which motion prevailed.

So the bill passed and the title, as amended, was agreed to.

Mr. Sorlie moved

That the vote by which House bill No. 64 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes; 4 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	Nestos
Anderson, of Griggs	Hanson	Norheim
Anderson, of Ramsey	Harty	O'Connor of Gd. Forks
Andrus	Hawkinson	O'Connor of Pembina
Benson	Hedalen	Olsgard of Nelson
Bond	Heinemeyer	Olsgard of Richland
Boyd	Hoge	O'Shea
Brusletten	Homnes	Pearl
Burnett	Hill, of Bottineau	Pendray
Carey	Hill, of Cass	Putnam
Christenson	Hyland	Robinson
Collins	Johns	Sauer
Davidson	Jordal	Scott
Dean	Kane	Scheer
DeLance	Knox	SGutt
DeNault	Knutson	Sorlie
Dosseth	Kuhl	Stern
Doyle, of Foster	Kyllo	Stranahan
Doyle, of McIntosh	Lageson	Streeter
Edwards	Law	Tande
Englund	Lee	Thompson
Fassett	Martin	Tostenson
Fox	Moen of Benson	Tuttle
Fraine	Moen of Cavalier	Ulsaker
Fried	Morrison	Wambem
Fritz	Moritz	Williams
Gardiner	Nelson of Richland	Mr. Speaker
Geiger	Nelson of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Price	Whitmer
Narum		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Ray
Bjornson	Johnson	Reeve
Burns	McClellan	Roquette

Messrs.—	Messrs.—	Messrs.—
Cunningham	Paulson	Tollefson
Davis	Ployhar	Walters
France		

Messrs. Aasheim, Bjornson, Cunningham, France, Paulson, Ployhar, Ray, Reeve and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 171 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 85 ayes, no nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Nestor
Anderson, of Griggs	Harty	Norheim
Anderson, of Ramsey	Hawkinson	O'Connor of Gd. Forks
Andrus	Hedalen	O'Connor of Pembina
Benson	Heinemeyer	Olsgard of Nelson
Boerner	Hoge	Olsgard of Richland
Bond	Homnes	O'Shea
Boyd	Hill, of Bottineau	Peart
Brusletten	Hill, of Cass	Pendray
Burnett	Hyland	Price
Carey	Johns	Putnam
Christenson	Jordal	Robinson
Collins	Kane	Sauer
Davidson	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sorlie
DeNault	Kyllo	Stern
Dosseth	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Martin	Thompson
Englund	Moen of Benson	Tostenson
Fox	Moen of Cavalier	Tuttle



Messrs.—	Messrs.—	Messrs.—
Fraine	Morrison	Ulsaker
Fried	Moritz	Wambem
Fritz	Narum	Whitmer
Gardiner	Nelson of Richland	Williams
Geiger	Nelson of Walsh	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Ray
Bjornson	Hersrud	Reeve
Burns	Johnson	Roquette
Cunningham	McClellan	Sgutt
Davis	Paulson	Tollefson
Fassett	Ployhar	Walters

Messrs. Aasheim, Bjornson, Cunningham, France, Paulson, Ployhar, Ray, Reeve and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Anderson of Ramsey, moved

That the vote by which House Bill No. 13 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

House Bill No. 46.

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

Was read the third time.

Mr. Fraine moved

That the bill be re-referred to the committee on judiciary for correction.

Which motion was lost.

Mr. Homnes asked unanimous consent to amend the bill.

There being no objections, Mr. Homnes offered the following amendment and moved its adoption:

In line 1, section 1, after the words "Section 1," insert the words "Unfair Discrimination Defined." In line 2, section 2, after the words "Sec. 2," insert the words "Duties of Attorney General.)" In line 1, section 3, after the words "Sec. 3," insert the words "Penalty and Forfeiture of Charter, License or Permit.)" In line 1, sec. 4, after the word: "Sec. 4," insert the word "Repeal.)"

Which motion prevailed.

The question being on the final passage of the bill, as amended:

The roll was called and there were 71 ayes, 15 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Nestos
Anderson, of Griggs	Harty	Norheim
Anderson, of Ramsey	Hawkinson	O'Connor of Gd. Forks
Andrus	Hedalen	O'Connor of Pembina
Benson	Heinemeyer	Olgard of Richland
Boerner	Hoge	O'Shea
Bond	Homnes	Pendray
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Robinson
Burnett	Johns	Sauer
Carey	Kane	Scott
Christenson	Knutson	Scheer
Collins	Kuhl	Stern
Davidson	Kylo	Stranahan
Dean	Lageson	Streeter
DeNault	Law	Tande
Edwards	Lee	Thompson
Englund	Martin	Tostenson
Fassett	Moen of Benson	Ulsaker
Fried	Moen of Cavalier	Wambem
Fritz	Moritz	Whitmer
Gardiner	Narum	Williams
Geiger	Nelson of Richland	Mr. Speaker
Gorder	Nelson of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeLance	Fraine	Peart
Dosseth	Hill, of Bottineau	Putnam
Doyle, of Foster	Jordal	Sgutt
Doyle, of McIntosh	Knox	Sorlie
Fox	Morrison	Tuttle

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Ray
Bjornson	Johnson	Reeve
Burns	McClellan	Roquette
Cunningham	Olgard of Nelson	Tollefson
Davis	Paulson	Walters
France	Ployhar	

Messrs. Aasheim, Bjornson, Cunningham, France, Paulson, Ployhar, Ray, Reeve and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 46 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 28, 1911.

Mr. Speaker:

I have the honor to inform you that the President of the Senate has appointed as Senate members of the committee to investigate the methods of the state auditing board, Messrs. Williams, Kretschmar and Cashel.

Very respectfully,

J. W. FOLEY,  
Secretary.

### GENERAL ORDERS.

Mr. Johns moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Johns to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration the following concurrent resolution:

*Be it Resolved by the House of Representatives, the Senate Concurring:*

That when the two houses of this Assembly adjourn on Wednesday, February 1st, they stand adjourned until Tuesday at two o'clock p. m., February 7th, 1911.

And return the same without recommendation.

JOHN G. JOHNS,  
Chairman.

Mr. Johns moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

There being no objections the House returned to the 7th order of business.

#### MOTIONS AND RESOLUTIONS.

Mr. Doyle of Foster, moved

That the concurrent resolution relating to adjournment, be made a special order for 3 o'clock p. m., Tuesday, January 31.

Mr. Homnes moved, as an amendment:

That the words, Monday, January 30th, be substituted for Tuesday, January 31st.

Which motion prevailed.

The question being upon the original motion, as amended, the same prevailed, and

The concurrent resolution was made a special order for 3 o'clock Monday, January 30th.

#### GENERAL ORDERS.

Mr. Streeter moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Johns to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

And recommend that the same be amended as follows:

In line 15 of section 1 of the printed bill, after the words "all tabulated matter," insert the words "which shall consist of at least three justifications in each line."

And when so amended recommend the same do pass.

Also,

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

And recommend that the same be amended as follows:

Section 4. Emergency.) An emergency exists in this that no adequate means is provided by law for the adequate maintenance of the inmates of the state hospital for the insane, this act shall be in force from and after its passage and approval.

And when so amended recommend the same do pass.

Also,

House Bill No. 36.

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

And recommend that the same be amended as follows:

In line three of the printed bill, before the word "every," insert "Sec. 4305. When Station to be Maintained." In line eight of the printed bill, between the words "miles" and "upon," insert the word "apart."

And when so amended recommend the same do pass.

## House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

And recommend that the same be amended as follows:

Strike out in line eleven the word "main," and insert in lieu thereof the word "side," and in line twenty-nine strike out the word "main" and insert in lieu thereof the word "side."

And when so amended recommend the same do pass.

Also,

## House Bill. No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

And recommend that the same be amended as follows:

In line 2 of the caption, after the word "cities," insert the words "and villages." In line 6 of the original bill, after the word and figure "Section 1," insert the words "Special Assessments, Validated." In line 14, after the word and figure "Section 2," insert the words "Conclusive Evidence, What is." In line 18, after the word "council," insert the words "or boards of village trustees."

And when so amended recommend the same do pass.

JOHN G. JOHNS,  
Chairman.

Mr. Johns moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The privileges of the floor were extended to the following:

Addison Leach.

George Wilkenson.

T. Trovatan.

Joe. Fields.

A. C. Cooper of Lisbon.

I. V. Leifur of Mountain.

E. T. Lisle of Grand Forks.

Dr. A. J. McCannel of Minot.

W. W. Felson of Pembina.

Dr. R. A. Bolten, Andrew Blewett, Chas. A. Klaus, of Jamestown.

Chas. G. Rothman of Jamestown.

L. B. Malander of Wells county.

Mr. Price moved

That the House adjourn until 2 o'clock p. m. Monday, January 30th.

Which motion prevailed, and

The House adjourned to 2 o'clock p. m. Monday, January 30th.

E. H. GRIFFIN,  
Chief Clerk.

## TWENTY-EIGHTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

January 30, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Aasheim, Bjornson, Collins, Cunningham, France, Hersrud, Johnson, Moen of Benson, Price, Stern, Stranahan and Walters, who were excused.

## REFERENCE TO THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 26th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.



Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker

Your committee on engrossment have examined  
House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Also,

House Bill No. 36.

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

Also,

House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Also

House Bill. No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Also

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred the following concurrent resolution:

WHEREAS, The people of the state of North Dakota, being an agricultural population interested in the raising of food products, are especially concerned in obtaining fair and reasonable prices for such products, and are supporters of a doctrine of protection of home industries;

*Now, Therefore, Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

That this Legislative Assembly, representing the agricultural population of this state, vigorously protests against the adoption of the Canadian reciprocity agreement, by which the food products of a foreign country will be brought into competition with those of the United States and of the state of North Dakota.

*Be it Further Resolved:*

That a copy of this resolution be forwarded at once to the senators and representatives in Congress.

Have had the same under consideration and recommend that the same be adopted.

W. S. DEAN,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections made the following report:

Mr. Speaker:

Your committee on elections to whom was referred

## House Bill No. 10.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who entitled to vote.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

House Bill No. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "remedies" in line 19, section 6 of the printed bill, insert the following: "dentists practicing their profession or optometrists when licensed and practicing under the provisions of Article 16 of Chapter 4 of the Political Code, Revised Codes of 1905." By inserting after the word "of" where it first occurs in line 20 in section 6 of the printed bill, the following words, "christian science or other." By striking out of line 22 in section 6 of the printed bill the words "rely on faith and prayer alone and." By striking out of line 24, in section 6 of the printed bill, the words "doctors or." By striking out of line 27, in section 6 of the printed bill, the words "administration of massage," inserting in lieu thereof "practice of." By striking out of line 27, in section 6 of the printed bill, the words "or similar manual treatment." By striking out of line 28, in section 6 of the printed bill, the word "doctor." By striking out of lines 30 and 31, in section 6 of the printed bill, the following words, "with the use of instruments," and inserting in lieu thereof the words, "except minor surgery." By striking out of section 6 of the printed bill all after the word "such," in line 33, beginning with the words on line 33, "the term osteopathy," and ending with the words, "examinations," at the end of line 47 in said section.

And when so amended recommend the same do pass

J. H. FRAINE,  
Chairman.

## MOTIONS AND RESOLUTIONS.

Mr. Norheim introduced the following concurrent resolution and moved its adoption:

*Be it Resolved by the House of Representatives, the Senate Concurring:*

That the joint committee appointed to investigate the conditions of the state treasurer's office be granted extension of time until the forty-fifth day of the session to carry on its investigation and make its report to the Assembly.

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Ployhar moved

That House Bill No. 208 be withdrawn for corrections.

Which motion prevailed, and

House Bill No. 208 was withdrawn.

Mr. Davidson moved

That House Bill No. 4 be withdrawn from the committee on appropriations and referred to the committee on state affairs.

The bill was so referred.

Which motion prevailed, and

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Martin introduced

House Bill No. 235.

A bill for an act to extend payment of taxes for the year 1910, and providing when the same shall become delinquent.

Which was read the first and second times and

Referred to the committee on taxes and tax laws.

Mr. Tostenson introduced

House Bill No. 236.

A bill for an act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Which was read the first and second times and  
Referred to the committee on judiciary.

Messrs. Doyle of Foster and Ployhar introduced  
House Bill No. 237.

A concurrent resolution for amendment of the Constitu-  
tion, providing for the initiative and referendum, recall of  
public officers and future amendments to the constitution.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Norheim introduced  
House Bill No. 238.

A bill for an act to amend Section 1484 of the Revised  
Codes of North Dakota of 1905, relating to exemptions.

Which was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Homnes introduced  
House Bill No. 239.

A bill for an act to amend Section 10433 of the Revised  
Codes of the State of North Dakota, for the year 1905, re-  
lating to the commitment of prisoners to jail from count-  
ties having no jail.

Which was read the first and second times, and  
Referred to the committee on counties and county boun-  
daries.

Mr. Knox introduced  
House Bill No. 240.

A bill for an act governing checks drawn without funds  
in bank.

Which was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Hanson introduced

House Bill No. 241.

A bill for an act to amend Chapter 145, laws of 1907, being, an act to prohibit the issuance of non-participating policies of certain life insurance companies.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Davidson introduced

House Bill No. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. De Nault introduced

House Bill No. 243.

A bill for an act to amend Section 44, Chapter 128 of the Session Laws of 1909, relating to time when fish may be taken.

Which was read the first and second times and

Referred to the committee on game and fish.

Mr. De Nault introduced

House Bill No. 244.

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. De Nault introduced

House Bill No. 245.

A bill for an act specifying that certain county offices shall be kept open for business during business hours of business days.

Which was read the first and second times and  
Referred to the committee on labor.

Mr. De Nault introduced  
House Bill No. 246.

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Which was read the first and second times, and  
Referred to the committee on judiciary.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

January 30, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 25.

A bill for an act to authorize boards of trustees of incorporated villages to regulate the use of streets, alleys and public grounds by automobiles, traction engines and other self propelled vehicles, and to provide for registration and identification of the same, at the expense of the owners or operators thereof.

Also

Senate Bill No. 58.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees in the office of the register of deeds.

Also

Senate Bill No. 78.

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

Also,

Senate Bill No. 87.

A bill for an act to amend Section 2767 of the Revised Codes of North Dakota for 1905, relating to the letting of contracts for sidewalks in cities.

Also,

Senate Bill No. 88.

A bill for an act to amend Section 2768 of the Revised Codes of North Dakota for 1905, relating to the repairs of city sidewalks.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Fox introduced

House Bill No. 247.

A bill for an act to amend Section 2617 of the Revised Codes of North Dakota, relating to the salary of deputies, how determined.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Fox introduced

House Bill No. 248.

A bill for an act to amend Section 2618 of the Revised Codes of North Dakota, of 1905, relating to deputies and clerks allowed, when.

Which was read the first and second times and

Referred to the committee on ways and means.



Mr. Andrus (by request) introduced

House Bill No. 249.

A bill for an act prohibiting drinking intoxicating liquors on railroad trains in North Dakota, prescribing penalty for violation thereof and prescribing duties of peace officers.

Which was read the first and second times, and

Referred to the committee on railroads.

Mr. Reeve introduced

House Bill No. 250.

A bill for an act to amend and re-enact Section 1348, Article 1, Chapter 19, of the Revised Codes of North Dakota of 1905, pertaining to public highways, defining the lines of public roads, and width of same.

Which was read the first and second times and

Referred to the committee on highways, bridges and ferries.

Mr. Doyle of McIntosh, introduced

House Bill No. 251.

A bill for an act to amend and re-enact Section 1933 of the Revised Codes of 1905, of the State of North Dakota.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Olsgard of Nelson, introduced

House Bill No. 252.

A bill for an act to divide the State of North Dakota into three (3) congressional districts, and defining the boundaries of each of said congressional districts of the state of North Dakota.

Which was read the first and second times and

Referred to the committee on apportionment.

Mr. Gardiner introduced

House Bill No. 253.

A bill for an act requiring the owners of contracts creating liens on or reserving title in grain, to notify elevators of such liens or reservations of title.

Which was read the first and second times and

Referred to the committee on public debt.

Mr. Fraine introduced

House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

Which was read the first and second times and

Referred to the committee on judiciary.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 30, 1911.

I have the honor to inform you that the Senate has concurred in the House resolution relating to Canadian reciprocity treaty.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### THIRD READING OF HOUSE BILLS.

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 88 ayes, no nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	O'Connor of Pembina
Anderson, of Griggs	Hawkinson	Olgard of Nelson
Anderson, of Ramsey	Hedalen	Olgard of Richland
Andrus	Heinemeyer	O'Shea
Benson	Hoge	Paulson
Boerner	Homnes	Peart
Bond	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Ployhar
Brusletten	Hyland	Putnam
Burnett	Johns	Ray
Burns	Jordal	Reeve
Carey	Kane	Robinson
Christenson	Knox	Roquette
Davidson	Knutson	Sauer
Davis	Kylo	Scott
Dean	Lageson	Scheer
DeNault	Law	Sgutt
Dosseth	Lee	Sorlie
Doyle, of Foster	Martin	Streeter
Doyle, of McIntosh	McClellan	Tande
Edwards	Moen of Cavalier	Thompson
Englund	Morrison	Tollefson
Fassett	Moritz	Tostenson
Fox	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Forks	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Moen of Benson
Bjornson	Hanson	Price
Collins	Hersrud	Stern
Cunningham	Johnson	Stranahan
DeLance	Kuhl	Walters

Messrs Aasheim, Bjornson, Collins, Cunningham, Fraine, Hersrud, Johnson, Moen of Benson, Price, Stern, Stranahan and Walters being excused.

Mr. Homnes moved

That the title be amended as follows:

After the figures "1907," add the following words: "Relating to the payment of costs of treatment and board of patients in the insane hospital."

So the bill passed and the title, as amended, was agreed to.

Mr. De Nault moved

That the vote by which House Bill No. 174 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 36.

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 91 ayes, no nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Boerner	Hoge	Paulson
Bond	Homnes	Peart
Boyd	Hill, of Bottineau	Pendray
Brusletten	Hill, of Cass	Ployhar
Burnett	Hyland	Putnam
Burns	Johns	Ray
Carey	Jordal	Reeve
Christenson	Kane	Robinson
Davidson	Knox	Roquette
Davis	Knutson	Sauer
Dean	Kuhl	Scott
DeLance	Kyllo	Scheer
DeNault	Lageson	Sgutt
Dosseth	Law	Sorlie
Doyle, of Foster	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen of Cavalier	Tollefson
Fassett	Morrison	Tostenson
Fox	Moritz	Tuttle
Fraine	Narum	Ulsaker

Messrs.—	Messrs.—	Messrs.—
Fried	Nelson of Richland	Wambem
Fritz	Nelson of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Price
Bjornson	Hersrud	Stern
Collins	Johnson	Stranahan
Cunningham	Moen of Benson	Walters

Messrs Aasheim, Bjornson, Collins, Cunningham, Fraine, Hersrud, Johnson, Moen of Benson, Price, Stern, Stranahan and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 36 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

January 30, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House resolution granting an extension of time to the committee to investigate the state treasurer's office.

Very respectfully,

J. W. FOLEY,  
Secretary.

## THIRD READING OF HOUSE BILLS

House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 88 ayes, 2 nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	O'Connor of Pembina
Anderson, of Griggs	Hawkinson	Olsgard of Nelson
Anderson, of Ramsey	Heinemeyer	Olsgard of Richland
Andrus	Hoge	O'Shea
Benson	Homnes	Paulson
Boerner	Hill, of Bottineau	Peart
Bond	Hill, of Cass	Pendray
Boyd	Hyland	Ployhar
Brusletten	Johns	Putnam
Burnett	Jordal	Ray
Burns	Kane	Reeve
Carey	Knox	Robinson
Christenson	Knutson	Roquette
Davidson	Kuhl	Sauer
Davis	Kyllo	Scott
Dean	Lageson	Scheer
DeLance	Law	Sgutt
Dosseth	Lee	Sorlie
Doyle, of Foster	Martin	Streeter
Doyle, of McIntosh	McCiellan	Tande
Edwards	Moen of Cavalier	Thompson
Englund	Morrison	Tollefson
Fassett	Moritz	Tostenson
Fox	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fritz	Nelson of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speaker
Hanson		

Messrs. De Nault and Fried voting in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Price
Bjornson	Hersrud	Stern

Messrs.—  
Collins  
Cunningham  
France

Messrs.—  
Johnson  
Moen of Benson

Messrs.—  
Stranahan  
Walters

Messrs Aasheim, Bjornson, Collins, Cunningham, Fraine, Hersrud, Johnson, Moen of Benson, Price, Stern, Stranahan and Walters being excused.

So the bill passed and the title was agreed to.

SPECIAL ORDER.

*Be it Resolved by the House of Representatives, the Senate Concurring:*

That when the two houses of this Assembly adjourn on Wednesday, February 1st, they stand adjourned until Tuesday at two o'clock p. m., February 7th, 1911.

Mr. Akesson moved

That the resolution be adopted.

Mr. Sorlie moved, as an amendment,

That the words "Friday, February 3rd," be substituted for the words "Wednesday, February 1st."

Which motion was lost.

The question being on the original motion,

Roll call was demanded.

The roll was called and there were 68 ayes, 23 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Davidson  
Davis  
Dean

Messrs.—

Geiger  
Gorder  
Hedalen  
Heinemeyer  
Homnes  
Hill, of Cass  
Hyland  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Lee  
McClellan  
Moen of Cavalier

Messrs.—

O'Connor of Pembina  
Olsgard of Richland  
Olsgard of Nelson  
O'Shea  
Paulson  
Peart  
Ray  
Reeve  
Robinson  
Roquette  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Streeter

Messrs.—	Messrs.—	Messrs.—
DeLance	Morrison	Tande
Doyle, of McIntosh	Moritz	Thompson
Edwards	Narum	Tollefson
Englund	Nelson of Richland	Tuttle
Fassett	Nelson of Walsh	Ulsaker
Fritz	Norheim	Wambem
Gardiner	O'Connor of Gd. Forks	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeNault	Hawkinson	Pendray
Dosseth	Hoge	Ployhar
Doyle, of Foster	Hill, of Bottineau	Putnam
Fox	Johns	Tostenson
Fraine	Jordal	Whitmer
Fried	Law	Williams
Hanson	Martin	Mr. Speaker
Harty	Nestos	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Price
Bjornson	Hersrud	Stern
Collins	Johnson	Stranahan
Cunningham	Moen of Benson	Walters

Messrs Aasheim, Bjornson, Collins, Cunningham, Fraine, Hersrud, Johnson, Moen of Benson, Price, Stern, Stranahan and Walters being excused.

So the resolution was adopted.

Mr. Thompson moved

That the vote by which the resolution was adopted, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS.

House Bill No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Was read the third time.

The question being on the final passage of the bill.



The roll was called and there were 86 ayes, no nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Nelso
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Boerner	Hoge	Paulson
Bond	Homnes	Peart
Boyd	Hill, of Bottineau	Pendray
Brusletten	Hill, of Cass	Ployhar
Burnett	Hyland	Putnam
Burns	Johns	Reeve
Carey	Jordal	Robinson
Christenson	Kane	Roquette
Davidson	Knutson	Sauer
Davis	Kuhl	Scott
Dean	Kyllo	Scheer
DeNault	Lageson	Sorlie
Dosseth	Law	Streeter
Doyle, of Foster	Le●	Tande
Doyle, of McIntosh	Martin	Thompson
Edwards	McClellan	Tollefson
Englund	Moen of Cavalier	Tostenson
Fassett	Morrison	Tuttle
Fox	Moritz	Ulsaker
Fraine	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Ray
Bjornson	Hersrud	Stern
Collins	Johnson	Stranahan
Cunningham	Knox	Sgutt
DeLance	Moen of Benson	Walters
France	Price	

Messrs Aasheim, Bjornson, Collins, Cunningham, Fraine, Hersrud, Johnson, Moen of Benson, Price, Stern, Stranahan and Walters being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which House Bill No. 68 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 25.

A bill for an act to authorize boards of trustees of incorporated villages to regulate the use of streets, alleys and public grounds by automobiles, traction engines and other self propelled vehicles, and to provide for registration and identification of the same, at the expense of the owners or operators thereof.

Was read the first and second times, and

Referred to the committee on municipal corporations.

Senate Bill No. 58.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees in the office of the register of deeds.

Was read the first and second times, and

Referred to the committee on ways and means.

Senate Bill No. 78.

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

So the bill, as amended, passed and the title was agreed to.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

Senate Bill No. 87.

A bill for an act to amend Section 2767 of the Revised Codes of North Dakota for 1905, relating to the letting of contracts for sidewalks in cities.

Was read the first and second times, and

Referred to the committee on municipal corporations.

Senate Bill No. 88.

A bill for an act to amend Section 2768 of the Revised Codes of North Dakota for 1905, relating to the repairs of city sidewalks.

Was read the first and second times, and  
Referred to the committee on municipal corporations.

Senate Bill No. 126.

A bill for an act entitled, an act relative to deposits made in banks or other institutions, authorized to receive deposits under the laws of North Dakota, when such deposits are made in two or more names.

Was read the first and second times, and  
Referred to the committee on judiciary.

Senate Bill No. 54.

A bill for an act providing for the attendance of certain persons upon certain schools.

Was read the first and second times, and  
Referred to the committee on education.

Senate Bill No. 20.

A bill for an act prescribing the conditions by which the public examiner, his deputies and employes of the state public examiner's department, the stockholders, officers and employes of any banking association in this state may secure loans from banking associations with which they are in any way connected, and fixing the liability for non-compliance with the provisions of this act.

Was read the first and second times, and  
Referred to the committee on banking.

#### GENERAL ORDERS.

Mr. Akesson moved

That the House resolve itself into a committee of the whole for the consideration of general orders

Which motion prevailed,

And the House resolved itself into a committee of the whole.

The Speaker called Mr. Nestos to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 137.

A bill for an act to reimburse district judges called to sit in hearing of cases before supreme court when regular members thereof are disqualified.

And recommend that the same be amended as follows:

In line 1 of section 1 of the original bill, after the word and figure "Section 1," insert the words "District Judges Reimbursed, in Certain Cases." Before the word "Emergency," line 1, insert the words "Section Two."

And when so amended recommend the same do pass.

Also

House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

And recommend that the same be amended as follows:

In the title, insert the words "and private" between the words "public" and "sales." Also strike out the words "and gatherings" and insert the words "of property." Also in line 4 of the printed bill, after the word "others," strike out "to give, sell, barter or furnish," and insert "in giving, selling, bartering or furnishing." And in line 5, strike out the word "distribute" and insert the word "distributing."

And when so amended recommend that the same do pass

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The Speaker appointed as House members of the committee to investigate the methods of the state auditing board, Messrs. Reeve, Paulson, and Doyle of Foster.

The Speaker appointed Oscar N. Lindblom as clerk; and

The Speaker administered the oath of office to Mr. Lindblom.

The privileges of the floor were extended to the following:

A. M. Baldwin, of Cooperstown.

S. G. Skulason, of Petersburg.

Mr. Sorlie moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

TWENTY-NINTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

January 31, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All present except Messrs. Bjornson and Stranahan, who were excused, and Moen of Benson, who was excused on account of sickness.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 28th day, have carefully examined the same and find same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

Also,

House Bill No. 46.

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

Also,

House Bill No. 63.

A bill for an act to amend Section 4466 of the Revised Codes of 1905, relating to insurance.

Also,

House Bill No. 64.

A bill for an act to amend Section 1380 of the Session Laws of 1907, relating to location and building of bridges.

And find the same correctly re-engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Also

House Bill No. 137.

A bill for an act to reimburse district judges called to sit in hearing of cases before supreme court when regular members thereof are disqualified.

Also

House Bill No. 10.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who entitled to vote.

Also

House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on banks and banking made the following report:



Mr. Speaker

Your committee on banks and banking to whom was referred

House Bill No. 105.

A bill for an act to provide for uniform accounts for state banks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. W. KUHL,  
Chairman.

Mr. Kuhl moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 15.

A bill for an act making Good Friday a legal holiday.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 71.

A bill for an act amending Section 8519 of the Revised Codes of 1905, relating to reports of justices of the peace.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

House Bill No. 143.

A bill for an act to prevent the setting of fire and to provide that all threshing machines or traction or portable engines shipped into the state of North Dakota shall be provided with the most effective spark arrester.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. LAW,  
Chairman.

Mr. Law moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on agriculture to whom was referred

House Bill No. 113.

A bill for an act to regulate the width of sleighs, sleds, and cutters used on public highways.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. LAW,  
Chairman.

Mr. Law moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on agriculture to whom was referred  
House Bill No. 142.

A bill for an act to prevent the setting of fires by threshing engines or other stationary or portable engines, that exhaust through the smoke stack.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. LAW,  
Chairman.

Mr. Law moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on agriculture to whom was referred  
House Bill No. 164.

A bill for an act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. LAW,  
Chairman.

Mr. Law moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on agriculture to whom was referred  
House Bill No. 21.

A bill for an act to prohibit the removing of threshing machines or bundle wagons from one farm to another before cleaning, and providing penalties thereof.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1. Insert "Persons Liable, When.)" After the word "shall" insert "not move them from one farm onto or across another, either whole or in part, without having first thoroughly cleaned and swept them or obtained permission to move onto or across such farms without such cleaning or sweeping from the owners or occupants thereof." And that the balance of section 1 be stricken out.

In section 2. "Display Law, Where.)" After the word "upon" and before the word "machine," the word "his" be changed to "such."

And when so amended recommend the same do pass.

GEO. H. LAW,  
Chairman.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate Bill No. 79.

A bill for an act to amend and re-enact Section 2323 of the Revised Codes for the year 1905, of the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 193.

A bill for an act to amend and re-enact Section 2401, Article 10, Chapter 28 of the Revised Codes of 1905, relating to the duties of boards of county commissioners, superintend county fiscal affairs and providing for auditing and checking of officers.

Have had the same under consideration and recommend that the same do pass.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Have had the same under consideration and recommend that the same do pass.

H. C. HARTY,  
Chairman.

Mr. Harty moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 98.

A bill for an act to provide a judicial procedure to determine the identity of the grantees and the shares of each in cases where lands have been or may be patented, granted or conveyed by the United States to the heirs or devisees of a deceased person without naming therein the persons so designated as grantees.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 50.

A bill for an act entitled, an act to provide for the determination of heirship and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Have had the same under consideration and recommend that the same be amended as follows:

After the word and figure, "Section 1," insert the words "Heirs of Deceased Entryman, Court May Determine Who Are.)"

After the word and figure, "Section 2," insert the word "Procedure.)"  
And after the word and figure, "Section 3," insert the word "Emergency.)"

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

The committee on drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred  
House Bill No. 28.

A bill for an act providing a penalty for obstructing  
water courses or diverting the water therefrom.

Have had the same under consideration and recommend  
that the same do pass.

J. B. AKESSON,  
Chairman.

Mr. Akesson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred  
Senate Bill No. 70.

A bill for an act regulating and governing contracts rela-  
tive to the shipment of live stock, and the giving of notice  
or claim for loss or damage thereto.

Have had the same under consideration and recommend  
that the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

A majority of your committee on railroads to whom was referred

House Bill No. 132.

A bill for an act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state, to equip locomotives with electric headlights.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Mr. Speaker:

A minority of your committee on railroads to whom was referred House Bill No. 132, have had the same under consideration, and beg to dissent from the opinion of the majority of your committee, and recommend that said bill do pass.

JOHN J. LEE,  
F. F. FRITZ,  
GEO. H. LAW,  
OLE PAULSON,  
J. W. ENGLUND,  
N. F. HEDALEN.

Mr. Whitmer moved  
That the majority report be adopted.

Mr. Homnes moved, as an amendment:  
That the report be referred to the committee of the whole House.

Which motion prevailed, and  
The report was so referred.

Mr. Speaker:

A majority of your committee on state affairs to whom was referred

A concurrent resolution providing for a committee to investigate the records and business methods of the Board of University and School Lands.



*Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

WHEREAS, Our public institutions of learning are essential to the development of our state, and through the wisdom of congress these institutions have been provided with a liberal asset in state land endowment for the maintenance of our public school system and the encouragement of education; and

WHEREAS, The investments of the funds arising from this endowment and the business methods of the department having charge of these investments are equally important elements in the wise and efficient administration of this trust,

*Now, Therefore, Be it Resolved:*

That the president of the Senate is hereby authorized to appoint a committee of three to act with a committee of three to be appointed by the speaker of the House of Representatives, such joint committee to investigate the affairs and methods of the Board of University and School Lands, and its general agent, the commissioner of university and school lands, and to report to this Assembly its findings and recommendations.

*Be it Further Resolved:*

That said committee shall have full power to require the production of all books, securities, papers and records relative to the subject matter of this investigation and to the possession thereof from time to time as it may deem necessary; and shall have the assistance of any member of the clerical force belonging thereto, and of the state examiner's office.

*Be it Further Resolved:*

That said committee shall give a complete report of the following:

The amounts invested in different securities with the rate of interest.

The amount of matured securities and investments that have not been paid.

The amount of past due interest.

Render an opinion as to the methods used in purchasing securities or making investments.

Render an opinion as to whether the fund could be invested more economically and at a better rate of interest.

Suggest such amendments to the present laws governing or relating to the permanent funds of the public schools and state educational institutions as the committee may deem wise.

To make any and all other reports or suggestions that may in its opinion be considered beneficial and proper.

*Be it Further Resolved:*

That the committee shall organize by electing one of its members chairman, a stenographer be assigned from the clerical force of the Senate or House of Representatives, as secretary thereof; and employ, if necessary, an accountant. The expense of the investigation when approved by the chairman of the committee, shall be paid out of the state's general fund in the same manner as other expenses of government, and to suggest such changes in the business of the land department as will promote simplified, safe and efficient administration.

Have had the same under consideration and recommend that the same be not concurred in.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

A minority of your committee on state affairs to whom was referred

A Senate Concurrent Resolution providing for a committee to investigate the records and business methods of the board of university and school lands.

Have had the same under consideration and recommend that the same be amended as follows:

That the words in the third paragraph of the resolution, "and its general agent, the commissioner of university and school lands," be stricken out, and when so amended, we recommend that the House do concur, with the request that the report of the sub-committee herewith attached be submitted for your consideration.

W. J. PRICE,  
A. L. PEART,  
W. B. De NAULT,  
JAMES HILL,  
W. B. BOND,  
JULIUS SGUTT.

Bismarck, N. D., January 28th, 1911.

To the State Affairs Committee of the House of Representatives of the Twelfth Legislative Assembly:

Your sub-committee reports on the concurrent resolution for investigation of the board of university and school lands as follows:

We make no recommendation regarding the advisability of investigating the affairs of said board or the present commissioner. We are advised that no money passes through the hands of such board, except a fee of \$5.00 on each sale of land, which means that there is practically no opportunity for misappropriation of actual funds of said board on the part of said commissioner. We have not heard or learned of anything that indicates that there are irregularities in the office of said board, or its general agent, the present commissioner. The said board has charge of investments totalling over twenty-one and a quarter million dollars, and an efficient investigation and audit of the books and assets would probably require two expert accountants to work for at least a year, and you will readily see that any investigation of the affairs and accounts that this Legislature could make before its final adjournment would not be a thorough one.

Regarding the methods used in purchasing securities and making investments, and the rate of interest obtained on investments, the present laws are apparently not well adapted in all respects to the needs of the situation, and we believe that a committee or commission of men experienced in making and handling investments would probably be able to suggest valuable

safeguards and recommend important changes in our present laws covering the Board of University and School Lands and the methods by which the funds handled by that board are invested.

W. B. DENAULT,  
Chairman Sub-committee.

Mr. Price moved

That the resolution with the two reports be referred to the committee of the whole House.

Which motion prevailed, and  
The report was so referred.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 40.

A bill for an act to confirm title to real estate sold by decedents in their lifetime under contract, conveyed pursuant to Article 8, of Chapter 6, of the Probate Code of North Dakota in estates now closed, and not approved by the county judge.

And the Speaker signed the same in the presence of the House.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 31, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 99.

A bill for an act to amend and re-enact Section 1513 of Revised Codes of North Dakota, as amended by Chapter 41, of the laws of 1909, relating to the furnishing by the county auditor of assessment books and blanks, lists of real property, regulating the time of meeting of assessors, and providing for their compensation for attending such meeting.

Also

Senate Bill No. 122.

A bill for an act requiring natural gas to be confined, and prescribing penalty for the violation thereof.

Also,

Senate Bill No. 135.

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erection, leasing, purchasing and operating terminal elevators in the states of Minnesota and Wisconsin, or either.

Also,

Senate Bill No. 166.

A bill for an act to amend and re-enact Section 6064 of the Revised Codes of North Dakota for the year A. D., 1905, relating to life insurance.

Also,

Senate Bill No. 98.

A bill for an act creating and defining the Twelfth judicial district within the state of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Walters asked unanimous consent to withdraw House Bill No. 147.

There being no objections, House Bill No. 147 was withdrawn.

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INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Martin introduced

House Bill No. 255.

A bill for an act to require coroners to conduct and hold inquests in cases of railroad accidents.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. De Nault introduced

House Bill No. 256.

A bill for an act to divide the state of North Dakota into three congressional districts, and defining the boundaries thereof.

Which was read the first and second times and

Referred to the committee on apportionment.

Mr. Hyland introduced

House Bill No. 257.

A bill for an act to provide for the better preservation of all plats and plans on file in the register of deeds office in organized counties.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Peart (by request) introduced

House Bill No. 258.

A bill for an act to repeal Sections 4602 and 4603 of the Revised Codes of the State of North Dakota, relating to the regulation of the importation of dependent children into North Dakota from other states, and the giving of bonds therefor.

Which was read the first and second times, and

Referred to the committee on immigration.

Mr. Davidson introduced

House Bill No. 259.

A bill for an act providing for the nomination of candidates for office by popular vote at a primary election, and the registration and enrollment of party affiliation.

Which was read the first and second times, and

Referred to the committee on elections and election privileges.

Mr. Hoge introduced

House Bill No. 260.

A bill for an act to amend Section 12, Chapter 109, of the laws of 1907, entitled, an act providing for the selection of candidates for election by popular vote, and relating to their nomination and perpetuation of political parties, and relating particularly to percentage of votes required to nominate candidates.

Which was read the first and second times and

Referred to the committee on elections and election privileges.

Mr. Hoge introduced

House Bill No. 261.

A bill for an act to repeal Chapter 82 of the laws of 1909, relating to non-partisan judiciary.

Which was read the first and second times and

Referred to the committee on judiciary.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 31, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, About ninety per cent of the grain handled at terminals is interstate, and

WHEREAS, It is an injustice for any one state, by reason of its having terminal points within its borders, to exercise the absolute power of inspection over the grains of the numerous grain growing states which regularly ship all the grain to its terminals, and

WHEREAS, The shipping of grain is in reality interstate commerce, and the inspection thereof should be controlled by the Federal Government, so as to give more absolute justice and equality to all and so as to result in the least discrimination against any particular state or locality, and

WHEREAS, The federal inspection of meats and foods has resulted in uniformity and far-reaching benefit to the people of this country, and

WHEREAS, The interests of the state of North Dakota are agricultural and its chief source of wealth is its grain crop, and

WHEREAS, The grain crop is annually shipped through the terminals of other states and is dependent for its grading and inspection upon the laws of other states, and

WHEREAS, It is apparent that the highest degree of efficiency and uniformity in grain grading and inspection can be attained only under federal supervision, and

WHEREAS, A concurrent resolution for an amendment to the constitution of this state, providing for the erection, leasing, purchase and operating of terminal elevators in the states of Minnesota and Wisconsin, has passed the Legislative Assembly of 1909, and is again before this Assembly for passage, and

WHEREAS, In order to make it effective in the highest degree a federal law providing for federal inspection of grains is desirable,

*Now, Therefore, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That this Legislative Assembly puts itself on record in favor of a just system of federal inspection of grains, and that the early passage by the Congress of the United States of a federal law for the federal inspection of grains is urged and earnestly recommended, and that our senators and representatives in Congress be requested and urged to work and vote for the speedy passage of such a bill in Congress, providing for such federal inspection of grain.

*And Be it Further Resolved:*

That a copy of this resolution be forthwith sent to each of our United States senators and representatives in Congress.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

### THIRD READING OF HOUSE BILLS.

#### House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to

amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Was read the third time.

Mr. Doyle of McIntosh, moved

That the further consideration of the bill be indefinitely postponed.

Mr. Sorlie moved the previous question.

The question being, shall the main question be now put.

Which motion prevailed, and

The question being on the motion to indefinitely postpone.

Which motion was lost.

The question being on the final passage of the bill,

The roll was called and there were 86 ayes, 12 nays, 5 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Pembina
Akesson	Hanson	Olsgard of Nelson
Anderson, of Griggs	Harty	Olsgard of Richland
Andrus	Hawkinson	O'Shea
Benson	Hedalen	Peart
Boerner	Heinemeyer	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Burns	Johns	Reeve
Carey	Jordal	Robinson
Collins	Kane	Roquette
Cunningham	Knox	Sauer
Davidson	Knutson	Scott
Davis	Kuhl	Scheer
Dean	Kyllo	Sgutt
DeLance	Law	Stern
DeNault	Lee	Streeter
Dosseth	Martin	Tande
Doyle, of Foster	McClellan	Thompson
Edwards	Moen of Cavalier	Tollefson
Englund	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters



Messrs.—	Messrs.—	Messrs.—
Fraine	Nelson of Walsh	Wambem
Fried	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger	O'Connor of Gd. Forks	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fritz	Paulson
Christenson	Hyland	Sorlie
Doyle, of McIntosh	Johnson	Tostenson
Fassett	Lageson	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Moen of Benson	Stranahan
Hersrud	Nelson of Richland	

Messrs. Bjornson, Moen of Benson and Stranahan being excused.

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which House Bill No. 76 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 10.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who entitled to vote.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 95 ayes, no nays, absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nestos
Akesson	Geiger	Norheim
Anderson, of Griggs	Gorder	O'Connor of Gd. Forks
Anderson, of Ramsey	Hanson	O'Connor of Pembina
Andrus	Harty	Olsgard of Richland
Benson	Hawkinson	O'Shea
Boerner	Hedalen	Paulson
Bond	Hoge	Peart
Boyd	Homnes	Pendray

Messrs.—	Messrs.—	Messrs.—
Brusletten	Hill, of Bottineau	Ployhar
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Jordal	Roquette
Cunningham	Kane	Sauer
Davidson	Knox	Scott
Davis	Knutson	Scheer
Dean	Kuhl	Sorlie
DeLance	Kyllo	Stern
DeNault	Lageson	Streeter
Dosseth	Law	Tande
Doyle, of Foster	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	McClellan	Tostenson
Englund	Moen of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters
France	Narum	Wambem
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Fritz		Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Moen of Benson	Sgutt
Heinemeyer	Olsgard of Nelson	Stranahan
Hersrud	Price	

Messrs. Bjornson, Moen of Benson and Stranahan being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie gave notice that he would move to reconsider the vote by which House Bill No. 10 was passed.

House Bill No. 137.

A bill for an act to reimburse district judges called to sit in hearing of cases before supreme court when regular members thereof are disqualified.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 96 ayes, no nays, absent and not voting, 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gorder	Olsgard of Nelson
Anderson, of Ramsey	Hanson	Olsgard of Richland
Andrus	Harty	O'Shea
Benson	Hawkinson	Paulson
Boerner	Hedalen	Peart
Bond	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Jordal	Roquette
Cunningham	Kane	Sauer
Davidson	Knox	Scott
Davis	Knutson	Scheer
Dean	Kuhl	Sorlie
DeLance	Kyllo	Stern
DeNault	Law	Streeter
Dosseth	Lee	Tande
Doyle, of Foster	Martin	Thompson
Doyle, of McIntosh	McClellan	Tollefson
Edwards	Moen of Cavalier	Tostenson
Englund	Morrison	Tuttle
Fassett	Moritz	Ulsaker
Fox	Narum	Walters
France	Nelson of Richland	Wambem
Fraine	Nelson of Walsh	Whitmer
Fried	Nestos	Williams
Fritz	Norheim	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Lageson	Sgutt
Heinemeyer	Moen of Benson	Stranahan
Hersrud		

Messrs. Bjornson, Moen of Benson and Stranahan being excused.

So the bill passed and the title was agreed to.

House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 75 ayes, 14 nays, absent and not voting, 14.

## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Fried	Moritz
Anderson, of Griggs	Fritz	Narum
Anderson, of Ramsey	Gardiner	Nelson of Richland
Andrus	Geiger	Nestos
Benson	Gorder	Norheim
Bond	Hanson	O'Connor of Gd. For
Boyd	Harty	O'Connor of Pembina
Brusletten	Hawkinson	Olgard of Nelson
Burnett	Hedalen	Olgard of Richland
Carey	Hoge	Paulson
Christenson	Hill, of Bottineau	Peart
Collins	Hill, of Cass	Pendray
Cunningham	Hyland	Price
Davidson	Johns	Putnam
Davis	Johnson	Reeve
Dean	Kane	Robinson
DeLance	Knox	Scott
DeNault	Knutson	Sorlie
Dosseth	<b>Kuhl</b>	Stern
Doyle, of Foster	Kylo	Tande
Edwards	Lageson	<b>Tostenson</b>
Englund	Law	Ulsaker
Fassett	Lee	Wambem
Fox	McClellan	Whitmer
France	Morrison	Williams

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Nelson of Walsh	Streeter
Burns	O'Shea	Tollefson
Fraine	Ray	Tuttle
Jordal	Roquette	Walters
Martin	Sauer	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Homnes	Sgutt
Boerner	Moen of Benson	Stranahan
Doyle, of McIntosh	Moen of Cavalier	Thompson
Heinemeyer	Ployhar	Mr. Speaker
Hersrud	Scheer	

Messrs. Bjornson, Moen of Benson and Stranahan being excused.

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which House Bill No. 114 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Fraine explained his vote.

There being no objection, the House returned to the 10th order of business.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

The Committee on Railroads introduced  
House Bill No. 262.

A bill for an act to prohibit public officers from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

Which was read the first and second times and  
Referred to the committee of the Whole House.

Mr. Gorder introduced  
House Bill No. 263.

A bill for an act to amend Section 2439 of the Revised Codes of 1905, as amended by Chapter 70 of the 1909 Session Laws, relating to sinking funds and the duty of county commissioners pertaining thereto.

Which was read the first and second times and  
Referred to the committee on Ways and Means.

Mr. Sorlie moved

That the House do now concur in the Senate Concurrent Resolution relating to federal inspection of grain.

Mr. Thompson moved

As an amendment, that the resolution be referred to the committee on agriculture.

Mr. Streeter moved

As an amendment to the amendment, that the resolution be referred to the committee on warehouses and grain grading.

Which motion prevailed, and

The resolution was referred to the committee on warehouses and grain grading.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 166.

A bill for an act to amend and re-enact Section 6064 of the Revised Codes of North Dakota for the year A. D., 1905, relating to life insurance.

Was read the first and second times, and

Referred to the committee on insurance.

Senate Bill No. 135.

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erection, leasing, purchasing and operating terminal elevators in the states of Minnesota and Wisconsin, or either.

Was read the first and second times, and

Referred to the committee on warehousing, grain and grain grading.

Senate Bill No. 122.

A bill for an act requiring natural gas to be confined, and prescribing penalty for the violation thereof.

Was read the first and second times, and

Referred to the committee on Manufactures.

Senate Bill No. 99.

A bill for an act to amend and re-enact Section 1513 of Revised Codes of North Dakota, as amended by Chapter 41, of the laws of 1909, relating to the furnishing by the county auditor of assessment books and blanks, lists of real property, regulating the time of meeting of assessors, and providing for their compensation for attending such meeting.

Was read the first and second times, and

Referred to the committee on counties and county boundaries.

Senate Bill No. 98.

A bill for an act creating and defining the Twelfth judicial district within the state of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Thompson moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Thompson to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

And recommend that the same be amended as follows:

After the word "remedies" in line 19, section 6 of the printed bill, insert the following: "or dentists practicing their profession or optometrists when licensed and practicing under the provisions of Article 16 of Chapter 4 of the Political Code, Revised Codes of 1905." By inserting after the word "of" where it first occurs in line 20 in section 6 of the printed bill, the following words, "christian science or other." By striking out of line 22 in section 6 of the printed bill the words "rely on faith and prayer alone and." By striking out of line 24, in section 6 of the printed bill, the words "doctors or." By striking out of line 27, in section 6 of the printed bill, the words "administration of massage," inserting in lieu thereof "practice of." By striking out of line 27, in section 6 of the printed bill, the words "or similar manual treatment." By striking out of line 28, in section 6 of the printed bill, the word "doctor." By striking out of lines 30 and 31, in section 6 of the printed bill, the following words, "with the use of instruments," and inserting in lieu thereof the

words, "except minor surgery." By striking out of section 6 of the printed bill all after the word "such," in line 33, beginning with the words on line 33, "the term osteopathy," and ending with the words, "examinations," at the end of line 47 in said section.

In section 1, line 1, after the word "members," insert the following words: "two of whom shall be homeopathic physicians."

And when so amended recommend the same do pass.

Also,

The Senate Concurrent Resolution relating to the investigation of the board of university and school lands.

And recommend the same be amended as follows:

By adding after the word "proper" in the resolution, the words "not later than the fortieth day of the session."

And when so amended recommend that the minority report of the committee be adopted.

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The Speaker appointed John Deitrick as clerk by recommendation of the committee on employment, and

The Speaker administered the oath of office to Mr. Deitrick.

The privileges of the floor were extended to the following:

Harry Beckworth, of Cass county.

Wm. Plath, R. Tenneson, of Cass county.

J. R. Poapore, of Grand Forks.

Prof. R. S. Crane, of Jamestown.

S. G. Skulason, of Nelson county.

O. B. Burtness, of Grand Forks.

P. G. Melby, E. A. Aaker, T. E. Tufte, of Grand Forks.

Mr. Fried moved

That the house do now adjourn.

Which motion prevailed.

And the house adjourned.

E. H. GRIFFIN,  
Chief Clerk.



## THIRTIETH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 1, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Hersrud, Stranahan and Streeter, who were excused.

### REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 29th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

We, the undersigned citizens of McHenry County, respectfully ask the members of the North Dakota Legislature, to work or fight against any bill or measure requiring men who sell family and veterinary medicine or other products from wagons to us, to pay a greater license or tax than they are now paying.

We hereby register our protests against the attempts to drive out the wagon men by legislation, thus throttling competition by taking from us a legitimate source of supply and forming a monopoly of the sale of such products.

We resent any attempt to dictate to us from whom we shall buy and demand the right to exercise our own judgment in our purchases.

W. S. M'DONNELL AND SEVEN OTHERS.

We, the undersigned citizens of McHenry County, respectfully ask the members of the North Dakota Legislature to work and vote against any bill or measure requiring men who sell family and veterinary medicines or other products from wagons to us to pay a greater license or tax than they are now paying.

We hereby register our protest against the attempts of certain dealers to drive out the wagons by legislation, thus throttling competition by taking from us a legitimate source of supply and forming a monopoly for themselves.

We resent any attempt to dictate to us from whom we shall buy and demand the right to exercise our own judgment in our purchases.

SERRIN LARSON AND TEN OTHERS.

We, the undersigned resident electors of Williams and McKenzie Counties, do hereby urge our senator and representatives in the State Assembly in session at the State Capitol to support and work for a reapportionment bill; that it is our desire and wish that in redistricting the State of North Dakota that the Counties of Williams and McKenzie be retained in the same district, legislative and senatorial. We respectfully call your attention to the fact that the relationship of these two counties is very close, both politically and commercially and nothing should be done in reapportionment that would tend to disturb this relationship, particularly should you avoid the separating of these two counties in senatorial or legislative districts.

Dated this 23rd day of January, 1911, and respectfully submitted to Senator W. B. Overson, and Representatives Robert Norheim and George P. Homnes.

WILLIAM WATTAM AND 170 OTHERS.

The petition was referred to the committee on apportionment.

A petition to the Speaker from Valley City residents, protesting against Canadian reciprocity, was read.

## REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

The committee on engrossment have examined

House Bill No. 28.

A bill for an act providing a penalty for obstructing water courses or diverting the water therefrom.

Also,

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Also,

House Bill No. 193.

A bill for an act to amend and re-enact Section 2401, Article 10, Chapter 28 of the Revised Codes of 1905, relating to the duties of boards of county commissioners, superintend county fiscal affairs and providing for auditing and checking of officers.

Also,

House Bill No. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means, to whom was referred

House Bill No. 126.

A bill for an act to amend Section 2594 of the Revised Codes of 1905, of the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Mr. Williams moved, as an amendment:

That the bill be referred to the committee of the whole House.

Which motion was lost.

The question being on the adoption of the report, the same prevailed, and

The report of the committee was adopted.

The committee on warehouse and grain grading made the following report:

Mr. Speaker:

Your committee on warehouse and grain grading to whom was referred

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of printed bill after the word "mill" insert "or any individual buying and shipping grain for profit."

In line 8 insert "mills" after the word elevators.

In line 10 insert "mill" after the word elevator.

And when so amended recommend the same do pass.

C. E. KNOX;  
Chairman.

The committee on elections made the following report:

Mr. Speaker:

Your committee on elections, to whom was referred  
Senate Bill No. 66.

A bill for an act to amend and re-enact Section 437 of the Revised Codes of the State of North Dakota, for 1905, relating to the qualifications of deputies, clerks and employes of the state, county and municipal governments of and within the State of North Dakota, and members of the official boards.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill. No. 12.

A bill for an act to prohibit the use of public drinking cups in the state of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting the words "of Foster" after the word Doyle in the heading.

By inserting the words "and providing a penalty for a violation thereof" after the word "Dakota" in the title thereof.

By inserting the words "public drinking cups prohibited" after words "Sec. 1."

By inserting the words "duty of school and other officers" after words "Sec. 2."

By inserting word "penalty" after words "Sec. 3."

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Also,

Mr. Speaker:

Your committee on public health to whom was referred  
Senate Bill No. 22.

An act requiring railroad companies to provide suitable  
rooms in railroad station waiting rooms, or in places ad-  
jacent thereto.

Have had the same under consideration and recommend  
that the same be amended as follows:

By inserting after "Section 1" the words "Railroad companies to  
maintain toilet room in certain cases. Power of Railroad Commis-  
sioners."

By inserting after "Sec. 2" the word "penalty."

By striking out all of Section 3.

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Also,

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 84.

A bill for an act to amend Section 7575 of the Revised  
Codes of North Dakota for A. D. 1905, and prescribing  
the instances where the right of eminent domain may be  
exercised for public uses.

Have had the same under consideration and recommend  
that the same be amended as follows:

By inserting after the words "Section 2" the word "emergency."

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

The committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred  
House Bill No. 194.

A bill for an act regulating the issue of health certificates for live stock in transit or before shipment out of the state or upon entering the state and making certain acts in violation thereof misdemeanors.

Have had the same under consideration and recommend that the same do pass.

A. A. CUNNINGHAM,  
Chairman.

Mr. Cunningham moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

A majority of your committee on school and public lands to whom was referred

House Bill No. 93.

A concurrent resolution to amend Section 154 of the Constitution of the state of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. B. HEINEMEYER,  
Chairman.

Mr. Speaker:

A minority of your committee on school and public lands to whom was referred

House Bill No. 93.

A concurrent resolution to amend Section 154 of the Constitution of the state of North Dakota, relating to ap-

propriation of fines and forfeitures for the violation of state laws.

Have had the same under consideration and recommend that the same do pass.

C. B. HEINEMEYER,  
J. J. DOYLE,  
H. C. HARTY.

The committee on state affairs made the following report:

Mr. Speaker:

A majority of your committee on state affairs to whom was referred

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on state affairs to whom was referred

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. E. MARTIN,  
RICHARD PENDRAY,



The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 99.

A bill for an act to amend Section 1575 of the Revised Codes of the State of North Dakota of 1905, relating to taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred

House Bill No. 176.

A bill for an act to amend Sections 2 and 4 of Chapter 174 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same do pass.

JAMES HILL,  
Chairman.

Mr. Hill moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 70.

A bill for an act to amend Section 1575 of the Revised Codes of the State of North Dakota for the year 1905, relating to the disposition of the penalty and interest on taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Have had the same under consideration and recommend that the same be amended as follows.

In line eight of the printed bill strike out the words "and other improvements."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred

House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Have had the same under consideration and recommend that the same do pass.

JAMES HILL,  
Chairman.

Mr. Hill moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on military affairs to whom was referred  
House Bill No. 152.

A bill for an act to specify and authorize a state flag.

Have had the same under consideration and recommend that the same do pass.

JAMES HILL,  
Chairman.

Mr. Hill moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on joint rules made the following report:

Mr. Speaker:

Your committee on joint rules to whom was referred  
House Bill No. 110.

A bill for an act to provide for the distribution of Blue Books among the district schools of the state.

Have had the same under consideration and recommend that the same do pass.

E. A. WILLIAMS,  
Chairman.

Mr. Williams moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 11.

A bill for an act to create a permanent non-partizan tax commission, defining its power and duties and making an appropriation for the maintenance thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title change the word "power" to "powers."

In line 13 of Section 4 of the printed bill strike out the word "or" and insert the word "of."

In line 4 of Section 6 of the printed bill insert the words "four hundred" between the words "thousand" and "dollars."

At the close of Section 8 change the period to a comma and add "but the total amount to be expended for such office supplies and traveling expenses shall not exceed the sum of \$4,500."

In line 18 of Section 9 of the printed bill strike out the word "to" and insert the word "in."

In line 19 of Section 9 strike out the word "judge" and insert the word "court."

In lines 33 and 34 of Section 9 strike out the words "devise" and "prescribe" and insert the words "make needed recommendations for."

Strike out lines 99, 100, 101 and 102 of Section 9 of the printed bill.

Strike out all after the words and figures "Section 11" in line 1 of Section 11 of the printed bill and insert in lieu thereof the following: (METHOD OF REASSESSMENT. PAYMENT OF ASSESSOR.) For the purpose of making a reassessment of property as provided in subsection 18 of Section 9 of this act, the tax commission is hereby authorized to appoint such assessor or assessors as may be needed, who shall make a reassessment of the property, or of the assessment district or districts specified by the commission, in accordance with the provisions of law now governing local assessors, and such assessor shall be allowed for his services the sum of \$5.00 per day and his necessary expenses to be itemized and sworn to by the party incurring the expenses and approved by the commission, and the tax commission is hereby authorized and empowered to certify the expenses of such reassessment to the auditor of the county in which such reassessment has been made, who shall promptly issue his warrant on the county treasurer payable out of the general fund of the county, said fund to be reimbursed out of the moneys due the taxing district in which the reassessment was made at the next settlement of collection of taxes.

After the words and figures "Section 14" in line 10 of Section 14 strike out the balance of the Section and insert the following: (APPROPRIATION.) There is hereby annually appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of \$19,500, or as much thereof as may be needed for the purpose of carrying out the provisions of this act.

The committee further recommends that the act be further amended by inserting the following sub-headings:

- "Section 1. Tax Commission. Creation Of.)"
- "Section 2. Appointment Of. Term Of Office Defined.)"
- "Section 3. Vacancies. How Filled.)"
- "Section 4. Qualification Of.)"
- "Section 5. Oath. Salary.)"
- "Section 6. Organization. Salary of Secretary. Quorum. Place of Meeting.)"
- "Section 7. Assistants. Appointment and Salary. Rules.)"
- "Section 8. Expenses of. Supplies and Travel.)"
- Section 9. Powers and Duties of.)"
- "Section 10. Legal Precedure.)"
- "Section 11. Repeal.)"
- "Section 12. Constitutionality.)"

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 1, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 74.

A bill for an act to amend Section 1608 of the Revised Codes of 1905, relating to revenue and taxation.

Also,

Senate Bill No. 80.

A bill for an act to amend Section 2869 of the Revised Codes of 1905, as amended by Chapter 265 of the Session Laws of 1907, relating to the contracting of loans for the payment of corporate indebtedness and providing for the

levy of taxes to pay final judgments rendered against villages and providing for the manner of collecting the same.

Also

Senate Bill No. 107.

A bill for an act to amend Section No. 2743 of the Revised Codes of North Dakota for 1905, relating to election districts and precincts.

Also,

Senate Bill No. 108.

A bill for an act to amend Section 2744 of the Revised Codes of North Dakota for 1905, relating to qualified voters and registration in cities.

Also

Senate Bill No. 123.

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Also

Senate Bill No. 131.

A bill for an act amending Sections 167, 169, 170, 171, 189 and 191 of the Revised Codes of North Dakota for 1905, relating to the appraisalment and sale of school lands.

Also

Senate Bill No. 147.

A bill for an act to amend Section 4048 of the Revised Codes of 1905, providing for the dissolution of marriage; the effect thereof and the duty of the court to regulate the re-marriage of either or both parties.

Also,

Senate Bill No. 154.

A bill for an act authorizing and directing the secretary of the State of North Dakota to loan the plates of the North Dakota supreme court reports covering volumes one to

nineteen inclusive, and for prescribing the manner and conditions on which the said loan is to be made.

Also,

Senate Bill No. 165.

A bill for an act to prohibit the granting to or use by any person of any free pass, frank, or special privilege withheld from any other person and fixing the penalty for the violation thereof, except as provided therein and to require the granting of free transportation to the board of railroad commissioners, their experts and their agents.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### MOTIONS AND RESOLUTIONS.

Mr. Sorlie moved

That the vote by which House Bill No. 10 passed, be reconsidered.

Mr. Dean moved

That the motion to reconsider be laid on the table.

Mr. Thompson moved the previous question.

The question being, should the main question be now put.

Which motion was lost.

The question being upon the motion to lay upon the table.

Which motion was lost.

The question being upon the original motion.

The same prevailed, and

The vote by which House Bill No. 10 passed, was reconsidered.

Mr. Sorlie moved

That the further consideration of House Bill No. 10 be indefinitely postponed.

Which motion prevailed, and

House Bill No. 10 was indefinitely postponed.

Mr. Ployhar moved

That the vote by which Senate Bill No. 71 was indefinitely postponed, be reconsidered.

Which motion prevailed, and

The vote by which Senate Bill No. 71 was indefinitely postponed was reconsidered.

Mr. Ployhar moved

That Senate Bill No. 71 be recalled from the Senate.

Which motion prevailed, and

Senate Bill No. 71 was recalled from the Senate.

#### UNFINISHED BUSINESS.

Mr. Sorlie moved

That the House do not concur in the Senate concurrent resolution relating to investigation of the board of university and school lands.

Mr. Price moved

That the House do now concur in the Senate concurrent resolution relating to the investigation of the board of university and school lands.

Mr. Price moved

That the question be deferred until after the joint session.

Which motion prevailed, and

The question was so deferred.



## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 1, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 36.

A bill for an act amending Section 616 of Article 6, Chapter 8 of the Revised Codes of 1905, titled Elections.

Also,

Senate Bill No. 56.

A bill for an act to enable cities in this state that may adopt or have adopted the commission form of government as provided in Chapter 45 of the Laws of 1907, to recall incompetent or dishonest elective officers by vote of the people; also providing for the initiative and referendum in city matters, defining the form of the petition required in the law and prescribing the manner in which a city which may adopt or has adopted the commission plan may return to the former system.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Williams moved

That a committee of three be appointed by the Speaker to inform the Senate that the House was ready to receive them in joint session for the purpose of having a memorial address by Judge Spalding on the late Senator M. N. Johnson.

The Speaker appointed as such committee Messrs. Williams, Hoge and Law.

The sergeant at arms announced the senators in waiting.

## JOINT SESSION.

The Hon. Judge Spalding then delivered the memorial address.

We are convened in recognition of the fact, so often stated both in prose and in poetry, that neither houses nor lands, nor stocks nor bonds, but men, constitute a state. Commonplace as this statement is, in our strenuous life we are in danger of forgetting it. Hence, it is highly appropriate that we pause and give voice to our respect for, and commemorate briefly some of the virtues of a late citizen, one of the builders of this commonwealth, one who made an impress upon the nation itself, and whose ideals were always lofty and whose life conformed as nearly as may be to the ideals which he upheld.

Whether pursuing the avocation of a farmer on the prairies of Nelson county, or performing the arduous duties incident to the highest office within the gift of a sovereign state of the great American nation, Martin N. Johnson lived the simple life, and ever had at heart only what was right and truest, and the question how he could best serve his fellow-men. No temptation and no business or political exigency was permitted to swerve him from the path of rectitude in the one, or of lofty patriotism in the other.

It is sometimes the part of wisdom to advise an audience of the standpoint of a speaker, when attempting to discuss the qualities of a public servant. The weight to be accorded words of eulogy or criticism depends largely upon the point of view of the speaker.

I am not speaking on this occasion as one whose political and other views always accorded with those of our subject. In fact, they were far more often discordant than harmonious. As an illustration: Mr. Johnson and I served on the committee on the judicial department in the constitutional convention. That committee was composed of fifteen members, and on practically all questions submitted to it relating to the constitution and organization of the judicial system of the state it was divided in the ratio of eight to seven. Mr. Johnson was one of the eight, while I was one of the seven. I suppose if the proceedings of that committee had been preserved, they would disclose the fiercest and most extended conflicts of any that took place in connection with the preparation of the constitution. I mention this to indicate that in any words of eulogy which I may pronounce, I am not moved by the fact that Mr. Johnson's views and mine often coincided.

In this address you will observe that I do not follow conventional lines. I feel justified in departing from them on this occasion.

When Mr. Johnson returned from the special session which enacted the present tariff law, he was the subject of much adverse criticism, both by constituents who opposed him and many who supported him for election to the senate. He died before having had any opportunity to meet such criticism and defend his position. So far as I know, no one has raised a voice in his behalf, and I have felt it my duty to say some words in justification of his motives, if not of the correctness of his judgment.

One other word in this connection. Reference is not made to names of other citizens for the purpose of reflecting upon them, but rather because it is impossible to touch upon the subjects clearly without doing so.

The late Martin N. Johnson was born in Racine county, Wisconsin, March 23rd, 1850. His parents moved to Iowa in July of the same year. He obtained his education in the common schools and attended the Upper Iowa University three years, and graduated from the State University of Iowa in 1873.

Like many another who has earned the honors bestowed upon him, and

whose sole ambition has been to serve his fellow-men, he was compelled to provide the means for securing his education by his own efforts. After graduation he taught German in a private school in San Francisco, and then for two years taught in the California Military Academy at Oakland, reading law in the meantime at San Francisco, and later at the State University of Iowa.

He was admitted to the bar in 1876. He served one term in the Iowa House of Representatives, and four years in the Senate of that state. He was a presidential elector in 1876. He practiced law at Decorah, Iowa, until 1883, when he located at Petersburg, Nelson county, North Dakota, where he served as prosecuting attorney one term and was elected a delegate to the convention which framed the constitution, under which we now work, in 1889.

He was elected to Congress in 1891. He was three times a candidate for election to the United States Senate, succeeding in his ambition to occupy a seat in that body on the third trial. In 1879 he married Stella White of Galesburg, Illinois, on the day of her graduation from the State University of Iowa. Three daughters and a son were born to them.

My acquaintanceship with Senator Johnson dates from the last territorial convention for the election of delegates to a republican national convention, held in the spring of 1888 at Jamestown. It was a large convention and divided into two factions. Strenuous battles were fought prior to the opening of the convention, and during its progress. At that convention I also first met Senator Hansborough. I was a novice in territorial politics. They were both men of experience in such matters, but all three were working in a common cause and in opposition to the election of the candidates supported by the organization, led by Governor Mellette. Senator Hansborough was a candidate for delegate. I was aiding in promoting the election of the late Hon. N. K. Hubbard of Fargo as a delegate. Senator Johnson was made the chairman of the preliminary caucus of those favoring Hansborough, Hubbard and certain other candidates.

Although working strenuously with the two senators at that time, my next efforts in which they were interested were toward aiding in the nomination of Senator Hansborough to succeed himself in the national House of Representatives in 1891, and in opposition to the candidacy of the late Senator Johnson for the same position. In the campaign preceding the convention which nominated Mr. Johnson, the forces which had opposed him prior to that time were arrayed in his support.

About 1893 or '94, when the silver question became acute, another change of alignment occurred. The then Representative Johnson took his position with the so-called "sound money" forces, while Senator Hansborough took the opposing side. This change of attitude resulted in the larger portion of the former supporters of the senator and opponents of Representative Johnson tendering Mr. Johnson their support, and many of those who had formerly supported him now opposed him.

Of the subsequent contest on that subject, both local and national, nothing need be said. Representative Johnson was firm in his convictions that a moral question was presented, and that accounted in a large measure for his position in support of the so-called "gold standard."

He served eight years in the lower House of Representatives. During that time he seldom, if ever, had the active support of one element of his party. That element was constantly seeking an available candidate with whom to defeat him for nomination. I was present a few days prior to his last nomination for Congress, when the nomination was tendered, so far as it could be, to another person, who declined it. He was re-nominated and elected, but in 1898 he declined a re-nomination, to become a candidate for the Senate.

It has always been maintained by his supporters that he received a majority of the votes in a republican caucus of this body, and that by the

adjournment of the caucus pending the announcement of the vote, he was defeated of the nomination and election. Be this as it may, he could not have received the nomination had the caucus not adjourned, even though a majority of the members had voted for him. On discovery of the fact that he had a majority of one or two, enough members who were supporting him in bad faith would have changed their votes and thus have accomplished his defeat. For this reason I have never felt that he was in fact, although in appearance, defrauded of the nomination by the adjournment of the caucus pending the announcement of the vote, contrary to well known rules of parliamentary procedure.

While a member of the House of Representatives he was placed upon the Ways and Means committee by Speaker Reed, and he served on that committee during the hearings which resulted in the enactment of the celebrated Dingley tariff law, and in this position he doubtless rendered his most efficient and valuable service to the people, of course granting always that the principle invoked in that law was relatively right.

While serving on the Ways and Means committee, in supporting the administration in its efforts to carry out the party pledges by enacting the new tariff law, Mr. Johnson was met by conditions which would have shaken the party fealty, or at least the loyalty to the administration, of a man less firm in his convictions. By the usage of the administration of which he was a part, a member of Congress was entitled to name officials of certain classes, in his jurisdiction. The administration was pledged to certain policies and the enactment of certain laws, and on a survey of the field it was found that a few more votes in one branch of the legislative department were necessary to save the party from defeat. The president found it necessary, in his efforts to prevent the repudiation of party platforms and pledges, to secure the needed votes, and Mr. Johnson was one of those who suffered by reason of the exigencies of the occasion. A narrower minded man, one less loyal to party, and one possessed of limited patriotism would have withdrawn his support from the administration; but Mr. Johnson rose to the occasion, and in no case was his loyalty to the administration diminished.

In 1908 he again became a candidate for the United States Senate, when he received a majority over his opponent, both for nomination and election for the term commencing March 4, 1909. In the session which followed it again became his duty to participate in the enactment of a law providing a protective tariff.

The disappointment occasioned by political defeat is often almost overwhelming, but I have no doubt that the most disappointing of the political experiences of the late Senator Johnson occurred in 1908, when many of those with whom he had labored in politics for twenty years, whose principles he had advocated, whose policies he had supported, and whose enemies he had opposed, and who by every rule of the game of politics owed him their allegiance, deserted him. He found himself in a measure aloof from those he had supposed to be his friends. Those to whom he desired to be obligated for his election denied him their support, and thus placed him under obligations to others for his place in the Senate. He was then criticised because he failed to ignore the obligations that rested upon him politically in the way of patronage.

The attention of the public, and, what is more important, of the rising generation, is being constantly directed to the records of the comparatively few who go wrong, until I fear they are coming to think, yes, already to believe, that dishonesty in business and professional men is universal, and that the holding of political office is desirable only as it affords greater opportunity to plunder the public and enrich the occupant at the expense of those by whom he has been trusted, than is permitted by other avocations.

Senator Johnson never held an office obtained by dishonorable means. He never occupied a position of public trust by the use of money, or by immoral or improper trades. I venture the assertion that in all his four campaigns for the national House of Representatives, and the three campaigns he made for election to the United States Senate, combined, he made use of less money than has often been expended by a single candidate in a single campaign. He never had the willing support of a powerful political organization. He succeeded usually in spite of the strenuous opposition of such organizations and by the sheer force of his own character, with the support of those inspired by confidence in the honesty and ability and in the worth of the man. These elements were so blended in his make-up that patriotic men rallied to his support without prodding from henchmen, or being incited to do so by writers for the press employed for that purpose.

It has been said that his support and successes were due to his nationality. I deny such assertions. They came from an appreciation of his virtues and his ability. If those of any class were more unanimous or enthusiastic in his support than those of some other of his fellow Americans, it was because they were keener and readier to perceive and more willing to show their appreciation of these sterling qualities, and because they recognized that neither wealth nor political influence, as such, but rather a knowledge of the fundamental principles underlying a republican form of government and an ever-present ability to distinguish between right and wrong, coupled with a ready sympathy for the unfortunate, an ambition to be of service, and the courage of one's convictions, constitute the essential qualities of statesmanship. No public man possessing these qualifications ever escapes unjust criticism. Senator Johnson was no exception to this rule.

*True criticism is not only opposed to what is wrong, but is in sympathy with what is good. Its purpose is not simply to tear down, but to build up. Such criticism is healthful and in the result constructive and beneficial.*

Some things about to be stated are said because the public sometimes fails to discriminate between unjust and hurtful criticism and just and constructive criticism.

He possessed that degree of confidence in himself necessary to the accomplishment of results. Wide observation and study of public men teach me that few, if any, succeed in the legislative department without a large measure of self-confidence. Many leading legislators and statesmen of national reputation might be named who possess this element to a manifest, if not an offensive, degree.

No public speaker is a success as such who does not possess a sense of self-confidence which enables him to lose himself in his subject, and to dare to say things which startle and arouse his hearers. *No speaker makes a mark who is so timid as never to say anything displeasing to his auditors, or with which none disagree, and no man is a statesman who does not dare at all times to offend public sentiment, or who only caters to and coddles it.* Senator Johnson dared to do right as he saw it, and having done so felt safe in relying on his own ability to convince his constituents, if necessary, of the soundness of his position.

The public is sadly lacking in apprehension of the conditions which confront a senator or representative in the national congress. It is constantly asserted in substance by people unfamiliar with such conditions that a man possessed of a desire to secure certain legislation or reforms and of average ability ought to go there and in a brief time succeed in his efforts. They forget the fact that when a senator or representative reaches the national capitol he finds himself in the company of 90 or 400 other men, most of whom have seen long service and are familiar with all of the workings of the different departments of the government of a great nation of which

he must be ignorant; that it takes time to acquire such knowledge. It requires an education on new lines, an education which can only be obtained through service. After he obtains an insight into the methods of the body of which he is a member, he discovers that each member of that body represents a constituency differing from his own, and that the interests of scarcely any two lie in the same direction. The new member soon learns that by reason of the diversity of interests behind the members, no law of national importance can be enacted without compromise. If he is possessed of an upright mind and a correct appreciation of the situation, he will soon discriminate between compromises in policy and compromises which involve a principle, and will doubtless find that as to the former the necessary compromise must be made; that as to the latter he should never compromise except when it is a question of choosing between evils.

Some seem to overlook the fact that Senator Johnson was a republican. They appear to have expected that when he took his seat in the United States Senate, in view of the fact that he had claimed to be, and had been elected as, an insurgent republican, he would desert his party. He was criticised because he did not do so. These critics fail to clearly define the word "insurgent," when properly applied to either a republican or a democrat. The principles of these two parties are not evanescent and fleeting, but have existed from the days of the Confederation to the present time. While they may be elastic in application and adapted to varying conditions, the fundamentals are unchangeable. Mr. Johnson never forsook the principles of his party. He at times rebelled against the management of that party and the conduct of its affairs, but he never allowed his feelings against the leaders, or those who undertook to dictate its policies, to cause him to lose sight of fundamental principles. Had he done so, he would have ceased to be a republican, and would no longer have been entitled to the support of the electors who maintained and advocated the principles of that party. He was a consistent insurgent.

Senator Johnson believed he was competent to judge of matters relating to the welfare of his constituents, never forgetting that he was not simply the representative in the Senate of the state of North Dakota, but of the whole nation as well. He possessed the necessary adaptability to enable him to maintain his own convictions as far as possible, and to surrender them only when necessary to the accomplishment of results. Without the possession of this faculty by the members of Congress, no legislation of importance could ever be enacted by that body. Yet Senator Johnson returned from the special session which convened shortly after his election to the Senate, condemned in the judgment of a large percentage of his constituents. At the time of his decease he was looking forward with eagerness to the weeks soon to follow when he could enter the campaign and, as he believed, convince the people of this state of the wisdom of his course, and that the best had been done and the greatest results achieved that were possible under the conditions that existed.

Senator Johnson was an extreme protectionist. On this question he and I were never in accord, and I believe he was mistaken in judgment when he registered some of his votes on this question, but he was quite as sincere in his convictions and opinions as were those who differed with him. He received the support of many for senator, knowing that his views on the tariff were not in harmony with those of less radical protectionists, but believing that, notwithstanding this fact, his qualifications as a whole for the position to which he was elected justified their course, and that no man could be elected possessed of any opinions on public questions which would be in harmony with those of each of his constituents. The public servant who attempts to harmonize and conform his views to those of every constituent he meets is unfit for any position of trust.

The country at this time is flooded with a class of cheap publications

which at the close of the special session sought to destroy the reputation and the standing of many honest and patriotic men. I fear that many people have absorbed the oft-times ignorant and more frequently malicious statements of some writers in these periodicals, with no full appreciation of their source and the motives of the writers. The fact is, as I understand it, that a considerable number of such periodicals are owned and edited by a syndicate of men whose one purpose is to tear down; men who exercise no power, if they possess it, of constructive criticism; men who seek to rob some honorable and patriotic statesmen of their reputation, simply because such men do not accept their dictation. If another party were in power, and did not yield to their imperious demands, they would be equally zealous in exercising their destructive propensities. What standard of right and wrong did these men apply? Did they attempt by facts and arguments to show that senators were mistaken in their estimate of the effect that the adoption of certain schedules would have upon the welfare of the people? Not so; they contented themselves with comparing their votes with those of some unpopular senator or those seeking to protect special interests only, assuming that the people would be led to conclude that every vote so cast was not simply wrong in principle, but was the result of some improper motive or influence.

As a child I resided in a community in which the sentiment was often expressed that whatever England favored, America should oppose; England was free trade, and therefore we should be protectionists. I trust I have outgrown the sentiment that because any nation or person favors a thing, it necessarily follows that that thing is wrong. But these writers assumed that the people would conclude that because one voted the same way another senator voted, he must be wrong. We are not defenders of senators who seek only to protect special interests, nor do we believe either in their statesmanship or policies, political or legislative, but let us hope that we can be broad enough to admit that sometimes they may be right on some things, and that because Senator Johnson voted with them from time to time it did not necessarily follow that he was wrong on every such occasion, or that he was, as some would have us believe, impelled by improper motives.

I am satisfied that had Senator Johnson not been cut down at the beginning of his senatorial career, he would have succeeded in convincing most of his home critics either that he was right in his premises and conclusions, or that in the position he occupied, and under the conditions with which he was surrounded, he pursued a course above and not subject to the criticisms made upon it. My conclusions are based on my knowledge of the man and a personal knowledge of what confronts a man in the Congress of the United States. Many writers and orators who reach conclusions differing from those reached by Senator Johnson succeed in making a great noise, but accomplish little in the way of constructive legislation.

Senator Johnson was able to grasp the situation and thereby realize that he could not build a tariff wall around the products of his own state and remove the tariff from the products of other states. If he compromised on this subject, it was because as a local question he regarded the removal of the tariff on the commodities purchased by his own constituents less important than maintaining it on home productions.

The senator was said to be selfish, and I have heard it stated that, although claiming to be a reformer, his election to the senate constituted and completed, in his judgment, the only reform needed. My intimate acquaintanceship with him commenced in the constitutional convention in 1889, and continued until his death, and I know of no public man who was more unselfish. This could be illustrated by numerous incidents. I cite one. I saw, at the beginning of his last campaign for nomination to the senate, a letter addressed to another citizen whose name had been men-

tioned as a possible candidate, in which he offered to surrender for the time being, if not forever, the aspirations and ambitions of a life-time to a seat in that body, and withdraw in favor of the person addressed. He did this when possessed of the firm conviction that he himself could receive the nomination and election. How many public men of the day have exhibited any greater willingness to sacrifice themselves and their ambitions to a cause which they considered just, than was thus exhibited by Martin N. Johnson? I will let his critics answer.

I also know that at the beginning of the contest on the silver question, when he was in the House of Representatives, he sought the advice of others whom he thought qualified to give advice on that question; and it was not sought as to any questions of expediency or political policy, or as to which side would succeed, but as to which side of the question was right.

Dangerous to the liberties of the people as may be graft and corruption, or monopoly, there is another vice which is rapidly permeating the minds of men of all parties and all conditions, which may result in greater peril to the republic than any or all those referred to. It is the spirit of cynicism. Nothing is more destructive to the maintenance of high standards, to the honesty of the citizen and official, than to have the finger of universal cynicism pointed at one, questioning his motives, impeaching his acts and challenging his patriotism.

This leads me to again refer to some of the writers who are so busily engaged in indiscriminately criticising some patriotic officials, as well as others who are corrupt and unpatriotic. They belong to a cult or party, if it may be so dignified, whose tenets deny the existence of natural law, otherwise termed natural right and wrong, and assert that there is no law except that which has been sanctioned by legislative enactment.

They are so captious in their pretended efforts to point out the bad, that they would destroy the good. They are so eager in their attempts to acquire property, that they would destroy property rights. They insist so strenuously on remedying the evils in the government, that if allowed their say, they will tear down the very fabric on which all government stands. They seek to revise our social institutions in such a manner and to such an extent, that if they succeed, their success must result in the complete annihilation of civilized society, including the home and the marriage relation, as many of the writers and leaders of these apostles of the new order say they desire to do. Their purpose is to destroy the existing order of things and to reconstruct society, by ignoring and casting aside the results of centuries of progress and the constant development of 2,000 years of Christian civilization. If they are successful, it means a return to primitive conditions, in which each man retained his own so long as he could defend his possession against the combined forces of unrestrained covetousness, and when every man's hand was uplifted against every other man. *These, forsooth, are some of those who would impugn the motives and would blacken the name of our late fellow citizen.* These are some of the men who are seeking, for personal reasons, to dictate the policies of a great nation, and when they fail in doing so, to discredit it in the eyes of the world. I repeat that it matters not whether the man they attack belongs to one party or to another; the attack comes whenever he crosses their path of self-aggrandisement.

Senator Johnson never lacked the courage of his convictions. He did sometimes lack the poise necessary to impress his convictions upon others and the judgment as to the proper time to assert them. I recall in the constitutional convention that the Senate of the United States had sent out a special committee, nominally to investigate and report on the subject of irrigation. That committee became the guests of the convention assembled in this building, and two of the members were invited to address



us. Neither of them made more than a pretense of discussing the subject which the people were paying to have them investigate and discuss, but they branched off and discussed a subject which they saw fit to entitle the "Irrigation of Debts." They made very unwise, and, in my judgment, unpatriotic speeches. One of them had served in the cabinet of Jefferson Davis when president of the Confederacy, and he was particularly severe in his denunciation of acts of the government during the stress of Civil War. Delegate Johnson recognized and appreciated at once the impropriety of the remarks of the gentlemen and the uncalled-for aspersions upon a patriotic national administration, but forgot that they were our guests and that however offensive their remarks might be, they should be passed in silence by the host of the occasion. His loyal and patriotic impulses burned within him, and got the better of his discretion, and he arose and asked permission to tell the convention what he knew about the subject of irrigation. He received permission, and launched forth a torrent of eloquence and patriotic fervor which on any other occasion, if not on that, would have swelled the heart of every liberty-loving hearer with patriotic emotion and pride. It was a most fitting rebuke to no less a man than United States Senator Regan of Texas, formerly postmaster general of the Confederacy. It was out of place under the circumstances. This, in yielding to the impulse of the moment, he failed to recognize.

Mr. Johnson was generally criticised when serving in the House of Representatives for not paying more prompt attention to the correspondence addressed him by his constituents, and because he failed to run their trifling errands at the different departments in Washington. This criticism arose from the same lack of appreciation of conditions there to which I have referred, and to the further fact that the public often assumes that the first duties of a member of Congress are to carry messages to the departments and to do other trifling errands for his constituents. This is particularly true of western constituencies. It is a dull day when a congressman from the west does not receive from fifty to a hundred requests to expedite pensions, endorse or oppose some candidate for a minor postoffice, or to do some other thing that forms no part of his official duties, and for which he ought not to be called upon, but which very few have the moral courage to refuse to do, even though in attending to these requests, they must neglect business of nation-wide importance, often demanding arduous labor for twelve to eighteen hours a day. I say this not because of any important bearing on his record, but in deference to those who follow him.

During Mr. Johnson's service on the Ways and Means committee, that body was in session for many months taking evidence, hearing arguments, perfecting schedules, and preparing a bill on the tariff. Mr. Johnson realized the importance of his public duties and position, and did not lack the courage to disregard trifling matters that he might give his undivided attention to those of world-wide importance. His services on that committee were invaluable.

Here let me remark that no class of public servants has the opportunity to fake their constituents that senators and congressmen possess. Senator Johnson never condescended to these tricks of the politician and demagogue, and not having the time in the strenuous days when he served to do everything that was demanded, he possessed the courage to select and devote his efforts to those matters of greatest importance. His critics cried for a diet which demagogues rather than statesmen have time to supply.

Senator Johnson was covetous of honors—of the highest honors in the gift of the state. But he did not seek such honors from any mere vulgar desire to hold office as such. He sought them because he recognized his own qualifications, and that the office would enlarge his opportunities for service to his fellows.

The older the philosophic mind, the more firmly convinced does it become that life is not worth living except as it may be made valuable by service to others. The desire to serve was the predominant note in his character.

Mr. President, I have attempted to review in some sense, and in a very inadequate manner, the career of the late Senator Johnson. Addresses are often made on occasions of this kind which overlook and conceal the shortcomings of the subject. I have attempted to treat the memory and record of Senator Johnson fairly, not sparing mention of the points on which he was criticised, perhaps sometimes justly, and I conclude by saying, in my judgment, had his life been spared, he would have become an influential member of the greatest legislative body on earth. I base this opinion not only upon my acquaintanceship with him, but upon the opinions which I have many times heard expressed by eminent men who served with him during his eight years in the lower house of Congress.

As you know, I succeeded him in that body, and most of the members with whom I became acquainted knew him well, and were familiar with his qualifications and service, and I assure you that there is no body of men known to me by which a man's abilities, his motives and his characteristics are as closely scrutinized and accurately judged as by the Congress of the United States. Without reflecting upon any whom the people have honored with seats in that body, and basing my opinion on the judgment of his fellow-members, as I have heard them expressed, I say that this state was never represented in either house of congress by a man who took higher rank among his associates for integrity, ability, courage, force of character and efficiency than did Martin N. Johnson. Other good and great men preceded and have followed him, and others will follow them, but none will in our generation stand higher among those with whom he comes in contact than did he.

That life which exerts no inspiring influence on its associates and teaches no lesson to those to come is barren indeed. Senator Johnson permanently influenced, in a marked degree the life and future of our young commonwealth. That influence was always for what was upright and just. It was the impress that is always made by one possessed of ability, courage, energy, lofty patriotism and ambition.

Among the many lessons taught by his life is one of supreme importance to the youth of this state. We often feel that no price too high can be paid for what is called political success. President McKinley once said that one might pay too much for an office. He meant that when one surrenders self-respect as the price for an office, the purchaser pays what is of far greater value than what he gets. Senator Johnson never trafficked for office. He was often tempted, but never yielded; and notwithstanding frequent apparent defeat, success without compromise of principles was at last his.

The great and perhaps unique lesson taught by his career is that one possessed of the courage of conviction, adherence to principles and a broad patriotism, when united with consistency, ability and persistence, can not be crushed or destroyed by defeat, and that to one possessed of these qualities, defeat only affords an opportunity for greater development and for achieving in the end greater triumphs. The band wagon politician is not the one who in fact succeeds. Whenever he wins by such methods, he does so by compromising with principle and conscience. The greatest asset possible for a public man to possess is not the prestige of temporary success, but the ability to acquire and retain the confidence of his constituents and of those with whom he serves.

John G. Holland wrote many years ago these familiar lines, which he thought applicable to those times:

"God give us men; times like these demand strong minds,  
 True hearts and willing hands;  
 Men whom the lust for office does not kill,  
 Men whom the spoils of office cannot buy,  
 Men who possess opinions and a will,  
 Men who are honest, men who will not lie;  
 Men who can stand before a demagogue  
 And damn his treacherous flatteries without winking;  
 Tall men, sun-crowned, who live above the fog in public duty,  
 And in private thinking."

They are as applicable to the present day as to the day when written, more than sixty years ago, and the late Martin N. Johnson, to whose memory I have paid such inadequate tribute today, possessed every qualification described by the poet.

Mr. Olsgard of Nelson introduced the following resolution and moved its adoption:

WHEREAS, The Senate and the House of Representatives of the state of North Dakota, in joint session assembled, have heard with profound sorrow of the death of the United States Senator Martin N. Johnson.

*Therefore, Be it Resolved:*

That in the death of Senator Martin N. Johnson the state of North Dakota has lost one of its most faithful public servants, whose whole-hearted devotion to his highest ideals form a priceless heritage of our great state.

That as a particular mark of respect to the memory of the late Senator Martin N. Johnson, and in recognition of his eminent ability and distinguished service, the Legislative Assembly of the state of North Dakota at the conclusion of these memorial proceedings shall stand adjourned.

That these resolutions and the addresses delivered at these memorial exercises be spread upon the Journals of the Senate and of the House of Representatives.

That an engrossed copy of these resolutions, signed by the President of the Senate and the Speaker of the House, be transmitted to the family of the late Senator Martin N. Johnson.

Which motion prevailed, and

The resolution was adopted.

Mr. Talcott moved

That a rising vote of thanks be extended to the Hon. B. F. Spalding, judge of the supreme court, for his able memorial address on the late Senator M. N. Johnson.

Which motion prevailed.

Address of E. C. Olsgard of Nelson County:

Mr. President: United States Senator Martin N. Johnson settled with his family as a young man of thirty-two in what later became Nelson county in 1882, the same year that I as a boy of ten located with my parents in the same county. I first met him four years later when he was elected county attorney of our county and as my father then served as a member

of the board of county commissioners, he soon counted me as one of his friends.

My friendship with Senator Johnson for twenty-three years I shall always prize as one of the ennobling influences in my life.

Senator Johnson came to Dakota as a pioneer peculiarly equipped for great usefulness in public life. He had completed his university course at twenty-three; had been admitted to the bar, had served in both branches of the legislature, and had been chosen a presidential elector before he had reached the age of twenty-eight. While he had hoped to devote his energies to building for himself and his family a farm home on the fertile plains of Dakota, his new neighbors demanded that he re-enter the public service. This he did after four years of residence in Dakota, and for twelve years, until 1898, he held the positions of county attorney, member of the constitutional convention, a member of congress from the new state of North Dakota. In 1898 he refused re-nomination and devoted himself for the next ten years exclusively to his farm until 1908. As a result of the state-wide primary he was elected to the United States senate. In less than a year death closed a career that had been full of honorable accomplishment.

It is, however, of Johnson as he appeared to his close neighbors in his home county that I wish to speak. That "a man is not a hero to his own valet" is generally true, and that "a prophet is not without honor save in his own country" is nearly always found to be the case. If there are weaknesses of temper, if there are even slight flaws of character, a man's nearest neighbors are pretty apt to know of them. High sounding phrases on the lips of a politician, playing to the galleries in vote and voice may blind those farther away to the vices and hypocracies of a public man, but his neighbors have the opportunity to know the man as he is. So it is a testimony of the rarest sort and of the most significant kind to have at all times had the confidence of his neighbors. One of the most touching tributes tendered him in his lifetime was the fact that after a most bitter political campaign for the United States senate in 1908 his home village of Petersburg cast seventy-eight votes, every one of which was cast for M. N. Johnson. Not all might agree with him on every question of public policy, but his judgment was respected by all, and not one so much as raised the question of his integrity or his devotion to the common good. It was well known, for it had been shown over and over that Johnson would never consent to compromising a principle for the sake of temporary advantage. He would rather go down to defeat than to consent even silently to that which his conscience said was wrong. It is well known that this uncompromising attitude lost for him the United States senatorship after it had been fairly won twenty-three years ago.

Senator Johnson was not a politician. He never learned--it seemed to be out of his line--to manipulate political conventions. To play one office seeker against another as in a game of checkers he could never do. To raise false issues, to cull votes, he never thought of. But in grasping the meaning of public questions, in interpreting the true need of his fellows and of society, in applying the touchstone of reason and experience to public issues, Senator Johnson's mind stood out in heroic outline. His qualities of leadership and his absolute singleness of purpose were instinctively recognized by his fellows, and the secret darts of the small politicians could not shatter the confidence in which he was held by the common people.

I knew Senator Johnson intimately. I was a frequent guest in his home on his farm near Petersburg. There were no evenings that I spent with greater enjoyment and profit than at the Johnson fireside. We are sometimes told that farm life is of necessity dull and empty of the good things of life. One day spent with Senator Johnson in his well stocked library

at the family board where good fellowship, wit and good cheer presided, and a ramble through the farm buildings with the owner discussing the latest ideas of stockraising, dairying, rotation of crops, would lead the average man to believe that here were to be found joys and opportunities unrivaled even in the senate chamber in Washington.

It is character like that possessed by Senator Johnson that truly enriches life. The part he played in the building of our great state was important, and we do well to honor the memory of our good and great men. On this roll of honor the history of our state will accord a high place to Martin N. Johnson.

### Address of Senator J. G. Gunderson:

Hon. M. N. Johnson was one of North Dakota's leading and renowned men. As a citizen he was held in the highest honor and esteem by the people of his community and state; as a public servant his honesty and commanding ability was recognized not only in his own state, but throughout the Union. He was admired by all who knew him for his stainless integrity and lofty public spirit. He was a man who did not believe in strife; his heart was too full of human kindness to attempt to gain a selfish advantage. He never shirked public duty nor shunned a responsibility as a servant of the people. An old friend of mine in my native state of Iowa who served with him in congress, whom I chanced to meet shortly after the general election in 1908, remarked, "I see that you have elected my old time friend in congress, Hon. M. N. Johnson, to the United States senate. The people of your state acted wisely. No man ever sat in Congress with better intents and very few with better abilities; his able and fearless speech against the free silver craze that swept over this country, was one of the main factors that saved us from a national financial disaster."

We all agree that he worked and labored for the benefit of the people and the way he did it was in the realization of the fact that if a man would serve his fellows in their best and highest interest, there must be an intense self-giving. While he realized that there is a certain duty which every man owes to himself, still he lived not for himself. The talents with which he was endowed he used for the good of the people of his day.

That Hon. M. N. Johnson was an important factor in the moral and material development of our state and nation, no one would question. Having four times been honored by the people of the state as their representative in congress and once elected to the United States Senate, he had ample opportunity to contribute in these spheres, both to the welfare of his state and nation, and he always measured up to his opportunities. A large part of his life and the best thought of his great mind were dedicated to the upbuilding and perpetuation of the political principles in which he believed. He was tolerant in his political opinions, yet he was an ardent believer in the principles of the Republican party to which he held allegiance and which could always command his time and his great talents and he will ever be held in grateful remembrance by hosts of his Republican colleagues.

In Nelson county we all knew him as a friend and neighbor. His honesty we never questioned and his judgment and ability we never doubted. We feel our loss keenly, but amid our sorrow we rejoice because his memory will go down in history as one who had served our commonwealth with the highest degree of ability, unquestioned honesty and splendid endorsement of its people.

Mr. Williams moved

That the joint assembly do now dissolve.

Which motion prevailed.

And the joint assembly dissolved.

The House took a recess.

The House reassembled pursuant to recess taken.

Mr. Price moved

As an amendment to the Senate concurrent resolution relating to investigation of the board of university and school lands, by striking out all after the word "whereas", where it first appears in the resolution, and inserting in lieu thereof the following:

We, believing in the fullest measure of publicity in the conduct of our public affairs and deeming it obligatory upon us to fully inform ourselves and the public as to the business methods employed and economy practiced in handling the public lands of this state and the loaning of money thereon.

Therefore, Be it resolved that the Senate and the House of Representatives concurring, do request that the governor of this state act in accordance with Section 149 of the Revised Codes of North Dakota, a copy of which is hereto attached, that he select a special examiner as provided for in said Section to examine the books and accounts of the said Board of University and School Lands, that said examiner, through the governor, shall give a report in full to the next, or Thirteenth Legislative Assembly on the following:

The amounts invested in different securities with the rate of interest.

The amount of matured securities and investments that have not been paid.

The amount of past due interest.

Render an opinion as to the methods used in purchasing securities or making investments.

Render an opinion as to whether the fund could be invested more economically. Suggest such amendments to the present laws governing or relating to the permanent funds of the public schools and state educational institutions as the governor may deem wise.

To make any and all other reports or suggestions that may in his opinion be considered beneficial and proper.

Section 149. Special State Tax Examiner.) The governor may, at such times as he may consider it for the best interests of the state, appoint a special state examiner to examine any of the state institutions or public offices. Such special state examiner shall have all the powers and authority that the state examiner now has in making such examinations, and shall also examine into and report upon such other matters connected with the state institutions and public offices as the governor may direct. He shall receive as compensation for such services the sum of ten dollars per day for the time actually employed upon such examinations, and his actual traveling expenses, to be paid upon vouchers approved by the governor, in the same manner as state officers' salaries are now paid.

Mr. Sorlie moved, as an amendment:

That the clause "Render an opinion as to whether the fund could be invested more economically," be stricken out.

Which motion prevailed,

Mr. Martin moved

That the original Senate concurrent resolution and the amendment be indefinitely postponed.

Roll call demanded.

The roll was called and there were 46 ayes, 51 nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	O'Connor of Gd. Forks
Benson	Gorder	O'Connor of Pembina
Bjornson	Harty	Olsgard of Richland
Boerner	Hedalen	O'Shea
Boyd	Kane	Paulson
Brusletten	Knutson	Pendray
Burnett	Kyllo	Ray
Burns	Lageson	Roquette
Carey	Lee	Scott
Christenson	Martin	Sorlie
Cunningham	Moen of Benson	Tostenson
Dean	Moen of Cavalier	Walters
Edwards	Morrison	Wambem
Englund	Moritz	Whitmer
Fried	Nelson of Richland	Mr. Speaker
Fritz		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Olsgaru of Nelson
Akesson	Heinemeyer	Peart
Anderson, of Ramsey	Hoge	Ployhar
Bond	Homnes	Price
Davidson	Hill, of Bottineau	Putnam
Davis	Hill, of Cass	Reeve
DeLance	Hyland	Robinson
DeNault	Johns	Sauer
Dosseth	Johnson	Scheer
Doyle, of Foster	Jordal	Sgutt
Doyle, of McIntosh	Kuhl	Stern
Fassett	Law	Tande
Fox	McClellan	Thompson
France	Narum	Tollefson
Fraine	Nelson of Walsh	Tuttle
Gardiner	Nestos	Ulsaker
Hanson	Norheim	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hersrud	Stranahan
Collins	Knox	Streeter

Messrs. Collins, Hersrud, Stranahan and Streeter being excused.

So the motion was lost.

The question being upon the original motion,

The same prevailed, and

The amendment as amended was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 1, 1911.

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 71.

A bill for an act amending Section 8519 of the Revised Codes of 1905, relating to reports of justices of the peace.

As requested by the House.

Very respectfully,

J. W. FOLEY,

Secretary.

The privileges of the floor were extended to the following:

T. P. Mann of Devils Lake.  
 W. L. Plath of Fargo.  
 H. A. Hurd of Minot.  
 J. R. Paurpore of Grand Forks.  
 T. E. Tufte of Northwood.  
 D. A. Dinnie of Minot.  
 Henry Hurd of Minot.



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E. J. Pepkie of Minot.  
Mayor Lovell of Fargo.  
T. L. Quarver of Fessenden.  
Mr. Price moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

THIRTY-FIRST DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 2, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 30th day have carefully examined the same and recommend that the same be corrected as follows:

In line 16, page 30, strike out the words "House of Representatives," and insert in lieu thereof the word "Senate."

In line 17, page 30, strike out the word "Senate," and insert in lieu thereof the words "House of Representatives."

In line 16, page 7, strike out the word "health" and insert "lands."

In line 19, page 7, strike out the word "health" and insert "lands."

In line 31, page 7, strike out the word "health" and insert "lands."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 2, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 182.

A bill for an act to amend Section 12 of Chapter 109 of the laws of North Dakota for 1907, relating to the percentage of votes required for nomination at primary elections.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### PRESENTATION OF PETITIONS AND COMMUNICATIONS.

We, the undersigned citizens of Cavalier county, respectfully ask the members of the North Dakota Legislature to work and vote against any bill or measure requiring men who sell family and veterinary medicines or other products from wagons to us to pay a greater license or tax than they are now paying.

We hereby register our protest against the attempts of certain dealers to drive out the wagons by legislation, thus throttling competition by taking from us a legitimate source of supply and forming a monopoly for themselves.

We resent any attempt to dictate to us from whom we shall buy and demand the right to exercise our own judgment in our purchases.

JAMES WARD AND 34 OTHERS.

We, the undersigned citizens of McHenry county, respectfully ask the members of the North Dakota Legislature to work or fight against any bill or measure requiring men who sell family and veterinary medicine or other products from wagons to us to pay a greater license or tax than they are now paying.

We hereby register our protests against the attempts to drive out the wagon men by legislation, thus throttling competition by taking away from us a legitimate source of supply and forming a monopoly of the sale of such products.

We resent any attempt to dictate to us from whom we shall buy and demand the right to exercise our own judgment in our purchases.

I. C. HEAP AND 42 OTHERS.

### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Also,

House Bill No. 110.

A bill for an act to provide for the distribution of Blue Books among the district schools of the state.

Also

House Bill No. 152.

A bill for an act to specify and authorize a state flag.

Also,

House Bill No. 176.

A bill for an act to amend Sections 2 and 4 of Chapter 174 of the Session Laws of 1907.

Also

House Bill No. 194.

A bill for an act regulating the issue of health certificates for live stock in transit or before shipment out of the state or upon entering the state and making certain acts in violation thereof misdemeanors.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

A concurrent resolution authorizing the secretary of state, on the approval of the governor, to recodify the codes and supervise the publication of such codes.

Have had the same under consideration and recommend that the same be amended as follows:

In line 23 of the resolution, as printed in the Journal, after the word "compilation" strike out the rest of the sentence and substitute the following words, "of a revised edition of the codes to be known as the Revised Codes of 1911." After the word "possible," in line 35, add the following sentence: "The public printing commission shall have charge of, and is hereby authorized to order the publication and printing of such Revised Codes."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Homnes moved

That the concurrent resolution be adopted as amended.

Which motion prevailed, and  
The concurrent resolution was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 128.

A bill for an act entitled, an act to amend Section 9189  
of the Revised Codes of 1905, defining grand and petit  
larceny.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 168.

A bill for an act providing for the appointment of a com-  
mission to draft a revision of the probate code of the State  
of North Dakota, and appropriating money therefor.

Have had the same under consideration and recommend  
that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 16.

A bill for an act entitled, an act to appropriate the sum of ninety thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on drainage made the following report:

Mr. Speaker:

A majority of your committee on drainage, to whom was referred

House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "and leases" in line one of the printed bill.

Strike out the words "said water" at the end of line 6, and the word "course" at the beginning of line 7, and insert in lieu thereof the following: "any land other than that owned by the persons constructing said drain, or discharge upon the land of another owner any water which would not without said drain find its way upon said land."

And when so amended recommend the same do pass.

J. B. AKESSON,  
Chairman.

Also

Mr. Speaker:

A minority of your committee on drainage, to whom was referred

House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
J. B. AKESSON,  
JOHN S. KYLLO,  
E. M. NELSON.

The committee on municipal corporations made the following report:

Mr. Speaker:

The committee on municipal corporations made the following report:

Senate Bill No. 87.

A bill for an act to amend Section 2767 of the Revised Codes of North Dakota for 1905, relating to the letting of contracts for sidewalks in cities.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALEX STERN,  
Chairman.

Mr. Stern moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on municipal corporations to whom was referred



## House Bill No. 97.

A bill for an act to amend Section 2869 of the Revised Codes of 1905 providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out brackets around the word "this" in fifth line.  
 Insert word "shall" between words "petition" and "have" in fifth line.  
 Title by inserting after "1905" the words, "as amended by Chapter 265 of the Laws of North Dakota of 1907."  
 In section 1, line 2, after word "1905" insert, "as amended by Chapter 265 of the laws of North Dakota of 1907."

And when so amended recommend the same do pass.

ALEX STERN,  
 Chairman.

Also,

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 133.

A bill for an act to amend Section 2763 of the Revised Codes of the State of North Dakota for the year 1905, providing for the vacation of streets and alleys, establishing the procedure and providing for an appeal.

Have had the same under consideration and recommend that the same do pass.

ALEX STERN,

Mr. Stern moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on municipal corporations to whom was referred

## Senate Bill No. 25.

A bill for an act to authorize boards of trustees of incorporated villages to regulate the use of streets, alleys and public grounds by automobiles, traction engines and other self propelled vehicles, and to provide for registration and identification of the same, at the expense of the owners or operators thereof.

Have had the same under consideration and recommend that the same do pass.

ALEX STERN,  
Chairman.

Mr. Stern moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on municipal corporations, to whom was referred

Senate Bill No. 88.

A bill for an act to amend Section 2768 of the Revised Codes of North Dakota for 1905, relating to the repairs of city sidewalks.

Have had the same under consideration and recommend that the same do pass.

ALEX STERN,  
Chairman.

Mr. Stern moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws, to whom was referred:

## House Bill No. 153.

A bill for an act to amend and re-enact Section 1597 of Chapter 219, Laws of 1907, relative to duty of county auditor, and requirements of tax deeds.

Have had the same under consideration and recommend that the same be amended as follows:

In line 26 of the printed bill, insert the word "errors" between the words "correcting" and "in."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Also,

Mr. Speaker:

Your committee on taxes and tax laws, to whom was referred

## House Bill No. 163.

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

Have had the same under consideration and recommend that the same be amended as follows:

In line 39 of the printed bill, strike out the word "the" and insert the word "such." In line 42 of the printed bill, strike out the word "of" and insert the word "for." In line 60 of the printed bill, insert the word "collected" between the words "taxes" and "as." And in line 66, insert the word "delinquent" between the words "original" and "tax."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Also

Mr. Speaker:

Your committee on taxes and tax laws, to whom was referred

## Senate Bill No. 78.

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal, to whom was referred

## House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state, reports as required by and under Section 4186, Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

H. C. HARTY,  
Chairman.

Mr. Harty moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on mileage and per diem made the following report:

Mr. Speaker:

Your committee on mileage and per diem, beg leave to make the following report:

## MILEAGE OF THE HOUSE MEMBERS.

District.		Nor. Pac.	Gt. Nor.	Soo Line.	Mil. R. R.	Team.	Total Miles.
1	Chas. Edwards, Drayton .....	259	78	.....	.....	.....	337
	J. J. O'Connor, Neche .....	194	161	.....	.....	4	359
2	Henry Geiger, Hamilton .....	194	145	.....	.....	3	342
3	Nels T. Hedalen, Medford .....	194	131	30	.....	6	361
	Ed. Wambem, Lankin .....	194	143	.....	.....	9	346
	C. I. Christenson, Park River.....	194	143	.....	.....	.....	337
4	John H. Fraine, Grafton .....	194	119	.....	.....	.....	313
	Jacob Nelson, Voss .....	235	78	.....	.....	.....	313
5	Albert A. Davis, Larimore .....	194	106	.....	.....	.....	300
	John S. Kylo, McCanna .....	194	114	.....	.....	.....	308
6	James Collins, Grand Forks .....	194	78	.....	.....	.....	272
	W. V. O'Connor, Grand Forks .....	194	78	.....	.....	.....	272
7	W. S. Dean, Holmes .....	194	58	.....	.....	14	266
	O. K. Lageson, Reynolds .....	194	58	.....	.....	12	264
8	W. J. Burnett, Cummings .....	194	46	.....	.....	.....	240
	S. K. Knutson, Buxton .....	194	52	.....	.....	12	258
	O. J. Sorlie, Buxton .....	194	52	.....	.....	.....	246
9	W. J. Price, Fargo .....	194	.....	.....	.....	.....	194
	E. H. Stranahan, Fargo .....	194	.....	.....	.....	.....	194
	Alex. Stern, Fargo .....	194	.....	.....	.....	.....	194
10	J. D. Akesson, Grandin .....	194	26	.....	.....	7	227
	S. E. Ulsaker, Kindred .....	214	.....	.....	.....	3	217
11	A. L. Peart, Chaffee .....	227	.....	.....	.....	.....	227
	J. E. Hill, Erie .....	234	.....	.....	.....	.....	234
12	L. L. Brusletten, Wahpeton .....	194	46	.....	.....	3	243
	E. M. Nelson, Fairmount .....	194	.....	.....	60	5	259
13	Peter J. Narum, Forman .....	.....	.....	179	.....	9	183
14	John Aasheim, Enderlin .....	137	.....	30	.....	6	173
	E. C. Andrews, Elliott .....	258	.....	.....	.....	.....	258
15	Geo. H. Law, Leal .....	137	.....	29	.....	7	165
	Frank E. Ployhar, Valley City.....	137	.....	.....	.....	.....	137
16	A. G. Anderson, Hannaford .....	152	.....	.....	.....	.....	152
	Ole Paulson, Hope .....	214	47	.....	.....	14	295
	S. J. Tande, Cooperstown .....	214	67	.....	.....	8	289
17	R. J. Gardiner, Brockett .....	194	154	.....	.....	4	352
	E. C. Olsgard, McVille .....	214	78	.....	.....	.....	292
18	S. J. A. Boyd, Hanna .....	194	203	.....	.....	.....	397
	A. Moritz, Dresden .....	194	189	.....	.....	.....	383
19	Wesley Fassett, Dunsieith .....	194	238	.....	.....	3	435
20	James Kane, Knox .....	194	199	.....	.....	.....	393
	P. J. Moen, Maddock .....	195	.....	.....	.....	.....	195
21	Berndt Anderson, Churches Ferry..	194	185	.....	.....	8	387
	F. H. Hyland, Devils Lake .....	194	167	.....	.....	.....	361
	Norman Morrison, Webster .....	194	167	.....	.....	12	373
22	N. O. Johnson, Cando .....	194	200	.....	.....	.....	394
	N. W. Hawkinson, Rock Lake .....	194	167	.....	*57	.....	418
23	W. B. DeNault, Jamestown .....	101	.....	.....	.....	.....	101
	Richard Pendray, Jamestown .....	101	.....	.....	.....	7	108
	R. L. Walters, Melville .....	135	.....	.....	.....	2	137

\*Farmers &amp; S. W.

## MILEAGE OF HOUSE MEMBERS—Continued.

District		No. Pac.	Gt. Nor.	Sea Line.	Mil. R. R.	Team	Total Miles.
24	John B. Fried, Jamestown .....	101					101
	A. W. Cunningham, Grand Rapids..	142					142
	J. A. T. Bjornson, Kulm .....			110			110
25	C. E. Knox, Oakes .....			156		3	159
	D. R. Streeter, Linton .....	63					63
26	W. P. Tuttle, Dawson .....	51					51
	Frank Fox, Bismarck .....						
27	E. A. Williams, Bismarck .....						
	H. C. Harty, Bottineau .....	194	252				446
	J. L. Gorder, Carbury .....	194	259				453
28	W. R. Bond, Minot .....	137		181			318
	John J. Lee, Minot .....	137		181			318
	R. A. Nestos, Minot .....	137		181			318
	A. M. Thompson, Minot .....	137		181			318
	W. E. Martin, Mandan .....	5				20	25
29	J. G. Burns, Glen Ullin .....	63					63
	J. N. Hanley, Mandan .....	5					5
	W. G. Ray, Dickinson .....	115					115
	F. L. Rouquette, Dickinson .....	115					115
30	Ole Tollefson, Dickinson .....	115					115
	T. N. Putnam, Carrington .....	145					145
	S. J. Doyle, Carrington .....	145					145
31	Herman C. Scheer, Fessenden .....	137		93			230
	Julius Sgutt, Harvey .....	137		109			246
32	J. N. Kuhl, Towner .....	194	240				434
	F. F. Fritz, Towner .....	194	240				434
33	O. P. Sordal, Goodrich .....	193					193
	John J. Doyle, Wishek .....			79			79
34	H. H. France, Gackle .....	202				4	206
	C. W. Carey, Lidgerwood .....	137	94			10	241
	Nels Olsgard, Kindred .....	214				4	218
35	A. T. Hanson, Litchville .....	227					227
	Geo. McClellan, Beach .....	180					180
36	J. P. Reeve, Beach .....	180				13	193
	Harve Robinson, Sentinel Butte....	174					174
	E. J. Moen, Osnabrock .....	194	170			4	368
37	Geo. P. Homnes, Crosby .....	137		4			413
	Robt. Norheim, Alexander .....	137	122	181		25	465
38	L. A. Scott, Barton .....	194	227			10	431
	Martin Benson, Rugby .....	194	214				408
39	C. E. Davidson, Portal .....	137		263			400
	J. A. Englund, Kenmare .....	137		231			368
	L. W. Sauer, Tolley .....	137		245			382
40	Ole C. Dosseth, Plaza .....	137	22	181		29	369
	A. J. DeLance, Ross .....	137	61	181		2	381
41	T. E. Tostenson, Voltaire .....	137	155				292
	J. T. Hoge, Underwood .....			60			60
42	Jerry O'Shea, Garrison .....			80		16	96
	James Hill, Newburg .....	194	268			2	464

MILEAGE OF HOUSE MEMBERS—Continued.

District		No. Pac.	Gt. Nor.	Soo Line.	Mil. R. R.	Team	Total Miles.
48	Victor R. Boerner, Center .....	33	.....	.....	.....	23	56
	C. B. Heinemeyer, Expansion.....	.....	.....	80	.....	26	106
	Chas. H. Whitmer, Yucca .....	5	.....	.....	.....	21	26
49	Martin Hersrud, Petrel .....	260	.....	.....	171	.....	431
	John G. Johns, Hettinger .....	260	.....	.....	154	.....	414

W. J. BURNETT,  
 NORMAN MORRISON,  
 VICTOR R. BOERNER,  
 Committee.

Have had the same under consideration and recommend that the same be adopted.

W. J. BURNETT,  
 Chairman.

Mr. Price moved

That the report be printed in the Journal.

Which motion prevailed.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs, to whom was referred House Bill No. 103.

A bill for an act to create a state text book commission and to provide for the adoption and use of uniform text books throughout the state.

Have had the same under consideration and recommend that the same be referred to the committee on education.

W. J. PRICE,  
 Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and  
The report of the committee was adopted.

And the bill referred to the committee on education.

Also

Mr. Speaker:

Your committee on state affairs, to whom was referred  
House Bill No. 49.

A bill for an act to amend and re-enact Section 2614 of  
the Revised Codes of North Dakota for 1905, relating to  
fees allowed jurors.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs, to whom was referred  
Senate Bill No. 77.

A bill for an act to amend and re-enact Section 3 of Chap-  
ter 175 of the Laws of North Dakota for 1909, being an act  
to provide indeterminate sentences of persons convicted of  
certain crimes, providing for a board of experts empowered  
to prescribe suitable rules of conduct and treatment, and to  
determine how and when a person sentenced under this act  
shall be paroled or released.

Have had the same under consideration and recommend  
that the same be amended as follows:

Section 3, after the word "parole" at the last of the section, to read as  
follows:

"Further it shall be the duty of the field officer to devote all of his time  
to the discharge of his duties as field officer, and such other duties as  
may be assigned to him in connection with the state penitentiary and the



state penitentiary twine plant and other industries maintained by the state at the North Dakota State Penitentiary, and that he shall at all times be subject to the order of the warden of the state penitentiary, and he shall make reports direct to the warden on all matters pertaining to his duties as field officer and other duties to which he may be assigned.

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

Your committee on state affairs, to whom was referred  
Senate Bill No. 76.

A bill for an act to amend and re-enact Sections 6 and 9 of Chapter 174 of the Laws of North Dakota of 1909, being an act to provide for probation of persons convicted of felonies and misdemeanors.

Have had the same under consideration and recommend that the same be amended as follows:

That in line four of the printed bill strike out all after the words "field officer" down to the word "whose," in line five, and insert in its place the words: "The board of trustees of the penitentiary shall appoint and employ one officer, to be known as field officer for the institution, who shall be an employee of the state penitentiary and who shall give his entire time to penitentiary duties when not otherwise employed as field officer."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Also,

Mr. Speaker:

Your committee on state affairs, to whom was referred  
House Bill No. 112.

A bill for an act amending Section 2400 of the Revised Codes of 1905, relating to additional powers of the board of county commissioners.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs, to whom was referred  
House Bill No. 90.

A bill for an act to reimburse members of the legislative  
assembly for personal expenses incurred while attending  
the session thereof.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion was lost.

Mr. Sorlie moved  
That the bill be re-referred to the committee on state  
affairs.

Mr. Thompson moved

As an amendment that the bill be referred to the com-  
mittee on railroads.

Mr. Fried moved  
That the amendment be laid upon the table.  
Which motion was lost.

The question being upon the amendment, the same pre-  
vailed, and

The bill was referred to the committee on railroads.

The committee on Elections and privileges made the fol-  
lowing report:

Mr. Speaker:

Your committee on elections and privileges, to whom was  
referred

House Bill No. 92.

A bill for an act providing for the election of county, school and judicial officers by a non-partisan, majority vote.

Have had the same under consideration and recommend that the same be referred back to the committee of the whole House without recommendation.

W. R. BOND,  
Chairman.

Mr. Bond moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on elections and election privileges, to whom was referred

House Bill No. 87.

A bill for an act to amend Section 8 of Chapter 109 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,  
Chairman.

Mr. Bond moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on elections and election privileges, to whom was referred

House Bill No. 135.

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Anderson of Ramsey moved

That House Bill No. 135 be re-referred to the committee on elections and election privileges.

Which motion prevailed, and

House Bill No. 135 was so re-referred.

Mr. Hoge moved

That House Bill No. 93 be re-referred to the committee on judiciary for amendments.

Which motion prevailed, and

House Bill No. 93 was so re-referred.

Mr. Burnett asked unanimous consent to withdraw House Bill No. 161, the same being a mis-print.

There being no objections, House Bill No. 161 was withdrawn.

Mr. Davidson asked unanimous consent to withdraw House Bill No. 6.

There being no objections, House Bill No. 6 was withdrawn.

Mr. Martin asked unanimous consent to withdraw House Bill No. 37 for amendments.

There being no objections, House Bill No. 37 was withdrawn.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 2, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the Senate, the House Concurring:*

That when we do adjourn on Friday, February 3, we stand adjourned until Tuesday, February 7.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### UNFINISHED BUSINESS.

Mr. Doyle of Foster moved

That Senate Bill No. 71 be re-referred to the committee on judiciary.

Which motion prevailed.

And the bill was so re-referred.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. O'Connor of Grand Forks introduced

House Bill No. 264.

A bill for an act to amend Section 4112 of the Revised Codes of 1905, relating to the adoption of minor children.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Fritz introduced

House Bill No. 265.

A bill for an act providing for the construction and maintenance of wire fences along public highways, and providing for penalties for violations of the provisions of this act.

Which was read the first and second times and

Referred to the committee on agriculture.

Mr. Bjornson introduced

House Bill No. 266.

A bill for an act to appropriate money for a root cellar and for the purchase of brood mares for the Edgeley experiment station, located at the city of Edgeley in LaMoure county.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. DeNault introduced

House Bill No. 267.

A bill for an act to amend and re-enact Chapter 172 of the laws of the state of North Dakota for 1907, relating to whom may solemnize marriages and to marriage license.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Hanson introduced

House Bill No. 268.

A bill for an act entitled, on act to amend Section 1872 of the Revised Codes of North Dakota of 1905 as amended by Chapter 65 of the Session Laws of 1907, relating to duties of superintendent of county asylum and poor farm.

Which was read the first and second times, and

Referred to the joint committee on charitable institutions.

Mr. Hedalen introduced

House Bill No. 269.

A bill for an act entitled, an act to amend and re-enact Sections 1352 and 1353 of Chapter 19 of the Revised Codes of North Dakota for the year 1905, relating to altering, discontinuing and laying out public roads and defining what shall be deemed sufficient notices to all parties concerned.

Which was read the first and second times and

Referred to the committee on highways, bridges and ferries.

Mr. Stern introduced

House Bill No. 270.

A bill for an act to amend Article 4 of Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Which was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Hoge introduced

House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable,, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions,, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

Which was read the first and second times, and

Referred to the committee on ways and means

Mr. Tostenson introduced

House Bill No. 272.

A Bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how premiums shall be paid and collected, and how expense and indemnity for losses by hail shall be paid.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Lageson introduced

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Hyland introduced

House Bill No. 274.

A bill for an act to run a survey or surveys from the Mouse river to Devils lake for the purpose of determining the feasibility of draining the surplus flood waters of the Mouse river into Devils lake; and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on drainage.

Mr. Davidson introduced

House Bill No. 275.

A bill for an act entitled, "An act to regulate and provide for admission of live stock into the state of North Dakota from all other states and territories and foreign countries; and providing penalties for violation thereof."

Which was read the first and second times and

Referred to the committee on live stock.

Mr. O'Connor of Pembina introduced

House Bill No. 276.

A bill for an act to provide for making needed improvements for the North Dakota Blind Asylum at Bathgate; and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Christenson introduced

House Bill No. 277.

A bill for an act to prohibit the marriage of insane, epileptic, or feeble-minded persons.



Which was read the first and second times, and  
Referred to the committee on public health.

Mr. Andrus introduced

House Bill No. 278.

A bill for an act to provide for the payment of the expenses of district judges when acting outside of their judicial districts.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. DeNault introduced

House Bill No. 279.

A bill for an act to make it a felony, and providing a penalty for a guardian, county commissioner, or official or employe in a penal, correctional or eleemosynary institution, to induce a female ward, or pauper under his care, or an inmate of such institution, to have illicit sexual intercourse with him by threatening to withhold the necessities of life, or threatening physical violence.

Which was read the first and second times and

Referred to the committee on ways and means.

Messrs. Robinson and Reeve introduced

House Bill No. 280.

A bill for an act to divide the state of North Dakota into three congressional districts.

Which was read the first and second times and

Referred to the committee on apportionment.

### THIRD READING OF HOUSE BILLS.

House Bill No. 193.

A bill for an act to amend and re-enact Section 2401, Article 10, Chapter 28 of the Revised Codes of 1905, relating to the duties of boards of county commissioners, superintend county fiscal affairs and providing for auditing and checking of officers.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 88 ayes, 3 nays; absent and not voting, 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Pembina
Akesson	Hawkinson	Olgard of Nelson
Anderson, of Griggs	Hedalen	Olgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Andrus	Hersrud	Paulson
Benson	Hoge	Pendray
Bjornson	Homnes	Ployhar
Bond	Hill, of Bottineau	Price
Boyd	Hill, of Cass	Putnam
Brusletten	Hyland	Ray
Burnett	Johns	Reeve
Burns	Johnson	Robinson
Carey	Knox	Roquette
Christenson	Kuhl	Sauer
Cunningham	Kylo	Scott
Davidson	Law	Scheer
Davis	Lee	Sorlie
Dean	Martin	Stern
Dosseth	McClellan	Stranahan
Doyle, of Foster	Moen of Benson	Streeter
Edwards	Moen of Cavalier	Tande
Englund	Morrison	Toilefson
Fox	Moritz	<b>Tostenson</b>
France	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Walters
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Fort	Mr. Speaker
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	DeNault	Doyle, of McIntosh

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Jordal	Peart
DeLance	Kane	Sgutt
Fassett	Knutson	Thompson
Gorder	Lageson	Wambem

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

So the bill passed and the title was agreed to.

Mr. Burns moved

That the vote by which House Bill No. 193 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Was read the third time.

Mr. Homnes moved

that the bill be passed to the foot of the calendar.

Which motion prevailed.

House Bill No. 28.

A bill for an act providing a penalty for obstructing water courses or diverting the water therefrom.

Was read the third time.

Mr. Fraine asked unanimous consent to amend the bill.

There being no objections, Mr. Fraine offered the following amendment and moved its adoption.

By adding after the word "therefrom" in the title the words "and providing a penalty therefor."

In section 1, after the figures "Section 1," insert the words "Obstruction to water courses. Penalty."

After the words, "Sec. 2," insert the word "Emergency.)" In line 10 strike out the word "and" and insert the words "in this, that no law exists preventing the obstruction of water courses and ditches therefrom."

Which motion prevailed, and

The amendment was adopted.

The Speaker ruled that House Bill No. 28 must be re-engrossed on account of amendment before it could pass to final passage.

House Bill No. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

Was read the third time.

Mr. Ployhar moved

That the bill be made a special order for 3 o'clock Monday, February 6th.

Mr. Davidson moved as an amendment,

That it be made a special order for 3 o'clock Thursday, February 9th.

Which motion was lost.

The question being upon the original motion, the same was lost.

The question being on the final passage of the bill,

The roll was called and there were 91 ayes, 3 nays; absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Harty	Olsgard of Nelson
Andrus	Hawkinson	Olsgard of Richland
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hersrud	Pendray
Bond	Hoge	Price
Boyd	Homnes	Putnam
Brusletten	Hill, of Bottineau	Ray
Burnett	Hill, of Cass	Reeve
Burns	Hyland	Robinson
Carey	Johns	Roquette
Christenson	Johnson	Sauer
Cunningham	Jordal	Scott
Davidson	Knox	Scheer
Davis	Kyllo	Sgutt
Dean	Law	Sorlie
DeLance	Lee	Stern
DeNault	Martin	Stranahan
Dosseth	McClellan	Streeter
Doyle, of Foster	Moen of Benson	Tande
Doyle, of McIntosh	Moen of Cavalier	Thompson
Edwards	Morrison	Tollefson
Englund	Moritz	Tostenson
Fox	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
France	Nelson of Walsh	Whitmer
Fried	Nestos	Williams
Fritz	Norheim	Mr. Speaker
Gardiner		

Those who voted in the negative were:

Messrs.—  
Aasheim

Messrs.—  
Ployhar

Messrs.—  
Walters

Absent and not voting:

Messrs.—  
Collins  
Fassett  
Gorder

Messrs.—  
Kane  
Knutson  
Kuhl

Messrs.—  
Lageson  
Peart  
Wambem

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

So the bill passed and the title was agreed to.

Mr. Johns moved

That the vote by which House Bill No. 100 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 194.

A bill for an act regulating the issue of health certificates for live stock in transit or before shipment out of the state or upon entering the state and making certain acts in violation thereof misdemeanors.

Was read the third time.

Mr. Sorlie asked unanimous consent to amend the bill.

There being no objections, Mr. Sorlie offered the following amendment and moved its adoption:

After the figure 1, in section 1, insert the words, "Health certificate, who may issue.)"

After the figure "2," line 1, section 2, insert the word "Penalty.)"

Which motion prevailed, and

The amendment was adopted.

Mr. Bjornson moved

That the rules be suspended and the bill be considered re-engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were 91 ayes, no nays; absent and not voting, 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	Norheim
Aashelm	Hanson	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olgard of Nelson
Andrus	Hedalen	Olgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hin, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Cunningham	Jordal	Roquette
Davidson	Knox	Scott
Davis	Kuhl	Scheer
Dean	Kyllo	Sorlie
DeLance	Law	Stern
DeNault	Lee	Stranahan
Dosseth	Martin	Streeter
Doyle, of Foster	McClellan	Tande
Doyle, of McIntosh	Moen of Benson	Thompson
Edwards	Moen of Cavalier	Tollefson
Englund	Morrison	Tostenson
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Kane	Sauer
Collins	Knutson	Sgutt
Fassett	Lageson	Tuttle
Gorder	Peart	Wambem

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

So the bill passed and the title was agreed to.

Mr. Cunningham moved

That the vote by which House Bill No. 194 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 176.

A bill for an act to amend Sections 2 and 4 of Chapter 174 of the Session Laws of 1907.

Was read the third time.

The roll was called and there were 91 ayes, no nays; absent and not voting, 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina
Anderson, of Griggs	Hanson	Olsgard of Nelson
Anderson, of Ramsey	Harty	Olsgard of Richland
Andrus	Hawkinson	O'Shea
Benson	Hedalen	Paulson
Bjornson	Heinemeyer	Pendray
Boerner	Hersrud	Price
Bond	Hoge	Putnam
Boyd	Homnes	Ray
Brusletten	Hill, of Bottineau	Reeve
Burnett	Hill, of Cass	Robinson
Burns	Hyland	Roquette
Carey	Johns	Sauer
Christenson	Johnson	Scott
Cunningham	Jordal	Scheer
Davidson	Knox	Sgutt
Davis	Kuhl	Sorlie
Dean	Law	Stern
DeLance	Lee	Stranahan
DeNault	McClellan	Streeter
Dosseth	Moen of Benson	Thompson
Doyle, of Foster	Moen of Cavaller	Tollefson
Doyle, of McIntosh	Morrison	Tostenson
Edwards	Moritz	Tuttle
Englund	Narum	Ulsaker
Fox	Nelson of Richland	Walters
France	Nelson of Walsh	Whitmer
Fraine	Nestos	Williams
Fried	Norheim	Mr. Speaker
Fritz		

Absent and not voting:

Messrs.—  
Collins  
Fassett  
Gorder  
Kane

Messrs.—  
Knutson  
Kyllo  
Lageson  
Martin

Messrs.—  
Peart  
Ployhar  
Tande  
Wambem

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

Mr. Fraine moved

That the title be amended as follows:

By inserting after the word "amend" the words "and re-enact."

Which motion prevailed.

Mr. Homnes moved

that the title be amended as follows:

After the figures "1907," the following words be inserted: "relating to the appropriations for armory sites and transfer of armories, companies, batteries and regimental bands when mustered out of service, or otherwise."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 176 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 95 ayes, no nays; absent and not voting, 8.

Those who voted in the affirmative were:

Messrs.—  
Aasheim  
Akesson

Messrs.—  
Geiger  
Hanson

Messrs.—  
O'Connor of Pembina  
Olsgard of Nelson



Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	Olsgard of Richland
Anderson, of Ramsey	Hawkinson	O'Shea
Andrus	Hedalen	Paulson
Benson	Heinemeyer	Pendray
Bjornson	Hersrud	Ployhar
Boerner	Hoge	Price
Bond	Homnes	Putnam
Boyd	Hill, of Bottineau	Ray
Brusletten	Hill, of Cass	Reeve
Burnett	Hyland	Robinson
Burns	Johns	Roquette
Carey	Johnson	Sauer
Christenson	Jordal	Scott
Cunningham	Knox	Scheer
Davidson	Kuhl	Scutt
Davis	Kyilo	Sorlie
Dean	Law	Stern
DeLance	Lee	Stranahan
DeNault	Martin	Streeter
Dosseth	McClellan	Tande
Doyle, of Foster	Moen of Benson	Thompson
Doyle, of McIntosh	Moen of Cavalier	Tollefson
Edwards	Morrison	Tostenson
Englund	Moritz	Tuttle
Fox	Narum	Ulsaker
France	Nelson of Richland	Walters
Fraine	Nelson of Walsh	Whitmer
Fried	Nestos	Williams
Fritz	Norheim	Mr. Speaker
Gardiner	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Kane	Peart
Fassett	Knutson	Wambem
Gorder	Lageson	

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

Mr. Fraine moved

That the title be amended as follows:

After the figures "1905," by adding the words, "relating to the duties of Adjutant General."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 67 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 152.

A bill for an act to specify and authorize a state flag.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 92 ayes, 2 nays; absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	O'Connor of Gd. Forks
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrus	Hedalen	O'Shea
Benson	Heinemeyer	Pendray
Bjornson	Hersrud	Ployhar
Boerner	Hoge	Price
Boyd	Homnes	Putnam
Brusletten	Hill, of Bottineau	Ray
Burnett	Hill, of Cass	Reeve
Burns	Hyland	Robinson
Carey	Johns	Roquette
Christenson	Johnson	Sauer
Cunningham	Jordal	Scott
Davidson	Knox	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Law	Stern
DeNault	Lee	Stranahan
Dosseth	Martin	Streeter
Doyle, of Foster	McClellan	Tande
Doyle, of McIntosh	Moen of Benson	Thompson
Edwards	Moen of Cavalier	Tollefson
Englund	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Walters
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner	Norheim	

Those who voted in the negative were: Messrs. Paulson, Tostenson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gorder	Lageson
Collins	Kane	Peart
Fassett	Knutson	Wamben

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lage-son, Peart and Wambem being excused.

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 152 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

House Bill No. 110.

A bill for an act to provide for the distribution of Blue Books among the district schools of the state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 89 ayes, 2 nays; absent and not voting, 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Olsgard of Richland
Akesson	Geiger	O'Shea
Anderson, of Griggs	Hanson	Paulson
Anderson, of Ramsey	Harty	Pendray
Andrus	Hedalen	Ployhar
Benson	Heinemeyer	Price
Bjornson	Hersrud	Putnam
Boerner	Hoge	Ray
Bond	Homnes	Reeve
Boyd	Hill, of Bottineau	Robinson
Brusletten	Hyland	Roquette
Burnett	Johns	Sauer
Carey	Jordal	Scott
Christenson	Knox	Scheer
Cunningham	Kuhl	Sgutt
Davidson	Kyllo	Sorlie
Davis	Law	Stern
Dean	Lee	Stranahan
DeLance	McClellan	Streeter
DeNault	Moen of Benson	Tande
Dosseth	Morrison	Thompson
Doyle, of Foster	Moritz	Tollefson
Doyle, of McIntosh	Narum	Tostenson
Edwards	Nelson of Richland	Tuttle
Englund	Nelson of Walsh	Ulsaker
Fox	Nestos	Walters
France	Norhelm	Whitmer

Messrs.—	Messrs.—	Messrs.—
Fraine	O'Connor of Gd. Forks	Williams
Fried	O'Connor of Pembina	Mr. Speaker
Fritz	Olgard of Nelson	

Those voting in the negative were: Messrs. Hawkinson and Johnson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Hill, of Cass	Martin
Collins	Kane	Moen of Cavalier
Fassett	Knutson	Peart
Gorder	Lageson	Wambem

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

So the bill passed and the title was agreed to.

Mr. Moen of Benson moved

That the vote by which House Bill No. 110 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Was read the third time.

Mr. Hoge asked unanimous consent to amend the bill.

There being no objections, Mr. Hoge offered the following amendment and moved its adoption:

After line 26, insert the words:  
 "Sec. 2. Repeal.) All acts or parts of acts in conflict with this act are hereby repealed."

Change the words "Sec. 2" to "Sec. 3."

Which motion prevailed.

Mr. Sorlie moved

That the rules be suspended and House Bill No. 173 be considered re-engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were 76 ayes, 16 nays; absent and not voting, 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina
Anderson, of Griggs	Hanson	Olsgard of Richland
Anderson, of Ramsey	Harty	O'Shea
Andrus	Hedalen	Paulson
Benson	Heinemeyer	Pendray
Bjornson	Hersrud	Ployhar
Boerner	Hoge	Price
Bond	Hill, of Bottineau	Putnam
Boyd	Hill, of Cass	Ray
Brusletten	Hyland	Roquette
Burnett	Johnson	Sauer
Burns	Knox	Scheer
Carey	Kuhl	Sgutt
Christenson	Law	Sorlie
Cunningham	Lee	Streeter
Davidson	Martin	Tande
Davis	McClellan	Tollefson
Dean	Moen of Benson	Tostenson
DeLance	Moen of Cavalier	Tuttle
Doyle, of McIntosh	Moritz	Ulsaker
Edwards	Narum	Walters
Englund	Nelson of Richland	Whitmer
Fox	Nelson of Walsh	Williams
France	Nestos	Mr. Speaker
Fritz		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeNault	Johns	Reeve
Dosseth	Kyllo	Robinson
Fraine	Morrison	Scott
Fried	Norheim	Stern
Hawkinson	Olsgard of Nelson	Stranahan
Homes		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Jordal	Peart
Doyle, of Foster	Kane	Thompson
Fassett	Knutson	Wambem
Gorder	Lageson	

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 173 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. DeNault explained his vote.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Boyd moved

That we do now concur in the Senate concurrent resolution relating to adjournment.

Mr. Sorlie moved

That the resolution be laid on the table.

Which motion was lost.

Mr. Burns moved

That the House do now adjourn.

Which motion was lost.

Mr. Jordal moved

The previous question.

The question being: shall the main question be now put, the same prevailed.

Mr. Ployhar moved

That the further consideration of the resolution be indefinitely postponed.

Which motion was lost.

Mr. Price moved

That the House do now adjourn.

Which motion was lost.

The question being on the original motion, the same prevailed by vive voca vote.

Roll call demanded and ordered.

Mr. Thompson appealed from the decision of the chair ordering roll call, and the chair was sustained.

The roll was called and there were 56 ayes, 38 nays; absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	O'Connor of Pembina
Akesson	Hedalen	Olgard of Nelson
Anderson, of Griggs	Heinemeyer	Olgard of Richland
Anderson, of Ramsey	Hoge	O'Shea
Andrus	Homnes	Paulson
Benson	Hyland	Pendray
Brusletten	Jordal	Price
Burnett	Knox	Putnam
Christenson	Kuhl	Ray
Cunningham	Law	Scott
Davidson	McClellan	Scheer
Dean	Moen of Benson	Sorlie
Doyle, of Foster	Moen of Cavalier	Stern
Doyle, of McIntosh	Morrison	Stranahan
Edwards	Moritz	Tande
Englund	Narum	Thompson
France	Nelson of Walsh	Tollefson
Fried	Norheim	Ulsaker
Gardiner	O'Connor of Gd. Forks	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hanson	Reeve
Boerner	Harty	Robinson
Bond	Hawkinson	Roquette
Boyd	Hersrud	Sauer
Burns	Hill, of Bottineau	Sgutt
Carey	Hill, of Cass	Streeter
Davis	Johns	Tostenson
DeLance	Johnson	Tuttle
DeNault	Kyllo	Walters
Dosseth	Martin	Whitmer
Fox	Nelson of Richland	Williams
Fraine	Nestos	Mr. Speaker
Fritz	Ployhar	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Kane	Lee
Fassett	Knutson	Peart
Gorder	Lageson	Wambem

Messrs. Collins, Fassett, Gorder, Kane, Knutson, Lageson, Peart and Wambem being excused.

So the concurrent resolution was concurred in.

The Speaker administered the oath of office to H. B. Halldorson as assistant bill clerk.

The privileges of the floor were extended to the following:

E. R. Bradley, of Valley City.

H. A. Hurd, of Minot.

E. C. Hilborn, of Valley City.

Mr. Catlin, of Minneapolis.

P. L. E. Godwin, T. P. Riley, J. H. Bowers, Robt. McCullough, of Fargo.

Harry M. Case, of Mackville.

Col. Riley, of Cass county.

Hon. John McGinnis, of Jamestown.

Mr. Price moved

That the House take a recess until 10 o'clock tomorrow.

Which motion prevailed,

The House took a recess until 10 o'clock tomorrow.

E. H. GRIFFIN,  
Chief Clerk.



THIRTY-FIRST DAY AFTER RECESS AND  
THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 3, 1911.

The House re-assembled at 10 o'clock a. m., pursuant to recess taken.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 182.

A bill for an act to amend Section 12 of Chapter 109 of the laws of North Dakota for 1907, relating to the percentage of votes required for nomination at primary elections.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 165.

A bill for an act to prohibit the granting to or use by any person of any free pass, frank, or special privilege withheld from any other person and fixing the penalty for the violation thereof, except as provided therein and to require the granting of free transportation to the board of railroad commissioners, their experts and their agents.

Was read the first and second times, and

Referred to the committee on railroads.

Senate Bill No. 154.

A bill for an act authorizing and directing the secretary of the State of North Dakota to loan the plates of the North Dakota supreme court reports covering volumes one to nineteen inclusive, and for prescribing the manner and conditions on which the said loan is to be made.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 147.

A bill for an act to amend Section 4048 of the Revised Codes of 1905, providing for the dissolution of marriage; the effect thereof and the duty of the court to regulate the re-marriage of either or both parties.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 54.

A bill for an act providing for the attendance of certain persons upon certain schools.

Was read the first and second times and

Referred to the committee on education.

Senate Bill No. 80.

A bill for an act to amend Section 2869 of the Revised Codes of 1905, as amended by Chapter 265 of the Session Laws of 1907, relating to the contracting of loans for the payment of corporate indebtedness and providing for the levy of taxes to pay final judgments rendered against villages and providing for the manner of collecting the same.

Was read the first and second times, and

Referred to the committee on municipal corporations.

Senate Bill No. 107.

A bill for an act to amend Section No. 2743 of the Revised Codes of North Dakota for 1905, relating to election districts and precincts.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 108.

A bill for an act to amend Section 2744 of the Revised Codes of North Dakota for 1905, relating to qualified voters and registration in cities.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 123.

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 131.

A bill for an act amending Sections 167, 169, 170, 171, 189 and 191 of the Revised Codes of North Dakota for 1905, relating to the appraisement and sale of school lands.

Was read the first and second times, and

Referred to the committee on school and public lands.

Senate Bill No. 56.

A bill for an act to enable cities in this state that may adopt or have adopted the commission form of government as provided in Chapter 45 of the Laws of 1907, to recall incompetent or dishonest elective officers by vote of the people; also providing for the initiative and referendum in city matters, defining the form of the petition required in the law and prescribing the manner in which a city which may adopt or has adopted the commission plan may return to the former system.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 36.

A bill for an act amending Section 616 of Article 6, Chapter 8 of the Revised Codes of 1905, titled Elections.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

There being no objections the House returned to the 7th order of business.

#### MOTIONS AND RESOLUTIONS.

Mr. Nestos moved

That the vote by which Senate Bill No. 87 was indefinitely postponed, be reconsidered.

Which motion prevailed, and

The vote by which Senate Bill No. 87 was indefinitely postponed was reconsidered.

Mr. Sorlie moved

That Senate Bill No. 87 be re-referred to the committee on municipal corporations.

Which motion prevailed, and

The bill was so re-referred.

Mr. Streeter moved

That the House pass to the 15th order of business.

Which motion prevailed.

#### GENERAL ORDERS.

Mr. Streeter moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed.

And the House resolved itself into a committee of the whole.

The Speaker called Mr. Streeter to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration:

House Bill No. 21.

A bill for an act to prohibit the removing of threshing machines or bundle wagons from one farm to another before cleaning, and providing penalties thereof.

And recommend that the same be amended as follows:

Section 1. Insert "Persons Liable, When.)" After the word "shall" insert "not move them from one farm onto or across another, either whole or in part, without having first thoroughly cleaned and swept them or obtained permission, to move onto or across such farms without such cleaning or sweeping, from the owners or occupants thereof." And that the balance of section 1 be stricken out.

In section 2. "Display Law, Where.)" After the word "upon" and before the word "machine," the word "his" be changed to "such."

And when so amended recommend the same do pass.

Also

House Bill No. 132.

A bill for an act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state, to equip locomotives with electric headlights.

And recommend that the same do pass.

Also,

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

And recommend that the same do pass.

Also

## House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

And recommend that the same be amended as follows:

In line 2 of printed bill, after the word "mill" insert "or any individual buying and shipping grain for profit."

In line 8, insert "mills" after the word "elevators."

In line 10, insert "mill" after the word "elevator."

After the figures "1905" in the title, strike out the words "Defining Public Warehouses" and insert "Relating to the Filing of Bonds by Public Warehouses."

And when so amended recommend the same do pass.

Also,

## House Bill No. 12.

A bill for an act to prohibit the use of public drinking cups in the state of North Dakota.

And recommend that the same be amended as follows:

By inserting the words "of Foster" after the word "Doyle" in the heading.

By inserting the words "and providing a penalty for a violation thereof" after the word "Dakota" in the title thereof.

"By inserting the words "public drinking cups prohibited" after words "Section 1."

By inserting the words "duty of school and other officers" after words "Sec. 2."

By inserting word "penalty" after words "Sec. 3."

And when so amended recommend the same do pass.

Also

## House Bill No. 84.

A bill for an act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

And recommend that the same be amended as follows:

By inserting after the words "Section 2" the word "emergency."

And when so amended recommend the same do pass.

Also,

## House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

And recommend that the same do pass.

Also,

## House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

And recommend that the same be amended as follows:

In line 8 of the printed bill, strike out the words "and other improvements."

Line 5, after the word "on" insert the words "taxes and parts of taxes and."

Line 6, after the word "to" strike out the words "cities and all," and insert the words "organized townships and incorporated villages, towns and cities and school districts therein, and special assessments made for drains and other improvements."

Line 7, after the word "the" strike out the remainder of the line and all of lines 8 and 9, and insert the words "township, village, town, city or school district therein, or drainage or other improvement fund for which was levied the tax or special assessment upon which the penalty and interest is collected."

And when so amended recommend the same do pass.

D. R. STREETER,  
Chairman.

Mr. Burnett moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Dean moved

That the house do now adjourn.

Which motion prevailed.

And the house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 3, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Aasheim, Anderson of Griggs, Anderson of Ramsey, Andrus, Benson, Bjornson, Boyd, Brusletten, Carey, Christenson, Collins, Davidson, Doyle of Foster, Doyle of McIntosh, Edwards, Englund, Fassett, Gardiner, Geiger, Gorder, Hanson, Kane, Knutson, Kuhl, Lageson, Law, Lee, Moen of Benson, Moen of Cavalier, Morrison, Moritz, Nelson of Walsh, Nestos, O'Connor of Grand Forks, Olsgard of Richland, Paulson, Peart, Putnam, Sauer, Scott, Scheer, Sgutt, Stern, Stranahan, Tande, Thompson, Ulsaker and Wambem, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 31st day, have carefully examined the same and recommend that the same be corrected as follows:



Add after the word "bill" in line 1, page 36, "as amended."  
Page 18, line 15, insert after the word "and" the word "election."  
Page 18, line 30, insert after the word "and" the word "election."

And when so corrected recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 28.

A bill for an act providing a penalty for obstructing water courses or diverting the water therefrom.

And find the same correctly re-engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 133.

A bill for an act to amend Section 2763 of the Revised Codes of the State of North Dakota for the year 1905, providing for the vacation of streets and alleys, establishing the procedure and providing for an appeal.

Also

House Bill No. 135.

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.

Also

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Also,

House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state, reports as required by and under Section 4186, Revised Codes of 1905.

Also

House Bill No. 112.

A bill for an act amending Section 2400 of the Revised Codes of 1905, relating to additional powers of the board of county commissioners.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on forestry made the following report:

Mr. Speaker:

Your committee on forestry to whom was referred

House Bill No. 172.

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota of 1905, relating to proof of planting trees.

Have had the same under consideration and recommend that the same do pass.

E. J. MOEN,  
Chairman.

Mr. Moen moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on appropriations made the following report:

Mr. Speaker:

The committee on appropriations to whom was referred  
House Bill No. 16.

A bill for an act entitled, an act to appropriate the sum of ninety thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 72.

A bill for an act to appropriate the sum of sixty-five thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 5.

A bill for an act to appropriate the sum of fifty-five thousand dollars, or as much as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 124.

A bill for an act relating to the construction of public buildings, prescribing the duties of boards of trustees thereof in the matter of securing plans and specifications, advertising for bids, letting contracts, allowance and payment of estimates, payment of premiums on contractor's bonds, and insurance on unfinished buildings and material on the ground, and protecting architects, contractors, manufacturers and producers resident within the state of North Dakota.

Have had the same under consideration and recommend that the printed bill be amended as follows:

Section 1, line 2, strike out the word "and."

Section 2, lines 16 and 17, strike out "designated therein" and insert after the word "bank," "of North Dakota."

Section 3, line 4, after the word "exchange," insert "maintaining an office in the state of North Dakota." Lines 6 and 7, strike out "and maintaining an office within the state of North Dakota."

Section 4, line 4, after the word "practicable" insert "and deemed by said board to be for the best interests of the state."

Section 5, line 7, strike out after the word "seventy" the word "five."

Section 5, line 16, strike out the word "ten" and insert "thirty."

Section 5, line 18, strike out the word "seven" and insert "six."

Section 6, line 8, after the word "purpose" add "until the building for which the appropriation was made is fully completed and paid for."

Section 7, line 6, strike out the word "or" and insert "and."

Section 10, line 1, strike out the words "neither of said" and insert "no." Line 3, strike out "said" and insert "such."

Section 11, line 7, insert after the words "direction of the" the words "architect and."

Line 11, after the word "superintendent" insert "and architect."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

## REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee appointed to examine into the conditions of the state capitol building, the power house and electric railroad, beg leave to submit the following report:

We have carefully examined the exterior and interior walls of the building as well as the interior of every room in the building, the heating, ventilating and lighting system as well as the power house, electric road and equipment. We find the exterior walls of those parts of the building erected in 1889 and 1894 in dangerous condition, due to serious defects, probably owing to settlement of the foundations and the weight imposed upon the different floors, and to the deterioration of the material used in construction. In our opinion these exterior walls are in a dangerous condition, and if the ordinances of the city of Bismarck provided for a building inspector with close inspection of public buildings, it would probably be condemned as unsafe.

The roof of the entire structure is in a deplorable condition, and although it has had continuous repairs annually, yet it admits storm water to the interior of the building, causing the crumbling and falling of the plaster in many of the rooms and discoloring of others. There is not a single room in the two older parts of the building but shows the effects of storm water coming through the roof and walls of the building.

The interior walls of the building show bad cracks in many of the arches, and in our opinion are unsafe. The floor in the rotunda between the House and Senate chambers in our opinion is unsafe today, even though it has been shored up by the superintendent of the building.

The plaster on the ceilings and walls of the entire building in order to be safe and to look reasonably well for a capitol building of this state,

should be entirely removed and renewed. The floors of the rotundas and corridors in the two older parts of the building are unsightly and should be removed and replaced by floors more sightly and substantial. -

We find that there is practically no ventilation of the entire building. The plumbing in all of the toilet rooms is unquestionably unsanitary and dangerous to the health of the occupants.

It is questionable whether the storage vaults in the older parts of the building would stand the heat caused by the burning of the building. The heating system of the building is inadequate, out of date and expensive to maintain. The lighting system is giving fairly good satisfaction, but the installation is in such condition that we believe it to be dangerous.

We desire to call your attention to the fact that if a fire should break out in this building between the hours of six o'clock in the evening and eight o'clock in the morning, that it is improbable that any part of the building or its contents could be saved. This is due not only to the fact that we have no fire protection, but also to the fact that we have many small dark rooms in the basement and attic that are used for storage of unused material, papers and out of date reports, which would furnish ideal conditions for the progress of a fire and very poor conditions for fighting fire. The storage tanks with a combined capacity of approximately five thousand gallons are situated in the attic, and owing to the fact that they are used for the various closets as well as for fire protection and are filled by pump from the power house when empty, they are not at all times prepared for a fire, and the amount of hose and the men to man it in case a fire should get started would preclude the possibility of extinguishing a fire.

We find the building of the power plant to be in fair condition. The engines and generators are needing some repairs. The steam connections between the engines and the boilers are in poor conditions, should be overhauled and renewed. As far as we could determine the boilers are in fair condition, although the settings of these boilers should be rebuilt.

The electric connections from the power house to the building and to the street railroad line are in very poor condition. The pumps used for the boiler supply and for fire protection are in fairly good condition but in our opinion the fire protection pumping with its system of supply and distribution, is entirely inadequate for the service which would be required of it in case of fire.

We desire to call your attention to the fact that there is probably outside of the vaults in the capitol building one hundred thousand dollars worth of valuable material which is a constant hazard and risk which the state is carrying without any fire protection whatever. Much of this material is invaluable in that it could never be replaced should it be destroyed.

The carpenter shop, which is in the east wing of the old building, in our opinion is a positive menace to the building, and should be taken out at the earliest possible moment.

It also appears upon investigation that there is no room in any of the buildings suitable for holding the sessions of the supreme court. The old supreme court chamber on the third floor is in such a dilapidated condition that it is absolutely unsafe for this purpose, and entirely out of keeping with the needs of the court of this state. The sessions of the court are held sometimes in the senate chamber and other times in the House chamber, which are unsuited in every way for this purpose.

The attorney general, since the adjournment of the last legislasture,

and the convening of the present one, utilized the house retiring rooms and committee rooms, and since the convening of the present legislature has had a small room constructed in the east wing of the old building, which room is entirely inadequate for the work of this office.

There are but very few committee rooms for the various committees of the legislature, and consequently the committees are meeting in the office rooms in the building, and the meeting of these committees in these offices are a source of annoyance not only to the occupants of the rooms, preventing them from accomplishing but very little work while the legislature is in session, but are a source of annoyance and trouble to the members of the various committees themselves.

The grounds about the capitol building are small and not laid out with any preconceived plan or design as to future extension or beautifying.

In our opinion to attempt to repair the capitol building except as to adequate fire protection, would be neither economical or practical. We therefore recommend to the legislature now in session that immediate steps be taken looking to the construction of a new capitol building suitable to the needs and in keeping with the dignity of this state, and that steps also be taken at the same time to employ a competent landscape architect to design a plan for the improvement of the capitol grounds and park so that all future work in this direction may be done in a systematic manner.

Your committee also submits herewith, a report of Architect A. J. O'Shea, of Fargo, and request that the same be spread upon the Journal, with the report of the committee, and your committee recommends that Mr. O'Shea be allowed \$50.00 and expenses for the services rendered your committee upon submitting proper voucher to be audited by proper board and O. K'd by the chairman of your committee.

Respectfully submitted,

JAS. TURNER, Chairman.

GEO. P. HOMNES,

W. J. PRICE.

#### Report of Architect A. J. O'Shea:

The building generally, while in no immediate danger of collapse, shows serious indications of disintegration, and judging by the rapidity with which the faults have developed, will be untenable in five years from now, unless practically reconstructed, which would cost almost as much as a new building and result would be at best an undesirable structure.

In this report, therefore, only such repairs are considered as are necessary to render the building weatherproof, safe and habitable for from five to seven years.

#### OUTSIDE OF BUILDING.

An examination of the outside of the building shows innumerable cracks extending through the walls of the entire building, including the recent addition, indicating faulty or insufficient footings under the foundation walls. While there is no immediate danger of the collapse of any wall, the faulty or insufficient footings will in a comparatively short time cause the destruction of the building.

Removal of the footings and replacement of proper footings and removal and replacement of the face brick, while possible, would, from a commercial point of view, be inadvisable.

It would be advisable, however, as soon as the weather permits, to repair any cracked arches over windows or doors and to repair the brickwork at tops of outside walls where the same have been weather damaged.

It would be advisable to repair the cornice and roof gutters and rain leaders, to prevent further damage to the brickwork.

A new roof covered with metal flashings is absolutely necessary on the entire structure.

About one hundred eighty windows need refitting and weather proofing, as the windows are old and shrunken; this could be best done by using substantial zinc weather strips, and pointing all sills and flashing some sills.

There are some other minor repairs which it would be advisable to make on the outside of the building.

#### INSIDE OF BUILDING.

It is necessary to place substantial beams and posts in the rotunda in basement and on first floor, also a steel beam under one wall of the library, over the west corridor on first floor.

An examination of the roof of the old part of the structure shows the main supporting trusses in apparent good condition, but the lighter beams and struts and joists are insufficient to carry a moderate snow load, and immediate steps should be taken to reinforce the roof, care being taken to allow practically no snow to lay on the roof until it is properly strengthened.

It is advisable to place proper steps or step-ladders at various points on the upper story, to the attic and in the attic where the levels differ, and proper board runways should be placed in the attic so that access could be had to the different parts of the attic without danger of damaging the plaster.

It would be advisable to remove the water tanks from the attic.

Wherever the plastering is loose, the lath as well as the plaster should be removed and replaced with new materials. This would apply to all ceilings which have not been replaced in recent years.

All walls and ceilings of all rooms and offices should be tinted in colors without any attempt at ornamentation. It would not be necessary to re-decorate any of the rooms or offices where no plastering has to be removed or patched.

It would be advisable to give all varnished woodwork a coat of varnish, half rubbed, after all minor repairs are made to doors, windows and other woodwork.

It is advisable that the supreme court be provided with a new court room, utilizing the old senate chamber for that purpose, lowering part of the ceiling to restore the symmetry of the room, replastering all walls and ceiling, burlapping the walls and ceiling, panelling the ceiling and wainscoting the room with marble, the object being to give to the room a simple elegance commensurate with the dignity of its use. The marble, the most expensive item in the treatment of the court room, could be re-used in another structure with very little loss in value.



The electric wiring is in very bad condition and should be repaired so as to lessen the risk from fire.

The steam and water pipes to the power house should be dug up and properly covered.

No tunnel is recommended for the same at this time.

The boilers in the power house should be re-set as soon as possible. The brick work of same is in very bad condition.

To improve the water supply, it is advised that a pneumatic system be procured, the tank of suitable capacity being placed in the basement of the capitol building, and a gasoline engine and pump installed in the power house and connected to the tank by proper piping.

This style of water supply system is an improvement on the elevated tank or stand pipe.

While the plumbing is not what is called first class, no changes to the same are herein considered.

While there is practically no systematic ventilation in the building, no installation of mechanical ventilation is herein considered, in view of the expense of same and the depreciating character of the building.

The cost of making the repairs and improvements herein advised would be a sum not amounting to over seventeen thousand five hundred (\$17,500) dollars.

Scaffolding and repairing brickwork .....	\$ 600.00
Repairing cornice work, gutters and water leaders.....	500.00
Seven year composition roof .....	1,325.00
Repairing and putting zinc weather strips on 180 windows.....	720.00
Steel beams and posts in place .....	700.00
Strengthening roof .....	1,000.00
Steps, ladders and gangways .....	150.00
Plastering .....	2,000.00
Decorating and painting .....	2,000.00
New court room .....	3,200.00
Electric wiring .....	800.00
Repairs to steam mains and boxing same and digging.....	450.00
Brickwork and repairs in power house .....	800.00
Pneumatic water supply .....	2,000.00
Contingencies .....	2,000.00
	\$17,445.00

### A minority of your committee make the following report :

While the state of North Dakota is badly in need of a new capitol building, the financial conditions prevailing in the state and country generally are not now favorable for the securing of the amount of money required.

The recent failure of crops has caused a shrinkage of local money supplies and the suspension of land sale has so depressed the prices for farm lands that the state lands available for the construction of a capitol, if sold now, could not realize anything like full value.

With the subsiding of political unrest and a return to normal conditions and bountiful crops, Capitol lands can be sold at reasonable value and other means provided for a new building without burdening the people with new taxation.

Hence it is the recommendation of your committee that only necessary repairs be made on the present building until such time as financial and other conditions may warrant the building of a new Capitol.

JAMES KENNEDY,

Mr. Fraine moved

That the reports be printed in the Journal.

Which motion prevailed.

Mr. Price moved

That the report of the committee on mileage and per diem, as submitted to the House on the 31st day, be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 3, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 1.

An act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for furnishing samples of seed grain and otherwise co-operating with farmers; for publishing reports and bulletins, for analysis of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws and for making other experiments.

Also

Senate Bill No. 21.

A bill for an act to appropriate the sum of sixty thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Also

Senate Bill No. 51.

A bill for an act amending and re-enacting Section 2613 of the Revised Codes of 1905, relating to the compensation of county commissioners.

Also,

Senate Bill No. 138.

A concurrent resolution to amend Section 158 of the Constitution of the State of North Dakota, governing the sale of school lands to railroad companies.

Also,

Senate Bill No. 168.

A bill for an act amending Section 1968 of the Revised Codes of 1905, known as the state bounty for wolves and coyotes.

Also,

Senate Bill No. 169.

A bill for an act indemnifying owners for horses killed or destroyed according to law for being affected with the disease known as glanders.

Also

Senate Bill No. 176.

A bill for an act providing for the appointment of county superintendents of highways and deputy superintendents in organized counties, who shall have charge and supervision of the construction, improvement and maintenance of roads within said counties, providing for road institutes, prescribing the duties of the state engineer in connection therewith.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith,

House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Also

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Also,

House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised

Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Also,

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

Which the Senate has passed unchanged.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 3, 1911.

Mr. Speaker:

I have the honor to request the return of Senate Bill No. 138, transmitted to the House this day.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Hedalen moved

That the rules be suspended and the request of the Senate for the return of Senate Bill No. 138 be granted.

Which motion prevailed, and

Senate Bill No. 138 was returned to the Senate.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Fraine introduced

House Bill No. 281.

A bill for an act to authorize a popular vote upon the question of calling a delegate convention to amend and revise the Constitution of the state of North Dakota.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Kylo (by request) introduced

House Bill No. 282.

A bill for an act to regulate clearance of obstructions on

railroads.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Davis introduced

House Bill No. 284.

A bill for an act to amend Section 4177 of the Revised Codes of North Dakota of 1905, as amended by Chapter 64 of the Laws of North Dakota of 1909, relating to fees for filing articles of incorporation.

Which was read the first and second times and

Referred to the committee on corporations other than municipal.

Mr. Hyland introduced

House Bill No. 285.

A bill for an act to amend Section 9445 of the Revised Codes of North Dakota for 1905, relating to unlawful obligations in writing.

Which was read the first and second times and

Referred to the committee on live stock.

Mr. Hyland introduced

House Bill No. 286.

A bill for an act to provide for the completion of a school building and making necessary improvements at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 3, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Resolved by the Senate, the House of Representatives Concurring:*

THAT, WHEREAS, The Legislative Assembly is about to adjourn for several days; and

WHEREAS, It is usual and customary to appoint committees to visit the public institutions of the state and report their conditions and needs;

*Therefore, Be it Resolved:*

That four committees of five members, consisting each of three members of the House and two of the Senate, be appointed to act jointly and visit all public institutions and report at an early date their conditions and needs.

Which the Senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Sorlie moved

That the House pass to the 12th order of business.

Which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Hedalen moved

That the House do now concur in the Senate concurrent resolution relating to the appointment of committees to visit the several public institutions of the state.

Which motion prevailed, and

The concurrent resolution was concurred in.

The Speaker appointed as House members on the four committees to visit the several public institutions of the state, Messrs. Fox, Hoge, De Lance, Whitmer, Johns, Streeter, Dean, Burns, Hyland, France, Johnson and Sorlie.

The Speaker called Mr. Fraine to the chair.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 51.

A bill for an act amending and re-enacting Section 2613 of the Revised Codes of 1905, relating to the compensation of county commissioners.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 1.

An act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for furnishing samples of seed grain and otherwise co-operating with farmers; for publishing reports and bulletins, for analysis of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws and for making other experiments.

Was read the first and second times, and

Referred to the committee on appropriations.

Senate Bill No. 21.

A bill for an act to appropriate the sum of sixty thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Was read the first and second times, and

Referred to the committee on appropriations.

Senate Bill No. 176.

A bill for an act providing for the appointment of county superintendents of highways and deputy superintendents in organized counties, who shall have charge and supervision of the construction, improvement and maintenance of roads within said counties, providing for road institutes, prescribing the duties of the state engineer in connection therewith.

Was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

Senate Bill No. 169.

A bill for an act indemnifying owners for horses killed or destroyed according to law for being affected with the disease known as glanders.

Was read the first and second times, and

Referred to the committee on appropriations.

Senate Bill No. 168.

A bill for an act amending Section 1968 of the Revised Codes of 1905, known as the state bounty for wolves and coyotes.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Mr. De Nault asked unanimous consent to return to the 10th order of business.

There being no objections, the House returned to the 10th order of business.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Tuttle introduced

House Bill No. 287.

A bill for an act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

Which was read the first and second times and

Referred to the committee on highways, bridges and ferries.

Mr. De Nault introduced

House Bill No. 288.

A bill for an act to amend Section 9319 of the Revised Codes of North Dakota for 1905, relating to the abuse of domestic animals and providing punishment therefor.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Homnes introduced

House Bill No. 289.

A bill for an act to divide the state of North Dakota into two congressional districts and defining the boundaries thereof.

Which was read the first and second times, and

Referred to the committee on apportionment.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:



SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 3, 1911.

Mr. Speaker:

I have the honor to inform you that the President of the Senate has named as members of the institution's visiting committee, Messrs. Linde, Bessesen, Carter, Jacobsen, Young, Overson, Trimble, Putnam.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

The privileges of the floor were extended to the following:

Hon. J. A. Buchanan of Stutsman county.

A. G. Divet of Wahpeton.

Dr. P. N. Labuge of Williston.

W. D. Gillispie of Cass.

Henry O. Gardner of Forman.

Olaf Enger of Crete.

Mr. Streeter moved

That the House pass the 14th order of business.

Which motion prevailed.

Mr. Price moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Price to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 11.

A bill for an act to create a permanent non-partizan tax commission, defining its power and duties and making an appropriation for the maintenance thereof.

And recommend that the same be amended as follows:

In line 2 of the title change the word "power" to "powers."

In line 13 of Section 4 of the printed bill strike out the word "or" and insert the word "of."

In line 4 of Section 6 of the printed bill insert the words "four hundred" between the words "thousand" and "dollars."

At the close of Section 8 change the period to a comma and add "but the total amount to be expended for such office supplies and traveling expenses shall not exceed the sum of \$4,500."

In line 18 of Section 9 of the printed bill strike out the word "to" and insert the word "in."

In line 19 of Section 9 strike out the word "judge" and insert the word "court."

In lines 33 and 34 of Section 9 strike out the words "devise" and "prescribe" and insert the words "make needed recommendations for."

Strike out lines 99, 100, 101 and 102 of Section 9 of the printed bill.

Strike out all after the words and figures "Section 11" in line 1 of Section 11 of the printed bill and insert in lieu thereof the following: (METHOD OF REASSESSMENT. PAYMENT OF ASSESSOR.) For the purpose of making a reassessment of property as provided in subsection 18 of Section 9 of this act, the tax commission is hereby authorized to appoint such assessor or assessors as may be needed, who shall make a reassessment of the property, or of the assessment district or districts specified by the commission, in accordance with the provisions of law now governing local assessors, and such assessor shall be allowed for his services the sum of \$5.00 per day and his necessary expenses to be itemized and sworn to by the party incurring the expenses and approved by the commission, and the tax commission is hereby authorized and empowered to certify the expenses of such reassessment to the auditor of the county in which such reassessment has been made, who shall promptly issue his warrant on the county treasurer payable out of the general fund of the county, said fund to be reimbursed out of the moneys due the taxing district in which the reassessment was made at the next settlement of collection of taxes.

After the words and figures "Section 14" in line 10 of Section 14 strike out the balance of the Section and insert the following: (APPROPRIATION.) There is hereby annually appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of \$19,500, or as much thereof as may be needed for the purpose of carrying out the provisions of this act.

The committee further recommends that the act be further amended by inserting the following sub-headings:

"Section 1. Tax Commission. Creation Of.)"

"Section 2. Appointment Of. Term Of Office Defined.)"

"Section 3. Vacancies. How Filled.)"

"Section 4. Qualification Of.)"

"Section 5. Oath. Salary.)"

"Section 6. Organization. Salary of Secretary. Quorum. Place of Meeting.)"

"Section 7. Assistants. Appointment and Salary. Rules.)"

"Section 8. Expenses of. Supplies and Travel.)"

"Section 9. Powers and Duties of.)"

"Section 10. Legal Procedure.)"

"Section 12. Repeal.)"

"Section 13. Constitutionality.)"

After the word "to" in line 79, page 9, the word "assess" be stricken out and the following words inserted, "cause to be assessed."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 22.

An act requiring railroad companies to provide suitable rooms in railroad station waiting rooms, or in places adjacent thereto.

And recommend that the same be amended as follows:

By inserting after "Section 1" the words, "Railroad companies to maintain toilet room in certain cases. Power of Railroad Commissioners.)"

By inserting after "Sec. 2" the word "Penalty.)"

By striking out all of section 3.

And when so amended recommend the same do pass.

Also,

House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

And recommend that the same be re-referred to the committee on drainage.

Also

House Bill No. 97.

A bill for an act to amend Section 2869 of the Revised Codes of 1905 providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

And recommend that the same be amended as follows:

By striking out brackets around the word "this" in fifth line.

Insert word "shall" between words "petition" and "have" in fifth line.

Title by inserting after "1905" the words, "as amended by Chapter 265 of the Laws of North Dakota of 1907."

In section 1, line 2, after word "1905" insert, "as amended by Chapter 265 of the laws of North Dakota of 1907."

And when so amended recommend the same do pass.

Also,

House Bill No. 153.

A bill for an act to amend and re-enact Section 1597 of Chapter 219, Laws of 1907, relative to duty of county auditor, and requirements of tax deeds.

And recommend that the same be amended as follows:

In line 26 of the printed bill, insert the word "errors" between the words "correcting" and "in."

Add "(Sec. 2. Repeal.) All acts or parts of acts in conflict with the provisions of this act are hereby repealed."

And when so amended recommend the same do pass.

Also,

House Bill No. 163.

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

And recommend that the same be amended as follows:

In line 39 of the printed bill, strike out the word "the" and insert the word "such." In line 42 of the printed bill, strike out the word "of" and insert the word "for." In line 60 of the printed bill, insert the word "collected" between the words "taxes" and "as." And in line 66, insert the word "delinquent" between the words "original" and "tax."

In line 58, after the word "five" strike out the word "in" and insert the letter "a."

And when so amended recommend the same do pass.

Also

Senate Bill No. 77.

A bill for an act to amend and re-enact Section 3 of Chapter 175 of the Laws of North Dakota for 1909, being an act to provide indeterminate sentences of persons convicted of certain crimes, providing for a board of experts empowered to prescribe suitable rules of conduct and treatment, and to determine how and when a person sentenced under this act shall be paroled or released.

And recommend that the same be amended as follows:

Section 3, after the word "parole" at the last of the section, to read as follows:

"Further it shall be the duty of the field officer to devote all of his time to the discharge of his duties as field officer, and such other duties as may be assigned to him in connection with the state penitentiary and the state penitentiary twine plant and other industries maintained by the state at the North Dakota State Penitentiary, and that he shall at all times be subject to the order of the warden of the state penitentiary, and he shall make reports direct to the warden on all matters pertaining to his duties as field officer and other duties to which he may be assigned."

And strike out the emergency clause.

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

The Speaker in the chair.

Mr. Fraine moved

That the report be adopted.

Mr. De Nault moved

That the House do now adjourn until 2 o'clock p. m.,  
Tuesday, February 7.

Which motion prevailed, and

The House adjourned until 2 o'clock p. m., February 7.

E. H. GRIFFIN,  
Chief Clerk.

THIRTY-SIXTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 7, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Anderson of Ramsey, Benson, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, who were excused.

The Speaker invited the Hon. Treadwell Twichell to a seat with the Speaker.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 31st day after recess, and the 32nd day, have carefully examined the same and recommend that the same be corrected as follows:

On page 6 on line 3, take out the word "House" and insert in lieu thereof the word "Senate." Also take out title following and insert in lieu thereof title of Senate Bill No. 16.

And when so corrected recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on revision and correction of the Journal of the 31st day after recess, and on the 32nd day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2 on line 22, strike out the words "Taxes and tax laws" and insert in lieu thereof the word "Education."

And when so corrected recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Legislative Assembly of the State of North Dakota:

Gentlemen: We, the undersigned resident electors of the county of Pembina, North Dakota, respectfully petition your honorable body to have the game law amended so as to permit the shooting of geese from the first day of March to the tenth day of May of each year. And your petitioners will ever pray.

CHAS. A. KING AND 75 OTHERS.

Dickinson, North Dakota,

February 6, 1911.

We, the undersigned, members of subdivision No. 279 of the Brotherhood of Locomotive Engineers, do hereby petition the Twelfth Legislative Assembly to pass House Bill No. 132, as distinctly in the interest of the safety and welfare of the employes and travelers on the railroads of our state.

C. D. LITCH AND ELEVEN OTHERS.

Minot, North Dakota,

February 4, 1911.

We, the undersigned, members of subdivision No. 695 of the Brotherhood of Locomotive Engineers, do hereby petition the Twelfth Legislative Assembly to pass House Bill No. 132, as distinctly in the interest of the safety and welfare of the employes and travelers on the railroads of our state.

FRED ALMY, ENGINEER, AND SEVEN OTHERS.

Minot, North Dakota,

February 4, 1911.

We, the undersigned, members of subdivision No. 695 of the Brotherhood of Locomotive Engineers, do hereby petition the Twelfth Legislative Assembly to pass House Bill No. 132, as distinctly in the interest of the safety and welfare of the employes and travelers on the railroads of our state.

ANTON ALBERTSON AND TEN OTHERS.

## REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

And find the same correctly re-engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.



Also,

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 12.

A bill for an act to prohibit the use of public drinking cups in the state of North Dakota.

Also,

House Bill No. 21.

A bill for an act to prohibit the removing of threshing machines or bundle wagons from one farm to another before cleaning, and providing penalties thereof.

Also,

House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Also

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Also

House Bill No. 84.

A bill for an act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

Also

House Bill No. 132.

A bill for an act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state, to equip locomotives with electric headlights.

Also

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Also

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

Also

House Bill No. 72.

A bill for an act to appropriate the sum of sixty-five thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Also

House Bill No. 172.

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota of 1905, relating to proof of planting trees.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

## House Bill No. 165.

A bill for an act to create a bureau of inspection and supervision of public offices, and to establish a uniform system of public accounting, auditing and reporting, under the administration of the state examiner.

Have had the same under consideration and recommend that the same be amended as follows:

Title.—Line 3 in the title, after the word "examiner," insert the following: "and making an appropriation therefor."

Section 1 of the printed bill, line 1, after the figure 1, "creating with bureau of inspection and supervision of public affairs."

Section 7 of the printed bill, line 1, after figure 7, insert the following: "Assistant Examiner, by Whom Appointed. Salary.)"

Section 9 of the printed bill, line 1, after the figure 9, insert the following: "Claims. Inspection of.)"

Section 10 of the printed bill, line 1, strike out all of section 10 after the figure 10, and insert the following:

Sec. 10. Appropriation.) There is hereby annually appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of \$10,000.00, or as much thereof as may be needed for the purpose of carrying into effect the provisions of this act."

Section 12, line 1, after figure 12, insert the following: "County Auditor. Deputy Supervisor."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 7, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 63.

A bill for an act to prohibit the importation, manufacture, distribution, transportation, sale, or use of snuff, and providing a penalty therefor.

Also

Senate Bill No. 69.

A bill for an act to amend Section 2592 of the Revised Codes of North Dakota for 1905, as amended by Chapter 70 of the Laws of the State of North Dakota for 1907, relating to the salary of county auditors.

Also

Senate Bill No. 142.

A bill for an act to amend Sections 1821 and 1828 of the Revised Codes of 1905, as amended in Chapter 93 of the Session Laws of 1907, and also to amend Section 1825 of the Revised Codes of 1905, relating to drainage.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

**J. W. FOLEY,**  
**Secretary.**

#### UNFINISHED BUSINESS.

Mr. Sorlie moved

That the report of the committee of the whole of February 3rd, on pages 26, 27, 28 and 29, be adopted, except that part relating to House Bill No. 26.

Mr. Price moved, as an amendment,

That Senate Bill No. 77 be stricken from the report and re-referred to the committee on state affairs.

Which motion prevailed.

Mr. Sorlie moved, as an amendment,

That House Bill No. 26 be re-referred to the committee of the whole.

Which motion prevailed.

The question being upon the original motion as amended, the same prevailed.

So the bills were so re-referred and the report of the committee was adopted, except as to House Bill No. 26 and Senate Bill No. 77.

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**INTRODUCTION, FIRST AND SECOND READING  
OF HOUSE BILLS.**

Mr. Hawkinson introduced

House Bill No. 290.

A bill for an act to amend and re-enact Chapter 221 of the Session Laws of North Dakota of 1907, entitled, an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Ulsaker introduced

House Bill No. 291.

A bill for an act to amend Chapter 93 of the Session Laws of 1909, relating to compensation of election officers and rental of polling places.

Which was read the first and second times, and

Referred to the committee on elections and election privileges.

Mr. Hyland (by request) introduced

House Bill No. 292.

A bill for an act to amend Section 7045 of the Revised Codes of 1905, relating to the calling of another judge on account of prejudice or bias.

Which was read the first and second times and

Referred to the committee on judiciary.

**THIRD READING OF HOUSE BILLS.**

House Bill No. 28.

A bill for an act providing a penalty for obstructing water courses or diverting the water therefrom.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 75 ayes, no nays, 28 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Olgard of Richland
Akesson	Hedalen	O'Shea
Anderson, of Griggs	Heinemeyer	Paulson
Andrus	Hoge	Peart
Boyd	Hill, of Bottineau	Pendray
Bond	Hill, of Cass	Ployhar
Bjornson	Hyland	Price
Burnett	Johns	Putnam
Burns	Johnson	Ray
Christenson	Knox	Reeve
Cunningham	Knutson	Robinson
Davis	Kyllo	Sorlie
Dean	Lageson	Stern
DeLance	Lee	Stranahan
DeNault	Martin	Streeter
Dosseth	McClellan	Tande
Doyle, of Foster	Moen of Benson	Tollefson
Edwards	Moen of Cavalier	Tostenson
Fox	Moritz	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Walters
Fritz	Nestos	Wambem
Gardiner	Norhelm	Whitmer
Hanson	O'Connor of Pembina	Williams
Harty	Olgara of Nelson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	France	Morrison
Benson	Geiger	Narum
Boerner	Gorder	O'Connor of Gd. Forks
Brusletten	Hersrud	Roquette
Carey	Homnes	Sauer
Collins	Jordal	Scott
Davidson	Kane	Scheer
Doyle, of McIntosh	Kuhl	Sgutt
Englund	Law	Thompson
Fassett		

Messrs. Anderson of Ramsey, Benson, Boerner, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Law, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Scheer, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Fried moved

That the vote by which House Bill No. 28 passed, be reconsidered and the motion to reconsider be laid on the table

Which motion prevailed.

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 77 ayes, no nays, 26 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Shea
Akesson	Heinemeyer	Paulson
Anderson, of Griggs	Hoge	Peart
Andrus	Hill, of Bottineau	Pendray
Bjornson	Hill, of Cass	Ployhar
Bond	Hyland	Price
Boyd	Johns	Putnam
Burnett	Johnson	Ray
Burns	Knox	Reeve
Christenson	Knutson	Robinson
Cunningham	Kyllo	Scheer
Davis	Lageson	Sorlie
Dean	Law	Stern
DeLance	Lee	Stranahan
DeNault	Martin	Streeter
Dosseth	McClellan	Tande
Doyle, of Foster	Moen of Benson	Tollefson
Edwards	Moen of Cavalier	Tostenson
Fox	Moritz	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Walters
Fritz	Nestos	Wambem
Gardiner	Norheim	Whitmer
Hanson	O'Connor of Pembina	Williams
Harty	Olsgard of Nelson	Mr. Speaker
Hawkinson	Olsgard of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fassett	Morrison
Benson	France	Narum
Boerner	Geiger	O'Connor of Gd. Forks
Brusletten	Gorder	Roquette
Carey	Hersrud	Sauer
Collins	Homes	Scott

Messrs.—	Messrs.—	Messrs.—
Davidson	Jordal	Sgutt
Doyle, of McIntosh	Kane	Thompson.
Englund	Kuhl	

Messrs. Anderson of Ramsey, Benson, Boerner, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Gieger, Gordner, Hersrud, Homnès, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

House Bill No. 133.

A bill for an act to amend Section 2763 of the Revised Codes of the State of North Dakota for the year 1905, providing for the vacation of streets and alleys, establishing the procedure and providing for an appeal.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 75 ayes, no nays, 28 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Shea
Akesson	Heinemeyer	Paulson
Anderson, of Griggs	Hoge	Peart
Andrus	Hill, of Bottineau	Pendray
Bjornson	Hill, of Cass	Ployhar
Bond	Hyland	Price
Boyd	Johns	Putnam
Burnett	Johnson	Ray
Burns	Knox	Reeve
Christenson	Knutson	Robinson
Cunningham	Kyllo	Scheer
Davis	Lageson	Sorlie
Dean	Law	Stern
DeLance	Lee	Stranahan
DeNault	McClellan	Streeter
Dosseth	Moen of Benson	Tande
Doyle, of Foster	Moen of Cavalier	Tollefson
Edwards	Moritz	<del>Tostenson</del>
Fox	Nelson of Richland	Tuttle
Fried	Nelson of Walsh	Ulsaker
Fritz	Nestos	Walters
Gardiner	Norheim	Wambem
Hanson	O'Connor of Pembina	Whitmer



Messrs.—  
Harty  
Hawkinson

Messrs.—  
Olsgard of Nelson  
Olsgard of Richlaud

Messrs.—  
Williams  
Mr. Speaker

Absent and not voting:

Messrs.—  
Anderson, of Ramsey  
Benson  
Boerner  
Brusletten  
Carey  
Collins  
Davidson  
Doyle, of McIntosh  
Englund  
Fassett

Messrs.—  
France  
Fraine  
Geiger  
Gorder  
Hersrud  
Homnes  
Jordal  
Kane  
Kuhl

Messrs.—  
Martin  
Morrison  
Narum  
O'Connor of Gd. Forks  
Roquette  
Sauer  
Scott  
Sgutt  
Thompson

Messrs. Anderson of Ramsey, Benson, Boerner, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Fraine, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Martin, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. De Lance moved

That the vote by which House Bill No. 133 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state, reports as required by and under Section 4186, Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 76 ayes, no nays, 27 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Aasheim  
Akesson  
Anderson, of Griggs  
Andrus

Messrs.—  
Heinemeyer  
Hoge  
Hill, of Bottineau  
Hill, of Cass

Messrs.—  
O'Shea  
Paulson  
Peart  
Pendray

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hyland	Ployhar
Bond	Johns	Price
Boyd	Johnson	Putnam
Burnett	Knox	Ray
Burns	Knutson	Reeve
Christenson	Kyllo	Robinson
Cunningham	Lageson	Scheer
Davis	Law	Sorlie
Dean	Lee	Stern
DeLance	Martin	Stranahan
DeNault	McClellan	Streeter
Dosseth	Moen of Benson	Tande
Doyle, of Foster	Moen of Cavalier	Tollefson
Edwards	Moritz	Tostenson
Fox	Nelson of Richland	Tuttle
Fried	Nelson of Walsh	Ulsaker
Fritz	Nestos	Walters
Gardiner	Norheim	Wambem
Hanson	O'Connor of Pembina	Whitmer
Harty	Olsgard of Nelson	Williams
Hawkinson	Olsgard of Richland	Mr. Speaker
Hedalen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fassett	Kuhl
Benson	France	Morrison
Boerner	Fraine	Narum
Brusletten	Geiger	O'Connor of Gd. Forks
Carey	Gorder	Roquette
Collins	Hersrud	Sauer
Davidson	Homnes	Scott
Doyle, of McIntosh	Jordal	Sgutt
Englund	Kane	Thompson

Messrs. Anderson of Ramsey, Benson, Boerner, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Fraine, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Gardiner moved

That the vote by which House Bill No. 55 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 112.

A bill for an act amending Section 2400 of the Revised Codes of 1905, relating to additional powers of the board of county commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 76 ayes, no nays, 27 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	O'Shea
Akesson	Hoge	Paulson
Anderson, of Griggs	Hill, of Bottineau	Peart
Andrus	Hill, of Cass	Pendray
Bjornson	Hyland	Ployhar
Bond	Johns	Price
Boyd	Johnson	Putnam
Burnett	Knox	Ray
Burns	Knutson	Reeve
Christenson	Kylo	Robinson
Cunningham	Lageson	Scheer
Davis	Law	Sorlie
Dean	Lee	Stern
DeLance	Martin	Stranahan
DeNault	McClellan	Streeter
Dosseth	Moen of Benson	Tande
Doyle, of Foster	Moen of Cavalier	Tollefson
Edwards	Moritz	Tostenson
Fox	Nelson of Richland	Tuttle
Fried	Nelson of Walsh	Ulsaker
Fritz	Nestos	Walters
Gardiner	Norheim	Wambem
Hanson	O'Connor of Pembina	Whitmer
Harty	Olsgard of Nelson	Williams
Hawkinson	Olsgard of Richland	Mr. Speaker
Hedalen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fassett	Kuhl
Benson	France	Morrison
Boerner	Fraine	Narum
Brusletten	Geiger	O'Connor of Gd. Forks
Carey	Gorder	Roquette
Collins	Hersrud	Sauer
Davidson	Homnes	Scott
Doyle, of McIntosh	Jordal	Sgutt
Englund	Kane	Thompson

Messrs. Anderson of Ramsey, Benson, Boerner, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Fraine, Gieger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks., Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Law moved

That the vote by which House Bill No. 112 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 135.

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.

Was read the third time.

Mr. Price moved

That the bill be re-referred to the committee on elections and election privileges.

Which motion prevailed, and

The bill was so referred.

House Bill No. 172.

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota of 1905, relating to proof of planting trees.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 78 ayes, no nays, 25 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olsgard of Richland
Akesson	Heinemeyer	O'Shea
Anderson, of Griggs	Hoge	Paulson
Andrus	Hill, of Bottineau	Peart
Bjornson	Hill, of Cass	Pendray
Bond	Hyland	Ployhar
Boyd	Johns	Price
Burnett	Johnson	Putnam
Burns	Knox	Ray
Christenson	Knutson	Reeve
Cunningham	Kyllo	Robinson
Davis	Lageson	Scheer
Dean	Law	Sorlie

Messrs.—	Messrs.—	Messrs.—
DeLance	Lee	Stern
DeNault	Martin	Stranahan
Dosseth	McCiellan	Streeter
Doyle, of Foster	Moen, of Benson	Tande
Edwards	Moen, of Cavalier	Tollefson
Fox	Morrison	Tostenson
Fraine	Moritz	Tuttle
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Walters
Gardiner	Nestos	Wambem
Hanson	Norheim	Whitmer
Harty	O'Connor of Pembina	Williams
Hawkinson	Olsgard of Nelson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fassett	Kuhl
Benson	France	Narum
Boerner	Geiger	O'Connor of Gd. Forks
Brusletten	Gorder	Roquette
Carey	Hersrud	Sauer
Collins	Homnes	Scott
Davidson	Jordal	Sgutt
Doyle, of McIntosh	Kane	Thompson
Englund		

Messrs. Anderson of Ramsey, Benson, Boerner, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Moen of Benson moved

That the vote by which House Bill No. 172 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 72.

A bill for an act to appropriate the sum of sixty-five thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 77 ayes, no nays, 26 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	O'Shea
Akesson	Hoge	Paulson
Anderson, of Griggs	Hill, of Bottineau	Peart
Andrus	Hill, of Cass	Pendray
Bjornson	Hyland	Ployhar
Bond	Johns	Price
Boyd	Johnson	Putnam
Burnett	Knox	Ray
Burns	Knutson	Reeve
Christenson	Kyllo	Robinson
Cunningham	Lageson	Scheer
Davis	Law	Sorlie
Dean	Lee	Stern
DeLance	Martin	Stranahan
DeNault	McClellan	Streeter
Dosseth	Moen, of Benson	Tande
Edwards	Moen, of Cavalier	Tollefson
Fox	Moritz	Tostenson
Fraine	Nelson, of Richland	Tuttle
Fried	Nelson, of Walsh	Ulsaker
Fritz	Nestos	Walters
Gardiner	Norheim	Wambem
Hanson	O'Connor of Pembina	Whitmer
Harty	Olsgard of Nelson	Williams
Hawkinson	Olsgard of Richland	Mr. Speaker
Hedalen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Englund	Kuhl
Benson	Fassett	Morrison
Boerner	France	Narum
Brusletten	Geiger	O'Connor of Gd. Forks
Carey	Gorder	Roquette
Collins	Hersrud	Sauer
Davidson	Homnes	Scott
Doyle, of Foster	Jordal	Sgutt
Doyle, of McIntosh	Kane	Thompson

Messrs. Anderson of Ramsey, Benson, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Cunningham moved

That the vote by which House Bill No. 72 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 7, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 224.

A bill for an act to amend Section 98 of the Revised Codes of North Dakota of 1905.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

A concurrent resolution providing for a joint committee to attend the meeting of the State Dairymen's Association, held at Jamestown, North Dakota, February eighth and ninth, nineteen hundred and eleven, and report to the Senate and House the results of such meeting and their observations and conclusions.

WHEREAS, The dairy interest is recognized as one of the greatest industries of this state; and

WHEREAS, The state dairymen of North Dakota are holding their annual meeting in the city of Jamestown, North Dakota, February eighth and ninth, nineteen hundred and eleven;

*Therefore, Be it Resolved by the Senate of North Dakota, the House Concurring:*

That the president of the Senate be authorized to appoint a committee of two and the speaker of the House be authorized to appoint a committee

of three to attend said meeting at Jamestown, and report to the Senate and House the results of such meeting and their observations and conclusions.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Hedalen moved

That the House do now concur in the Senate concurrent resolution relating to committee to attend the State Dairymen's association at Jamestown, February 8th and 9th, 1911.

Which motion prevailed, and

The concurrent resolution was adopted.

The Speaker appointed as House members of such committee, Messrs. Cunningham, Whitmer and Nelson of Walsh.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 69.

A bill for an act to amend Section 2592 of the Revised Codes of North Dakota for 1905, as amended by Chapter 70 of the Laws of the State of North Dakota for 1907, relating to the salary of county auditors.

Was read the first and second times, and

Referred to the committee on ways and means.

Senate Bill No. 142.

A bill for an act to amend Sections 1821 and 1828 of the Revised Codes of 1905, as amended in Chapter 93 of the Session Laws of 1907, and also to amend Section 1825 of the Revised Codes of 1905, relating to drainage.

Was read the first and second times, and

Referred to the committee on drainage.



Senate Bill No. 63.

A bill for an act to prohibit the importation, manufacture, distribution, transportation, sale, or use of snuff, and providing a penalty therefor.

Was read the first and second times, and

Referred to the committee on public health.

Senate Bill No. 224.

A bill for an act to amend Section 98 of the Revised Codes of North Dakota of 1905.

Was read the first and second times, and

Referred to the committee on ways and means.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 15.

A bill for an act making Good Friday a legal holiday.

Was read the third time.

Mr. Nestos asked unanimous consent to amend the bill.

Which was not granted.

Mr. Dean moved

That the bill be re-referred to the committee on ways and means.

Which motion prevailed, and

The bill was so re-referred.

Senate Bill No. 79.

A bill for an act to amend and re-enact Section 2323 of the Revised Codes for the year 1905, of the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 28 nays, 29 absent and not voting.

## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gardiner	Nestor
Bjornson	Hanson	Norheim
Bond	Hawkinson	O'Connor of Pembina
Boyd	Heinemeyer	Olsgard of Nelson
Burnett	Hoge	Olsgard of Richland
Burns	Hyland	O'Shea
Christenson	Johns	Paulson
Cunningham	Knutson	Ployhar
Davis	Kyllo	Putnam
Dean	Lageson	Ray
DeLance	Law	Robinson
DeNault	Lee	Sorlie
Dosseth	McClellan	Tande
Doyle, of Foster	Moen, of Cavalier	Tollefson
Edwards	Moritz	Wambem
Fox		

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Knox	Scheer
Akesson	Martin	Stern
Andrus	Moen, of Benson	Stranahan
Fraine	Nelson, of Richland	Streeter
Fried	Nelson, of Walsh	Tostenson
Fritz	Peart	Tuttle
Hedalen	Pendray	Ulsaker
Hill, of Bottineau	Price	Walters
Hill, of Cass	Reeve	Mr. Speaker
Johnson		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	France	Narum
Benson	Geiger	O'Connor of Gd. Forks
Boerner	Gorder	Roquette
Brusletten	Harty	Sauer
Carey	Hersrud	Scott
Collins	Homnes	Sgutt
Davidson	Jordal	Thompson
Doyle, of McIntosh	Kane	Whitmer
Englund	Kuhl	Williams
Fassett	Morrison	

Messrs. Anderson of Ramsey, Benson, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, who were excused.

So the bill was lost.

## Senate Bill No. 70.

A bill for an act regulating and governing contracts relative to the shipment of live stock, and the giving of notice or claim for loss or damage thereto.

Was read the third time.

Mr. Streeter asked unanimous consent to amend the bill.

There being no objections, Mr. Streeter offered the following amendment and moved its adoption:

Strike out the words "four months" in line 8 and insert the words "thirty days."

Which motion prevailed.

Mr. Sorlie moved that the rules be suspended and Senate Bill No. 70 be placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 77 ayes, no nays, 26 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Shea
Akesson	Heinemeyer	Paulson
Anderson, of Griggs	Hoge	Peart
Andrus	Hill, of Bottineau	Pendray
Bjornson	Hill, of Cass	Ployhar
Bond	Hyland	Price
Boya	Johns	Putnam
Burnett	Johnson	Ray
Burns	Knox	Reeve
Christenson	Knutson	Robinson
Cunningham	Kyllo	Scheer
Davis	Lageson	Sorlie
Dean	Law	Stern
DeLance	Lee	Stranahan
DeNault	Martin	Streeter
Dosseth	McClellan	Tande
Doyle, of Foster	Moen, of Benson	Tollefson
Edwards	Moen, o. Cavalier	Tostenson
Fox	Moritz	Tuttle
Fraine	Nelson, of Richland	Ulsaker
Fried	Nelson, of Walsh	Walters
Fritz	Nestos	Wambem
Gardiner	Norheim	Whitmer

Messrs.—	Messrs.—	Messrs.—
Hanson	O'Connor of Pembina	Williams
Harty	Olsgard of Nelson	Mr. Speaker
Hawkinson	Olsgard of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fassett	Morrison
Benson	France	Narum
Boerner	Geiger	O'Connor of Gd. Forks
Brusletten	Gorder	Roquette
Carey	Hersrud	Sauer
Collins	Homnes	Scott
Davidson	Jordal	Sgutt
Doyle, of McIntosh	Kane	Thompson
Englund	Kuhl	

Messrs. Anderson of Ramsey, Benson, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Whitmer moved

That the vote by which Senate Bill No. 70 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 66.

A bill for an act to amend and re-enact Section 437 of the Revised Codes of the State of North Dakota, for 1905, relating to the qualifications of deputies, clerks and employes of the state, county and municipal governments of and within the State of North Dakota, and members of the official boards.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 76 ayes, no nays, 27 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olsgard of Richland
Akesson	Heinemeyer	O'Shea
Anderson, of Griggs	Hoge	Paulson

Messrs.—	Messrs.—	Messrs.—
Andrus	Hill, of Bottineau	Peart
Bjornson	Hill, of Cass	Pendray
Bond	Hyland	Price
Boyd	Johns	Putnam
Burnett	Johnson	Ray
Burns	Knox	Reeve
Christenson	Knutson	Robinson
Cunningham	Kylo	Scheer
Davis	Lageson	Sorlie
Dean	Law	Stern
DeLance	Lee	Stranahan
DeNault	Martin	Streeter
Dosseth	McClellan	Tande
Doyle, of Foster	Moen, of Benson	Tollefson
Edwards	Moen, of Cavalier	Tostenson
Fox	Moritz	Tuttle
Fraine	Nelson, of Richland	Ulsaker
Fried	Nelson, of Walsh	Walters
Fritz	Nestos	Wambem
Gardiner	Norheim	Whitmer
Hanson	O'Connor of Pembina	Williams
Harty	Olsgard of Nelson	Mr. Speaker
Hawkinson		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fassett	Morrison
Benson	France	Narum
Boerner	Geiger	O'Connor of Gd. Forks
Brusletten	Gorder	Ployhar
Carey	Hersrud	Roquette
Collins	Homnes	Sauer
Davidson	Jordal	Scott
Doyle, of McIntosh	Kane	Sgutt
Englund	Kuhl	Thompson

Messrs. Anderson of Ramsey, Benson, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 66 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Norheim moved

That the reading of Senate Bill No. 16 be deferred for one day.

Which motion prevailed.

Senate Bill No. 25.

A bill for an act to authorize boards of trustees of incorporated villages to regulate the use of streets, alleys and public grounds by automobiles, traction engines and other self propelled vehicles, and to provide for registration and identification of the same, at the expense of the owners or operators thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 75 ayes, no nays, 28 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olsgard of Richland
Akesson	Heinemeyer	O'Shea
Anderson, of Griggs	Hoge	Paulson
Andrus	Hill, of Bottineau	Peart
Bjornson	Hill, of Cass	Pendray
Boyd	Hyland	Price
Burnett	Johns	Putnam
Burns	Johnson	Ray
Christenson	Knox	Reeve
Cunningham	Knutson	Robinson
Davis	Kylo	Scheer
Dean	Lageson	Sorlie
DeLance	Law	Stern
DeNault	Lee	Stranahan
Dosseth	Martin	Streeter
Doyle, of Foster	McClellan	Tande
Edwards	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
Fraine	Moritz	Tuttle
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Walters
Gardiner	Nestos	Wambem
Hanson	Norheim	Whitmer
Harty	O'Connor of Pembina	Williams
Hawkinson	Olsgard of Nelson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fassett	Morrison
Benson	France	Narum
Boerner	Geiger	O'Connor of Gd. Forks
Bond	Gorder	Ployhar
Brusletten	Hersrud	Roquette
Carey	Homnee	Sauer

Messrs.—	Messrs.—	Messrs.—
Collins	Jordal	Scott
Davidson	Kane	Sgutt
Doyle, of McIntosh	Kuhl	Thompson
Englund		

Messrs. Anderson of Ramsey, Benson, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused.

So the bill passed and the title was agreed to.

Mr. Aasheim moved

That the vote by which Senate Bill No. 25 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 88.

A bill for an act to amend Section 2768 of the Revised Codes of North Dakota for 1905, relating to the repairs of city sidewalks.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 75 ayes, no nays, 28 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Olgard of Nelson
Akesson	Hedalen	Olgard of Richland
Anderson, of Griggs	Heinemeyer	O'Shea
Andrus	Hoge	Paulson
Bjornson	Hill, of Bottineau	Peart
Bond	Hill, of Cass	Pendray
Boyd	Hyland	Price
Burnett	Johns	Putnam
Burns	Johnson	Ray
Christenson	Knox	Reeve
Cunningham	Knutson	Robinson
Davis	Kyllo	Scheer
Dean	Lageson	Sorlie
DeLance	Law	Stern
DeNault	Lee	Stranahan
Dosseth	Martin	Streeter
Doyle, of Foster	McClellan	Tande
Edwards	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tosteson

Messrs.—	Messrs.—	Messrs.—
Fraine	Moritz	Tuttle
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Walters
Gardiner	Nestos	Wambem
Hanson	Norheim	Williams
Harty	O'Connor of Pembina	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	France	Narum
Benson	Geiger	O'Connor of Gd. Forks
Boerner	Gorder	Ployhar
Brusletten	Hersrud	Roquette
Carey	Homnes	Sauer
Collins	Jordal	Scott
Davidson	Kane	Sgutt
Doyle, of McIntosh	Kuhl	Thompson
Englund	Morrison	Whitmer
Fassett		

Messrs. Anderson of Ramsey, Benson, Brusletten, Carey, Collins, Davidson, Doyle of McIntosh, Englund, Fassett, France, Geiger, Gorder, Hersrud, Homnes, Jordal, Kane, Kuhl, Morrison, Narum, O'Connor of Grand Forks, Roquette, Sauer, Scott, Sgutt and Thompson, being excused

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which Senate Bill No. 88 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hoge moved

That Senate Bill No. 78 be re-referred to the committee on taxes and tax laws.

Which motion prevailed, and

The bill was so re-referred.

There being no objections the House returned to the 9th order of business.

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Williams introduced

House Bill No. 293.

A bill for an act providing for the extension of the state street car line from the capitol down 9th street to a point



at or near Broadway in the city of Bismarck—thence to the state penitentiary; and providing for its equipment and making an appropriation therefor.

Which was read the first and second times and  
Referred to the committee on appropriations.

Mr. Nestos moved

That the House take a recess until 5 o'clock.

Which motion prevailed.

And the House took a recess until 5 o'clock.

The House re-assembled pursuant to recess taken.

There being no objections the House returned to the 7th order of business.

### MOTIONS AND RESOLUTIONS.

Mr. Moen of Benson, introduced the following concurrent resolution and moved its adoption:

WHEREAS, The interests of this state being largely agricultural, and there seems to be some difference of opinion as to the duties and effectiveness of the North Dakota Agricultural College, located at Fargo, North Dakota; and

WHEREAS, It is deemed necessary that some person having a complete knowledge of the workings and duties of said Agricultural College,

*Therefore, Be it Resolved by the House of Representatives, the Senate Concurring:*

That Hon. J. H. Worst, president of said college, be and he is hereby invited to address a joint session of the House and Senate assembled in the House of Representatives at three (3) o'clock Friday, the 10th, for the purpose of explaining to this Legislative Assembly the connections of the various sub-stations and experiment farms to the parent institution, and explain to such Legislative Assembly the necessary ways and means to fully develop the soil products of this state.

Which motion prevailed, and

The resolution was adopted.

The privileges of the floor were extended to:

Rev. N. E. Ellsworth, Bismarck.

F. G. Cleveland, Jamestown.

P. N. Korsmo, Northwood.

A. L. Geil, Hazelton.

C. D. Litch, Dickinson.

Mr. Aasheim moved  
That the House do now adjourn.  
Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 8, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 36th day, have carefully examined the same and recommend that the same be corrected as follows:

Insert after line 3 on page 4, "fully examined the same, and reco."  
Strike out line 42, page 9, and insert "Mr. Fried moved" after line 49, page 9.

And when so corrected recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Garske, N. D., January 31, 1911.

We, the undersigned residents of Ramsey county, respectfully petition the Legislature of North Dakota to pass the game bill before them allowing the spring shooting of geese.

MARTIN LARSON AND 33 OTHERS.

### PETITION.

In order that the people may have more voice in making the laws, we, the undersigned voters of North Dakota, hereby petition the Twelfth Legislative Assembly to enact effective measures providing for the initiative and referendum. By effective measures, we mean measures which are substantially the same as those which now form a part of the constitutions of the states of Oregon, Oklahoma, Missouri and Maine.

M. P. CRUDEN, BARTON, N. D., AND 27 OTHERS.

## REPORTS OF STANDING COMMITTEES.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Also,

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Also,

House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Also

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

And find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 11.

A bill for an act to create a permanent non-partizan tax commission, defining its power and duties and making an appropriation for the maintenance thereof.

Also

House Bill No. 97.

A bill for an act to amend Section 2869 of the Revised Codes of 1905 providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Also,

House Bill No. 153.

A bill for an act to amend and re-enact Section 1597 of Chapter 219, Laws of 1907, relative to duty of county auditor, and requirements of tax deeds.

Also

House Bill No. 163.

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 189.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees of the office of the register of deeds.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 15.

A bill for an act making Good Friday a legal holiday.

Have had the same under consideration and recommend that the same be amended as follows:

Line 2, printed bill, strike out all after word "year."

Line 3, printed bill, strike out all before word "be."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 181.

A bill for an act entitled, an act to amend Section 2 of Chapter 204 of the laws of 1909, entitled, "An act to amend Sections 811, 829, 882 and 883 of the Revised Codes of 1905, pertaining to education."

Have had the same under consideration and recommend that the same do pass.

E. C. OLSGARD,  
Chairman.

Mr. Olsgard of Nelson, moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on education to whom was referred

House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Have had the same under consideration and recommend that the same do pass.

E. C. OLSGARD,  
Chairman.

Mr. Olsgard of Nelson, moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on education to whom was referred  
Senate Bill No. 54.

A bill for an act providing for the attendance of certain persons upon certain schools.

Have had the same under consideration and recommend that the same do pass.

E. C. OLSGARD,  
Chairman.

Mr. Olsgard of Nelson, moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Fraine moved

That the vote by which Senate Bill No. 79 was lost, be reconsidered.

Which motion prevailed.

Mr. Nestos moved

That Senate Bill No. 79 be re-referred to the committee on judiciary.

Which motion prevailed

And the bill was so re-referred.

Mr. Davis introduced the following resolution:



A resolution to impeach Hon. John F. Cowan, Judge of the Second Judicial District.

WHEREAS, It is charged by reputable citizens of the state of North Dakota that John F. Cowan, judge of the district courts of the Second Judicial district of said state, has been and is guilty of impeachable offenses, to-wit: habitual drunkenness, crimes, corrupt conduct and malfeasance and misdemeanors in office, and it appears that large numbers of the people of the state question his fitness to hold the office of district judge and aver themselves ready to substantiate such charges by ample and legal proof, and have sought to invoke the jurisdiction of the House of Representatives to prefer charges in the Senate of the state of North Dakota, to the end that the said John F. Cowan may be brought to trial for said offenses; and

WHEREAS, By reason of such charges and opinions of unfitness, the confidence of the people in the uprightness of the courts in said district is being shaken, to the hurt and discredit of the state; and

WHEREAS, There has been offered to the House of Representatives a statement in writing of the nature and character of the charges aforesaid, which statement is hereto attached and offered with this resolution, and it does appear that the best interests of the state require that such charges be forever settled,

*Now, Therefore, Be it Resolved by the House of Representatives of the State of North Dakota:*

That John F. Cowan, judge of the district courts of the Second Judicial district of North Dakota, be impeached of habitual drunkenness, crimes, corrupt conduct, malfeasance in office and misdemeanor in office.

*Be it Further Resolved:*

That a board of managers, consisting of five members, be appointed by the speaker to conduct such impeachment proceedings, in accordance with law.

Mr. Davis moved

That the resolution to impeach John F. Cowan, judge of the district courts of the Second judicial district of North Dakota, and to appoint managers to conduct such impeachment, be referred to a special committee of seven members, and that the said committee be empowered to subpoena witnesses and require the production of books and papers, and administer oaths, and hold its sessions where it shall seem to it most expeditious, and that at the end of its consideration of said resolution it reports to this House the testimony it has taken together with its recommendations, said report to be made not later than the fiftieth day of this session.

Which motion prevailed.

Mr. Streeter presented the following concurrent resolution and moved its adoption:

WHEREAS, There has been introduced by the Hon. L. B. Hanna in the House of Representatives of the United States a bill entitled "A bill for the relief of the families of certain Indian policemen who were killed during the engagement at Sitting Bull's camp, on Grand River, December 15th, eighteen hundred and ninety, and for the relief of Alexander Middle, who was wounded in said engagement; and

WHEREAS, It is known to the people of North Dakota, and particularly to those in the western half of the state residing here in 1890, that the prompt action of the Indian policemen in the Grand River affair prevented serious trouble on the Standing Rock reservation, and probably prevented the loss of many lives, both of Indians and white men, for the reason that had Sitting Bull been allowed to carry out his plans there would undoubtedly have been on such reservation a duplication of the Wounded Knee affair, in South Dakota, in which there was much loss of life; and

WHEREAS, There are now living on said Standing Rock reservation several Indians who were in the government service as policemen at the time of the attempted arrest of Sitting Bull and took part in the fight which resulted in the death of six policemen, Sitting Bull and seven of his followers. No recognition of the services of these men has ever been made by the federal government, although it was their loyalty to duty that caused the death of Sitting Bull and prevented a duplication of the Standing Rock reservation of the serious loss of life which occurred at Wounded Knee; and

WHEREAS, Bills have passed one or the other of the houses of Congress at past sessions, appropriating a few hundred dollars for the purpose of purchasing medals to be presented to the surviving Indian policemen who took part in the fight at Grand River, but such bills have never passed more than one house at the same session;

*Therefore, Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

That, in justice to the Indians who were loyal to their trust in the Grand River fight, Bill No. 20426, introduced in the United States House of Representatives by Mr. Hanna, providing pensions for the widows of the policemen killed in that fight, ought to pass.

*Be it Further Resolved:*

That recognition of the loyalty and bravery of the Indian policemen who took part in the Grand River fight ought to be shown by the presentation to each of the survivors of a medal commemorating the prompt action taken by them twenty years ago in preventing a disastrous uprising on the Standing Rock reservation; and

*Be it Further Resolved:*

That the chief clerk of this House be instructed to forthwith transmit an authenticated copy of this resolution to each of the North Dakota senators and representatives in the Congress of the United States.

**Which motion prevailed, and**

**The resolution was adopted.**

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**INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.**

Mr. Tollefson introduced

House Bill No. 294.

A bill for an act requiring a locomotive fireman to have three years experience before being promoted to the rank of locomotive engineer.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Price introduced

House Bill No. 295.

A bill for an act providing for the erection of an addition to power house upon the agricultural college grounds in which shall be given instructions in carpentry, plumbing, bricklaying and kindred trades, and to install therein necessary equipment, providing for the maintenance of the same, and making an appropriation therefor.

Which was read the first and second times and

Referred to the committee on appropriations.

Mr. Boyd introduced

House Bill No. 296.

A bill for an act to regulate the practice and procedure on preliminary hearings before committing magistrates, and amending Section 9768 of the 1905 codes.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Fraine introduced

House Bill No. 297.

A bill for an act to amend Section 1168 of the Revised Codes of 1905, as amended by Section 3 of Chapter 237 of the Session Laws of 1907.

Which was read the first and second times, and

Referred to the committee on ways and means.

Mr. Johnson introduced

House Bill No. 298.

A bill for an act to amend Sections 516, 524, 9797, 9803, 9810, 9818 and 9841 of the Revised Codes of 1905, relating to a grand jury, adding new sections and repealing Sections 9798, 9801, 9833 and 9840.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Hanson (by request) introduced

House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Fox introduced

House Bill No. 300.

A bill for an act providing for the erection of a stand-pipe near the capitol building, the sinking of one or more wells, the improvement of the capitol grounds, the purchase of a pump and necessary machinery to operate same and making an appropriation therefor.

Which was read the first and second times, and

Referred to the committee on appropriations.

Mr. Hyland (by request) introduced

House Bill No. 301.

A bill for an act making it a misdemeanor to falsely or fraudulently defeat payment of any bill for laundering, washing, cleaning or repairing clothing, and providing a penalty therefor.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Fried introduced

House Bill No. 302.

A bill for an act to provide a method of proving the due cancellation of a contract for deed or any other instrument for the future conveyance of any estate of interest in real property, and clearing the record title of said real property from the effects of such contract after cancellation, and the recording of such proof.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Ployhar introduced

House Bill No. 303.

A bill for an act to amend Section 4302 of the Revised Codes of North Dakota for 1905, as amended by Chapter 202 of the Laws of North Dakota for 1907, relating to stopping of trains at county seats.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. De Nault introduced

House Bill No. 304.

A bill for an act to provide for a uniform method for computing dockage on different kinds of grain.

Which was read the first and second times and

Referred to the committee on warehouses and grain grading.

Mr. Kylo introduced

House Bill No. 305.

A bill for an act to amend Section 3013 of the Revised Codes of 1905, relating to bridge funds to be turned over to cities of certain classes.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Price (by request) introduced

## House Bill No. 306.

A bill for an act to prevent the consolidation or pooling of telegraph and telephone companies, prohibiting the issuance of stocks, bonds or other evidences of debt for consolidation purposes, providing for the forfeiture of telegraph and telephone franchises and prescribing penalties for violators.

Which was read the first and second times and

Referred to the committee on ways and means.

There being no objection, the House returned to the 7th order of business.

## MOTIONS AND RESOLUTIONS.

Mr. Knox introduced the following resolution and moved its adoption:

WHEREAS, The people of the state of North Dakota wishing to show their honor and respect for the brave and gallant soldiers who were killed in the battle of Whitestone Hills on the third day of September, 1863; and

WHEREAS, There were numbered among the slain in that battle many members of the 6th and 7th Iowa Cavalry, and also many members of the 2nd Nebraska Cavalry; and

WHEREAS, The government of the United States has granted to the state of North Dakota a tract of land embracing the site of said battlefield; and

WHEREAS, The governor of the state of North Dakota has appointed a board of trustees to care for said ground by erecting a monument and headstones and otherwise improving and beautifying said grounds; and

WHEREAS, An exigency exists for the creation of a fund to carry out the above named purposes;

*Therefore, Be it Resolved by the House of Representatives, the Senate Concurring:*

That we hereby respectfully request the Legislative Assemblies of the states of Iowa and Nebraska each to make a liberal appropriation to aid in carrying to completion the work as above outlined, and any money arising from any appropriation for purposes above stated to be paid to the treasurer of the state of North Dakota, to be held as a special fund therefore; and

*Be it Further Resolved:*

That a copy of these resolutions be at once transmitted to the Legislative Assemblies of the states of Iowa and Nebraska.

Which motion prevailed, and

The resolution was adopted.

Mr. Gardiner moved

That House Bill No. 253 be withdrawn for the purpose of amendment.

Which motion prevailed, and

House Bill No. 253 was withdrawn.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 8, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, This is a government of the people and by the people, all power and authority being derived from the people; and

WHEREAS, The legislators of the several states are often unable to make choice of senators without long continued balloting, resulting in "deadlock" and the detriment of legislation; and

WHEREAS, It has been charged that corrupt influences and bribery are sometimes introduced to secure the election of political bosses and men of inferior ability, thereby causing degeneracy in the personnel of the most august legislative body in the world; and

WHEREAS, The people of the United States are entitled to elect their senators by direct vote, and twenty-nine states have already made a demand upon Congress for a constitutional amendment providing for the election of United States senators by direct vote of the people; and

WHEREAS, The fundamental principle of our republic is that the will of the people be expressed by a free and untrammelled ballot and majority rule;

*Therefore, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That this Legislative Assembly puts itself on record in favor of an amendment to the constitution of the United States for the election of United States senators by direct vote of the people, and

*Be it Further Resolved:*

That the Senate and House of Representatives of the United States be and are hereby respectfully urged to vote for and pass a resolution amending the constitution of the United States providing for the election of United States senators by a direct vote of the people, which amendment shall be submitted to the several states for ratification, in accordance with the federal constitution; and

*Be it Further Resolved:*

That a copy of this resolution be forthwith sent to each of our United States senators and representatives in Congress.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 17.

A bill for an act to amend and re-enact Section 468 of the Revised Codes of North Dakota for the year, A. D., 1905, as amended by Chapter 159 of the Laws of 1907, relating to judicial districts within the state.

Also

Senate Bill No. 48.

A bill for an act regulating the speed of locomotives and trains while passing through cities, towns and villages in North Dakota.

Also,

Senate Bill No. 75.

A bill for an act to prevent the spread of noxious weeds.

Also

Senate Bill No. 149.

A bill for an act to require sheriffs in all counties of the State of North Dakota to issue receipts and to file with the county auditor of their respective counties all duplicate receipts issued for the payment of delinquent taxes collected by them or their deputies during their term of office.

Also

Senate Bill No. 178.

A bill for an act prohibiting county superintendents of schools, deputies, school officers, school official, principals



and teachers from receiving commission or fees or reward for or on account of any school books, furniture or other supplies purchased during the incumbency of such office, and providing for a penalty therefor.

Also

Senate Bill No. 216.

A bill for an act to amend and re-enact Section 8023 of the Revised Codes of North Dakota for 1905, relating to time to apply for letters of administration and providing when the statute of limitations shall run against claims against decedents.

Also,

Senate Bill No. 217.

A bill for an act to amend and re-enact Section 9015 of the Revised Codes of North Dakota for 1905, as amended by Chapter 163 of the laws of 1909, validating marriages performed without authority, or where licenses have been issued by a clerk of the county court.

Also,

Senate Bill No. 219.

A bill for an act, making an appropriation to meet the deficiency incurred by William Blake of Stutsman county, North Dakota, in carrying on the work of state humane agent.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Also,

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Also

House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Also,

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

And the Speaker signed the same in the presence of the House.

### THIRD READING OF HOUSE BILLS.

House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Was read the third time.

Mr. Nestos moved

That the bill be re-referred to the committee on taxes and tax laws.

Which motion was lost.

The question being on the final passage of the bill,

The roll was called and there were 89 ayes, 2 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Aasheim  
Akesson

Messrs.—  
Hanson  
Harty

Messrs.—  
O'Connor of Pembina  
Olsgard of Nelson

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrus	Hedalen	O'Shea
Benson	Hersrud	Paulson
Bjornson	Hoge	Peart
Boerner	Hill, of Bottineau	Pendray
Bond	Hill, of Cass	Ployhar
Boyd	Hyland	Price
Brusletten	Johns	Putnam
Burnett	Johnson	Reeve
Burns	Kane	Robinson
Carey	Knox	Sauer
Christenson	Knutson	Scott
Davidson	Kuhl	Scheer
Davis	Kyllo	Sgutt
Dean	Lageson	Sorlie
DeNault	Law	Stern
Dosseth	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Doyle, of McIntosh	McClellan	Tande
Edwards	Moen of Benson	Thompson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Walters
Fried	Nelson of Richland	Wambem
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Gorder	O'Connor of Gd. Fork.	

Messrs. De Lance and Ray voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	Nelson of Walsh
Collins	Heinemeyer	Roquette
Cunningham	Homnes	Tollefson
Englund	Jordal	Whitmer

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Johnson moved

That the vote by which House Bill No. 27 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Was read the third time.

Mr. Martin moved

That the bill be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 64 ayes, 29 nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Heinemeyer	O'Connor of Pembina
Anderson, of Griggs	Hersrud	Olgard of Nelson
Anderson, of Ramsey	Hill, of Bottineau	Paulson
Bond	Hill, of Cass	Peart
Boyd	Hyland	Ployhar
Davidson	Johns	Price
Davis	Johnson	Putnam
Dean	Knox	Ray
DeNault	Knutson	Reeve
Dosseth	Kuhl	Robinson
Doyle, of Foster	Lageson	Sauer
Doyle, of McIntosh	Law	Scheer
Fassett	Lee	Sgutt
Fox	McClellan	Sorlie
France	Moen of Benson	Stern
Fried	Moen of Cavalier	Stranahan
Fritz	Morrison	Thompson
Gardiner	Moritz	Tostenson
Gorder	Nestos	Tuttle
Harty	Norheim	Wambem
Hanson	O'Connor of Gd. Forks	Mr. Speaker
Hawkinson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Edwards	O'Shea
Andrus	Fraine	Pendray
Benson	Hedalen	Scott
Bjornson	Hoge	Streeter
Boerner	Kane	Tande
Brusletten	Kylo	Tollefson
Burns	Martin	Ulsaker
Carey	Narum	Walters
Christenson	Nelson of Richland	Williams
DeLance	Olgard of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Geiger	Nelson of Walsh
Collins	Homnes	Roquette
Cunningham	Jordal	Whitmer
Englund		

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 158 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 8, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 92.

A bill for an act relating to children who are now or may hereafter become dependent, neglected or delinquent; to define these terms, and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the persons of such children.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

L. M. ROCKNE,  
Acting Secretary.

### THIRD READING OF HOUSE BILLS.

House Bill No. 84.

A bill for an act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 84 ayes, 4 nays; absent and not voting, 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Norheim
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Griggs	Hedalen	O'Connor of Pembina
Andrus	Heinemeyer	Olgard of Nelson
Benson	Hersrud	Olgard of Richland
Bjornson	Hoge	O'Shea
Boerner	Hill, of Bottineau	Paulson
Bond	Hill, of Cass	Peart
Boyd	Hyland	Ployhar
Brusletten	Johns	Price
Carey	Johnson	Putnam
Christenson	Kane	Ray
Davidson	Knox	Reeve
Davis	Knutson	Robinson
DeLance	Kuhl	Sauer
DeNault	Kyllo	Scott
Dosseth	Lageson	Scheer
Doyle, of Foster	Law	Sgutt
Doyle, of McIntosh	Lee	Stern
Edwards	Martin	Stranahan
Fassett	McClellan	Streeter
Fox	Moen of Benson	Tande
Fraine	Moen of Cavalier	Thompson
Fried	Morrison	Tuttle
Fritz	Moritz	Ulsaker
Gardiner	Narum	Wambem
Gorder	Nelson of Richland	Williams
Hanson	Nestos	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Sorlie	Walters
Pendray		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Englund	Nelson of Walsh
Burns	France	Roquette
Collins	Geiger	Tollefson
Cunningham	Hornes	Tostenson
Dean	Jordal	Whitmer

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Fritz moved

That the vote by which House Bill No. 84 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill. No. 12.

A bill for an act to prohibit the use of public drinking cups in the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 86 ayes, 2 nays; absent and not voting, 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Olsgard of Nelson
Akesson	Hedalen	Olsgard of Richland
Anderson, of Griggs	Hersrud	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Andrus	Hill, of Bottineau	Peart
Benson	Hill, of Cass	Pendray
Bjornson	Hyland	Ployhar
Boerner	Johns	Price
Bond	Johnson	Putnam
Boyd	Kane	Ray
Brusletten	Knox	Reeve
Carey	Knutson	Robinson
Christenson	Kuhl	Sauer
Davidson	Kyllo	Scott
Davis	Lageson	Scheer
DeLance	Law	Sgutt
DeNault	Lee	Sorlie
Dosseth	Martin	Stern
Doyle, of Foster	McClellan	Stranahan
Edwards	Moen of Benson	Streeter
Fassett	Moen of Cavalier	Tande
Fox	Morrison	Thompson
Fraine	Moritz	Tollefson
Fried	Narum	Tostenson
Fritz	Nelson of Richland	Ulsaker
Gardiner	Nestos	Wambem
Gorder	Norheim	Williams
Hanson	O'Connor of Gd. Forks	Mr. Speaker
Harty	O'Connor of Pembina	

Messrs. Tuttle and Walters voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Doyle, of McIntosh	Homnes
Burns	Englund	Jordal

Messrs.—	Messrs.—	Messrs.—
Collins	France	Nelson of Walsh
Cunningham	Geiger	Roquette
Dean	Heinemeyer	Whitmer

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Doyle of Foster moved

That the vote by which House Bill No. 12 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 67 ayes, 19 nays; absent and not voting, 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	O'Connor of Gd. Forks
Akesson	Gorder	O'Connor of Pembina
Anderson, of Griggs	Hanson	Olsgard of Nelson
Anderson, of Ramsey	Harty	Olsgard of Richland
Andrus	Hedalen	O'Shea
Benson	Hersrud	Paulson
Bjornson	Hoge	Peart
Boerner	Hill, of Bottineau	Pendray
Bond	Hill, of Cass	Ployhar
Boyd	Hyland	Putnam
Brusletten	Johns	Ray
Burns	Knox	Scott
Carey	Knutson	Scheer
Christenson	Kyllo	Sorlie
Davis	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Martin	Streeter
Doyle, of Foster	McClellan	Tande
Edwards	Moen of Cavalier	Thompson
Fassett	Moritz	Tollefson
Fraine	Nelson of Richland	Ulsaker
Fried	Norheim	Mr. Speaker
Fritz		



Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Moen of Benson	Sauer
Fox	Morrison	Tostenson
France	Narum	Tuttle
Hawkinson	Nestos	Walters
Johnson	Reeve	Wambem
Kane	Robinson	Williams
Lee		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Englund	Nelson of Walsh
Collins	Geiger	Price
Cunningham	Heinemeyer	Roquette
Dean	Homnes	Sgutt
DeLance	Jordal	Whitmer
Doyle, of McIntosh	Kuhl	

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Davidson explained his vote.

Mr. Doyle of Foster gave notice that tomorrow at 3 o'clock p. m. he would move to reconsider the vote by which House Bill No. 31 passed.

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

Was read the third time.

Mr. Hoge asked unanimous consent to amend the bill.

There being no objection, Mr. Hoge offered the following amendment and moved its adoption:

In line 1, section 2, after the words "section 2" insert the word "emergency."

Which motion prevailed.

Mr. Fraine moved that the rules be suspended and House Bill No. 178 be considered engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 89 ayes, no nays; absent and not voting, 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Olsgard of Richland
Akesson	Hawkinson	O'Shea
Anderson, of Griggs	Hedalen	Paulson
Anderson, of Ramsey	Heinemeyer	Peart
Andrus	Hersrud	Pendray
Benson	Hoge	Ployhar
Bjornson	Hill, of Bottineau	Price
Boerner	Hill, of Cass	Putnam
Bond	Johns	Ray
Boyd	Johnson	Reeve
Brusletten	Kane	Robinson
Burns	Knox	Sauer
Carey	Knutson	Scott
Christenson	Kyllo	Scheer
Davidson	Lageson	Sgutt
Davis	Law	Sorlie
DeLance	Lee	Stern
DeNault	Martin	Stranahan
Dosseth	McClellan	Streeter
Doyle, of Foster	Moen of Benson	Tande
Edwards	Moen of Cavalier	Thompson
Fassett	Morrison	Tollefson
Fox	Moritz	Tostenson
France	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nestos	Walters
Fritz	Norheim	Wambem
Gardiner	O'Connor of Gd. Forks	Williams
Gorder	O'Connor of Pembina	Mr. Speaker
Hanson	Olsgard of Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Englund	Kuhl
Collins	Geiger	Nelson of Walsh
Cunningham	Homnes	Roquette
Dean	Hyland	Whitmer
Doyle, of McIntosh	Jordal	

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Hanson moved

That the vote by which House Bill No. 178 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. DeNault moved

That House Bill No. 132 be re-referred to the committee on railroads.

Which motion prevailed, and

The bill was so re-referred.

House Bill No. 21.

A bill for an act to prohibit the removing of threshing machines or bundle wagons from one farm to another before cleaning, and providing penalties thereof.

Was read the third time.

Mr. Anderson of Ramsey moved

That the bill be re-referred to the committee on judiciary.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 52 ayes, 36 nays; absent and not voting, 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Anderson, of Griggs	Harty	Paulson
Bond	Heinemeyer	Peart
Boyd	Hoge	Ployhar
Brusletten	Hill, of Bottineau	Price
Carey	Hill, of Cass	Ray
Christenson	Johns	Reeve
Davidson	Kane	Robinson
Davis	Kuhl	Scott
Dosseth	Kylo	Sorlie
Doyle, of McIntosh	Law	Stern
Edwards	Lee	Streeter
Fox	Martin	Tande
Fraine	Moen of Cavalier	Tostenson
Fried	Moritz	Ulsaker
Fritz	Narum	Wambem
Gardiner	Norheim	Williams
Gorder		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hedalen	O'Connor of Pembina
Anderson, of Ramsey	Hersrud	Olgard of Richland
Andrus	Hyland	O'Shea
Benson	Johnson	Pendray
Bjornson	Knox	Putnam
Boerner	Knutson	Sauer
Dean	Lageson	Scheer
DeNault	McClellan	Sgutt
Doyle, of Foster	Moen of Benson	Stranahan
Fassett	Morrison	Tollefson
France	Nelson of Richland	Tuttle
Hawkinson	Nestos	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Englund	O'Connor of Gd. Forks
Burns	Geiger	Roquette
Collins	Homnes	Thompson
Cunningham	Jordal	Whitmer
DeLance	Nelson of Walsh	Mr. Speaker

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette, Whitmer and Mr. Speaker being excused.

So the bill passed and the title was agreed to.

Mr. Hill of Bottineau moved

That the vote by which House Bill No. 21 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker was excused from voting.

House Bill No. 163.

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

Was read the third time.

Mr. Nestos asked unanimous consent to amend the bill.

There being no objection, Mr. Nestos offered the following amendment and moved its adoption:

Strike out the words "organized township and in each" where they appear as a repetition.

Which motion prevailed.

Mr. Streeter moved

That the bill be re-referred to the committee on taxes and tax laws.

Which motion prevailed, and

The bill was so re-referred.

House Bill No. 153.

A bill for an act to amend and re-enact Section 1597 of Chapter 219, Laws of 1907, relative to duty of county auditor, and requirements of tax deeds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 84 ayes, 6 nays; absent and not voting, 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Norheim
Anderson, of Ramsey	Harty	O'Connr of Gd. Forks
Andrus	Hawkinson	O'Connor of Pembina
Benson	Hedalen	Olsgard of Nelson
Bjornson	Heinemeyer	Olsgard of Richland
Boerner	Hersrua	O'Shea
Bond	Hoge	Paulson
Boyd	Hill, of Bottineau	Pearl
Brusletten	Hyland	Pendray
Burnett	Johns	Ployhar
Burns	Johnson	Price
Carey	Kane	Putnam
Christenson	Knox	Ray
Davidson	Knutson	Reeve
Davis	Kuhl	Robinson
Dean	Kyllo	Sauer
DeNault	Lageson	Scott
Dosseth	Law	Scheer
Doyle, of Foster	Lee	Sgutt
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fried	Moritz	Ulsaker
Fritz	Narum	Wambem
Gardiner	Nelson, of Richland	Williams
Gorder	Nestos	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Stern	Streeter
Sorlie	Stranahan	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fraine	Jordal
Collins	Geiger	Nelson, of Walsh
Cunningham	Homnes	Roquette
DeLance	Hill, of Cass	Whitmer
Englund		

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which House Bill No. 153 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 97.

A bill for an act to amend Section 2869 of the Revised Codes of 1905 providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Was read the third time.

Mr. Thompson asked unanimous consent to amend the bill.

There being no objections, Mr. Thompson offered the following amendment and moved its adoption:

In line 7 of the printed bill strike out the word "citizen" and insert the word "resident."

Which motion prevailed.

Mr. Thompson moved

That the rules be suspended and House Bill No. 97 be considered engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 87 ayes, 1 nay; absent and not voting, 15.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	O'Connor of Gd. Forks
Akesson	Hedalen	O'Connor of Pembina
Anderson, of Ramsey	Heinemeyer	Olgard of Nelson
Andrus	Hersrud	Olgard of Richland
Benson	Hill, of Bottineau	O'Shea
Bjornson	Hill, of Cass	Paulson
Boerner	Hoge	Peart
Bond	Homnes	Pendray
Boyd	Hyland	Ployhar
Brusletten	Johns	Price
Burnett	Johnson	Putnam
Burns	Kane	Ray
Carey	Knox	Reeve
Christenson	Knutson	Robinson
Davis	Kuhl	Scheer
Dean	Kylo	Sgutt
DeLance	Lageson	Sorlie
DeNault	Law	Stern
Dosseth	Lee	Stranahan
Doyle, of McIntosh	Martin	Streeter
Edwards	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fried	Moritz	Ulsaker
Gardiner	Narum	Walters
Gorder	Nelson, of Richland	Wambem
Hanson	Nestos	Williams
Harty	Norheim	Mr. Speaker

Mr. Davidson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fraine	Roquette
Collins	Fritz	Sauer
Cunningham	Geiger	Scott
Doyle, of Foster	Jordal	Tande
Englund	Nelson, of Walsh	Whitmer

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

Mr Law moved

That the vote by which House Bill No. 97 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Price to the chair.

House Bill No. 11.

A bill for an act to create a permanent non-partizan tax commission, defining its power and duties and making an appropriation for the maintenance thereof.

Was read the third time.

Mr. Nestos asked unanimous consent to amend the bill.

There being no objections, Mr. Nestos offered the following amendment and moved its adoption:

In subdivision 19 of section 9 on page 10 of the printed bill, in line 17 to insert after the word "escaped" the word "taxation" and at the close of the sentence change the period to a comma and add "and are available and remaining within the taxing jurisdiction."

Which motion prevailed.

Mr. Nestos moved

That the rules be suspended and House Bill No. 11 be considered engrossed and placed upon its final pasage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 85 ayes, 8 nays; absent and not voting, 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Norheim
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Harty	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Pearl
Boerner	Hill, of Bottineau	Pendray



Messrs.—	Messrs.—	Messrs.—
Bond	Hill, of Cass	Ployhar
Boyd	Hoge	Price
Brusletten	Homnes	Putnam
Burnett	Hyland	Ray
Burns	Kane	Reeve
Carey	Knox	Robinson
Christenson	Knutson	Sauer
Davidson	Kuhl	Scott
Davis	Kylo	Scheer
Dean	Lageson	Sgutt
DeLance	Law	Stern
DeVault	Lee	Stranahan
Dosseth	Martin	Streeter
Doyle, of Foster	McClellan	Thompson
Doyle, of McIntosh	Moen, of Benson	Tollefson
Edwards	Moen, of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Wambem
France	Narum	Williams
Fried	Nestos	Mr. Speaker
Fritz		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hawkinson	Nelson, of Richland	Tostenson
Johns	Paulson	Walters
Johnson	Tande	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Geiger	Roquette
Cunningham	Jordal	Sorlie
Englund	Nelson, of Walsh	Whitmer
Fraine		

Messrs. Collins, Cunningham, Englund, Geiger, Jordal, Nelson of Walsh, Roquette and Whitmer being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which House Bill No. 11 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The privileges of the floor were extended to the following:

Mr. Anderson of Steele.  
Seth W. Richardson of Fargo.  
Alex. Currie of Cando.

John J. Giedt of Lehr.  
Hon. Fred G. Kneeland, Jamestown.  
Daniel Preszler, Jacob Remboldt, of Medina.  
D. V. Brennan.  
Pres. G. M. McFarland.  
Jno. F. Robinson of Steele.  
Rev. Mr. Good of Beach.  
A. F. McLane of Ward county.  
Otto Saugstad of Northwood.  
E. G. Warren of Ward county.

Mr. Ployhar moved  
That the house do now adjourn.  
Which motion prevailed.  
And the house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

THIRTY-EIGHTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 9, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Doyle of Foster, Englund and Geiger, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 37th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Honorable Legislature of the State of North Dakota:

We, the undersigned citizens of the state of North Dakota, hereby petition your honorable body during the session now being held that you pass a proper and complete anti-cigarette law. We believe the best interests of the state demand the enactment of such legislation.

CHAS. A. POLLOCK AND 475 OTHERS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned resident taxpayers and legal voters of the county of Kidder, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213 now pending before the House; and your petitioners will ever pray.

E. C. KIESLING AND 33 OTHERS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned resident taxpayers and legal voters of the county of Cass, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213 now pending before the House; and your petitioners will ever pray.

H. SOZWEDEL AND 23 OTHERS.

To the House of Representatives:

We, the undersigned, members of the House of Representatives from the counties of the Second Judicial district, being acquainted with the conditions existing in said Second Judicial district and the charges preferred against the Hon. John F. Cowan, and believing said charges to be unfounded and untrue, and believing that the matter of the selection of a judge for said Second Judicial district should be left entirely to the people residing in said district, hereby petition your honorable body to indefinitely postpone said resolution of impeachment and exclude said resolution and the motion in regard to same from the records of the House.

NORMAN MORRISON, Ramsey.

N. W. HAWKINSON, Towner.

BERNT ANDERSON, Ramsey.

JAMES KANE, Benson Co.

N. O. JOHNSON, Towner Co.

P. J. MOEN, Benson Co.

Referred to committee to be appointed.

## REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Also

House Bill No. 181.

A bill for an act entitled, an act to amend Section 2 of Chapter 204 of the laws of 1909, entitled, "An act to amend Sections 811, 829, 882 and 883 of the Revised Codes of 1905, pertaining to education."

Also,

House Bill No. 189.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees of the office of the register of deeds.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

## House Bill No. 151.

A bill for an act to amend Section 2437 of the Revised Codes of North Dakota for 1905,, relating to proposals and acceptance of bonds of county depositaries.

Have had the same under consideration and recommend that the same be amended as follows :

Referring to the printed bill, in lines 27 and 28, strike out the words "first day of February next after the bids have been advertised for," and substitute the words, "board of county commissioners shall, re-advertise for bids and shall have designated new depositaries." In line 16, insert the word "probable" between the words "the" and "amount." In line 25, insert the word "so" between the words "been" and "approved." In line 34, substitute the word "sureties" for the word "securities." In line 39, strike out the words "the provisions of."

And when so amended recommend the same do pass.

J. N. KUHL,  
Chairman.

Also,

Mr. Speaker:

Your committee on banks and banking to whom was referred

Senate Bill No. 20.

A bill for an act prescribing the conditions by which the public examiner, his deputies and employes of the state public examiner's department, the stockholders, officers and employes of any banking association in this state may secure loans from banking associations with which they are in any way connected, and fixing the liability for non-compliance with the provisions of this act.

Have had the same under consideration and recommend that the same do pass.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred  
House Bill No. 80.

A bill for an act providing for the examination of the financial affairs of school districts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. C. OLSGARD,  
Chairman.

Mr. Kuhl moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

A majority of your committee on ways and means to whom was referred

House Bill No. 116.

A bill for an act to amend Chapter 68 of the Session Laws of the State of North Dakota for the year 1909, prescribing the salary of the state's attorney, assistant and clerk.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

A minority of your committee on ways and means to whom was referred

House Bill No. 116.

A bill for an act to amend Chapter 68 of the Session Laws of the State of North Dakota for the year 1909, prescribing the salary of the state's attorney, assistant and clerk.

Have had the same under consideration and recommend that the same do pass.

A. M. THOMPSON,  
J. T. HOGE,  
ROBERT NORHEIM,  
W. J. BURNETT.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 263.

A bill for an act to amend Section 2439 of the Revised Codes of 1905, as amended by Chapter 70 of the 1909 Session Laws, relating to sinking funds and the duty of county commissioners pertaining thereto.

Have had the same under consideration and recommend that the same be amended as follows:

Line 12, page 2, printed bill, strike out all of line 12 after the word "percent."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 224.

A bill for an act to amend Section 98 of the Revised Codes of North Dakota of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved  
That the report be adopted.



Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 58.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees in the office of the register of deeds.

Have had the same under consideration and recommend that the same be amended as follows:

Section 5, printed bill, line 2, strike out the words "he may," and insert following: "it shall be his duty to."

Section 6, line 2, insert "or satisfaction of mortgage."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 90.

A bill for an act to reimburse members of the legislative assembly for personal expenses incurred while attending the session thereof.

Have had the same under consideration and recommend that the same be submitted to the committee of the whole.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

A majority of your committee on railroads to whom was referred

House Bill No. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "safety" in line six, insert the following:  
"Provided the same shall not apply to any passenger train which does not carry passengers whose trip both begins and terminates within the boundaries of the state of North Dakota."

And when so amended recommend the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Speaker:

A minority of your committee on railroads to whom was referred

House Bill No. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. J. SORLIE,  
J. N. PUTNAM,  
E. C. ANDRUS.

Also

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 134.

A bill for an act to amend Sections 4324 and 4343 of the Revised Codes of 1905, relative to the powers and duties of the board of railroad commissioners.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on railroads to whom was referred  
House Bill No. 42.

A bill for an act placing the location of new lines of railroad in this state under the jurisdiction of the board of railroad commissioners, and defining the powers and duties of such board in such matters.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Mr. Stern moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on railroads to whom was referred  
House Bill No. 221.

A bill for an act to amend and re-enact Section 4303 of the Revised Codes of 1905, and repeal Section 4304 of said code.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 45.

A bill for an act entitled, an act prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor, and providing transportation for the board of railroad commissioners and its secretary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 41.

A bill for an act to prohibit the granting to or use by any person, of any free pass, frank or special privilege withheld from any other person, and to fix the penalty for violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Mr. Hedalen moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the words "a bill" in the heading the following: "For an act to provide for the establishment, equipment and government of the state tuberculosis sanitarium, and making an appropriation therefor."

By inserting after the words "Section 1," in line one of the printed bill, the words, "Sanitarium Established.)"

By inserting after the words "Section 3," on the second page of the printed bill, the words, "Financial Management.)"

By inserting after the words "Section 4," on page two of the printed bill, the words, "Supertintendent, Employes. Duties.)"

By striking out the figures "\$15,000," in line five on page 6 of the printed bill and insert in lieu thereof the figures "\$30,000."

By striking out the figures "\$3,000," in line 6 on page 6 of the printed bill, and inserting in lieu thereof the figures "\$10,000."

By striking out the figures "\$5,000," in line seven, and inserting in lieu thereof the figures "\$10,000."

By inserting between lines seven and eight, on page six, the following words: "The figures for equipment and purchase of farm animals and machinery, \$10,000."

And when so amended recommend the same be referred to the committee on appropriations.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on public health to whom was referred

## House Bill No. 213.

A bill for and act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Have had the same under consideration and recommend that the same be amended as follows:

Insert after the words "Section 1," line 1 of the printed bill, the words "Itinerant Vender, License.)"

Insert after the words "Sec. 2," the words "Itinerant Vender, Definition.)"

Insert at the top of page 2 of the printed bill, before line 2, the following words: "Sec. 3. Application, Samples.) Any itinerant vender desiring to sell, offer for sale or."

Insert after "Sec. 4," the words "Fees," and in line 3 of section 4, strike out the word "fifty" and insert in lieu thereof the word "twenty." Strike out of line 4, in section 4, the words "seventy-five" and insert in lieu thereof the word "thirty."

Insert after the words "Sec. 5," the words "Record of License.)"

Insert after the words "Sec. 6," the words "Analysis of Samples.)"

Insert after the words "Sec. 7," "Supplementary Application.)"

Insert after the words "Sec. 8," "Limitation in License."

Insert after the words "Sec. 9," "Penalty.)"

Insert after the words "Sec. 10," "City, Town and Village Licenses.)"

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 18.

A bill for an act to repeal wolf bounty.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 4.

A bill for an act to create a glandered horse indemnity  
fund.

Have had the same under consideration and recommend  
that the same be amended as follows:

Line 3 of the printed bill, section 2, strike out the word "two-tenths" and  
insert the word "one-tenth."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 242.

A bill for an act to amend Section 1968 of the Revised  
Codes of 1905.

Have had the same under consideration and recommend  
that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 225.

A bill for an act to amend and re-enact Section 537 of  
the Revised Codes of North Dakota for 1905, relating to  
the bonds of notaries public.

Have had the same under consideration and recommend that the same be amended as follows:

In paragraph two, in line five, strike out the word "of" and insert in lieu thereof the word "or." Also add section 2, the emergency clause, which reads as follows:

"Whereas the secretary of state, with whom all notarial bonds are filed, has convenient access to the insurance department records relating to surety bonding companies, and is accordingly in a better position to pass upon the notarial bonds issued by said companies, therefore an emergency is declared to exist, and this law shall take effect and be in force immediately upon its passage and approval."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred House Bill No. 96.

A bill for an act creating a state board of dental examiners; to regulate the practice of dentistry in the state of North Dakota; to provide for licensing dentists; and to provide penalties for the violation of this Act.

Have had the same under consideration and recommend that the same do pass.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on public health to whom was referred House Bill No. 104.

A bill for an act to amend Sections 1, 6, 12, 14 and 16 of Chapter 135 of the Laws of 1907.



Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on public health to whom was referred Senate Bill No. 63.

A bill for an act to prohibit the importation, manufacture, distribution, transportation, sale, or use of snuff, and providing a penalty therefor.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the words "Section 3," the words "Construction of Act.)"

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Mr. Frain moved

That the rules be suspended and the report of the committee be adopted and the bill be placed on the calendar for third reading.

Which motion prevailed.

The committee on highways made the following report:

Mr. Speaker:

Your committee on highways to whom was referred House Bill No. 250.

A bill for an act to amend and re-enact Section 1348; Article 1, Chapter 19, of the Revised Codes of North Dakota of 1905, pertaining to public highways, defining the lines of public roads, and width of same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. STRANAHAN,

Mr. Stranahan moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on highways to whom was referred  
House Bill No. 91.

A bill for an act to provide for fixing the amount to be allowed for labor on highways when performed in payment of road taxes.

Have had the same under consideration and recommend that the same be amended as follows:

After "Sec. 1," line 1, insert "Compensation. Electors to Fix Rate.)"  
After "Sec. 2," line 1, insert "Supervisors to Fix Rate, When.)"  
After "Sec. 3," line 1, insert "County Commissioners to Fix Rate, When.)"  
After "Sec. 4," line 1, insert "Minimum Rate.)"  
After "Sec. 5," line 1, insert "Commutation.)"  
After "Sec. 6," line 1, insert "Repeal.)"  
After "Sec. 7," line 1, insert "Emergency.)"

And when so amended recommend the same do pass.

E. H. STRANAHAN,  
Chairman.

Mr. Akesson moved

That the rules be suspended and the report of the committee be adopted and the bill be placed on the calendar for third reading.

Which motion was lost.

The committee on manufactures made the following report:

Mr. Speaker:

Your committee on manufactures to whom was referred

## Senate Bill No. 122.

A bill for an act requiring natural gas to be confined, and prescribing penalty for the violation thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10, strike out the word "four" and insert in its place the word "ten," and at the end of section 1, after the word "oil," add the words:

"Provided also that this act shall not apply to any artesian or other well used for water supply purposes, which discharges natural gas with the water, where the discharge of gas does not exceed an average of five thousand cubic feet of gas in each twenty-four hours."

And when so amended recommend the same do pass.

W. B. DE NAULT,  
Chairman.

The chief clerk announced that the Speaker was about to sign

## Senate Bill No. 25.

A bill for an act to authorize boards of trustees of incorporated villages to regulate the use of streets, alleys and public grounds by automobiles, traction engines and other self propelled vehicles, and to provide for registration and identification of the same, at the expense of the owners or operators thereof.

Also

## Senate Bill No. 66.

A bill for an act to amend and re-enact Section 437 of the Revised Codes of the State of North Dakota, for 1905, relating to the qualifications of deputies, clerks and employes of the state, county and municipal governments of and within the State of North Dakota, and members of the official boards.

Also,

## Senate Bill No. 88.

A bill for an act to amend Section 2768 of the Revised Codes of North Dakota for 1905, relating to the repairs of city sidewalks.

And the Speaker signed the same in the presence of the House.

## REPORTS OF SELECT COMMITTEES.

Mr. Streeter moved

That the reading of the reports of the special committees be dispensed with.

Which motion prevailed.

Mr. Speaker:

The committee appointed to inspect the State Normal School at Valley City, and report on its condition and needs, begs leave to report that they spent the day of Monday, February 5th, at the institution. The committee was much pleased with the condition of the buildings and general conduct of the institution. Good care is everywhere in evidence. The new dormitory provided for by the Eleventh Legislative Assembly is well finished and commodious and represents good value for the money expended. The heating and ventilating plant, also recently completed, seems well planned, but economies enforced, owing to limited funds, proves inadequate in the coldest weather owing to too small boiler capacity. The first two items mentioned in the appropriation bill listed below would be required to make adequate the heating plant, and to furnish the dormitory.

ITEMS OF APPROPRIATION BILL, STATE NORMAL SCHOOL, VALLEY CITY, N. D.  
To pay for the furniture in the new dormitory and to complete the

furnishing, the sum of .....	\$ 7,100
To install additional boilers and to complete the heating plant of the State Normal School .....	8,000
Total .....	<u>\$ 15,100</u>
For building of industrial arts .....	\$ 75,000
For a students' hospital .....	15,000
For a dormitory for the young men .....	40,000
For the erection of a barn .....	2,000
For the repair and painting of present buildings .....	3,000
For the improvement of grounds and preparation of school garden .....	3,000
For furniture, apparatus and equipment .....	5,000
For library purposes .....	2,000
For partial maintenance July 1, 1911, to June 30, 1913 .....	45,000
Total .....	<u>\$190,000</u>

The item of \$45,000.00 requested for maintenance will be necessary to maintain the school at its present standard of efficiency. We find the average salary of teachers at this institution, including the president, to be \$1,023.00, which we believe is too low for a school of this class. The maintenance fund should not be reduced, but rather increased.

The institution is much in need of a building for its classes in agriculture, drawing, manual training and domestic science. All of these departments are in basement rooms that require electric light in the day time, and in some cases the departments are conducting this work in rooms widely separated. The basement rooms are needed for coat rooms. The institution should be provided with a building for these departments, for which the sum of \$75,000 is requested.

With a somewhat uniform attendance of 650 students, the institution should be provided with some hospital conveniences for the proper care of students who are taken sick, most of them being long distances from home.

The committee believes the normal school work would be advanced by the erection of a dormitory for the young men. The management of the school represents that too few men are qualifying for the work of teaching. \$40,000.00 would not be too much, if the state funds will permit it, to enter that field of effort.

The institution is also requesting a small sum for a barn. The present shed is obviously inadequate for their needs and use unsanitary, and should be replaced by another structure. The request is for \$2,000, and we recommend that it be granted.

We do not feel that we are in a position to speak with assurance as to the needs of the institution on the other minor items of this bill, except that we observe that a few repairs are urgently required.

Unfortunately, we visited the institution on a day when the school was not in session, so we can not speak of the work that is being conducted. Everything seemed to indicate that the school is doing a strong grade of work and that the institution is rendering the state efficient service.

From the office the following data regarding the school was secured:

SUMMARY OF ATTENDANCE AND OTHER INFORMATION.

	1908-1909.	1909-1910.	1910-1911.
Normal department .....	624	624	581
Summer school .....	517	580	645
Model school .....	191	208	194
Music department .....	249	98	...
Total .....	1,634	1,427	...
Average age of students .....	19.5	19.3	....
Number of counties represented .....	42	42	48
Number of other states represented ....	10	10	11
Average salary of teachers .....	...	\$925	\$1,023

The record for the present year is, of course, incomplete.

The committee is pleased to most highly commend and endorse the efficient work being done at this institution by President McFarland and his able body of assistants.

Respectfully submitted,

W. S. DEAN,  
FRANK H. HYLAND.

Mr. Speaker:

Your special committee named under the joint resolution of the House and Senate to visit and inquire into the needs and work of the North Dakota State Agricultural College at Fargo, begs leave to submit the following report:

Your committee, consisting of Senators H. J. Bessesen and John Young and Representatives O. J. Sorlie and N. O. Johnson, left Bismarck for Fargo on the evening of February third and spent February fourth in thoroughly going over all of the buildings and departments of the State Agricultural College at Fargo and inquiring into their needs.

The State Agricultural College requests the following, viz.: First, an appropriation for the maintenance of \$50,000 annually. Second, an appropriation of \$50,000 for Ceres Hall (girls' dormitory), to pay for the deficit upon said building and for furnishing the same. Third, an appropriation of \$12,000 for a new boiler and new smoke stack. Fourth, an

appropriation of \$15,000 for the purchase of a half section of land, lying immediately west of the college grounds. Fifth, an appropriation of \$85,000 to complete the new chemical laboratory and to furnish equipment therefor. Sixth, the college also desires a boys' dormitory, as they have none at all at the present time. Seventh, the college also desires a recitation hall, as there is now no recitation building, the various classes being held in different buildings, in basements, garrets, store rooms, etc., there being only seven class rooms suitable for holding classes in the ordinary subjects. Eighth, the college desires a dairy building, but does not urge the same at this time.

In commenting upon the foregoing requests, your committee makes the following report, viz.:

In reference to the first request for \$50,000 annual maintenance, it appears that if the state does not give liberal support to the government experiment station there located, that there is grave danger of this experiment station losing its financial support from the United States government, since the government demands that the state do its share in supporting this institution, which is primarily for the benefit of the people of our state.

As to the second request of \$50,000 to pay the deficit on Ceres Hall and for furnishing the same, we believe that this is necessary, since indebtedness has been incurred to that extent and must be paid for. This is the girls' dormitory and is a magnificent building, and well suited for its purpose.

As to the third request for \$12,000 for a new boiler and smoke stack, we find that the present heating plant is taxed to its limit, and that as soon as the new chemical laboratory is completed and connected up with the heating system, that the heating system will not be adequate to do the work necessary to heat all the buildings. The present smoke stack is a very short one, built of metal, and is absolutely inadequate to the needs of the heating plant. A new, tall smoke stack, built of brick should be furnished as soon as possible.

As to the fourth request for \$15,000 with which to buy a half section of land lying immediately west of the college grounds, we recommend this most urgently, since the college has an option to buy this half section of land if taken by April 1, 1911. If the college does not avail itself of this option by that time, it will cost considerably more. This land is very valuable, adjoining the city of Fargo and being first class, tillable soil, and if the college owned this land all of the feed necessary for the Agricultural College could be raised upon the same. During the present year the college paid out for feed \$5,372.38, and therefore we believe that in three years' time, by raising their own feed, this land could be paid for. This land should be purchased at once by all means.

As to the fifth request for \$85,000 with which to complete, furnish and equip the new chemical laboratory, we report that it is necessary to complete, furnish and equip the same. It was an accident that the old chemical laboratory burned down, and therefore this college is short of this most necessary building, and this building can scarcely be chargeable to the account of the Agricultural College since the old building was destroyed by fire. They have gone as far as they can with the insurance money from the old building, and now need enough to complete, furnish and equip the new chemical building. The new chemical laboratory is a beautiful structure, absolutely fireproof and fully adequate for its purpose. Your committee does not know the exact amount which it will take to complete, furnish and equip this laboratory building.

As to the sixth request for a boys' dormitory, your committee believes that the Agricultural College should have a boys' dormitory, since it has never had such a dormitory and since certain other state institutions have already been furnished with a boys' dormitory, and for the further reason that more than two-thirds of all the students at the Agricultural College

are boys and are now compelled to occupy rooms, many of which are cold, among the surrounding homes, and owing to their being compelled to practice economy, sometimes as many as six boys are quartered in a bedroom.

As to the seventh and eighth requests for recitation hall and dairy building, your committee believes that the Agricultural College can get along without these two buildings for a couple of years, if necessary.

The State Agricultural College at Fargo is doing a most important work for the boys and girls and farmers of this state. We are primarily an agricultural and farming state, and the subjects taught there directly tend to increase our efficiency along these lines. The Agricultural College also reaches a large class of students who are not able to attend any other institution.

Respectfully submitted,

H. J. BESSESEN,  
O. J. SORLIE,  
JOHN YOUNG,  
N. O. JOHNSON,

Committee.

Mr. Speaker: The committee selected to make an examination of the present condition and needs of the State Hospital for the Insane at Jamestown, N. D., beg leave to submit the following report:

House Bill Number 86 provided the following appropriations:

Ward building for women .....	\$ 95,000
Tuberculosis hospital for men .....	65,000
Dairy barn and silos .....	15,000
Living house for patients and employees doing manual labor.....	12,000
Addition to laundry .....	12,000
Boiler house alterations .....	1,600
Building of a main sewer .....	1,250
Slaughter house and yards .....	2,500
Improvement to grounds .....	1,000
Concrete mixer .....	350

Making a total of ..... \$205,700

The ward building for women is an absolute necessity. Your committee were shown a room which is being used as a bedroom for eighteen women, who are sleeping in eleven single cots. The room is 20x22, with a low ceiling, and is in the basement of one of the old buildings.

The tuberculosis hospital for the men is very badly needed, as has been proven by tests made upon the inmates, sixty patients are known to have the disease.

The institution should have at least 100 cows giving milk; at present they have about 50. The 50 milch cows are crowded into space that would hold 24 in a proper condition. Besides the room the cattle are occupying is in the horse barn, and with a 1,200 acre farm more horses and horse room is needed to make the land a paying proposition.

The men who are employed at the institution are at present sleeping in an attic of a building, the two lower floors of which are used by the inmates, which necessitates the locking of doors. The building, by the underground tunnel route, is 2,000 feet from the barns, and the barns and contents would be consumed by fire before these men could get there. Besides this, they eat at the main dining room and must be there at 7, 12 and 6, which means very short hours for farm labor. Some kind of a living house should be built.

The laundry and equipment was built to accommodate 300 inmates, and with the present 718 inmates it is entirely too small.

The boiler house needs repairs, and the idea of a large main sewer, the steward informed us, was an absolute necessity.

The institution is situated quite a distance from town, and we were informed that very often meat in transit would become tainted. Besides, your committee feel that under the present management cattle, hogs and sheep could be bought much cheaper, if bought alive and slaughtered at the institution.

The concrete mixer should be gotten by all means, as many basement floors are needed and extra fine work has already been done by the old shovel mixing method.

Steps should be taken to put in a track from the city of Jamestown and connecting with the railroads. Six teams are used in hauling coal and supplies; this makes a big expense item.

Your committee requested Supt. McAllister to mail a detailed report of the needs of the institution and he has complied with our request, and we are attaching his letter to the report given the speaker.

Respectfully submitted,

W. S. DEAN.  
FRANK H. HYLAND,

P. S.—Your committee highly commend the work being done at this institution by Supt. McAllister and Steward Williams and their corps of assistants.

Hon. W. S. Dean, Bismarck, N. D.

Dear Sir: Agreeable to the request made when you were here on the 4th inst., I am appending statistics and information regarding this institution and its needs.

There has been a gradual and rather rapid increase in population. The average number of patients for the period from June 30th, 1904, to June 30th, 1906, was 459. The average for the next period, being from 1906 to 1908, was 515, an increase of 12 per cent, and the average for the period from 1908 to 1910 was 602, an increase of 17 per cent, and the increase for the half year from June 30th, 1910, to December 31st, was  $8\frac{1}{2}$  per cent, which if continued for the next year and half would amount to an increase of 34 per cent for the period. I do not, however, expect as large an increase as this, but estimating from the increase of the past six years, I find that we should have an average population for the period from March 1st, 1911, to March 1st, 1913, of 793, which is an increase of 150 over the population which we will probably have on March 1st, viz., 718. With our present population of 712 we are using all available space in the buildings which have been set apart for women, and are compelled to have sleeping and day rooms overcrowded to such an extent that proper sanitary conditions cannot be obtained. Some of the dormitories occupied by women are so crowded already that each individual has less than 265 cubic feet of space, while 800 cubic feet is the minimum amount prescribed for hospitals, hotels, schools and other public buildings. This crowded condition makes it necessary that additional room be provided for women, and we are asking for a building large enough to accommodate from 100 to 120, which we think can be built for \$95,000. A building recently completed for men of the same size and plan cost the state, in round numbers, \$98,000, but I think we can reduce this slightly, as we already have part of the foundation, and as steam and water pipes have already been carried to the proposed site.

The buildings occupied by men are not so badly crowded, but if the increase of the past six years continues, we should have nearly 100 more men in two years from now than we have today, and as we now have about fifteen men who are not provided with beds and have only 24 places



for additional beds, we will soon be overcrowded in the men's department. There is also the thought that we have between forty and fifty men who are now known to be tubercular, and as we are compelled to classify the patients according to their mental and physical condition, these forty or more tuberculars are scattered among other patients who are not known to have tuberculosis, but many of whom are, no doubt, susceptible to the disease, and some of whom will undoubtedly acquire it if compelled to thus intimately associate with those who have it. This should be avoided by providing a separate building for this class of cases, and as the number is increasing rapidly, provision should be made for considerably more room than the number of cases at present in the hospital. We are asking for \$65,000 for such a building, which should provide for about eighty patients.

The present laundry was built when the institution had less than 300 patients, and is far too small for the present population. We are asking for an addition to the present building, which will furnish a capacity for double the present number of patients, and also for reconstructing the present laundry so as to make it as nearly fireproof as possible. We are also in need of a larger mangle and some other additional laundry equipment. By using our own labor and the sand and gravel which can be obtained on the grounds, I estimate that this addition and necessary improvements can be made for \$12,000.

Our present dairy barn is a disgrace to the state, as it is entirely inadequate, unsanitary and dangerous. We should have a modern, sanitary barn, large enough to accommodate 100 cows, and besides this we need room for calves and young stock, and storage for hay and feed. It is also proposed to make a silo and to convert the present barn into quarters for farm horses and storage room for machinery. The present barn has been condemned by authorized inspectors, and provision for a new barn should be made at this time.

We are also asking for a building for farm help and certain of the better class of patients who assist on the farm and about the institution, in order that these men may be by themselves where they can have their meals at suitable hours and not be dependent on the service from the general kitchen which is compelled to serve meals for the large number of patients at hours which are not satisfactory to men who are expected to put in a full day's work on the farm or at any employment about the institution. A building of this character would be of considerable economic advantage.

We are also asking for an appropriation to build a slaughter house and suitable yards, so that we can do our own butchering and thus make a considerable saving on meat bills. The other small amounts asked for do not need further explanation.

If I were asked to specify the most urgent needs, I would name, first, the ward building for women; second, the building for tubercular men; third, the dairy barn, and would give about equal importance to the addition to the laundry and the building for farm help.

I would be pleased to have you show this letter to other members of the appropriations committee, and particularly to Mr. Hyland.

Among the representatives who have visited this institution are Alex. Stern of Fargo, Frank E. Ployhar of Valley City, C. E. Olsgard of McVile, Bernt Anderson of Churches Ferry, N. W. Hawkinson of Rock Lake, and the four representatives from Stutsman county.

Hoping that the above satisfactorily answers your purpose, I am,

Yours very truly,

B. R. McALLISTER,  
Superintendent.

Hon. U. L. Burdick, Lieutenant Governor, and Hon. J. M. Hanley, Speaker of the House:

Your committee, the undersigned, appointed to visit the Home of the Feeble-Minded at Grafton, beg leave to submit the following report:

We visited the home February the 4th, between the hours of 4 p. m. and 12 p. m.

*Building and Equipment.*—We inspected all parts of the institution, including wards, dining rooms, kitchen, hospital and so forth, and find them all in good repair and adequate now for the number of inmates therein, except the bakery, which is altogether too small, inadequate and inconvenient, and must be replaced by a new and more commodious one.

*Health.*—The health of the inmates as a whole seems good, with no acute diseases. A few tuberculosis cases in the hospital and a few chronics, which might be expected.

*Sanitation.*—Sanitation is most perfect, not even a foul odor or smell of any kind emanating from closets, urinals or any part of the building, with abundance of light, fresh air and room leaves little to be desired.

*Management.*—The doctor in charge, the teachers, instructors and attendants seem keenly alert to all the wants and benefits to those in their charge, and each one in his or her capacity seemed an expert specially trained for the position which they were filling.

*Capacity.*—The capacity of the institution is taxed, every available space is occupied, and no more inmates can be taken unless there are vacancies by death or removal.

*Objects.*—A certain class of inmates are absolutely without hope of improvement, simply a vegetation to be watered and fed, clothed and housed as long as they live. Another middle and higher class, low mentality, but good physique, are instructed in mechanics and handiwork of various kinds, as well as rudimentary abstract knowledge that they may sometimes become useful to themselves and in a measure self-sustaining.

*Suggestions.*—We have no criticism of the institution or the management; in fact, we think it would be hard to devise ways and means of improvement. We do, however, question the policy of taxing the state to instruct big, full grown men and women along lines that must necessarily be with indifferent success. We think a great many of these able-bodied inmates could be colonized on a tract of land under suitable supervision and be made almost self-sustaining.

*Laws Recommended.*—Stringent marriage laws should be enacted at this session of the Legislature to effectually disbar the mentally deficient without the institution, and also a law to disbar those within the institution, from reproducing their kind.

*Appropriation.*—A few items asked for improvement may be postponed for a time, but the maintenance is a matter of compulsion, not choice, and we think the board of managers are conscientious and careful, and under the present system could not run on less expense.

This report would not be complete without a word of appreciation for General Trueman, Mr. J. E. Gray and Supt. Wylie, who with their esteemed wives extended to us hospitality and aided us in every essential to an intelligent report.

Very respectfully,

JOHN G. JOHNS,  
C. M. WHITMER.

Bismarck, N. D., Feb. 8, 1911.

To Lieut. Gov. Burdick and Speaker Hanley of the House of Representatives:

Your committee of the undersigned, appointed to inspect the Blind Asylum at Bathgate, beg leave to submit the following report:

Between the hours of one and four p. m., Saturday, the fourth day of February, 1911, we visited the Blind Asylum at Bathgate and report on the same as follows:

*Physical Condition of Inmates.*—None of the inmates were sick. All looked well and happy, except two, who were received into the institution in a debilitated condition. All seemed happy and contented, and had only expressions of affection for their teachers, which was the best index of the kind, parental treatment accorded them by all of the management.

*Equipment.*—The equipment, so far as we could judge, is well nigh perfect. Well lighted, well heated, well ventilated and commodious rooms left little to be desired, except they have no root cellar and have to keep their potatoes, other vegetables and provisions in one of the rooms of the basement, which is warm, inconvenient and unsanitary.

*Work Accomplished.*—Instruction is along lines with a view to making the students self-sustaining. Music, typewriting, piano-tuning and domestic science are taught, and the children seem to have become quite proficient. We believe that each and every one, when their course is completed, will be able to earn his own livelihood.

*Management.*—We could not suggest an improvement in the personnel of the faculty. Nothing but praise in this report would be fitting for the untiring efforts of each and every one of the faculty for the betterment of those poor, unfortunate beings whose existence must ever be in the dark. Special commendation is due Superintendent Chapple and his kind wife, who it seems were ordained by a kind providence to temper the winds to these shorn lambs. They have the love and gratitude of every child in their care, and should have of every citizen of the state.

*Appropriation.*—They want a small stipend with which to build a root-house and a small barn, and to buy a few cows and a span of horses, so that the children may have fresh milk, and during fine weather may take a ride in the open air, and we unqualifiedly recommend granting all they ask for.

Very respectfully submitted,

JOHN G. JOHNS,  
C. M. WHITMER,  
Committee.

## MOTIONS AND RESOLUTIONS.

Mr. Streeter moved

That the vote by which the motion to appoint a committee to receive testimony relating to impeachment of the Hon. John F. Cowan be reconsidered.

Roll call demanded.

The roll was called and there were 46 ayes, 50 nays; absent and not voting, 7.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Johnson	Robinson
Anderson, of Ramsey	Kane	Scott
Andrus	Kuhl	Scheer
Boerner	Lagezon	Stutt

Messrs.—	Messrs.—	Messrs.—
Bond	Martin	Sorlie
Boya	McClellan	Stern
Burns	Moen, of Benson	Stranahan
Dean	Morrison	Streeter
DeLance	Narum	Tande
Doyle, of McIntosh	O'Connor of Pembina	Thompson
Edwards	O'Shea	Tostenson
Fassett	Pendray	Tuttle
France	Price	Walters
Fritz	Ray	Whitmer
Hawkinson	Reeve	Williams
Hedalen		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Nelson, of Richland
Anderson, of Griggs	Harty	Nelson, of Walsh
Bjornson	Heinemeyer	Nestos
Brusletten	Hersrud	Norheim
Burnett	Hoge	O'Connor of Gd. Forks
Carey	Homnes	Olgard of Nelson
Christenson	Hill, of Bottineau	Olgard of Richland
Cunningham	Hill, of Cass	Paulson
Davidson	Hyland	Peart
Davis	Johns	Ployhar
DeNault	Jordal	Putnam
Dosseth	Knox	Roquette
Fox	Knutson	Sauer
Fraine	Law	Ulsaker
Fried	Lee	Wambem
Gardiner	Moen, c. Cavalier	Mr. Speake:
Gorder	Moritz	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Englund	Kyllo
Collins	Geiger	Tollefson
Doyle, of Foster		

Messrs. Collins, Doyle of Foster, Geiger, Englund being excused.

Which motion was lost.

Mr. Nestos moved

The vote by which House Bill No. 31 passed be reconsidered.

Which motion prevailed.

Mr. Nestos moved

That House Bill No. 31 be referred to the committee on warehouses and grain grading.

Which motion prevailed, and  
The bill was so referred.

Mr. Hyland introduced the following resolution by request of the North Dakota Hardware Dealers' Association:

WHEREAS, Our attention has been called to what is known as Hookway's No. 67 Senate Bill, and which has for an effect the repealing of the present lien law, has been carefully considered by the North Dakota Retail Hardware Association, now assembled in annual session in Devils Lake, N. D., this 7th day of February, 1911; and

WHEREAS, It is the honest belief of this association and its individual members that the adoption of this bill would be a detriment to the up-building of the state and a great injustice and hardship to the poorer class of citizens for the reason that it would necessitate their paying cash for all building material purchased, where under the present law they are able to secure credit on account of protection offered the merchant under the present lien law.

*Now, Therefore, Be it Resolved:*

That we urge the members of the Senate and House of Representatives, now in session, not to adopt this particular bill or any other bill that may be introduced that will have as its effect the withdrawal of credit from that class of citizens desiring to improve their premises and at the time are without ready cash to purchase necessary material.

*Be it Further Resolved:*

That the secretary be instructed to forward a copy of this resolution to the Senate and House of Representatives at Bismarck.

Mr. Hoge moved that the resolution be referred to the committee in charge of said bill.

Which motion prevailed.

Mr. Price offered the following resolution and moved its adoption:

WHEREAS, It has been the custom in the past for the different state offices to have published and placed on the desks of the members of this House, complete reports of their actions for the biennial period; and

WHEREAS, These reports are necessary and valuable for the guidance and information of the members of this Assembly; and

WHEREAS, There are no reports now on the desk of the members of this House, excepting possibly three state offices;

*Therefore, Be it Resolved:*

That the chief clerk of this House be requested to ascertain from the different state offices the reasons for the failure to so submit said reports, and report back to the House such information as he may acquire as to the reasons for the failure of said state officers to submit said reports, and the chief clerk is requested to submit a report to the House of Representatives not later than the fortieth day of this session.

Which motion prevailed, and  
The resolution was adopted.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 9, 1911.

Mr. Speaker:

I have the honor to return herewith,  
House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

Which the Senate has passed unchanged.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House concurrent resolution regarding President J. H. Worst and the Whitestone Hills battlefield.

Very respectfully,

J. W. FOLEY,  
Secretary.

The Speaker called Mr. Streeter to the chair.

INTRODUCTION, FIRST AND SECOND READING  
OF HOUSE BILLS.

Mr. DeNault introduced  
House Bill No. 307.

A bill for an act to amend Section 4277 of the Revised Codes of North Dakota for the year 1905.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Martin introduced

House Bill No. 308.

A bill for an act providing for certain deposits to be made by foreign insurance companies doing business in the state of North Dakota.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Dean introduced

House Bill No. 309.

A bill for an act to regulate the sale of hen's eggs.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Davis introduced

House Bill No. 310.

A bill for an act entitled, an act to amend and re-enact Section 2478 of the Revised Codes of North Dakota of the year 1905, relating to taxes.

Which was read the first and second times, and

Referred to the committee on taxes and tax laws.

Mr. Benson introduced

House Bill No. 311.

A bill for an act to amend and re-enact Section 2858 of the Revised Codes of North Dakota for 1905, providing for the election of village trustees.

Which was read the first and second times, and

Referred to the committee on elections and election privileges.

Mr. McClellan moved

That the House take a recess for ten minutes.

Which motion prevailed, and

The House took a recess for ten minutes.

The House assembled pursuant to recess taken.

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INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Homnes introduced

House Bill No. 312.

A bill for an act to amend and re-enact Section 8089 of the Revised Codes of the state of North Dakota of 1905, providing for the disposition of exempt personal property of decedents.

Which was read the first and second times and

Referred to the committee on judiciary.

The Committee on Public Health introduced

House Bill No. 313.

A bill for an act to provide for the establishment, organization, regulation, and management of a state board of health, county boards of health, township boards of health, city boards of health and village boards of health, and making an appropriation for the expenses of the state board of health.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Tuttle introduced

House Bill No. 314.

A bill for an act entitled, an act to amend Section 4928 of the Revised Codes of 1905, pertaining to acquisition of property.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Johns introduced

House Bill No. 315.

A bill for an act relating to the duties of local boards of health, and sanitary regulations of school houses churches and public halls.

Which was read the first and second times and



Referred to the committee on public health.

Mr. Johns introduced

House Bill No. 316.

A bill for an act entitled, an act to prevent procreation of confirmed criminals, idiots, imbeciles and repists; providing that superintendents and boards of managers of institutions where such persons are confined, shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Johns introduced

House Bill No. 317.

A bill for an act to prevent the spread of contagious diseases and sanitary regulation of coaches, cars and steam boats in this state.

Which was read the first and second times, and

Referred to the committee on public health.

Mr. Knox introduced

House Bill No. 318.

A bill for an act amending Section 28 of Chapter 80 of the laws of 1909, relating to the taxation of costs in county courts having increased jurisdiction.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Kylo introduced

House Bill No. 319.

A bill for an act to amend Section 1961 of the Revised Codes of the state of North Dakota for 1905.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Heinemeyer introduced

House Bill No. 320.

A bill for an act to amend Section 7459 of the Revised Codes of North Dakota of 1905, relating to the publication of the notice of foreclosure by advertisement, and prescribing the duty of the party, attorney or agent foreclosing the mortgage.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Scott introduced

House Bill No. 321.

A bill for an act to prohibit the throwing or depositing of glassware of any kind upon the streets of any village or city or upon public highways, and providing for a penalty for the violation thereof.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Doyle of McIntosh introduced

House Bill No. 322.

A bill for an act prescribing a form of venue of notary public, taking acknowledgment to an instrument in a county other than the one in which he resides.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Moen introduced

House Bill No. 323.

A bill for an act to amend Section 41, Chapter 128 of the Laws of the state of North Dakota, 1909, relating to the protection of game.

Which was read the first and second times and

Referred to the committee on game and fish.

Mr. Edwards introduced

House Bill No. 324.

A bill for an act to amend Section 6931 of the Revised Codes of 1905, relative to the time of granting injunctions.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Moritz, by request, introduced

House Bill No. 325.

A bill for an act making an appropriation to compensate P. G. Johnson for services as assistant attorney general, especially authorized to enforce the prohibitory law of this state.

Which was read the first and second times and

Referred to the committee on appropriations.

The Speaker in the chair.

### THIRD READING OF HOUSE BILLS.

House Bill No. 189.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees of the office of the register of deeds.

Was read the third time.

Mr. Price asked unanimous consent to amend the bill.

There being no objections,

Mr. Price offered the following amendment and moved its adoption:

In line 17, page 2 of the printed bill, strike out the word "may" and insert the word "shall."

In line 20, after the word "mortgage," insert the word "or."

Which motion prevailed.

Mr. Price moved

That the rules be suspended and House Bill No. 189 be considered engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 92 ayes, 2 nays; absent and not voting, 9

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Pembina
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hedalen	Olsgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Andrus	Hersrud	Paulson
Benson	Hoge	Pearl
Bjornson	Homnes	Pendray
Boerner	Hill, of Bottineau	Plyhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Putnam
Brusletten	Johns	Ray
Burnett	Johnson	Reeve
Burns	Jordal	Robinson
Carey	Kane	Roquette
Christenson	Knox	Sauer
Cunningham	Knutson	Scott
Dav.ason	Kuhl	Scheer
Davis	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Fassett	Moen, of Cavalier	Tollefson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Wambem
Fried	Nelson, of Richland	Whitmer
Fritz	Nelson, of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Gorder	Norheim	

Messrs. Moen of Benson and Tostenson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Englund	O'Connor of Gd. Forks
Dean	Geiger	Sgutt
Doyle, of Foster	Hawkinson	Walters

Messrs. Collins, Doyle of Foster, Englund and Geiger being excused.

So the bill passed and the title was agreed to.

Mr. Fried moved

That the vote by which House Bill No. 189 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 181:

A bill for an act entitled, an act to amend Section 2 of Chapter 204 of the laws of 1909, entitled, "An act to amend Sections 811, 829, 882 and 883 of the Revised Codes of 1905, pertaining to education."

Was read the third time.

Mr. Tuttle asked unanimous consent to amend the bill.

There being no objections, Mr. Tuttle offered the following amendment and moved its adoption:

Strike out the last work of the bill, being the word "publication," and insert the word "approval."

Which motion prevailed.

Mr. Tuttle moved

That the rules be suspended and House Bill No.181 be considered engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 89 ayes, no nays; absent and not voting, 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Pembina
Akesson	Hedalen	Olsgard of Nelson
Anderson, of Griggs	Heinemeyer	Olsgard of Richland
Anderson, of Ramsey	Hersrud	O'Shea
Andrus	Hoge	Paulson
Benson	Homnes	Peart
Bjornson	Hill, of Bottineau	Pendray
Boerner	Hill, of Cass	Ployhar
Bond	Hyland	Price
Boyd	Johns	Putnam
Brusletten	Johnson	Ray
Burnett	Jordal	Reeve
Carey	Kane	Sauer

Messrs.—	Messrs.—	Messrs.—
Christenson	Knox	Scott
Cunningham	Knutson	Scheer
Davidson	Kuhl	Sorlie
DeLance	Kyllo	Stern
DeNault	Lageson	Stranahan
Dosseth	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Martin	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fraine	Moritz	Ulsaker
Fried	Narum	Wambem
Fritz	Nelson, of Richland	Whitmer
Gardiner	Nelson, of Walsh	William
Gorder	Nestos	Mr. Speaker
Hanson	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Englund	Robinson
Collins	Geiger	Roquette
Davis	Hawkinson	Sgutt
Dean	McClellan	Walters
Doyle, of Foster	O'Connor of G.C. Forks	

Messrs. Collins, Doyle of Foster, Englund and Geiger being excused.

So the bill passed and the title was agreed to.

Mr. Tuttle moved

That the vote by which House Bill No. 181 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 77 ayes, 13 nays; absent and not voting, 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	O'Connor of Pembina
Anderson, of Griggs	Hanson	Olgard of Nelson
Anderson, of Ramsey	Harty	Olgard of Richland
Andrus	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Homnes	Pendray
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Ray
Burns	Johnson	Roquette
Carey	Jordal	Sauer
Christenson	Kane	Scott
Cunningham	Knox	Scheer
Davidson	Knutson	Sorlie
Davis	Kuhl	Stern
DeLance	Kyllo	Stranahan
Dosseth	Lageson	Streeter
Doyle, of McIntosh	Law	Tande
Edwards	Lee	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Ulsaker
Fried	Morrison	Wambem
Fritz	Moritz	Whitmer
Gardiner	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Nelson, of Richland	Reeve
DeNault	Nelson, of Walsh	Tostenson
Fraine	Nestos	Williams
Hoge	Norheim	Mr. Speaker
Martin		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Geiger	Robinson
Dean	Hawkinson	Sgutt
Doyle, of Foster	McCiellan	Tuttle
Englund	O'Connor of Gd. Forks	Walters
France		

Messrs. Collins, Doyle of Foster, Englund and Geiger being excused.

Mr. Fraine moved

That the title be amended as follows:

That the title be amended by striking out the word "Senate" where it occurs in the title and substitute the words "House of Representatives,"

and where the words "House of Representatives" occur in the title, they be stricken out and the word "Senate" be inserted in lieu thereof.

So the bill passed and the title as amended was agreed to.

### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Hyland raised the question of consideration. The question being shall the Senate concurrent resolution relating to the election of United States senators by a direct vote of the people be now considered.

Which motion was lost.

Mr. Ployhar moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion was lost.

### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 92.

A bill for an act relating to children who are now or may hereafter become dependent, neglected or delinquent; to define these terms, and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the persons of such children.

Was read the first and second times, and

Referred to the committee on ways and means.

Senate Bill No. 17.

A bill for an act to amend and re-enact Section 468 of the Revised Codes of North Dakota for the year, A. D., 1905, as amended by Chapter 159 of the Laws of 1907, relating to judicial districts within the state.

Was read the first and second times, and

Referred to the committee on judiciary.



## Senate Bill No. 48.

A bill for an act regulating the speed of locomotives and trains while passing through cities, towns and villages in North Dakota.

Was read the first and second times, and

Referred to the committee on railroads.

## Senate Bill No. 75.

A bill for an act to prevent the spread of noxious weeds.

Was read the first and second times, and

Referred to the committee on agriculture.

## Senate Bill No. 149.

A bill for an act to require sheriffs in all counties of the State of North Dakota to issue receipts and to file with the county auditor of their respective counties all duplicate receipts issued for the payment of delinquent taxes collected by them or their deputies during their term of office.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

## Senate Bill No. 178.

A bill for an act prohibiting county superintendents of schools, deputies, school officers, school official, principals and teachers from receiving commission or fees or reward for or on account of any school books, furniture or other supplies purchased during the incumbency of such office, and providing for a penalty therefor.

Was read the first and second times and

Referred to the committee on education.

## Senate Bill No. 216.

A bill for an act to amend and re-enact Section 8023 of the Revised Codes of North Dakota for 1905, relating to time to apply for letters of administration and providing when the statute of limitations shall run against claims against decedents.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 217.

A bill for an act to amend and re-enact Section 9015 of the Revised Codes of North Dakota for 1905, as amended by Chapter 163 of the laws of 1909, validating marriages performed without authority, or where licenses have been issued by a clerk of the county court.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 219.

A bill for an act, making an appropriation to meet the deficiency incurred by William Blake of Stutsman county, North Dakota, in carrying on the work of state humane agent.

Was read the first and second times, and

Referred to the committee on state affairs.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 22.

An act requiring railroad companies to provide suitable rooms in railroad station waiting rooms, or in places adjacent thereto.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 84 ayes, no nays; absent and not voting, 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Pembina
Akesson	Heinemeyer	Olgard of Nelson
Anderson, of Griggs	Hersrud	Olgard of Richland
Anderson, of Ramsey	Hoge	O'Shea
Andrus	Homnes	Paulson
Benson	Hill, of Bottineau	Peart
Bjornson	Hill, of Cass	Pendray
Boerner	Hyland	Ployhar
Boyd	Johns	Price
Brusletten	Johnson	Putnam

Messrs.—	Messrs.—	Messrs.—
Burnett	Jordal	Ray
Carey	Kane	Reeve
Christenson	Knox	Robinson
Cunningham	Knutson	Sauer
Davidson	Kuhl	Scheer
DeLance	Lageson	Sorlie
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	Moen of Benson	Thompson
Fassett	Moen of Cavalier	Tollefson
Fraine	Morrison	Tostensor
Fried	Moritz	Tuttle
Fritz	Narum	Ulsaker
Gardiner	Nelson of Richland	Wambem
Gorder	Nelson of Walsh	Whitmer
Hanson	Nestos	Williams
Harty	Norheim	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Fox	O'Connor of Gd. Forks
Burns	France	Roquette
Collins	Geiger	Scott
Davis	Hawkinson	Sgutt
Dean	Kyllo	Stern
Doyle, of Foster	McClellan	Walters
Englund		

Messrs. Collins, Doyle of Foster, Englund and Geiger being excused.

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which Senate Bill No. 22 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 54.

A bill for an act providing for the attendance of certain persons upon certain schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 45 ayes, 40 nays; absent and not voting, 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fox	Morrison
Anderson, of Ramsey	Fried	Moritz
Bjornson	Fritz	Narum
Boerner	Gardiner	Nestos
Bond	Heinemeyer	O'Connor of Gd. Forks
Boyd	Hersrud	O'Connor of Pembina
Burnett	Hyland	Olsgard of Nelson
Burns	Johns	Paulson
Christenson	Kane	Peart
Cunningham	Knutson	Putnam
Davidson	Kuhl	Scheer
Dean	Lageson	Tande
DeNault	Lee	Tostenson
Edwards	Moen of Benson	Whitmer
Fassett	Moen of Cavalier	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Law	Roquette
Akesson	Martin	Sauer
Benson	McClellan	Scott
Brusletten	Nelson of Richland	Sorlie
Carey	Norheim	Stern
DeLance	Olsgard of Richland	Stranahan
Gorder	O'Shea	Streeter
Doyle, of McIntosh	Pendray	Thompson
Hoge	Ployhar	Tollefson
Homnes	Price	Tuttle
Hill, of Bottineau	Ray	Ulsaker
Johnson	Reeve	Wambem
Jordal	Robinson	Mr. Speaker
Kyllo		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	France	Hedalen
Collins	Fraine	Hill, of Cass
Davis	Geiger	Knox
Dosseth	Hanson	Nelson of Walsh
Doyle, of Foster	Harty	Sgutt
Englund	Hawkinson	Walters

Messrs. Collins, Doyle of Foster, Englund and Geiger being excused.

So the bill was lost.

Mr. Streeter moved

That the vote by which Senate Bill No. 54 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Price gave notice that tomorrow at 3 o'clock p. m. he would move to reconsider the vote by which Senate bill No. 54 was lost.

Mr. Price moved

That Senate Bill No. 16 be re-ferred to the committee on judiciary.

Which motion was lost.

Mr. Ployhar moved

That the House do now adjourn.

Which motion was lost.

Senate Bill No. 16.

A bill for an act creating and defining the Eleventh judicial district, within the State of North Dakota, providing for the appointment and election of a judge therein and fixing the boundaries thereof, and fixing the terms of court therein.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 82 ayes, 7 nays; absent and not voting, 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Olsgard of Richland
Akesson	Hoge	O'Shea
Anderson, of Griggs	Homnes	Paulson
Anderson, of Ramsey	Hill, of Bottineau	Peart
Andrus	Hill, of Cass	Ployhar
Benson	Hyland	Price
Bjornson	Johns	Putnam
Boerner	Johnson	Ray
Bond	Jordal	Reeve
Boyd	Kane	Robinson
Brusletten	Knutson	Roquette
Burnett	Kuhl	Sauer
Burns	Lageson	Scott
Carey	Law	Scheer
Cunningham	Lee	Sorlie
Davidson	Martin	Stern
Dean	Moen of Benson	Stranahan
DeLance	Moen of Cavalier	Streeter
Dosseth	Morrison	Tande

Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Moritz	Thompson
Edwards	Narum	Tollefson
Fassett	Nelson of Richland	Tostenson
Fox	Nestos	Ulsaker
Fried	Norheim	Wambem
Gardiner	O'Connor of Gd. Forks	Whitmer
Gorder	O'Connor of Pembina	Williams
Harty	Olsgard of Nelson	Mr. Speaker
Heinemeyer		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Christenson	Hedalen	Nelson of Walsh
DeNault	Kyllo	Pendray
Fraine		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Fritz	McClellan
Davis	Geiger	Sgutt
Doyle, of Foster	Hanson	Tuttle
Englund	Hawkinson	Walters
France	Knox	

Messrs. Collins, Doyle of Foster, Englund and Geiger being excused.

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 16 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. DeNault explained his vote.

Mr. Fraine explained his vote.

The privileges of the floor were extended to the following:

Mrs. Darrow, Mrs. DeLendrecie, of Cass county.

J. L. Killion of Fargo.

Chas. Bursett of Cooperstown.

Rev. Makensen of Sophia.

Rev. Majer of Wahpeton.

Rev. Klauser of Hankinson.

Mr. Drevlors of New Salem.

Wm. Anderson.

J. M. Kelly.  
S. L. Wineman,  
D. V. Brennan.  
Prof. F. E. Smith.  
Col. S. L. Nichols.  
Col. H. R. Bitzing.  
Judge L. H. Connoly.  
H. H. Hethang.  
L. S. Royer.  
L. B. Davis, R. B. Kilbourn, Ed. White, of Minot.  
Mr. Merriman of Fargo.  
Supt. of Schools Warren of Minot.  
J. T. Purcell.  
F. F. Barrows.  
J. A. Jacobson of Minot.  
J. B. Wineman of Grand Forks.

Mr. Aasheim moved  
That the House do now adjourn.  
Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 10, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Collins, Dean, De Nault and Geiger, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 38th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 15 and line 12 take out the word "House" and insert in lieu thereof the word "Senate." Take out title following and insert title of Senate Bill No. 63; also on page 42, on line 44, take out the words



"passed and the title was agreed to." and insert in lieu thereof the words "was lost."

On page 27, after line 28, insert the words, "which motion prevailed."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Eddy, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213, now pending before the House; and your petitioners will ever pray.

O. E. Couch, and 15 others.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Griggs, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213, now pending before the House; and your petitioners will ever pray.

O. Alenklor, and 21 others.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Cass, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213, now pending before the House; and your petitioners will ever pray.

Geo. R. Cook and 34 others.

McVilleville, N. D., February 6, 1911.

To the Honorable Members of the North Dakota Legislature:

We, the undersigned, citizens of Nelson county, North Dakota, respectfully ask your honorable body to support House Bill No. 213, an act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury and deformity.

Joseph Pearson and 41 others.

Michigan, N. D.

To the Honorable Members of the North Dakota Legislature:

We, the undersigned, citizens of Nelson county, North Dakota, respectfully ask your honorable body to support House Bill No. 213.

O. R. Benson and 44 others.

McHenry, North Dakota, January 17, 1911.

Hon. S. J. Doyle, Bismarck, N. D.:

Dear Sir: We, the undersigned, hunters and voters of Foster county, state of North Dakota, respectfully request that you introduce a bill at the present term of the legislature, permitting the shooting of wild geese during the months of March and April of each year.

F. C. Lohman and 68 others.

To the Honorable Members of the Legislative Assembly of North Dakota:

Gentlemen: In the name of many citizens of our commonwealth who seek the moral standing, well-being and safety of our people, I respectfully pray that you pass a stringent law forbidding the drinking, treating or giving away of any kind of intoxicating liquors by any person while traveling in railway cars in any part of our state. And that you confer police powers upon all railroad conductors, brakemen, engineers or other persons operating railway cars on all railway lines in North Dakota.

Respectfully yours,

W. W. BARRETT,  
Churchs Ferry, N. D.

## REPORTS OF STANDING COMMITTEES.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Also,

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Also

House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Also,

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

Were delivered to the Governor for his approval at the hour of 3:40 o'clock p. m., February 9th, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

And find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

Mr. Davis moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 96.

A bill for an act creating a state board of dental examiners; to regulate the practice of dentistry in the state of North Dakota; to provide for licensing dentists; and to provide penalties for the violation of this Act.

Also

House Bill No. 134.

A bill for an act to amend Sections 4324 and 4343 of the Revised Codes of 1905, relative to the powers and duties of the board of railroad commissioners.

Also

House Bill No. 221.

A bill for an act to amend and re-enact Section 4303 of the Revised Codes of 1905, and repeal Section 4304 of said code.

Also,

House Bill No. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 10, 1911.

Mr. Speaker:

I have the honor to transmit herewith

## Senate Bill No. 55.

A bill for an act providing when surety may be released on bond, and prescribing mode of procedure.

Also

## Senate Bill No. 184.

A bill for an act fixing the liability of a bank to its depositor for payment of forged and raised checks.

Also

## Senate Bill No. 195.

A bill for an act regulating the discharge of liens, not dependent upon possession, and to provide for the release of liens, filed of record against real property and personal property, and the giving of an undertaking for the payment thereof.

Also,

## Senate Bill No. 221.

A bill for an act providing for the transferring of the so-called "Oil Inspection Fund" in the hands of the state treasurer to the general fund of the state and providing that future collections by the state inspector of oils shall be credited to the general fund of the state.

Also,

## Senate Bill No. 214.

A bill for an act to amend sub-division 3 of Section 5001 of the Revised Codes of North Dakota of 1905, relative to the recording of instruments in the office of register of deeds.

Also

## Senate Bill No. 10.

A bill for an act to amend Sections 1031, 1034, 1035 and 1036, of the Revised Codes of 1905, relating to education.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 132.

A bill for an act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state, to equip locomotives with electric headlights.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "only" in section 2, line 10 of the printed bill, insert the following: "And all engines on trains running on branch lines."

The majority of the committee recommended that when so amended the bill do pass.

A minority of the railroad committee recommended the bill be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Also,

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 249.

A bill for an act prohibiting drinking intoxicating liquors on railroad trains in North Dakota, prescribing penalty for violation thereof and prescribing duties of peace officers.

Have had the same under consideration and recommend that the same be amended as follows:

After the figure 1, section 1, insert the following: "Prohibit the drinking of intoxicating liquors on trains," and after the figure 2, section 2, insert the word "Penalty" and after the figure 3, section 3, insert the words, "Duties of Peace Officers."

And when so amended recommend the same do pass.

O. J. SORLIE,  
Chairman.

The committee on elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

House Bill No. 260.

A bill for an act to amend Section 12, Chapter 109, of the laws of 1907, entitled, an act providing for the selection of candidates for election by popular vote, and relating to their nomination and perpetuation of political parties, and relating particularly to percentage of votes required to nominate candidates.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,  
Chairman.

Mr. Hoge moved

That the bill be referred to the committee of the whole House.

Which motion prevailed, and  
The bill was so referred.

The Speaker invited the Hon. F. A. Baker to a seat beside the Speaker.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 179.

A bill for an act to repeal Chapter 158 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same do pass.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on insurance to whom was referred  
Senate Bill No. 166.

A bill for an act to amend and re-enact Section 6064 of  
the Revised Codes of North Dakota for the year A. D.,  
1905, relating to life insurance.

Have had the same under consideration and recommend  
that the same do pass.

A. P. HANSON,  
Chairman.

Mr. Hanson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on highways, bridges and ferries made  
the following report:

Mr. Speaker:

A majority of your committee on highways, bridges and  
ferries to whom was referred

Senate Bill No. 176.

A bill for an act providing for the appointment of county  
superintendents of highways and deputy superintendents  
in organized counties, who shall have charge and supervi-  
sion of the construction, improvement and maintenance of  
roads within said counties, providing for road institutes,  
prescribing the duties of the state engineer in connection  
therewith.

Have had the same under consideration and recommend  
that the same do pass.

E. H. STRANAHAN,  
Chairman.



Also

Mr. Speaker:

A minority of your committee on highways, bridges and ferries to whom was referred

Senate Bill No. 176.

A bill for an act providing for the appointment of county superintendents of highways and deputy superintendents in organized counties, who shall have charge and supervision of the construction, improvement and maintenance of roads within said counties, providing for road institutes, prescribing the duties of the state engineer in connection therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. B. AKESSON,  
NELS OLSGARD,  
O. K. LAGESON.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 197.

A bill for an act to provide information to the resident tax payers of the state in respect to the various publications which are published for free distribution by the agricultural college and prescribing the duties of the agricultural college and of the county auditors in relation thereto.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 69.

A bill for an act to amend Section 2592 of the Revised Codes of North Dakota for 1905, as amended by Chapter 70 of the Laws of the State of North Dakota for 1907, relating to the salary of county auditors.

Have had the same under consideration and recommend that the same be amended as follows:

Line 38 of the engrossed Senate Bill, strike out all after the word "dollars." Strike out all of lines 39, 40, 41, 42 and line 43 all before word "and."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

The committee on drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred

House Bill No. 125.

A bill for an act relating to the assessment of lands for the construction of drains and providing for an appeal from the decision of the drainage board, and fixing the compensation of drain commissioners.

Have had the same under consideration and recommend that the same be amended as follows:

In the title in second line after "for" strike out "an appeal from the decision of the Drainage Board," and insert in lieu thereof the words, "A Protest." In line 1 of section 1, after "1" insert "Protest, when filed." In line 14 of section 1, after the word "from," strike out the words "the signers of such petitions," and insert in lieu thereof the following: "those whose lands have been assessed, pro rata, according to their assessment." In line 1 of section 2, after the figure 2 insert, "Drain, How Obtained." Strike out all of sections 3, 4, 5, 6 and 7. Make section 8 read 3, and after the figure 3 insert "compensation;" make section 9 read section 4; after the figure 4 insert "repeal." In section 9 of the printed bill in line 3 insert "emergency." After the word "law" in the same line strike out "regulating

appeals from the decisions of the drainage board" and insert the following: "governing the provisions of this act."

And when so amended recommend the same do pass.

J. B. AKESSON,  
Chairman.

The committee on elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 182.

A bill for an act to amend Section 12 of Chapter 109 of the laws of North Dakota for 1907, relating to the percentage of votes required for nomination at primary elections.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 160.

A bill for an act to amend Section 8799 of the Revised Codes of the State of North Dakota for the year 1905.

Have had the same under consideration and recommend that the same be amended as follows:

After the figure 1905 of the title, of the printed bill, change the period to a comma and add the following words: "relating to punishment for murder in the first degree."

Strike out all of lines 1 and 2 and substitute the following: "Section 1. Amendment. Section 8799 of the Revised Codes of North Dakota for 1905 is amended to read as follows."

In line 3 of the printed bill before the word "every" insert the following: "Section 8799. Punishment for murder in first degree."

In line 1 of section 2, before the word "emergency," insert the word and figure "section 2."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 195.

A bill for an act to amend Section 2, Chapter 80, Laws  
of 1909, relating to practice in county courts.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 162.

A bill for an act to amend Section 5049 of the Revised  
Codes of North Dakota, 1905, creating and defining and  
limiting the homestead of the head of a family residing in  
this state.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 264.

A bill for an act to amend Section 4112 of the Revised Codes of 1905, relating to the adoption of minor children.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "children" in the title of the printed bill add the following words: "and children that have been abandoned."

After the word and figure "section 4112" insert the words "consent of parents, guardian or county commissioners."

After the word and figure "section 2" insert the word "emergency." Also in the same line strike out the words "when as" and substitute the word "whereas."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 255.

A bill for an act to require coroners to conduct and hold inquests in cases of railroad accidents.

Have had the same under consideration and recommend that the same be referred to the committee on railroads.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

And the bill was so referred.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 17.

A bill for an act to amend and re-enact Section 468 of the Revised Codes of North Dakota for the year, A. D., 1905, as amended by Chapter 159 of the Laws of 1907, relating to judicial districts within the state.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 126.

A bill for an act entitled, an act relative to deposits made in banks or other institutions, authorized to receive deposits under the laws of North Dakota, when such deposits are made in two or more names.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

## Senate Bill No. 71.

A bill for an act amending Section 8519 of the Revised Codes of 1905, relating to reports of justices of the peace.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 79.

A bill for an act to amend and re-enact Section 2323 of the Revised Codes for the year 1905, of the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 154.

A bill for an act authorizing and directing the secretary of the State of North Dakota to loan the plates of the North Dakota supreme court reports covering volumes one to nineteen inclusive, and for prescribing the manner and conditions on which the said loan is to be made.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 101.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, relative to the right of trial by jury.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 240.

A bill for an act governing checks drawn without funds in bank.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.



Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 233.

A bill for an act relating to the duties of auctioneers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Tuttle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 248.

A bill for an act to amend Section 2618 of the Revised Codes of North Dakota, of 1905, relating to deputies and clerks allowed, when.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Fox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 247.

A bill for an act to amend Section 2617 of the Revised Codes of North Dakota, relating to the salary of deputies, how determined.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Fox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Nestos moved

That Senate Bill No. 182 be referred to the committee of the whole House.

Which motion prevailed, and

The bill was so referred.

The Speaker appointed as a committee on impeachment resolution, Messrs. Jordal, chairman; Dosseth, Cunningham, Boerner, Andrus, Moritz, O'Connor of Pembina.

#### MOTIONS AND RESOLUTIONS.

Mr. Peart moved

That House Bill No. 258 be withdrawn.

Which motion prevailed, and

House Bill No. 258 was withdrawn.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Boyd introduced

House Bill No. 326.

A bill for an act to provide that the counties of the state may adopt a uniform system of text books.

Which was read the first and second times, and  
Referred to the committee on state affairs.

Mr. Anderson of Ramsey, introduced

House Bill No. 327.

A bill for an act relating to trespassing while hunting  
game.

Which was read the first and second times, and  
Referred to the committee of game and fish.

Mr. Boyd introduced

House Bill No. 328.

A bill for an act prohibiting the keeping open, or the run-  
ning or permitting of running of any theatre, show, moving  
picture show, or theatrical performance, upon the first day  
of the week, commonly called the Sabbath, and providing  
a penalty for violations of the same.

Which was read the first and second times, and  
Referred to the committee on ways and means.

Mr. Wambem introduced

House Bill No. 329.

A bill for an act to amend Section 2385 of the Revised  
Codes of 1905.

Which was read the first and second times and

Referred to the committee on elections and election  
privileges.

Mr. O'Connor of Grand Forks, introduced

House Bill No. 330.

A bill for an act entitled: An act to amend and re-enact  
Section 2387 of the Revised Codes of North Dakota of the  
year 1905, relating to county commissioners and repealing  
Sections 2388 and 2389.

Which was read the first and second times, and

Referred to the committee on counties and county bound-  
aries.

Mr. Thompson introduced

House Bill No. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

Which was read the first and second times and

Referred to the committee on counties and county boundaries.

Mr. Nestos introduced

House Bill No. 332.

A bill for an act prohibiting the placing of screens or other obstructions across the windows and doors of pool halls and providing a penalty therefor.

Which was read the first and second times, and

Referred to the committee on municipal corporations.

Mr. Olsgard of Nelson, introduced

House Bill No. 333.

A bill for an act to define and regulate the extension and restriction of the corporate limits of cities, towns and villages.

Which was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Fraine introduced

House Bill No. 334.

A bill for an act to amend Section 5 of Chapter 172 of the Session Laws of 1909, relating to the regulation of practice of osteopathy.

Which was read the first and second times and

Referred to the committee on public health.

Mr. Gorder introduced

House Bill No. 335.

A bill for an act to amend Section 4494 of the Revised Codes of North Dakota of 1905, relating to county mutual companies.

Which was read the first and second times and  
Referred to the committee on insurance.

Mr. O'Shea introduced

House Bill No. 336.

A bill for an act requiring railroad companies to provide  
scales for the weighing of grain, providing liabilities there-  
under, and prescribing a penalty for neglect thereof.

Which was read the first and second times, and  
Referred to the committee on railroads.

Mr. Jordal introduced

House Bill No. 337.

A bill for an act making an appropriation for carrying  
into effect provisions of law relating to the duties of the  
commissioner of agriculture and labor.

Which was read the first and second times, and  
Referred to the committee on appropriations.

Mr. Knox introduced

House Bill No. 338.

A bill for an act to amend and re-enact Section 2249 of  
the Revised Codes of 1905, relating to what storage re-  
ceipts shall express.

Which was read the first and second times and

Referred to the committee on warehouses and grain  
grading.

Mr. Price introduced

House Bill No. 339.

A bill for an act to license motor and other vehicles, de-  
fining the road regulations of such vehicles, to take and re-  
move motor and other vehicles from any warehouse, gar-  
age or building without the knowledge and consent of the  
owner, and repealing Sections 2169, 2170, 2171 and 2172 of  
the Revised Codes of 1905, and repealing Sections 2173 and  
2174 of the Revised Codes of 1905 as amended in Chapter  
42 of the Session Laws of 1909.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Sorlie introduced

House Bill No. 340.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who is entitled to vote.

Which was read the first and second times and

Referred to the committee on elections and election privileges.

Mr. Price (by request) introduced

House Bill No. 341.

(Title.)

Which was read the first time.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 10, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Whereas, the eighth legislative assembly enacted a provision of law commonly known as chapter 176 of the laws of 1903, providing a method of leasing the coal lands of the state; and

Whereas, said act has been held by the legal department of the state to be unconstitutional, and a measure is now pending before this legislative assembly for the repeal of the same; and

Whereas, acting under the supposed authority contained in said act, the board of university and school lands has made and entered into, with sundry persons, a large number of so called coal land leases, under which said persons are engaged in mining coal and removing the same therefrom; and

Whereas, by reason of the unconstitutionality of said law, the said leases are void and the state cannot legally collect the small rentals provided for therein, and large amounts of coal are being mined and lost to the state with no adequate return therefor; therefore,

*Be It Resolved by the Senate, the House of Representatives Concurring:*

That the attorney general be and he is hereby authorized and requested to institute such proceedings as may be necessary and proper to cancel all of such so-called leases, to require the lands covered thereby to be vacated, to protect the same from trespass in the future, and to recover to the state such amounts as may be due to it or coal taken therefrom.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Price moved

That the Speaker appoint a committee of three to notify the Senate that the House was ready to receive them in joint session.

Which motion prevailed, and

The Speaker appointed Messrs. Price, Thompson and Anderson of Ramsey as such committee.

The sergeant at arms announced the Senate in waiting.

#### JOINT SESSION.

The joint assembly was called to order by the Speaker of the House.

President Worst then addressed the joint assembly on the subject of the agricultural college and sub-experiment stations.

Mr. Gilbert moved

That a rising vote of thanks be extended to President Worst for his able address given to the joint assembly.

Which motion prevailed by a unanimous rising vote.

Mr. Price moved

That the joint assembly do now adjourn.

Which motion prevailed, and

The joint assembly dissolved.

The House took a recess for ten minutes.

The House re-assembled pursuant to recess taken.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Johnson introduced

House Bill No. 342.

A bill for an act to amend Section 2282 of the Revised Codes of 1905, as amended by Chapter 185 of the Session Laws of 1907, regulating public printing and binding and prescribing the duties of public boards and officials in relation thereto.

Which was read the first and second times and

Referred to the committee on public printing.

Mr. Williams introduced

House Bill No. 343.

A bill for an act to repeal Article 21 of Chapter 32, entitled, townsites located on public lands, of the Revised Codes of 1905.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Williams (by request) introduced

House Bill No. 344.

A bill for an act to prohibit the appointment to any state, county or municipal situation, of clerks, bookkeepers, typewriters, shorthand writers or other office amanuensis who are not citizens of the United States (or who have not declared intention to become such) or who are not bona fide residents of North Dakota.

Which was read the first and second times and

Referred to the committee on state affairs.



Mr. Tuttle introduced

House Bill No. 345.

A bill for an act to harmonize Sections 8089 and 7117 of the 1905 Code, by amending Section 8089 of the act providing for the settlement of the estates of decedents.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Gardiner introduced

House Bill No. 346.

A bill for an act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such liens or reservation of title.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Price moved

That the vote by which Senate Bill No. 54 was lost, be reconsidered.

Which motion prevailed.

Mr. Williams moved

That Senate Bill No. 54 be re-referred to the committee on education.

Which motion prevailed, and

The bill was so re-referred.

### THIRD READING OF HOUSE BILLS.

House Bill No. 134.

A bill for an act to amend Sections 4324 and 4343 of the Revised Codes of 1905, relative to the powers and duties of the board of railroad commissioners.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 86 ayes, 6 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hedalen	Olsgard of Nelso
Anderson, of Griggs	Heinemeyer	Olsgard of Richland
Anderson, of Ramsey	Hersrud	O'Shea
Andrus	Hoge	Paulson
Benson	Homnes	Peart
Bjornson	Hill, of Bottineau	Pendray
Boerner	Hill, of Cass	Ployhar
Bond	Hyland	Putnam
Boyd	Johns	Ray
Brusletten	Johnson	Reeve
Burnett	Kane	Robinson
Carey	Knutson	Roquette
Christenson	Kuhl	Sauer
Cunningham	Kyllo	Scott
Davidson	Lageson	Scheer
Davis	Law	Sorlie
Dosseth	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Doyle, of McIntosh	McClellan	Tande
Edwards	Moen of Benson	Thompson
Englund	Moen of Cavalier	Tollefson
Fassett	Morrison	Tostenson
France	Moritz	Tuttle
Fritz	Narum	Ulsaker
Gardiner	Nelson of Richland	Wambem
Gorder	Nelson of Walsh	Whitmer
Hanson	Nestos	Williams
Harty	O'Connor of Gd. Forks	Mr. Speaker
Hawkinson	O'Connor of Pembina	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Jordal	Price
Fried	Knox	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	DeNault	Norheim
Collins	Fox	Sgutt
Dean	Fraine	Stern
DeLance	Geiger	

Messrs. Collins, Dean, De Nault and Geiger being excused.

So the bill passed and the title was agreed to.

Mr. Moen of Cavalier, moved

That the vote by which House Bill No. 134 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie moved

That House Bill No. 221 be re-referred to the committee on railroads.

Which motion prevailed, and

The bill was so re-referred.

House Bill No. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 82 ayes, 12 nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nestos
Akesson	Gorder	Norheim
Anderson, of Griggs	Hawkinson	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	O'Connor of Pembina
Andrus	Heinemeyer	Olgard of Nelson
Benson	Hersrud	Olgard of Richland
Bjornson	Hoge	O'Shea
Boerner	Homnes	Peart
Bond	Hill, of Bottineau	Pendray
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Burns	Johns	Reeve
Christenson	Johnson	Robinson
Cunningham	Jordal	Roquette
Davidson	Kane	Sauer
Davis	Knox	Scott
DeLance	Kuhl	Stranahan
Dosseth	Kylo	Streeter
Doyle, of Foster	Lageson	Tande
Doyle, of McIntosh	Lee	Thompson
Edwards	Martin	Tollefson
Englund	McClellan	Tostenson
Fassett	Moen of Benson	Tuttle
Fox	Moen of Cavalier	Walters
France	Morrison	Wambem
Fraine	Moritz	Williams
Fried	Nelson of Walsh	Mr. Speaker
Fritz		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Law	Ray
Carey	Narum	Scheer
Hanson	Nelson of Richland	Ulsaker
Knutson	Paulson	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Geiger	Sgutt
Dean	Harty	Sorlie
DeNault	Ployhar	Stern

Messrs. Collins, Dean, De Nault and Geiger being excused.

Mr. Homnes moved

That the title be amended as follows:

After the figures 1905 add the words "relating to the duties of the state board of equalization."

Which motion prevailed.

So the bill passed, and the title, as amended, was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 242 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## COMMUNICATION FROM THE GOVERNOR.

GOVERNOR'S OFFICE,

BISMARCK, NORTH DAKOTA,

February 10, 1911.

*To the House of Representatives, Twelfth Legislative Assembly:*

I have the honor to inform you that I have this day approved and filed with the Secretary of State:

House Bill No. 2.

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into

any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

Also

House Bill No. 13.

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Also,

House Bill No. 171.

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Also,

House Bill No. 174.

A bill for an act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907.

Very respectfully,

JOHN BURKE,  
Governor.

GOVERNOR'S OFFICE,  
BISMARCK, NORTH DAKOTA,  
February 10, 1911.

*To the House of Representatives:*

I have the honor to transmit herewith the report of the board of trustees of public property as to the estimate of appropriations necessary to defray the expenses of keeping the capitol building, executive mansion and public grounds in repair, and for fuel and other incidental expenses for keeping and maintaining the state offices for the ensuing two years.

Such report being made in accordance with the provisions of section 239 of the Revised Codes of North Dakota for 1905.

Very respectfully,

JOHN BURKE,  
Governor.

*To the Twelfth Legislative Assembly, State of North Dakota:*

The Board of Trustees of Public Property respectfully estimate that the appropriation necessary to defray the expenses of keeping the capitol building, executive mansion and public grounds in repair, and for fuel and other incidental expenses, for keeping and maintaining the state offices for the ensuing two years to be as follows, namely, \$90,120.

This estimate is based upon the cost of maintaining the capitol building, grounds, etc., for the last two years, as per the itemized account, namely:

#### MAINTENANCE CAPITOL.

Salary of janitors, firemen, engineers, motorman, etc. ....	\$	26,791.92
Coal delivered at power house .....		14,599.82
Telegraph and telephone service .....		3,210.70
Freight and drayage .....		1,275.92
Express .....		3,037.84
Postage .....		11,316.70
Water supply for lawns and power house and for building ..		2,925.00
Car line repairs .....		1,832.18
Miscellaneous supplies, such as adding and writing machines for the several offices, lumber for repair of offices, locks, stationery, furniture, such as desks, tables, chairs, etc. ..		20,878.19
		<hr/>
Total cost of capitol maintenance 1909 and 1910 .....	\$	85,868.27
Standing biennial appropriation .....	\$	75,000.00
Balance and credits .....		6,239.16
		<hr/>
	\$	81,239.16
Trolley fares for 1909 and 1910 were ..	\$	5,528.35
Overdraft January 1, 1911 .....	\$	4,631.11

JOHN BURKE,  
Governor.

D. K. BRIGHTBILL,  
State Auditor.

P. D. NORTON,  
Secretary of State.

Mr. Williams moved

That the communication be received and printed in the Journal.

Mr. Price moved, as an amendment:

That the communication be referred to the committee on appropriations.

Which motion prevailed.

The question being on the original motion as amended, the same prevailed, and the communication was so referred.

## THIRD READING OF HOUSE BILLS.

House Bill No. 96.

A bill for an act creating a state board of dental examiners; to regulate the practice of dentistry in the state of North Dakota; to provide for licensing dentists; and to provide penalties for the violation of this Act.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 94 ayes, no nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Pembina
Akesson	Hawkinson	Olsgard of Nelson
Anderson, of Griggs	Hedalen	Olsgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Andrus	Hersrud	Paulson
Benson	Hoge	Peart
Bjornson	Homnes	Pendray
Boerner	Hill, of Bottineau	Price
Bond	Hill, of Cass	Putnam
Boyd	Hyland	Ray
Brusletten	Johns	Reeve
Burnett	Johnson	Robinson
Burns	Jordal	Roquette
Carey	Kane	Sauer
Christenson	Knutson	Scott
Cunningham	Kuhl	Scheer
Davidson	Kylo	Sgutt
Davis	Lageson	Sorlie
Dosseth	Law	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	Martin	Streeter
Edwards	Moen of Benson	Tande
Englund	Moen of Cavalier	Thompson
Fassett	Morrison	Tollefson
Fox	Moritz	Tostenson
France	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	DeNault	McClellan
Dean	Geiger	Ployhar
DeLance	Knox	Walters

Messrs. Collins, Dean, De Nault and Geiger being excused.

So the bill passed and the title was agreed to.

There being no objections the house returned to the 6th order of business.

### REPORT OF SPECIAL COMMITTEES.

Mr. Streeter moved

That the reading of the report be dispensed with.

Which motion prevailed.

*Mr. Speaker:*

The committee appointed by you to visit the State Normal and Industrial School at Ellendale beg to submit the following report of our findings together with recommendations as to the needs of said institution.

On account of the time allowed this committee to visit the school we were obliged to be at Ellendale on Sunday, Feb. 5th, and together with the president, Mr. Kern, we made as thorough an examination as the time would permit.

We found the institution in a very satisfactory condition in all particulars except as to room and appliances, several of the departments being much overcrowded and the office rooms being too few and entirely too small to handle the business satisfactorily. There is no safe or vault in which to keep the books, vouchers, and other papers from danger of being destroyed by fire.

The library and study room, which should be large enough to accommodate from 250 to 300 pupils, will accommodate not to exceed 50. The recitation or class rooms are small and too few of them to properly conduct the classes, all the basements being in use for class purposes. The rooms in which the manual training and domestic arts classes meet are entirely too small to meet the requirements of the large number of pupils taking those courses.

We would recommend an appropriation for a building to be used for a combined library and study room and some of the other departments that are overcrowded could occupy a part of the new building, thus relieving them so that more and better results could be accomplished.

It is also necessary that an appropriation be made for repairs on buildings and some smaller, needed improvements. The manual training equipment is inadequate; the boiler is not of sufficient capacity to care for the heating plant and an appropriation should be made for completing the power house and machine shop. Your committee also believes that a demonstration farm, operated in connection with this school, would exert a wide influence and certainly be a good investment.

There are also a number of minor improvements that should be made

FRANK J. FOX,  
H. H. FRANCE,  
Committee.

To the President of the Senate and the Speaker of the House:

We, the undersigned, members of the Committee to visit the Agricultural Experiment Station at Dickinson and the briquetting plant at Hebron, herewith respectfully present our report.



The members of your Committee left Bismarck Saturday, February 4, 1911, to visit the institutions above named.

#### THE DICKINSON EXPERIMENT STATION.

We reached Dickinson about 3 o'clock p. m. The same afternoon we went out from the Stark county metropolis to the farm, about a mile distant from the city. Owing to the season, the efforts of your committee were necessarily confined to an investigation of the plant, an examination of the methods of keeping the records of experiments, etc. We found everything in excellent condition, under the able management of Prof. L. B. Waldron. Every question propounded by a member of the committee in regard to experiments so far made in the introduction of improved farming methods—such as the comparative value of grains, as to earliness, hardness and yield, the prospects as to alfalfa-raising, the rotation of crops, etc.—was promptly answered by Mr. Waldron, the same invariably being accompanied by diagrams and by statistical tabulated figures showing plainly the results in each case.

Your committee also found, by making inquiries among citizens, that each succeeding year shows increased interest by farmers in the work of the station, and more frequent visits by them to the farm during the planting, growing and harvesting season.

There is a yearly appropriation of \$5,000 for the maintenance of the Dickinson station. The modest sum of \$1,000 a year for the ensuing biennial period is needed with which to experiment in the development of a hardy strain of winter wheat, and for other purposes.

Your committee believe that the sum should be granted. Better farming and cheaper fuel are the two great problems of the state, and we believe that a liberal policy should be pursued in dealing with these paramount interests of our commonwealth.

#### THE STATE BRIQUETTING PLANT AT HEBRON.

Remaining over Sunday in Dickinson, the members of your committee went Monday forenoon to Hebron to look over the briquetting plant—that institution whose recent experiments are attracting the profound attention of the people of the New Northwest in general and of our home state in particular.

Before starting on their westward trip the members of your committee had communicated with Prof. Babcock, of the School of Mines department of the state university at Grand Forks, and that gentleman at once left for Hebron to be present at the briquetting plant when the committee made their visit.

The plant is not at present in operation, owing to the fact that the small appropriation, in comparison with the magnitude of the work, made at the 1909 session of the general assembly, has been exhausted. And a knowledge of the facts causes the members of your committee to wonder that it was possible to get so far along as the making of briquettes before the sum appropriated—\$12,000—was used up. It should be remembered that the amount named was to cover the building of a plant from the ground up. After the appropriation had been made and the beginning of the work assured, the first thing to do was to arrange for procuring the special machinery necessary for such work. A visit to the east made manifest to Prof. Babcock that it would be utterly impossible with the entire appropriation to buy the machinery needed, much of it being of a special nature and requiring the preparation of diagrams as a guide to its makers. After repeated interviews with the big builders of machinery in the east, Prof. Babcock interested one firm to such an extent—knowing as its members did what the successful commercial making of lignite briquettes meant to the mining and gas machinery business—that the manager of the firm

stated that he would furnish the machinery required at not much more than a third of its selling price, and he claims—and the professor believes—that the machinery was sold to this state at between two and three thousand dollars less than the material and labor cost the firm which made it. Surely, when men in New York are sufficiently public spirited and intelligent to understand and appreciate the magnitude of the problem of converting lignite coal into a perfect fuel, we people of the state ought to be liberal in dealing with that problem.

With the report giving details of the establishment and operation of the state's briquetting plant in the hands of the printers, which will be on the desks of senators and members in a few days, it is unnecessary—and it could not well be done with sufficient brevity—to give such details herein. The facts are, however, that it is doubtful whether investigation of a great problem has ever been begun with less money in sight than was appropriated two years ago for the Hebron plant. That not a dollar of it has been wasted is the firm conviction of the members of your committee.

As to results, evidence was such at Hebron—evidence that is indisputable—as to convince us that the great problem of a cheap and perfect fuel in North Dakota has been solved. And the comparative simplicity of the process was astonishing to us.

It appears that the success of the Hebron method of lignite briquette-making over former experiments along the same lines lies largely in the expulsion of the gas and other by-products before the lignite is briquetted. The presence of a large volume of gas in the lignite has, we understand, been the chief cause of failure of the many attempts heretofore made to briquette the raw lignite.

The conclusions of your committee are that:

The lignite briquettes are harder than anthracite. In fact, when a briquette and a piece of anthracite are struck the one against the other, the anthracite is invariably broken. At Hebron we saw the new fuel burned for several hours. It is almost identical with anthracite in its fuel qualities. It has an advantage over anthracite in at least one particular—it is an excellent fuel in cook stove or range. It has been used for both heating and cooking at the Hebron station, and gives perfect satisfaction when used in either way. Of course the making of briquettes would be of no consequence were it not possible to make them so cheaply that they could be sold in large volume in competition with other fuels. Everything hinges on this proposition. Prof. Babcock is firm in the belief that lignite briquettes can be made by a commercial plant and sold in competition with anthracite in North Dakota at a price from a dollar to a dollar and a half less than the latter. It should be borne in mind also, that this lesser price does not take into consideration the value of the by-products, of which gas is the chief. Repeated experiments at Hebron have shown that lignite coal contains from eleven to twelve thousand cubic feet of gas per ton. Its price will, of course, be governed by the facilities for its use, of which there seems to be no limit, for the reason that its energy can be converted into electricity and transmitted many miles. Other products, such as creosote, ammonia and paraffin, are also obtained from the coal in commercial quantities. The "binder" used in making the briquettes is the cheapest grade of coal-tar, such as is used in some sections for the laying of dust on streets and roads. Some five per cent of tar is used in making the briquettes. About two per cent of tar is obtained from the coal during the process of briquetting; but this tar contains such a large amount of paraffin that it will probably be found that the price obtained for the paraffin will largely meet the outlay for the cheap tar binder. It will thus be seen that, with the briquettes themselves being put on the market at a price lower than

anthracite, when the value of the gas and other by-products is subtracted from that cheaper price, the making of lignite into a cheap and perfect fuel is full of possibilities.

At Hebron the members of your committee saw the briquettes burning in a heating stove several hours. They ignite as easily as bituminous coal, requiring a very small amount of kindling. Like anthracite, they become red throughout. Owing to the small quantity required to produce a certain amount of heat, in comparison with lignite, there is but little residue in the form of ashes. There are no clinkers or small unburned portions with the ash. Red-hot briquettes taken from the stove and dropped in a pan of water did not disintegrate, and, though having a roughened surface from the burning, were as hard as ever when taken from the water, at the end of an hour, and were soon red-hot when again placed in the stove. The briquettes are entirely impervious to moisture, owing to the tar binder. At the plant they had been placed in water a continuous period of several days, without changing or softening them in the least.

Among the purposes sought to be accomplished with the appropriation asked for are the following:

To improve the briquetting plant by the use of conveyors, etc., so as to make the process continuous and capable of a larger output.

To further improve the methods of manufacture and thus reduce still lower the profitable selling price of the output.

To put in additional gas-retorts adapted to cheap and quick carbonizing.

To add to the gas-storage capacity needed in the tests.

To install a special gas engine to use the lignite in running the plant.

To put in electric dynamos to be run by the gas engine for the purpose of ascertaining how cheaply electricity for power can be produced from lignite through the use of the by-product, gas.

To provide facilities for experimenting with and testing the by-products, such as paraffin tars, ammonia, creosote oils, etc.

To enable the manager to engage sufficient help with which to run the plant a much longer time each year.

This is necessary to the end of discovering wherein present manufacturing methods may be improved.

To finish the heating system, so that work may be carried on during the cold weather.

To line the inside of the building with cement or brick for the purpose of making the plant more safe from fire, and to assist in making it more comfortable during the winter months.

To pay for the small office and laboratory building situated on the block of ground at the time it was given to the state by the people of Hebron, and which building is now rented.

To erect another small building for clay-testing and gas-burning kilns in which to demonstrate the best methods of using gas in the clay manufacturing industry.

To install and perfect a producer-power plant for lignite.

To open a model mine and show the proper method of lignite mining.

Your committee wish to impress upon the members of Senate and House the paramount importance of the fuel problem in this state. We much regretted that every senator and representative was not with us at Hebron, to see for himself the great progress that has been made in converting the bulky, watery, easily-disintegrated lignite into a compact, durable and efficient fuel. Lignite coal is the one great mineral resource of our state. We have a larger discovered coal area than Pennsylvania. Yet this plant at Hebron is the only station in America devoted to an investigation of the fuel possibilities of this species of coal—a fuel which must be the prime factor in our future development as a manufacturing state.

The visit of your committee to Hebron was a revelation to its members. We are firmly of the opinion that the missing link leading to a

great discovery has been reached. The extraction of the by-products of lignite and the elimination of its large volume of water have made the manufacture of briquettes from lignite possible. We believe that every dollar of the appropriation of two years ago has been carefully expended. We are impressed with the intelligence and faithfulness manifested by Professors Babcock and Snyder in the working out of the details of the great problem. The necessity for an increased appropriation is great. There is need for an enlargement of the capacities of the plant, so that samples of the briquettes to the extent of several hundreds of pounds, may be sent to each county of the state, to the end that the people of the whole state may see for themselves just what the advantages of this new fuel are. The plant should be kept running the larger part of each year, so that capital seeking investments may have its representatives at the plant day after day that they may give the matter that investigation which capital always requires before it risks a large sum in a new industry.

The work of the station, though showing such momentous results, has practically only begun with a successful demonstration of the feasibility of manufacturing lignite briquettes at a satisfactory profit to invested capital. The great mineral wealth of the western half of North Dakota along other lines is yet to be developed. The plant at Hebron was not founded for the purpose alone of investigating the making of briquettes. The act creating it entails upon it the duty of mineral experimentation along such other lines as may be deemed proper by the authorities of the School of Mines.

Second only to the fuel problem is that of the development of the clay industry. Vast quantities of the best of clays suitable for the making of superior brick, pottery, queensware and many other clay products have been discovered in this state, and it is the mission of those in charge of the Hebron station to take up the investigation of the clays of the state and give to such investigation the same faithful and intelligent work that has been given to the lignite problem.

President McVey, of the State University, informs your committee that steps will at once be taken to secure patents for the state of the principal original processes in making of lignite briquettes.

The members of your committee wish to extend their thanks to the people of Dickinson and Hebron for the many courtesies extended by them to us.

Respectfully submitted,

G. S. TRIMBLE,  
W. L. CARTER,  
D. R. STREETER.

There being no objections the house returned to the 5th order of business.

### REPORTS OF STANDING COMMITTEES.

The committee on forestry made the following report:

Mr. Speaker:

Your committee on forestry to whom was referred

House Bill No. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out two lines in title and insert in lieu thereof the following title: "A bill for an act providing for the inspection of nurseries; defining the duties of the director of the North Dakota experimental station in regard to nurseries and nursery stock; regulating the shipment and sale of nursery stock; requiring license for selling nursery stock; and providing penalties for violations of the provisions of this act." And in section 5, lines 8 and 9, strike out the word "sealing" and insert in lieu thereof the word "receiving." Also insert the following sub-headings:

In line 1 after "section 1," insert "Inspection of nurseries and nursery stock authorized."

After "Sec. 2" insert "Duties of agent. Notice."

After "Sec. 3" insert "Shipment of stock to be labeled."

After "Sec. 4" insert "Director may demand list of persons to whom infected stock sold."

After "Sec. 5" insert "Certificate of inspection, how obtained. Fee."

After "Sec. 6" insert "Shipment of stock must have shipping-tag certificate."

After "Sec. 7" insert "License, who must have. Bond."

After "Sec. 8" insert "Certified statement of sale."

After "Sec. 9" insert "Penalty for violation of act."

After "Sec 10" insert "Compensation and expenses of agent."

After "Sec. 11" insert "Report furnished to governor. Printed, when and where."

And when so amended recommend the same do pass.

E. J. MOEN,  
Chairman.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Williams moved

That the Senate concurrent resolution relating to the leasing of coal lands, be referred to the committee on judiciary.

Which motion prevailed, and

The concurrent resolution was so referred.

Mr. Burns moved

That the House do now adjourn.

Which motion was lost.

The Chief Clerk announced that the Speaker was about to sign

## Senate Bill No. 70.

A bill for an act regulating and governing contracts relative to the shipment of live stock, and the giving of notice or claim for loss or damage thereto.

Also

## House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

And the Speaker signed the same in the presence of the House.

## FIRST AND SECOND READING OF SENATE BILLS.

## Senate Bill No. 55.

A bill for an act providing when surety may be released on bond, and prescribing mode of procedure.

Was read the first and second times, and

Referred to the committee on judiciary.

## Senate Bill No. 221.

A bill for an act providing for the transferring of the so-called "Oil Inspection Fund" in the hands of the state treasurer to the general fund of the state and providing that future collections by the state inspector of oils shall be credited to the general fund of the state.

Was read the first and second times, and

Referred to the committee on state affairs.

## Senate Bill No. 214.

A bill for an act to amend sub-division 3 of Section 5001 of the Revised Codes of North Dakota of 1905, relative to the recording of instruments in the office of register of deeds.

Was read the first and second times, and

Referred to the committee on ways and means.

## Senate Bill No. 195.

A bill for an act regulating the discharge of liens, not dependent upon possession, and to provide for the release of liens, filed of record against real property and personal property, and the giving of an undertaking for the payment thereof.

Was read the first and second times, and

Referred to the committee on judiciary.

## Senate Bill No. 184.

A bill for an act fixing the liability of a bank to its depositor for payment of forged and raised checks.

Was read the first and second times, and

Referred to the committee on banks and banking.

## Senate Bill No. 10.

A bill for an act to amend Sections 1031, 1034, 1035 and 1036, of the Revised Codes of 1905, relating to education.

Was read the first and second times, and

Referred to the committee on education.

The privileges of the floor were extended to the following:

David Lloyd of Minot.

Marlin Jacobson and John McKnight, of Minot.

Prof. Kern of Ellendale.

E. J. Walton of Oakes.

W. B. Richards of Fargo.

Mr. Cunningham moved

That the House take a recess until 10 o'clock a. m. tomorrow.

Mr. Thompson moved, as an amendment:

That 10:30 o'clock a. m. be substituted.

Which motion was lost.

The question being on the original motion, the same prevailed and

The House took a recess until 10 o'clock a. m. tomorrow.

**E. H. GRIFFIN,**  
Chief Clerk.

THIRTY-NINTH DAY AFTER RECESS AND  
FORTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 11, 1911.

The House re-assembled pursuant to recess taken.

GENERAL ORDERS.

Mr. Ployhar moved.

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Ployhar to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration



## House Bill No. 50.

A bill for an act entitled, an act to provide for the determination of heirship and the share of such heirs respectively in the claims to certain real estate by action in the district court.

And recommend that the same be amended as follows:

After the word and figure, "Section 1," insert the words "Heirs of Deceased Entryman, Court May Determine Who Are.)"

After the word and figure, "Section 2," insert the word "Procedure.)"

And after the word and figure, "Section 3," insert the word "Emergency.)"

And when so amended recommend the same do pass.

Also

## House Bill No. 124.

A bill for an act relating to the construction of public buildings, prescribing the duties of boards of trustees thereof in the matter of securing plans and specifications, advertising for bids, letting contracts, allowance and payment of estimates, payment of premiums on contractor's bonds, and insurance on unfinished buildings and material on the ground, and protecting architects, contractors, manufacturers and producers resident within the state of North Dakota.

And recommend that the printed bill be amended as follows:

Section 1, line 2, strike out the word "and."

Section 2, lines 16 and 17, strike out "designated therein" and insert after the word "bank," "of North Dakota."

Section 3, line 4, after the word "exchange," insert "maintaining an office in the state of North Dakota." Lines 6 and 7, strike out "and maintaining an office within the state of North Dakota."

Section 4, line 4, after the word "practicable" insert "and deemed by said board to be for the best interests of the state."

Section 5, line 7, strike out after the word "seventy" the word "five."

Section 5, line 16, strike out the word "ten" and insert "thirty."

Section 5, line 18, strike out the word "seven" and insert "six."

Section 6, line 8, after the word "purpose" add "until the building for which the appropriation was made is fully completed and paid for."

Section 7, line 6, strike out the word "or" and insert "and."

Section 10, line 1, strike out the words "neither of said" and insert "no." Line 3, strike out "said" and insert "such."

Section 11, line 7, insert after the words "direction of the" the words "architect and."

Line 11, after the word "superintendent" insert "and architect."

In line 16, section 2, after the word "bank" strike out "designated within" and add "within the state of North Dakota."

Line 4, section 4, strike out the words "and when practicable" and line 7 after the word "thereof," and all of line 8 and all of line 9, including the words "of North Dakota."

Line 3, section 4, strike out the word "shall" and insert the word "may."

Section 11, line 1, in the sub-title add the words, "architects and," and strike out all of line 10 and line 11 and up to the word "thereto" in line 12.

Section 9, line 3, where the word "advertised" appears strike out and insert in lieu thereof the word "specifying," and in lines 7 and 8, where the word "advertisement" appears strike out and insert the word "specifications."

At the end of section 11, change the period to a semi-colon and add, "provided that the duties imposed and powers conferred upon the board of trustees by this act shall apply to any other board hereafter created to have charge of such institution, in lieu of such board of trustees."

Add: "Sec. 12. Repeal.) All acts or parts of acts in conflict with this act are hereby repealed."

And recommend the same do pass as amended and the bill be re-printed as amended.

Also,

Senate Bill No. 76.

A bill for an act to amend and re-enact Sections 6 and 9 of Chapter 174 of the Laws of North Dakota of 1909, being an act to provide for probation of persons convicted of felonies and misdemeanors.

And recommend that the same be re-referred to the committee on state affairs.

Also,

House Bill No. 92.

A bill for an act providing for the election of county, school and judicial officers by a non-partisan, majority vote.

And recommend that further consideration of the bill be indefinitely postponed.

Also,

House Bill No. 165.

A bill for an act to create a bureau of inspection and supervision of public offices, and to establish a uniform system of public accounting, auditing and reporting, under the administration of the state examiner.

And recommend that the same be amended as follows:

Title.—Line 3 in the title, after the word "examiner," insert the following: "and making an appropriation therefor."

Section 1 of the printed bill, line 1, after the figure 1, "creating bureau of inspection and supervision of public affairs."

Section 7 of the printed bill, line 1, after figure 7, insert the following: "Assistant Examiner, by Whom Appointed. Salary.)"

Section 9 of the printed bill, line 1, after the figure 9, insert the following: "Claims. Inspection of.)"

Section 10 of the printed bill, line 1, strike out all of section 10 after the figure 10, and insert the following:

Sec. 10. Appropriation.) There is hereby annually appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of \$10,000.00, or as much thereof as may be needed for the purpose of carrying into effect the provisions of this act."

Section 12, line 1, after figure 12, insert the following: "County Auditor. Deputy Supervisor."

Section 1, line 6, the words "two deputies" be stricken out and the words "one deputy" be inserted.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Mr. Akesson moved  
That the House do now adjourn.  
Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FORTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 11, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Christenson, Dean, DeNault, Geiger and Jordal, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 39th day have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Benson, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213 now pending before the House; and your petitioners will ever pray.

M. H. OLIVER AND 30 OTHERS.

To the Members of the State Legislature:

### PROTEST.

We, the undersigned citizens and voters of Foster and Stutsman counties, do hereby protest against the passage of House Bill No. 169, a bill for an act to pay road tax in money, for the reason that it is more expensive and will require more money to accomplish the same amount of road work; also renders useless all road implements and machinery in all organized townships, nor can the work be let by contract for as little money as the present system, as the work only pays \$3.00 per day for man and team and they pay their own expenses.

PHILIP WISEMAN AND 22 OTHERS.

Minot, North Dakota, February 4, 1911.

We, the undersigned, members of Mouse River Lodge, B. of L. F. & E., No. 683, of the Brotherhood of Locomotive Firemen and Enginemen, do hereby petition the Twelfth Legislative Assembly to pass House Bill No. 132, as distinctly in the interest of the safety and welfare of the employes and travelers on the railroads of our state.

EMMER PAGE AND 22 OTHERS.

Minot, North Dakota, February 4, 1911.

We, the undersigned, members of Mouse River Lodge, B. of L. F. & E., No. 683, of the Brotherhood of Locomotive Firemen and Enginemen, do hereby petition the Twelfth Legislative Assembly to pass House Bill No. 132, as distinctly in the interest of the safety and welfare of the employes and travelers on the railroads of our state.

JOHN SUNDQUIST AND 12 OTHERS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Steele, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213 now pending before the House; and your petitioners will ever pray.

F. W. EHRED AND 40 OTHERS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Dickey, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213 now pending before the House; and your petitioners will ever pray.

FRED BITTMAN AND 43 OTHERS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Griggs, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213 now pending before the House; and your petitioners will ever pray.

S. ALMKLOV AND 20 OTHERS.

Hankinson, N. D., February 7, 1911.

To the Honorable Members of the Legislative Assembly of the State of North Dakota, Bismarck, N. D.

Gentlemen: We, the undersigned residents, citizens and taxpayers of the county of Richland, state of North Dakota, having read and thoroughly understand that certain bill now before your honorable body, known as House Bill No. 213, and entitled "A bill for an act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity," and believing that such bill is for the good of the public, and that such laws are actually necessary and will tend to promote the public good and welfare;

Now, therefore, we respectfully represent and petition your honorable body that you will use all lawful and honorable means to see that the said bill becomes a law at this Twelfth Session of the Legislative Assembly for the state of North Dakota.

CHAS. JAMER AND 60 OTHERS.

Mr. Kuhl moved

That the balance of the petitions relating to House Bill No. 213 be received and referred to the committee on public health.

Mr. Price moved as an amendment

That the petitions be filed.

Which motion prevailed.

The question being on the original motion as amended,  
The same prevailed.

*Resolved:* That we, the undersigned, officers and directors of the Home Improvement Company of Crystal, North Dakota, doing business, solely, as a telephone company in Pembina and Walsh counties, must make a strong protest against Senate Bill No. 45, as the passing of this proposed bill will greatly retard the growth and development of our small companies by placing them under state control. We especially feel that as we are still in our infancy our development would be retarded to a great extent, and result further in preventing the organizing of new companies. Our patrons and stockholders realize that rural telephones add much to the convenience and betterment of life in the rural districts.

A protest is made against the bill in general, but more especially that of clause three, as all local companies carry more or less indebtedness and by limiting the earnings, as the aforesaid bill proposes, would greatly handicap such companies in thus delaying the date of payment on the indebtedness.

(Signed) C. K. WING,  
O. K. BERG,  
W. J. GREENWOOD,  
DAVID STEARNS,  
W. N. HUSBAND,  
G. H. GARNETT,  
AND THE STOCKHOLDERS.

## REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 179.

A bill for an act to repeal Chapter 158 of the Session Laws of 1907.

Also

House Bill No. 197.

A bill for an act to provide information to the resident tax payers of the state in respect to the various publications which are published for free distribution by the agricultural college and prescribing the duties of the agricultural college and of the county auditors in relation thereto.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that  
House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

Was delivered to the governor for his approval at the hour of 10 o'clock February 11, 1911.

ALBERT A. DAVIS,  
Chairman.

The committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred  
House Bill No. 190.

A bill for an act providing for aid to the poor, consisting of persons convicted of crime who have been placed upon probation subject to the provisions of law, or who have been paroled or whose term of imprisonment has expired, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, line 9 of printed bill, after the word "purpose" insert the word "practicallyv."

And when so amended recommend the same do pass.

WESLEY FASSETT,  
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 123.

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred



## Senate Bill No. 19.

A bill for an act to amend Section 7782 of the Revised Codes of 1905, relating to the priority of claims in insolvency proceedings.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 261.

A bill for an act to repeal Chapter 82 of the laws of 1909, relating to non-partisan judiciary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Tuttle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 203.

A bill for an act to amend Section 4069 of the Revised Codes of 1905, relating to the proof and procedure in cases of divorce.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Your committee on judiciary to whom was referred  
House Bill No. 185.

A bill for an act entitled, an act to regulate legal and equitable procedure in courts of record.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 227.

A bill for an act to amend and re-enact Section 7475 of the Revised Codes of 1905, State of North Dakota, relating to costs and disbursements on the foreclosure of a real estate mortgage by advertisement.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the printed bill, strike out the word "ten" and substitute the word "fifteen" therefore. After the word and figure, "Section 7475," insert the words "Costs and Disbursements, Limited When.)"

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 180.

A bill for an act amending Section 8406, Revised Codes of 1905, providing when an action of forcible detainer is maintainable.

Have had the same under consideration and recommend that the same be amended as follows:

Between lines 2 and 3 of the printed bill, insert the words "Section 8406. Forcible Detainer, When Maintainable.) This action is maintainable."

In line 12, between the word "over" and the word "the" insert the word "after." In line 17, strike out the word "or" and substitute therefore the word "and." In line 20, between the word "deed" and the word "other," insert the word "and."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

The committee on live stock made the following report:

Mr. Speaker

Your committee on live stock to whom was referred  
House Bill No. 275.

A bill for an act entitled, "An act to regulate and provide for admission of live stock into the state of North Dakota from all other states and territories and foreign countries; and providing penalties for violation thereof."

Have had the same under consideration and recommend that the same be amended as follows:

At the end of section 1, after the word "diseases" insert the following: "Also all stallions imported into North Dakota must also be accompanied by certificate that said animal is free from any infectious, contagious, transmissible disease or unsoundness, as specified in Section 3, Chapter 161, Session Laws of 1909."

In section 4, at the end of line 6, after the word "niles" and before the word "serum" in printed bill, insert the words "hog-cholera."

In section 5, strike out all of lines 2, 3, 4 and 5 of printed bill.

In section 6, line 3, after the word "veterinarian" and before the word "all" in printed bill, insert the following, "or graduate veterinarian whose inspections are endorsed by officers in charge of live stock sanitary work in state where inspection is made."

In line 7, section 6, after the word "temperatures" and before the word commencing," insert the following words, "two hours apart."

In section 8, line 2 of the printed bill, strike out the word "by" and insert in lieu thereof the word "of."

Add: "Sec. 10. Emergency.) An emergency exists in this that there is now no law in force regulating the shipment of live stock into the state, therefore this act shall be in full force and effect from and after its adoption and approval."

And when so amended recommend the same do pass.

A. W. CUNNINGHAM,  
Chairman.

Mr. Roquette moved

That House Bill No. 275 be re-referred to the committee on live stock.

Which motion prevailed, and

The bill was so re-referred.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

House Bill No. 187.

A bill for an act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all acts or parts of acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. B. HEINEMEYER,  
Chairman.

Mr. Heinemeyer moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 239.

A bill for an act to amend Section 10433 of the Revised Codes of the State of North Dakota, for the year 1905, relating to the commitment of prisoners to jail from counties having no jail.

Have had the same under consideration and recommend that the same do pass.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 206.

A bill for an act establishing a Missouri Slope agricultural fair at Mandan and making appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows, and that the bill be re-printed.

Amend the title to said bill to read as follows:

"A Bill for an Act to Incorporate and Establish the Missouri Slope Agriculture and Fair Association and Making an Appropriation Therefor."

Also amend by striking out all after the enacting clause in said bill and insert in lieu thereof the following:

"Section 1. Purpose of and Location Permanently Fixed at Mandan.) For the purpose of promoting and improving the condition of agriculture, horticulture, mechanical, manufacturing and household arts, a Missouri Slope Agriculture and Fair Association fair or exposition shall be held annually at the city of Mandan, in the state of North Dakota, subject to the conditions hereinafter named, and the location of the Missouri Slope Agriculture and Fair Association fair, as herein provided, is hereby declared to be permanent.

"Section 2. Conditions to be Complied With By Mandan.) If an organization, to be known and designated as the Missouri Slope Agriculture and Fair Association for Mandan, or by some similar name, shall be, during the year 1911, created and organized under and pursuant to the general laws of this state, in relation to corporations, with a paid up capital stock of not less than twenty thousand dollars, such association shall become entitled to receive the appropriations hereinafter named upon the conditions set forth in this article. The said association may acquire the title to not less than forty acres of ground in the city of Mandan, in said state, and such association may, and it is hereby empowered and authorized to convey the title to the land so acquired by it, unto the state of North Dakota, which property, when so conveyed, shall be held by the state of North Dakota forever for the following purposes and no other: For the purpose of exhibiting thereon, under the management of such association, or its successors, annually, the agricultural, stock breeding, horticultural, mining, mechanical, industrial and other products and resources of the state of North Dakota, including proper exhibits of the arts, sciences and all other public displays pertinent to and dependent upon exhibitions and expositions of human art, industry and skill. The said association may use so much of its paid-up capital stock as may be necessary for the acquisition of title to the land so to be purchased by it for use as fair grounds, and the balance thereof shall be and constitute a fund toward the construction of buildings and other permanent improvements thereon.

Section 3. Custody and Control of Mandan Grounds.) The custody and control of the premises upon which said fair at Mandan is located shall be vested in said Missouri Slope Agriculture and Fair Association for Mandan, and the general offices thereof shall be located and maintained either upon the premises so acquired or at some suitable place in the city of Mandan, and said association is hereby authorized, required and empowered to maintain its said offices as aforesaid wherein shall be contained the property and records of such association, and the entire care, custody, management and control of said premises and the structures thereon shall be vested in said association.

Section 4. Governor and Attorney General to Accept Title. Failure of State Appropriations Land Reverts to Original Owners. Board of Directors.) When the state of North Dakota accepts the title to the land so acquired by said association, which acceptance shall be made by the governor and attorney general, thereupon, and not before such time, shall the deed of conveyance of said property to the state be accepted and recorded. Should the state of North Dakota cease to appropriate the sum of at least five thousand dollars annually in connection with said fair, then the title of said premises shall revert to and become the property of the association that transferred the same to the state; provided, further, that the state shall never become liable for any of the debts and liabilities of said association, save as appropriations shall be made therefor from time to time by the legislative assembly. The provisions of this article shall not become binding upon the state as to said fair association until the stockholders of such association shall adopt and file with the secretary of state an irrevocable by-law consenting and providing that its board of directors shall consist of fifteen persons; that the governor, commissioner of agriculture and labor and the state auditor shall, ex-officio, constitute three of such directors; that five of the directors of such association shall be residents of the judicial district in which said fair is to be held, and that one director shall be selected from each other judicial district of this state, and shall be a resident of the same.

Section 5. Appointment and Duties of Executive Committee.) The board of directors of said fair association shall appoint an executive committee, which shall keep an accurate account of the expenditures of all moneys appropriated to it by the state and of all other receipts and expenditures, and shall collect, arrange and collate all the information in

their power in relation to the nature and preparation of soils, the cultivation and growth of crops, the breeding and management of stock, the application and character of manure and fertilizers, the introduction of new cereals and other grains and other agricultural subjects, and report the same together with a statement of their doings and such account of their expenditures, to the governor on or prior to the first day of January each year following the holding of a fair, such report to be audited by the governor, commissioner of agriculture and labor, and the auditor, and by the governor laid before the legislative assembly. All moneys hereby appropriated shall be paid over to the treasurer of the association on the order of the president attested by the secretary.

Section 6. General Appropriation.) There is hereby appropriated out of any funds in the treasury of the state of North Dakota not otherwise appropriated, the sum of five thousand dollars annually, to be expended by the directors of said association as follows: Not more than two thousand five hundred dollars thereof in any one year for the erection of buildings and making other permanent improvements upon the fair grounds; not less than two thousand five hundred dollars in any one year as premiums to the exhibitors at said fair; such appropriation to be paid to the Missouri Slope Agriculture and Fair Association.

"Section 7. Conditions Binding on State.) The provisions of this article shall not become binding or effective upon the state as to such association until the stockholders of such association shall adopt a by-law, expressly accepting and agreeing to all of the conditions hereof, and file a certified copy of said by-law with the secretary of state.

"Section 8. Emergency.) Whereas, without an emergency clause this bill would go into effect too late to hold a fair during the year 1911, and in order that said association may become at once incorporated, therefore an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the rules be suspended and the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate Bill No. 99.

A bill for an act to amend and re-enact Section 1513 of Revised Codes of North Dakota, as amended by Chapter 41, of the laws of 1909, relating to the furnishing by the county auditor of assessment books and blanks, lists of real property, regulating the time of meeting of assessors, and providing for their compensation for attending such meeting.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 3 and 4 of the printed bill, strike out the word "mortgages." In line 4, after the word "assessors," add the following, "compensation of assessors."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Mr. Anderson of Ramsey moved

That the rules be suspended and Senate Bill No. 99 be placed upon the calendar for third reading.

Which motion prevailed.

### REPORT OF SPECIAL COMMITTEE.

The special committee appointed to investigate the work and expenditures of the state game and fish board of control made the following report:

Mr. President: Your special committee, appointed to investigate the work and expenditures of the State Game and Fish Board of Control, beg leave to report as follows:

We have gone into the records of the board and called certain witnesses, only a part of whom up to this time we have been able to examine. We have found it impossible to complete our work and respectfully request that we be granted additional time in which to submit our report.

Respectfully submitted,

E. L. GARDEN,  
WESLEY C. McDOWELL.

Mr. Garden moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The special committee appointed to investigate the work and expenditures of the state game and fish board of control made the following report:

Mr. Speaker: Your special committee, appointed to investigate the work and expenditures of the State Game and Fish Board of Control, beg leave to report as follows:

We have gone into the records of the board and called certain witnesses, only a part of whom up to this time we have been able to examine. We have found it impossible to complete our work and respectfully request that we be granted additional time in which to submit our report.

Respectfully submitted,

J. H. FRAINE.



Mr. Fraine moved

That the report be adopted.

Which motion prevailed,

Mr. Fraine moved

That the committee be granted further time in which to make the investigation as required.

Which motion prevailed.

The committee was granted further time.

Mr. Speaker: As requested by resolution of the House adopted on the 38th day of the session, the chief clerk begs leave to submit the following report as to the reasons why the reports of the various state officers are not upon the desks of the members of the Legislature:

In compliance with said resolution, the chief clerk has visited the offices of the Bismarck Tribune, Commissioners of Public Printing and the Governor, and finds that the report of Public Health Laboratory was delivered to the printers on November 19th, 1910, and up to this date has not been printed.

That the 21st annual report of the Agricultural Experimental Station, part two, food commission, was delivered to the printer on November 19th, 1910, and has not yet been printed.

That the 10th biennial report of the trustees of the Agricultural college was delivered to the printer November 19th, 1910, and has not yet been printed.

That the third report of the State Fair Association was delivered to the printer November 19th, 1910, and has not yet been printed.

That the eighth biennial report of the Secretary of State was delivered to the printer on November 19th, 1910, and that the same has been printed as requested, and placed upon the desks of the members of the House of Representatives.

That the 19th annual report of Dental Examiners was delivered to the printer November 19th, 1910, and is not yet printed.

That the 14th biennial report of the Institution of Feeble Minded was delivered to the printer November 28th, 1910, and has not yet been printed.

That the ninth biennial report of the Land Commissioners was delivered to the printer November 28th, 1910, and that the same is now set in type and on their machines for printing.

That the Treasurer's annual report was delivered to the printer December 7th, 1910, and that the same has been printed and placed upon the desks of the members of the House of Representatives.

That the twelfth biennial report of the State Auditor was delivered to the printer on December 19th, 1910, and the same has been printed, but has not yet been delivered.

That the 11th biennial report of the Commissioner of Agriculture and Labor was delivered to the printer December 10th, 1910, and that the same has been printed and will be delivered today, or Monday following.

That the 21st annual report of the Bank Examiner was delivered to the printer December 16th, 1910, and is now all set in type and can be printed at once.

That the 11th biennial report of the board of health was delivered to the printer December 16th, 1910, but is not printed.

That the tenth biennial report of the School for Deaf was delivered to the printer December 16th, 1910, but is not printed.

That the second biennial report of the Public Library Commission was delivered to the printer December 16th, 1910, and is now being set in type.

That the second biennial report of the State Engineer was delivered to the printer December 16th, 1910, and is not yet printed.

That the 20th annual report of the Dental Examiners was delivered to the printer December 16th, 1910, but is not printed.

That the biennial report of the State Normal School was delivered to the printer December 16th, 1910, and is not printed.

That the 12th biennial report of the Hospital for Insane was delivered to the printer December 16th, 1910, but is not yet printed.

That the 19th and 20th annual report of the Railway Commissioners was delivered to printer on December 16th, 1910, and that the same is now on the machine being printed.

That the report of the Commissioner of Insurance was delivered to the printer on December 16th, 1910, and that the same has been printed and placed upon the desks of the members of the House of Representatives.

That the 14th annual report of the Live Stock Sanitary Board was delivered to the printer on December 16th, 1910, and that the same is now being set in type and will be printed soon.

That the report of the Grain Commissioner was delivered to the printer January 28th, 1911, and same is now being set in type and will soon be printed.

That although the law provided that these reports be furnished at various times from July 1st to January 1st, none of them were received by the Commissioner of Public Printing until much later than the time required by law, and only shortly before the above dates of delivery to the printer.

I also find the following reports in the hands of the Commissioner of Public Printing, which have not as yet been delivered to the printer, for the reason that the printer has at this time more work than can be turned out at once:

- Reform School.
- Industrial School.
- Soldiers' Home.
- Agricultural College Survey.
- Attorney General.
- Superintendent of Public Instruction.
- Blind Asylum.
- Trustees of Penitentiary.
- Twine and Cordage Plant.
- Poultry Association.

I also find that the financial and statistical report of the various institutions is not printed for the reason that the report of one of these institutions has not, up to 3 o'clock p. m., February 10th, 1911, been handed to the governor, so no part of this financial and statistical report could be printed, until all of these reports had been turned over to the office of the governor, but that carbon copies of all the reports received have been furnished by the governor to the chairman of the appropriation committee of both House and Senate, and that a carbon copy of the missing report will be turned over to the chairman of each appropriation committee by the governor as soon as the same is received at his office.

Respectfully submitted,

E. H. GRIFFIN,  
Chief Clerk.

Mr. Price moved

That a committee of three be appointed to properly place the blame and report to this house before the fiftieth day

of this session as to what remedy to offer to correct this abuse.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 11, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 130.

A bill for an act to amend and re-enact Section 4466 of the Revised Codes of North Dakota for the year 1905, relating to the annual statements of insurance companies.

Also

Senate Bill No. 138.

A concurrent resolution to amend Section 158 of the Constitution of the State of North Dakota, governing the sale of school lands to railroad companies.

Also,

Senate Bill No. 151.

A bill for an act to require county commissioners in all counties in the State of North Dakota, elected or appointed to the office of county commissioner, to furnish an official bond for the faithful performance of their duties, and providing for the approval of the bond.

Also,

Senate Bill No. 160.

A bill for an act to amend Section 3213, Revised Codes of North Dakota, relating to township boards.

Also,

Senate Bill No. 175.

A bill for an act to amend Section 417 of the Revised Codes of North Dakota for the year 1905, relating to officers and offices, and the qualifications of officers.

Also

Senate Bill No. 179.

A bill for an act providing for the regulation and the use of the public drinking cup and public towel.

Also,

Senate Bill No. 180.

A bill for an act to amend and re-enact Section 1607 of the Revised Codes of North Dakota for the year 1905.

Also

Senate Bill No. 183.

A bill for an act repealing Chapter 176, Laws of 1903, being Sections 216, 217, 218, 219, 220, 221, 222 and 223 of the Revised Codes of 1905, relating to the leasing of common school and other public lands for coal mining purposes.

Also

Senate Bill No. 196.

A bill for an act to amend and re-enact Section 8841 of the Revised Codes of North Dakota for the year 1905, relating to kidnaping, defining same, providing punishment therefor, and prescribing punishment of aiders, assistants and abettors therein.

Also,

Senate Bill No. 197.

A bill for an act to amend Article 2, Chapter 10 of the Session Laws of 1909, relating to normal schools.

Also,

Senate Bill No. 155.

A bill for an act to amend Section 8103 of the Revised Codes of 1905, of the State of North Dakota, relating to

endorsement of allowance or rejection of claims by executive or administrators and providing for notice thereof.

Also

Senate Bill No. 156.

A bill for an act to amend Section 8105 of the Revised Codes of 1905, relating to rejecting claims and providing how suit is instituted.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Which the Senate has amended as follows:

In line two (2) of printed bill, strike out "not later than the first day of August, 1911," and insert "with the advice and consent of the Senate."  
And by adding the following: "Whereas, an emergency exists, this bill shall be in effect from and after its passage and approval."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, It is necessary to expedite and complete the work of this session of the assembly,

*Resolved by the Senate, the House Concurring:*

That further introduction of bills be limited and that no further bill be introduced in either house after the 45th day, except upon a two-thirds vote of the House into which it is offered.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

### MOTIONS AND RESOLUTIONS.

Mr. Homnes moved

That the vote by which Senate Bill No. 126 was indefinitely postponed be re-considered.

Which motion prevailed.

Mr. Homnes moved

That Senate Bill No. 126 be re-referred to the committee on judiciary.

Which motion prevailed.

And the bill was so re-referred.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Price, by request, introduced House Bill No. 341.

Mr. Fraine raised the question of consideration of House Bill No. 341.

The question being, shall the bill be now considered.

Which motion was lost.

Mr. Price gave notice that on Monday, February 20th, at 3 o'clock p. m., he would move to re-consider the vote by which House Bill No. 341 was not considered.

Mr. Homnes (by request) introduced

House Bill No. 347.

A bill for an act to amend and re-enact Section 498 of the Revised Codes of North Dakota for the year 1905, relating to admission to the bar.

Was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Tuttle introduced

House Bill No. 348.

A bill for an act to amend Section 2 of Chapter 126, Laws of 1909, defining the duties of the register of deeds, relating to foreclosure of mortgages on real property by advertisement, and prescribing a penalty for violating the same.

Was read the first and second times, and  
Referred to the committee on state affairs.

Mr. Harty introduced

House Bill No. 349.

A bill for an act to provide for the collection of delinquent personal property taxes, and for reducing the same to judgment.

Was read the first and second times, and  
Referred to the committee on taxes and tax laws.

Mr. Harty introduced

House Bill No. 350.

A bill for an act to amend Section 1554 of the Revised Codes of North Dakota of 1905, as amended by Chapter 197 of the Laws of 1909, relating to delinquent personal property taxes and the collection of taxes.

Was read the first and second times, and  
Referred to the committee on taxes and tax laws.

Mr. Price introduced

House Bill No. 351.

A bill for an act to amend and re-enact section 164 of the Revised Codes of North Dakota for 1905.

Was read the first and second times, and  
Referred to the committee on state affairs.

Mr. Thompson introduced

House Bill No. 352.

A bill for an act providing for a bailiff of the supreme court.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Thompson introduced

House Bill No. 353.

A bill for an act to amend sections 1295, 1297 and 1298 of the Revised Codes of North Dakota of 1905, and section 1296 of the Revised Codes of 1905 as amended by the Legislative Assembly of 1909, being chapter 13 of the Revised Codes of 1905, entitled State Library.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. O'Shea introduced

House Bill No. 354.

A bill for an act to amend section 2607 of the Revised Codes of North Dakota, 1905, relating to coroner fees.

Was read the first and second times, and

Referred to the committee on state affairs.

Mr. Englund introduced

House Bill No. 355.

A bill for an act to provide for the reimbursement of owners of cattle destroyed by order of the state live stock sanitary board on account of the disease known as tuberculosis, and providing for the levy of a tax to create a fund therefor.

Was read the first and second times, and

Referred to the committee on live stock.

Mr. Englund introduced



## House Bill No. 356.

A bill for an act creating and establishing an agricultural experiment station at or near Kenmare, Ward county, providing for its management and making appropriation therefor.

Was read the first and second times, and

Referred to the committee on ways and means.

Mr. Gorder introduced

## House Bill No. 357.

A bill for an act to amend section 4483 of the Revised Codes of 1905, relating to terms of office of boards of directors of county mutual companies.

Was read the first and second times, and

Referred to the committee on insurance.

Mr. Sauer introduced

## House Bill No. 358.

A bill for an act to amend section 6237 of the Revised Codes of 1905, as amended by chapter 158 of the Laws of 1909, relating to the filing of mechanic's liens, the giving of notice of furnishing materials to contractors and sub-contractors.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Peart, by request, introduced

## House Bill No. 359.

A bill for an act to amend and re-enact sections 4602 and 4603, Revised Codes of North Dakota for 1905, being an act to regulate the importation of dependent children from other states.

Was read the first and second times, and

Referred to the committee on labor.

The chief clerk announced that the Speaker was about to sign

## Senate Bill No. 22.

An act requiring railroad companies to provide suitable rooms in railroad station waiting rooms, or in places adjacent thereto.

And the Speaker signed the same in the presence of the House.

## THIRD READING OF HOUSE BILLS

## House Bill No. 179.

A bill for an act to repeal Chapter 158 of the Session Laws of 1907.

Was read the third time.

Mr. Hawkinson moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed.

The further consideration of the bill was indefinitely postponed.

Mr. Streeter moved

That the vote by which House Bill No. 179 was indefinitely postponed be reconsidered and the motion to reconsider be laid upon the table.

Which motion prevailed.

## House Bill No. 197.

A bill for an act to provide information to the resident tax payers of the state in respect to the various publications which are published for free distribution by the agricultural college and prescribing the duties of the agricultural college and of the county auditors in relation thereto.

Mr. Homnes asked unanimous consent to amend the bill.

There being no objections, Mr. Homnes offered the following amendment and moved its adoption:

Section 1, line 1, after the words "Section 1" insert the following: "Agricultural College to Furnish List of Publications to County Auditor.)"

Section 2, line 1, after the words "Section 2" insert the following: "Duties of County Auditors.)"

Section 3, line 1, after the words "Section 3" insert the following: "Report of Auditor.)"

Which motion prevailed.

Mr. Price moved

That the further consideration of the bill be indefinitely postponed.

Mr. Price moved

That the bill be re-referred to the committee on ways and means.

Mr. Ployhar moved

The previous question.

The question being, shall the main question be now put. Which motion prevailed.

The question being on the motion to refer, The same was lost.

The question being on the original motion, The same was lost.

Mr. Davidson moved

That the rules be suspended and House Bill No. 197 be considered engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 83 ayes, 11 nays; absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olgard of Nelson
Andrus	Hedalen	Olgard of Richland
Benson	Hersrud	O'Shea
Bjornson	Hoge	Paulson
Boerner	Homnes	Peart
Bond	Hill, of Bottineau	Putnam
Boyd	Hill, of Cass	Reeve
Brusletten	Hyland	Robinson

Messrs.—	Messrs.—	Messrs.—
Burnett	Johns	Sauer
Burns	Johnson	Scott
Carey	Kane	Scheer
Collins	Knox	Sgutt
Cunningham	Knutson	Sorlie
Davidson	Kuhl	Stern
DeLance	Kyllo	Stranahan
Dosseth	Lageason	Streeter
Doyle, of Foster	Lee	Tande
Doyle, of McIntosh	Martin	Thompson
Edwards	Moen, of Benson	Tostenson
Englund	Moen, of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Wambem
France	Narum	Whitmer
Fraine	Nelson, of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Nelson, of Richland	Ray
Fried	Pendray	Tollefson
Hanson	Ployhar	Walters
Law	Price	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Christenson	DeNault	Jordal
Davis	Geiger	McClellan
Dean	Heinemeyer	Roquette

Messrs. Christenson, Dean, DeNault, Geiger and Jordal being excused.

So the bill passed and the title was agreed to.

Mr. Aasheim moved

That the vote by which House Bill No. 179 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### COMMUNICATION FROM THE GOVERNOR.

GOVERNOR'S OFFICE,  
BISMARCK, NORTH DAKOTA,

February 11, 1911.

*To the House of Representatives:*

I have the honor to inform you that I have this day approved and filed in the office of the secretary of state

## House Bill No. 9.

A bill for an act to amend section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

Very respectfully,

JOHN BURKE,  
Governor.

## FIRST AND SECOND READING OF SENATE BILLS.

## Senate Bill No. 155.

A bill for an act to amend Section 8103 of the Revised Codes of 1905, of the State of North Dakota, relating to endorsement of allowance or rejection of claims by executive or administrators and providing for notice thereof.

Was read the first and second times, and

Referred to the committee on judiciary.

## Senate Bill No. 196.

A bill for an act to amend and re-enact Section 8841 of the Revised Codes of North Dakota for the year 1905, relating to kidnaping, defining same, providing punishment therefor, and prescribing punishment of aiders, assistants and abettors therein.

Was read the first and second times, and

Referred to the committee on judiciary.

## Senate Bill No. 156.

A bill for an act to amend Section 8105 of the Revised Codes of 1905, relating to rejecting claims and providing how suit is instituted.

Was read the first and second times and

Referred to the committee on judiciary.

## Senate Bill No. 130.

A bill for an act to amend and re-enact Section 4466 of the Revised Codes of North Dakota for the year 1905, relating to the annual statements of insurance companies.

Was read the first and second times and  
Referred to the committee on insurance.

Senate Bill No. 138.

A concurrent resolution to amend Section 158 of the Constitution of the State of North Dakota, governing the sale of school lands to railroad companies.

Was read the first and second times and  
Referred to the committee on school and public lands.

Senate Bill No. 160.

A bill for an act to amend Section 3213, Revised Codes of North Dakota, relating to township boards.

Was read the first and second times and  
Referred to the committee on state affairs.

Senate Bill No. 151.

A bill for an act to require county commissioners in all counties in the State of North Dakota, elected or appointed to the office of county commissioner, to furnish an official bond for the faithful performance of their duties, and providing for the approval of the bond.

Was read the first and second times and  
Referred to the committee on counties and county boundaries.

Senate Bill No. 175.

A bill for an act to amend Section 417 of the Revised Codes of North Dakota for the year 1905, relating to officers and offices, and the qualifications of officers.

Was read the first and second times and  
Referred to the committee on elections and election privileges.

Senate Bill No. 183.

A bill for an act repealing Chapter 176, Laws of 1903, being Sections 216, 217, 218, 219, 220, 221, 222 and 223 of

the Revised Codes of 1905, relating to the leasing of common school and other public lands for coal mining purposes.

Was read the first and second time and

Referred to the committee on school and public lands.

Senate Bill No. 180.

A bill for an act to amend and re-enact Section 1607 of the Revised Codes of North Dakota for the year 1905.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Senate Bill No. 179.

A bill for an act providing for the regulation and the use of the public drinking cup and public towel.

Was read the first and second times, and

Referred to the committee on public health.

Senate Bill No. 197.

A bill for an act to amend Article 2, Chapter 10 of the Session Laws of 1909, relating to normal schools.

Was read the first and second times, and

Referred to the committee of the whole house.

Mr. Olsgard of Nelson asked unanimous consent to return to the seventh order of business.

There being no objections, the House returned to the seventh order of business.

## MOTIONS AND RESOLUTIONS.

Mr. Olsgard of Nelson offered the following resolution and moved its adoption:

WHEREAS, It is desirable that some of the larger committees shall have a fixed schedule of regular meetings; and

WHEREAS, The chairmen of the committees on Judiciary, Appropriations, State Affairs, and Education have agreed to the following schedule of regular meetings of the committees mentioned:

Judiciary, 7:30 p. m., Monday, Wednesday, Friday.

Appropriations, 7:30 p. m., Tuesday, Thursday, Saturday.

Education 10:00 a. m., Monday, Wednesday, Friday.

State Affairs, 10:00 a. m., Tuesday, Thursday, Saturday.

*Be it Resolved:*

That the above schedule of regular meetings be printed on cards and distributed to all members of the House of Representatives.

Which motion prevailed, and

And the resolution was adopted.

Mr. Fraine moved

That the rules be suspended and the House pass to the fifteenth order of business.

Which motion prevailed.

Mr. Fraine moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed.

And the House resolved itself into a committee of the whole.

The Speaker called Mr. Fraine to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 262.

A bill for an act to prohibit public officers from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

And recommend the same do pass.

Also

House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.



And recommend that the same be indefinitely postponed.

Also,

Senate Bill No. 15.

A bill for an act making Good Friday a legal holiday.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 151.

A bill for an act to amend Section 2437 of the Revised Codes of North Dakota for 1905,, relating to proposals and acceptance of bonds of county depositaries.

And recommend that the same be amended as follows:

Referring to the printed bill, in lines 27 and 28, strike out the words "first day of February next after the bids have been advertised for," and substitute the words, "board of county commissioners shall re-advertise for bids and shall have designated new depositaries." In line 16, insert the word "probable" between the words "the" and "amount." In line 25, insert the word "so" between the words "been" and "approved." In line 34, substitute the word "sureties" for the word "securities." In line 39, strike out the words "the provisions of."

And when so amended recommend the same do pass.

Also,

House Bill No. 116.

A bill for an act to amend Chapter 68 of the Session Laws of the State of North Dakota for the year 1909, prescribing the salary of the state's attorney, assistant and clerk.

And recommend that the same be indefinitely postponed.

Also

House Bill No. 263.

A bill for an act to amend Section 2439 of the Revised Codes of 1905, as amended by Chapter 70 of the 1909 Session Laws, relating to sinking funds and the duty of county commissioners pertaining thereto.

And recommend that the same be re-referred to the committee on ways and means.

Also

House Bill No. 90.

A bill for an act to reimburse members of the legislative assembly for personal expenses incurred while attending the session thereof.

And recommend that the same be amended as follows:

In line 1, section 2, after the word "appropriated" insert the words "the sum of \$30,400.00."

And when so amended recommend the same do pass.

Also,

House Bill No. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

And recommend that the same be amended as follows:

After the word "safety" in line six, insert the following:

"Provided the same shall not apply to any passenger train which does not carry passengers whose trip both begins and terminates within the boundaries of the state of North Dakota."

Strike out the words "which such," in line 4, and the words "trains run," in line 5 of the printed bill, and insert in lieu thereof the following: "or by which such trains run, wherever such person, company or corporation operating such railroad has heretofore established, or shall hereafter establish, a station within one mile of the corporate limits of such county seat."

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved

That the report be adopted except that part relating to House Bill No. 26.

Which motion prevailed.

The report of the committee was adopted except as to House Bill No. 26.

Mr. Sorlie moved

That House Bill No. 26 be recommended to pass as amended by the committee on drainage.

Roll call demanded.

The roll was called and there were 42 ayes, 35 nays; absent and not voting, 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nelson, of Walsh
Anderson, of Griggs	Harty	Norheim
Anderson, of Ramsey	Hedalen	O'Shea
Andrus	Heinemeyer	Paulson
Bjornson	Homnes	Peart
Boerner	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Ployhar
Brusletten	Hyland	Robinson
Burnett	Johnson	Sauer
Collins	Knutson	Sorlie
Cunningham	Kuhl	Tande
Doyle, of McIntosh	Law	Wambem
Fraine	Morrison	Williams
Fried	Moritz	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hersrud	Olgard of Richland
Bond	Hoge	Price
Carey	Kane	Reeve
Davidson	Kylo	Scott
Dosseth	Lageson	Scheer
Edwards	Lee	Stern
Englund	Moen, of Benson	Thompson
Fassett	Narum	Tollefson
Fox	Nelson, of Richland	Tostenson
France	Nestos	Tuttle
Fritz	O'Connor of Pembina	Ulsaker
Hawkinson	Olgard of Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gorder	Putnam
Burns	Hanson	Ray
Christenson	Johns	Roquette
Davis	Jordal	Sgutt
Dean	Knox	Stranahan
DeLance	Martin	Streeter
DeNault	McClellan	Walters
Doyle, of Foster	Moen, of Cavalier	Whitmer
Geiger	O'Connor of Gd. Forks	

Messrs. Christenson, Dean, DeNault, Geiger and Jordal being excused.

So the motion prevailed.

Mr. Homnes moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Homnes to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 213.

A bill for and act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

And recommend that the same be amended as follows:

Insert after the words "Section 1," line 1 of the printed bill, the words "Itinerant Vender, License.)"

Insert after the words "Sec. 2," the words "Itinerant Vender, Definition.)"

Insert at the top of page 2 of the printed bill, before line 2, the following words: "Sec. 3. Application, Samples.) Any itinerant vender desiring to sell, offer for sale or."

Insert after "Sec. 4," the words "Fees," and in line 3 of section 4, strike out the word "fifty" and insert in lieu thereof the word "twenty." Strike out of line 4, in section 4, the words "seventy-five" and insert in lieu thereof the word "thirty."

Insert after the words "Sec. 5," the words "Record of License.)"

Insert after the words "Sec. 6," the words "Analysis of Samples.)"

Insert after the words "Sec. 7," "Supplementary Application.)"

Insert after the words "Sec. 8," "Limitation in License."

Insert after the words "Sec. 9," "Penalty.)"

Insert after the words "Sec. 10," "City, Town and Village Licenses.)"

And when so amended recommend the same do pass.

Also

House Bill No. 225.

A bill for an act to amend and re-enact Section 537 of the Revised Codes of North Dakota for 1905, relating to the bonds of notaries public.

And when so amended recommend the same do pass:

In paragraph two, in line five, strike out the word "of" and insert in lieu thereof the word "or." Also add section 2, the emergency clause, which reads as follows:

"Whereas the secretary of state, with whom all notarial bonds are filed, has convenient access to the insurance department records relating to surety bonding companies, and is accordingly in a better position to pass upon the notarial bonds issued by said companies, therefore an emergency is declared to exist, and this law shall take effect and be in force immediately upon its passage and approval."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Doyle of Foster gave notice that at 3 o'clock Monday, February 13th, he would move to re-consider the vote by which Senate Bill No. 15 was indefinitely postponed.

There being no objections, the House returned to the seventh order of business.

## MOTIONS AND RESOLUTIONS.

Mr. Williams offered the following resolution and moved its adoption:

*Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:*

WHEREAS, It has come to the knowledge of the Legislative Assembly that within the twenty-four hours last past, one of the pioneers and foremost citizens of this state has been called by death; and

WHEREAS, In the death of Mr. Marshall H. Jewell the whole state mourns;

*Therefore, It is Resolved:*

That a joint committee, consisting of three members from the Senate and four members from the House of Representatives, be appointed by the presiding officer of the respective bodies to draft appropriate resolutions which shall express, in apt and appropriate language, the sentiment of the Legislative Assembly concerning the death of Mr. M. H. Jewell.

And further resolved, as a token of respect to the memory of our departed citizen, the Senate and House of Representatives adjourn.

Which motion prevailed.

And the resolution was adopted.

The Speaker appointed as such committee, Messrs. Williams, Streeter, Price and Collins.

The privileges of the floor were extended to the following:

Alfred Bolien of Plaza.

Geo. Fraine of Rugby.

Judge N. Davis of Minot.

Neil McDougal, Major Murphy, Ed Kelly, Ex-Gov. Joe Devine, of Minot.

Martin Jacobson.

J. G. Senger, S. R. Finley, of Harvey.

Alf. Eastgate of Tolna.

Joe Broodie.

Al. Broodie.

Jim Broodie.

Mr. Williams moved

That the House do now adjourn until 2 o'clock p. m.  
Monday, February 13th.

Which motion prevailed.

And the house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

FORTY-SECOND DAY.

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 13, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Mr. Fraine moved

That the House take a recess until 3 o'clock p. m.

Which motion prevailed, and

The House took a recess until 3 o'clock p. m.

The House re-assembled pursuant to recess taken.

Prayer by the chaplain.

Mr. Sorlie moved

That the roll call be dispensed with.

Which motion prevailed.

Mr. Sorlie moved

That the House take a recess until 4 o'clock p. m., or at the call of the Speaker.

Which motion prevailed, and

The House took a recess.

The House re-assembled pursuant to recess taken.

Mr. Sorlie moved

That a committee of three be appointed to inform the Senate that the House was ready to receive them in joint session.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Sorlie, Brusletten and Bjornson.

The sergeant at arms announced the Senate in waiting.

### JOINT SESSION.

The joint session was called to order by the President of the Senate.

The President appointed Messrs. Gilbert and Hill of Bottineau as a committee to escort the Hon. Smith Stimmel to the platform.

The following program was then rendered in the memory of Abraham Lincoln:

Prayer .....	Rev. A. Lincoln Shute
Solo, "Good Bye," .....	Mrs. H. H. Steele
Address .....	Hon. Smith Stimmel
Solo, "Song of Thanksgiving" .....	Mr. N. B. Black

Mr. Talcott moved

That the joint session do now dissolve.

Which motion prevailed.

The privileges of the floor were extended to the following:

Hon. Andrew Kirkeide.

John Scholtz.

Fred Evander.

John Aker, Tom Oset of Benson county.

Mr. Fraine moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

E. H. GRIFFIN,  
Chief Clerk.



FORTY-THIRD DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 14, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 39th day, after recess, and 40th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3, strike out all of lines 1, 2, 3 and 4.

On page 8, on line 32, strike out the word "Dain" and insert in lieu thereof the word "Davis."

On page 9, on line 4, strike out figures "No. 191," and insert in lieu thereof figures "No. 190." Also take out title following and insert title of House Bill No. 190.

On page 23, on line 29, take out word "Homness" and insert "Homnes."

On page 29, on line 29, take out the word "Homness" and insert "Homnes." Also on line 30, take out "Homness" and insert "Homnes."

On page 16, strike out line 35 and insert "That the rules be suspended and the report adopted."

On page 38, on line 22, strike out the word "Senate" and insert "House of Representatives" in lieu thereof, and following same line strike out words "House of Representatives" and insert in lieu thereof the word "Senate."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Wells, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213, now pending before the House; and your petitioners will ever pray.

S. J. McCUY AND 402 OTHERS.

We, the undersigned, citizens of Towner county, respectfully ask the members of the North Dakota Legislature to work and vote against any bill or measure requiring men who sell family and veterinary medicines or other products from wagons to us to pay a greater license or tax than they are now paying.

We hereby register our protest against the attempts of certain dealers to drive out the wagons by legislation, thus throttling competition by taking from us a legitimate source of supply and forming a monopoly for themselves.

We resent any attempt to dictate to us from whom we shall buy and demand the right to exercise our own judgment in our purchases.

C. J. HIETER AND 17 OTHERS.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 14, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 94.

A bill for an act regulating inheritance in case of unlawful killing.

Also

Senate Bill No. 120.

A bill for an act to punish the giving of checks or drafts on any bank or other depository wherein the person so giving such check or draft shall not have sufficient funds or a credit for the payment of the same.

Also

Senate Bill No. 171.

A bill for an act relating to payment of deposits in trust, in any bank, banking institution or trust company.

Also,

Senate Bill No. 172.

A bill for an act to amend Section 2170 of the Revised Codes of North Dakota for 1905, providing automobiles and motor cycles must have bell, horn or whistle.

Also

Senate Bill No. 174.

A bill for an act relating to desertion and non-support of wife by husband, or of children by either father or mother, and providing punishment therefor; and providing for manner of procedure and evidence required in such cases; and to promote uniformity between the states in reference thereto.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 165.

A bill for an act to create a bureau of inspection and supervision of public offices, and to establish a uniform system of public accounting, auditing and reporting, under the administration of the state examiner.

Also

House Bill No. 124.

A bill for an act relating to the construction of public buildings, prescribing the duties of boards of trustees thereof in the matter of securing plans and specifications, advertising for bids, letting contracts, allowance and payment of estimates, payment of premiums on contractor's bonds, and insurance on unfinished buildings and material on the ground, and protecting architects, contractors, manufacturers and producers resident within the state of North Dakota.

Also,

House Bill No. 206.

A bill for an act establishing a Missouri Slope agricultural fair at Mandan and making appropriation therefor.

Also

House Bill No. 151.

A bill for an act to amend Section 2437 of the Revised Codes of North Dakota for 1905,, relating to proposals and acceptance of bonds of county depositaries.

Also,

House Bill No. 213.

A bill for an act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Also,

House Bill No. 225.

A bill for an act to amend and re-enact Section 537 of the Revised Codes of North Dakota for 1905, relating to the bonds of notaries public.

Also

House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Also,

House Bill No. 50.

A bill for an act entitled, an act to provide for the determination of heirship and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Also,

House Bill No. 90.

A bill for an act to reimburse members of the legislative assembly for personal expenses incurred while attending the session thereof.

Also

House Bill No. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Also,

House Bill No. 239.

A bill for an act to amend Section 10433 of the Revised Codes of the State of North Dakota, for the year 1905, relating to the commitment of prisoners to jail from counties having no jail.

Also,

House Bill No. 262.

A bill for an act to prohibit public officers from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 221.

A bill for an act to amend and re-enact Section 4303 of the Revised Codes of 1905, and repeal Section 4304 of said code.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 56.

A bill for an act to enable cities in this state that may adopt or have adopted the commission form of government as provided in Chapter 45 of the Laws of 1907, to recall incompetent or dishonest elective officers by vote of the people; also providing for the initiative and referendum in city matters, defining the form of the petition required in the law and prescribing the manner in which a city which may adopt or has adopted the commission plan may return to the former system.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1 of the engrossed bill, line 8, strike out the word "forty" and substitute the word "twenty-five."

In section 2, line 8, strike out the word "forty" and insert the word "twenty-five."

Section 2, in the last line of page 3 of the engrossed bill, strike out the words "fifteen or more than forty," and substitute the word "twenty-five."

Section 3, in line 5 on page 5, strike out the word "Council" and insert the words, "Board of City Commissioners."

In line 8, section 3, page 5, strike out the words "thirty-five" and insert the words "twenty-five."

Add: "Section 6. Emergency.) Whereas, there is no law governing said recall for commission form of government, this act shall be in force from and after date of its passage and approval."

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Mr. Speaker:

A majority of your committee on elections and election privileges to whom was referred

House Bill No. 135.

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, in line 1 of the engrossed bill, strike out the word "Codes" and insert the word "Code."

In line 7 of section 616, insert the letter "a" between the words "be" and "column."

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Mr. Speaker:

A minority of your committee on elections and election privilege to whom was referred

House Bill No. 135.

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,  
BERNDT ANDERSON,  
C. E. DAVIDSON.

Also

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 107.

A bill for an act to amend Section No. 2743 of the Revised Codes of North Dakota for 1905, relating to election districts and precincts.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also



Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 108.

A bill for an act to amend Section 2744 of the Revised Codes of North Dakota for 1905, relating to qualified voters and registration in cities.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Which motion prevailed, and

Senate Bill No. 196.

A bill for an act to amend and re-enact Section 8841 of the Revised Codes of North Dakota for the year 1905, relating to kidnaping, defining same, providing punishment therefor, and prescribing punishment of aiders, assistors and abettors therein.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 55.

A bill for an act providing when surety may be released on bond, and prescribing mode of procedure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 216.

A bill for an act to amend and re-enact Section 8023 of the Revised Codes of North Dakota for 1905, relating to time to apply for letters of administration and providing when the statute of limitations shall run against claims against decedents.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 156.

A bill for an act to amend Section 8105 of the Revised Codes of 1905, relating to rejecting claims and providing how suit is instituted.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 155.

A bill for an act to amend Section 8103 of the Revised Codes of 1905, of the State of North Dakota, relating to endorsement of allowance or rejection of claims by executive or administrators and providing for notice thereof.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 296.

A bill for an act to regulate the practice and procedure on preliminary hearings before committing magistrates, and amending Section 9768 of the 1905 codes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 292.

A bill for an act to amend Section 7045 of the Revised  
Codes of 1905, relating to the calling of another judge on ac-  
count of prejudice or bias.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 278.

A bill for an act to provide for the payment of the ex-  
penses of district judges when acting outside of their  
judicial districts.

Have had the same under consideration and recommend  
that the same be amended as follows:

After the word and figure "Section 1," in line 1 of the printed bill,  
insert the following words, "District Judge. Certain Expenses, How Paid."  
And that all of section 2 be stricken out, the same being the emergency  
clause.

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 170.

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the printed bill, strike out the word "three" and substitute the word "four."

After the word "quorum," in line 8, change the period to a semi-colon and insert the following words: "provided that at special meetings, called in case of emergency, the governor, the chief justice of the supreme court and the attorney general may constitute a quorum."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 147.

A bill for an act to amend Section 4048 of the Revised Codes of 1905, providing for the dissolution of marriage; the effect thereof and the duty of the court to regulate the re-marriage of either or both parties.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 161.

A bill for an act regulating the taxation of mortgages.

Have had the same under consideration and refer the same back to the House, the author having requested its withdrawal, and the House consented thereto.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved  
That the report be adopted.  
Which motion prevailed, and

The report of the committee was adopted and the bill was withdrawn.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

## Senate Bill No. 78.

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

Have had the same under consideration and recommend that the same be amended as follows:

After sub-division 9 of section 1484, add the following:

"10. The real and personal property of any agricultural fair association, duly incorporated for the exclusive purpose of holding agricultural fairs, and is not conducted for profit to any of its members."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 166.

A bill for an act to Amend Section 1484 of the Political Code, Revised Codes of North Dakota, 1905, and amendments thereto, relating to property exempt from taxation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 168.

A bill for an act amending Section 1968 of the Revised Codes of 1905, known as the state bounty for wolves and coyotes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 149.

A bill for an act to require sheriffs in all counties of the State of North Dakota to issue receipts and to file with the county auditor of their respective counties all duplicate receipts issued for the payment of delinquent taxes collected by them or their deputies during their term of office.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 238.

A bill for an act to amend Section 1484 of the Revised Codes of North Dakota of 1905, relating to exemptions.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.



Mr. Nestos moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.  
The Speaker called Mr. Homnes to the chair.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 163.

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the printed bill, after the word "cities," insert a comma and add the following words, "in townships having no constable."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 235.

A bill for an act to extend payment of taxes for the year 1910, and providing when the same shall become delinquent.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved  
That the report be adopted.

Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 107.

A bill for an act to amend Section 1555 of the Revised Code of North Dakota for the year 1905, relating to the sheriff's list of uncollected personal property taxes, his certificate for the same and creating a fee therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 180.

A bill for an act to amend and re-enact Section 1607 of the Revised Codes of North Dakota for the year 1905.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 50.

A bill for an act to amend and re-enact Section 1576 of the Revised Codes of North Dakota of 1905, relating to the sale of real property for delinquent taxes and reducing the rate of interest on the purchase price of the lands so sold for delinquent taxes.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the printed bill, after the words and figure "Section 1," insert the word "Amendment.)"

At the beginning of line 1 in section 2 of the printed bill, strike out the figure "2" and insert the figures "1576," and at the beginning of line 28 of section 2 in the bill as printed, insert the following, "Section 2. Repeal.)"

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Price moved

That the rules be suspended and the report adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Your committee on taxes and tax laws to whom was referred

House Bill No. 89.

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for the year 1905, and all acts or parts of acts amendatory thereof, relating to the redemption of real estate.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and  
The report of the committee was adopted.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred  
Senate Bill No. 59.

A bill for an act prohibiting ball games and other sports  
until 3 o'clock p. m.

Have had the same under consideration and recommend  
that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
Senate Bill No. 51.

A bill for an act amending and re-enacting Section 2613  
of the Revised Codes of 1905, relating to the compensation  
of county commissioners.

Have had the same under consideration and recommend  
that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 60.

A bill for an act to provide for the filing of mortgages on personal property, and to prevent fraud in the taking of security in same, and to provide a penalty for violation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Kuhl moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 167.

A bill for an act to amend Section 2586 of the Revised Codes of North Dakota of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 140.

A bill for an act to amend Sections 4036, 4037, 4039 and 4042 of the Revised Codes of the State of North Dakota for 1905, relating to marriage contract, who may solemnize marriages, marriage licenses, marriage certificates, marriage records and certified copies of marriage records.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 226.

A bill for an act to amend Sections 1954, 1955, 1956, 1962, 1963, 1964 and 1965, relating to the bounty on wolves.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 188.

A bill for an act to amend Section 521 of the Revised Codes of 1905, relating to the furnishing of a list of jurors to the clerk of the district court.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.

Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 251.

A bill for an act to amend and re-enact Section 1933 of  
the Revised Codes of 1905, of the State of North Dakota.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 267.

A bill for an act to amend and re-enact Chapter 172 of  
the laws of the state of North Dakota for 1907, relating to  
whom may solemnize marriages and to marriage license.

Have had the same under consideration and recommend  
that the same be amended as follows:

"By inserting after the word "Dakota," in section 1, "for 1907," and  
by inserting after the word "Quakers," in line 10 of the printed bill, the  
words "and by the Salvation Army," and by striking out in line 10 of  
the printed bill the word "form" and inserting in lieu thereof the word  
"forms," and in line 10 of the printed bill, after the word "their" insert  
the word "respective."

That section 2, emergency, be added as follows:

"Whereas, the present law excludes a number of persons authorized  
by various Christian bodies to solemnize matrimony from exercising their  
authority in this particular, therefore an emergency is declared to exist,  
and this act shall take effect and be in force from and after its passage  
and approval."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the rules be suspended and the report adopted.  
Which motion was lost.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 219.

A bill for an act to prevent fraud in taking mortgages on personal property, to extend the time of validity of the same, to provide a penalty for alteration, and to repeal Section 6186 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be amended as follows:

Amending the title so as to read as follows: "For an Act to Prevent Fraud and Alteration in Taking Mortgages on Personal Property, Providing for a Copy Thereof to be Delivered to Mortgagor, and to Provide a Penalty for Violation."

Also strike out all of section 2. Change the number "Section 3" to "Section 2." Strike out the emergency. In section 4, strike out the figure "4" and insert in lieu thereof "3."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

The Speaker in the chair.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred  
House Bill No. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In the printed bill, section 3, line 18, strike out the words "two years" and insert in lieu thereof the words "one year." In section 4, lines 7 and 8, strike out the word "nine" and the figure "9" and insert in lieu thereof the word "eight" and the figure "8," and insert in lieu thereof the word "seven" and the figure "7." In line 41, strike out the word "re-organized" and insert the word "recognized." Further, in section 6, line 13, after



the word "of" strike out the words "not less than." After the number "\$1,800.00" strike out the words "nor more than \$2,500.00." In lines 16 and 17, after the word "the," strike out the words "money appropriated for the purposes of this act" and insert in lieu thereof the words "general fund of the state not otherwise appropriated." Further, in the same section, line 22, after the word "Schools" insert the words "or as field deputy county superintendent of schools."

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

Mr. Ployhar moved

That House Bill No. 210 be referred to the committee on appropriations.

Which motion prevailed, and  
The bill was so referred.

#### MOTIONS AND RESOLUTIONS.

Mr. Knox moved

That House Bill No. 15 be recalled from the committee on education and referred to the committee on judiciary.

Which motion prevailed, and

The bill was recalled and referred.

Mr. Scott asked unanimous consent to withdraw House Bill No. 321.

There being no objections, House Bill No. 321 was withdrawn.

Mr. Hoge introduced the following resolution and moved its adoption:

WHEREAS, The assistant journal clerks of the Senate are receiving five dollars per day, and the assistant journal clerks of the House are only receiving four dollars per day; and

WHEREAS, The assistant journal clerks of the House are each doing more work than the assistant journal clerks of the Senate,

*Now, Therefore, Be it Resolved:*

That the three assistant journal clerks of the House, A. G. Jacobson, W. A. Staley and C. E. Forrest, who are now working on the House Journal, be and are hereby allowed a salary of five dollars per day from the beginning of their respective services at the session, the difference to be adjusted at the end of this session.

Mr. Fraine moved, as an amendment:

That the resolution be referred to the committee on expenditures.

Which motion prevailed, and

The resolution was so referred.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Tostenson introduced

House Bill No. 360.

A bill for an act fixing the liability of railway companies for stock killed or injured and for loss of property by fires, and fixing the degree of proof necessary to recover.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. DeLance introduced

House Bill No. 361.

A bill for an act to amend Section 44 of Chapter 80, Laws of 1909, fixing the compensation of county judges of county courts, having increased jurisdiction.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Hedalen introduced

House Bill No. 362.

A concurrent resolution, for an amendment to the Constitution of the state of North Dakota, relating to the compensation for services of legislative members.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Anderson of Griggs introduced

House Bill No. 363.

A bill for an act defining the boundaries of the Fifth judicial district, and fixing the terms of court therein.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Brusletten introduced

House Bill No. 364.

A bill for an act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Which was read the first and second times and

Referred to the committee on elections and election privileges.

Mr. Hedalen introduced

House Bill No. 365.

A concurrent resolution for amendment to Sections 33 and 55 of the Constitution of the state of North Dakota, relating to the duration of term of office of members of the house of legislature and its regular sessions.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. De Nault introduced

House Bill No. 366.

A bill for an act to provide for a commission to prepare and recommend to the 13th legislative assembly a plan for redistricting the judicial districts of the state of North Dakota.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. De Nault introduced

House Bill No. 367.

A bill for an act to legalize all notes and other written evidence of indebtedness, providing for more than seven per cent, but not exceeding twelve per cent per annum interest, and amending Section 5513 of the 1905 Code, relating to penalty for usury.

Which was read the first and second times and  
Referred to the committee on ways and means.

Mr. Anderson of Griggs introduced

House Bill No. 368.

A bill for an act creating the Thirteenth judicial district of the state of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Which was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Stern introduced

House Bill No. 369.

A bill for an act to amend sub-division 30 of Article 4 of the Political Code of North Dakota, being sub-division 30 of Section numbered 2678 of the Revised Codes of North Dakota for 1905.

Which was read the first and second times and  
Referred to the committee on public health.

Mr. Kane introduced

House Bill No. 370.

A bill for an act to amend Section 2582 of the Revised Codes of the state of North Dakota for 1905, relating to deputy clerks of the district courts.

Which was read the first and second times and  
Referred to the committee on ways and means.

Mr. Doyle of Foster, moved

That the vote by which Senate Bill No. 15 was indefinitely postponed, be reconsidered.

Mr. Streeter moved, as an amendment:

That the motion to reconsider be laid on the table.

Roll call demanded.

The roll was called and there were 41 ayes, 60 nays, 2 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Hill, of Bottineau	Roquette
Bjornson	Hill, of Cass	Sauer
Bond	Johns	Scott
Burnett	Kane	Sgutt
Carey	Kyllo	Stern
Davidson	Law	Stranahan
DeNault	McClellan	Streeter
Englund	Olgsgard of Nelson	Tande
Fassett	O'Shea	Thompson
Fox	Paulson	Tuttle
France	Peart	Walters
Gardiner	Price	Whitmer
Hanson	Putnam	Williams
Hawkinson	Reeve	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Moritz
Akesson	Fritz	Narum
Anderson, of Griggs	Geiger	Nelson, of Richland
Anderson, of Ramsey	Gorder	Nelson, of Walsh
Andrus	Harty	Nestos
Boerner	Hedalen	Norheim
Boyd	Hersrud	O'Connor of Gd. Forks
Brusletten	Hoge	O'Connor of Pembina
Burns	Homnes	Olgsgard of Richland
Christenson	Hyland	Pendray
Collins	Johnson	Ployhar
Cunningham	Jordal	Ray
Davis	Knox	Robinson
Dean	Knutson	Scheer
DeLance	Kuhl	Sorlie
Dosseth	Lageson	Tollefson
Doyle, of Foster	Lee	Tostensora
Doyle, of McIntosh	Moen, of Benson	Ulsaker
Edwards	Moen, of Cavalier	Wambem
Fraine	Morrison	Mr. Speaker

Messrs. Heinemeyer and Martin were absent and not voting.

So the motion was lost.

The question being on the motion to reconsider,

The same prevailed.

Mr. Price moved

That House Bill No. 341 be now considered.

Mr. Fraine moved

That the motion to consider be laid on the table.

Roll call demanded.

The roll was called and there were 46 ayes, 54 nays, 3 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Jordal	Ray
Akesson	Kane	Roquette
Bjornson	Knutson	Scott
Bond	Lagezon	Scheer
Boya	Law	Sorlie
Carey	McClellan	Stern
Dean	Moen, of Benson	Stranahan
Dosseth	Moen, of Cavalier	Thompson
France	Morrison	Tollefson
Fraine	Narum	Tostenson
Gardiner	Nelson, of Walsh	Tuttle
Geiger	Norheim	Ulsaker
Gorder	Olsgard of Nelson	Walters
Hanson	Olsgard of Richland	Williams
Homnes	O'Shea	Mr. Speaker
Hill, of Bottineau		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Englund	Nelson, of Richland
Anderson, of Ramsey	Fassett	Nestos
Andrus	Fox	O'Connor of Gd. Forks
Benson	Fried	O'Connor of Pembina
Boerner	Fritz	Paulson
Brusletten	Harty	Peart
Burnett	Hawkinson	Pendray
Burns	Hedalen	Ployhar
Christenson	Hersrud	Price
Collins	Hoge	Putnam
Cunningham	Hill, of Cass	Reeve
Davidson	Hyland	Robinson
Davis	Johns	Sauer
DeLance	Johnson	Sgutt
DeNault	Kuhl	Streeter
Doyle, of Foster	Kyllo	Tande
Doyle, of McIntosh	Lee	Wambem
Edwards	Moritz	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Heinemeyer	Knox	Martin

So the motion was lost.

The question being upon the original motion,

The same prevailed.

Mr. Price moved

That the rules be suspended and House Bill No. 341 be given its second reading and reference at this time.

Which motion was lost.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 16.

A bill for an act creating and defining the Eleventh judicial district, within the State of North Dakota, providing for the appointment and election of a judge therein and fixing the boundaries thereof, and fixing the terms of court therein.

And the Speaker signed the same in the presence of the House.

### THIRD READING OF HOUSE BILLS.

House Bill No. 239.

A bill for an act to amend Section 10433 of the Revised Codes of the State of North Dakota, for the year 1905, relating to the commitment of prisoners to jail from counties having no jail.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 98 ayes, no nays, 5 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	O'Connor of Gd. Forks
Akesson	Gorder	O'Connor of Pembina
Anderson, of Griggs	Hanson	Olsgard of Nelson
Anderson, of Ramsey	Harty	Olsgard of Richland
Andrus	Hawkinson	O'Shea
Benson	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Boerner	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Burns	Hyland	Reeve
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sorlie
Dean	Kylo	Stern
DeNault	Lageson	Stranahan
Dosseth	Law	Tandø

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	Moen of Benson	Tostenson
Englund	Moen of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters
France	Narum	Wambem
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	McClellan	Streeter
Jordal	Sgutt	

So the bill passed and the title was agreed to.

House Bill No. 50.

A bill for an act entitled, an act to provide for the determination of heirship and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 91 ayes, no nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Harty	Olsgard of Nelson
Andrus	Hawkinson	Olsgard of Richland
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burns	Hill, of Bottineau	Price
Carey	Hill, of Cass	Putnam
Christenson	Hyland	Ray
Collins	Johns	Robinson
Cunningham	Johnson	Roquette
Davis	Kane	Sauer
Dean	Knox	Sorlie
DeLance	Knutson	Stern
DeNault	Kyllo	Stranahan



Messrs.—	Messrs.—	Messrs.—
Dosseth	Lageson	Streeter
Doyle, of Foster	Law	Tande
Doyle, of McIntosh	Lee	Tollefson
Edwards	Martin	Tostenson
Englund	Moen of Benson	Tuttle
Fassett	Moen of Cavalier	Ulsaker
Fox	Morrison	Walters
France	Moritz	Wambem
Fraine	Narum	Whitmer
Fried	Nelson of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Kuhl	Scott
Burnett	McClelland	Scheer
Davidson	Nelson of Richland	Sgutt
Jordal	Reeve	Thompson

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 50 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 124.

A bill for an act relating to the construction of public buildings, prescribing the duties of boards of trustees thereof in the matter of securing plans and specifications, advertising for bids, letting contracts, allowance and payment of estimates, payment of premiums on contractor's bonds, and insurance on unfinished buildings and material on the ground, and protecting architects, contractors, manufacturers and producers resident within the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 88 ayes, 13 nays, 2 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	O'Connor of Gd. Forks
Akesson	Gorder	O'Connor of Pembina
Anderson, of Griggs	Hanson	Olgard of Nelso

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Harty	Olsgard of Richland
Andrus	Hawkinson	Pearl
Benson	Hedalen	Pendray
Boerner	Heinemeyer	Ployhar
Bond	Hersrud	Price
Boyd	Hoge	Putnam
Brusletten	Homnes	Ray
Burnett	Hill, of Bottineau	Reeve
Burns	Hill, of Cass	Robinson
Christenson	Hyland	Sauer
Collins	Johns	Scott
Davis	Johnson	Scheer
Dean	Jordal	Sgutt
DeLance	Kane	Sorlie
DeNault	Knox	Stern
Dosseth	Knutson	Stranahan
Doyle, of Foster	Kuhl	Streeter
Doyle, of McIntosh	Lageson	Tande
Edwards	Law	Thompson
Englund	Lee	Tuttle
Fassett	Martin	Ulsaker
Fox	Morrison	Walters
France	Moritz	Wambem
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Fritz	Norheim	Mr. Speaker
Gardiner		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Moen of Benson	O'Shea
Carey	Moen of Cavalier	Paulson
Cunningham	Narum	Tollefson
Davidson	Nestos	Tostenson
Kyllo		

Messrs. McClellan and Roquette were absent and not voting.

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which House Bill No. 124 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 165.

A bill for an act to create a bureau of inspection and supervision of public offices, and to establish a uniform system of public accounting, auditing and reporting, under the administration of the state examiner.

Was read the third time.

Mr. Fraine moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

Mr. Nestos asked unanimous consent to amend the bill.

There being no objection Mr. Nestos offered the following amendment and moved its adoption:

On page 6 of the printed bill, in line 6, strike out the following words, "at least once in every two years," and substitute the following, "when ever an inspection of the reports or other evidence submitted shall disclose a necessity therefor."

Which motion prevailed.

Mr. Nestos moved

That the rules be suspended and the bill considered engrossed and placed upon its final passage.

Mr. Fraine moved that the bill be referred to the committee on appropriations.

Roll call demanded.

The roll was called and there were 33 ayes, 65 nays, 5 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Harty	Price
Carey	Hawkinson	Robinson
DeNault	Hill, of Bottineau	Roquette
Dosseth	Johns	Sorlie
Doyle, of McIntosh	Johnson	Stern
France	Knox	Stranahan
Fraine	Kuhl	Tande
Fritz	Law	Tollefson
Gardiner	Olsgard of Nelson	Tostenson
Gorder	Pendray	Tuttle
Hanson	Ployhar	Walters

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fox	Nelson of Walsh
Akesson	Fried	Nestos
Anderson, of Griggs	Geiger	Norheim
Anderson, of Ramsey	Hedalen	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Andrus	Heinemeyer	Olsgard of Richland
Bjornson	Hersrud	O'Shea
Boerner	Hoge	Paulson
Bond	Homnes	Peart
Boyd	Hill, of Cass	Ray
Brusletten	Hyland	Reeve
Burnett	Kane	Sauer
Burns	Knutson	Scott
Christenson	Kyllo	Scheer
Collins	Lageson	Sgutt
Cunningham	Lee	Streeter
Davidson	Martin	Thompson
Davis	Moen of Benson	Ulsaker
Dean	Moen of Cavalier	Wambem
Doyle, of Foster	Morrison	Whitmer
Edwards	Moritz	Williams
Englund	Narum	Mr. Speaker
Fassett	Nelson of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	McClellan	Putnam
Jordal	O'Connor of Gd. Forks	

So the motion was lost.

The question being on the final passage of the bill, as amended.

The roll was called and there were 78 ayes, 21 nays, 4 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Morrison
Akesson	Fried	Moritz
Anderson, of Griggs	Fritz	Narum
Anderson, of Ramsey	Geiger	Nelson of Walsh
Andrus	Gorder	Nestos
Bjornson	Hanson	Norheim
Boerner	Harty	O'Connor of Pembina
Bond	Hawkinson	Olsgard of Richland
Boyd	Hedalen	O'Shea
Brusletten	Heinemeyer	Peart
Burnett	Hersrud	Ray
Burns	Hoge	Reeve
Carey	Homnes	Sauer
Christenson	Hill, of Bottineau	Scheer
Collins	Hill, of Cass	Scott
Cunningham	Hyland	Sgutt
Davidson	Jordal	Streeter
Davis	Kane	Tande
Dean	Knox	Thompson
Dosseth	Knutson	Tuttle

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Lageson	Ulsaker
Edwards	Law	Wambem
Englund	Lee	Whitmer
Fassett	Martin	Williams
Fox	Moen of Benson	Mr. Speaker
France	Moen of Cavalier	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Nelson of Richland	Roquette
DeNault	Olsgard of Nelson	Sorlie
Doyle, of McIntosh	Paulson	Stern
Gardiner	Pendray	Stranahan
Johns	Ployhar	Tollefson
Johnson	Price	Tostenson
Kuhl	Robinson	Walters
Kyllo		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	O'Connor of Gd. Forks	Putnam
McClellan		

Mr. Fraine gave notice that at 3 o'clock p. m., tomorrow he would move to reconsider the vote by which House Bill No. 165 was passed.

Mr. Nestos moved

That the vote by which House Bill No. 165 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Ployhar to the chair.

House Bill No. 262.

A bill for an act to prohibit public officers from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

Was read the third time.

Mr. Jordal moved the previous question.

The question being shall the main question be now put.

Which motion prevailed.

The question being on the final passage of the bill.

The roll was called and there were 74 ayes, 28 nays, 1 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	Norheim
Anderson, of Ramsey	Gorder	O'Connor of Gd. Forks
Andrus	Hanson	O'Connor of Pembina
Benson	Harty	Olsgard of Nelson
Bjornson	Hawkinson	Olsgard of Richland
Boerner	Homnes	Paulson
Bond	Hill, of Bottineau	Peart
Brusletten	Hill, of Cass	Pendray
Burnett	Hyland	Ployhar
Carey	Johnson	Price
Christenson	Jordal	Putnam
Collins	Kane	Ray
Cunningham	Knutson	Reeve
Davis	Kuhl	Roquette
Dean	Kylo	Scheer
DeNault	Lageson	Sgutt
Dosseth	Law	Sorlie
Doyle, of McIntosh	Lee	Tande
Edwards	Moen, of Benson	Thompson
Englund	Moen, of Cavalier	Tostenson
Fox	Moritz	Wambem
Fraine	Narum	Whitmer
Fried	Nelson, of Richland	Williams
Fritz	Nelson, of Walsh	Mr. Speaker
Gardiner	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Sauer
Akesson	Hoge	Scott
Boyd	Johns	Stern
Burns	Knox	Stranahan
Davidson	Martin	Streeter
DeLance	McCuellan	Tollefson
Doyle, of Foster	Morrison	Tuttle
Fassett	O'Shea	Ulsaker
France	Robinson	Walters
Heinemeyer		

Mr. Hedalen was absent and not voting.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 262 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Doyle of Foster, explained his vote.

Mr. Streeter explained his vote.

The Speaker explained his vote.

The privileges of the floor were extended to the following:

M. L. Elken, K. S. Groth, J. C. Leum, F. Enger, of Mayville.

P. J. Furgeson of Grand Forks.

C. F. Ellis.

Wm. Watts, Addison Leach, A. Fraser of Cass county.

Mr. Linstrom of Langdon.

Mr. Homnes moved

That the House take a recess until 10 o'clock a. m., tomorrow.

Which motion prevailed, and

The House took a recess.

E. H. GRIFFIN,  
Chief Clerk.

FORTY-THIRD DAY AFTER RECESS AND FORTY-  
FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 15, 1911.

The House re-assembled pursuant to recess taken.

THIRD READING OF HOUSE BILLS.

House Bill No. 151.

A bill for an act to amend Section 2437 of the Revised Codes of North Dakota for 1905,, relating to proposals and acceptance of bonds of county depositories.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 72 ayes, no nays, 31 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Ramsey  
Bjornson  
Bond  
Boyd

Messrs.—

Geiger  
Hanson  
Hawkinson  
Hedalen  
Hersrud  
Hoge

Messrs.—

Nelson of Richland  
Nelson of Walsh  
Nestos  
O'Connor of Gd. Forks  
Olgard of Richland  
O'Shea



Messrs.—	Messrs.—	Messrs.—
Brusletten	Homnes	Peart
Burnett	Hill, of Bottineau	Pendray
Burns	Hyland	Ployhar
Carey	Johns	Putnam
Christenson	Jordal	Robinson
Collins	Knox	Roquette
Dean	Knutson	Sauer
DeLance	Kuhl	Scheer
DeNault	Kyllo	Sorlie
Dosseth	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Tollefson
Englund	Moen of Benson	Tostenson
Fassett	Moen of Cavalier	Ulsaker
Fraine	Morrison	Walters
Fritz	Moritz	Wambem
Gardiner	Narum	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	Price
Andrus	Heinemeyer	Ray
Benson	Hill, of Cass	Reeve
Boerner	Johnson	Scott
Cunningham	Kane	Sgutt
Davidson	McClellan	Tande
Davis	Norheim	Thompson
Fox	O'Connor of Pembina	Tuttle
France	Olsgard of Nelson	Whitmer
Fried	Paulson	Williams
Gorder		

So the bill passed and the title was agreed to.

Mr. Kuhl moved

That the vote by which House Bill No. 151 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Price moved

That the further consideration of House Bill No. 90 be indefinitely postponed.

Which motion prevailed, and

The further consideration of House Bill No. 90 was indefinitely postponed.

House Bill No. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 71 ayes, 10 nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nelson, of Walsh
Akesson	Geiger	Nestos
Andrus	Gorder	Norheim
Benson	Hanson	O'Connor of Gd. Forks
Bjornson	Hedalen	O'Connor of Pembina
Bond	Hersrud	Olsgard of Richland
Boyd	Hoge	O'Shea
Brusletten	Homnes	Peart
Burnett	Hill, of Bottineau	Pendray
Collins	Hyland	Ployhar
Cunningham	Johns	Price
Davidson	Knox	Robinson
Dean	Knutson	Roquette
DeLance	Kuhl	Sauer
Dosseth	Kyllo	Scheer
Doyle, of McIntosh	Lageson	Sorlie
Doyle, of Foster	Law	Stranahan
Edwards	Lee	Streeter
Englund	Martin	Tostenson
Fassett	Moen, of Benson	Ulsaker
Fox	Moen, of Cavalier	Walters
France	Moritz	Wambem
Fraine	Narum	Mr. Speaker
Fritz	Nelson, of Richland	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hawkinson	Putnam
Carey	Jordal	Stern
Christenson	Morrison	Tollefson
DeNault		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Johnson	Scott
Boerner	Kane	Sgutt
Burns	McClellan	Tande
Davis	Olsgard of Nelson	Thompson
Fried	Paulson	Tuttle
Harty	Ray	Whitme.
Heinemeyer	Reeve	Williams
Hill, of Cass		

So the bill passed and the title was agreed to.

Mr. Fritz moved

That the vote by which House Bill No. 120 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 213.

A bill for and act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Was read the third time.

Mr. Streeter moved

That the bill be referred to the committee on ways and means.

Which motion prevailed.

And the bill was so referred.

House Bill No. 225.

A bill for an act to amend and re-enact Section 537 of the Revised Codes of North Dakota for 1905, relating to the bonds of notaries public.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes, no nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Fritz	Nestos
Akesson	Gardiner	Norheim
Anderson, of Ramsey	Geiger	O'Connor of Gd. Forks
Andrus	Gorder	O'Connor of Pembina
Benson	Hanson	Olsgard of Richland
Bjornson	Hawkinson	O'Shea
Bond	Hedalen	Peart
Boyd	Hersrud	Plyhar
Brusletten	Hoge	Price
Burnett	Homnes	Putnam
Burns	Hill, of Bottineau	Ray
Carey	Johns	Robinson
Christenson	Jordal	Roquette
Collins	Knox	Sauer
Cunningham	Knutson	Scheer
Dav. lson	Kuhl	Sorlie
Dean	Kyllo	Stern

Messrs.—	Messrs.—	Messrs.—
DeLance	Lageson	Stranahan
DeNault	Law	Streeter
Doyle, of Foster	Lee	Tollefson
Doyle, of McIntosh	Martin	Tostenson
Edwards	Moen, of Benson	Tuttle
Englund	Moen, of Cavalier	Ulsaker
Fassett	Morrison	Walters
Fox	Moritz	Wambem
France	Narum	Whitmer
Fraine	Nelson, of Richland	Mr. Speaker
Fried	Nelson, of Walsh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hyland	Reeve
Boerner	Johnson	Scott
Davis	Kane	Sgutt
Dosseth	McClellan	Tande
Harty	Olsgard of Nelson	Thompson
Heinemeyer	Paulson	Williams
Hill, of Cass	Pendray	

So the bill passed and the title was agreed to.

Mr. Johns moved

That the vote by which House Bill No. 225 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 26.

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Was read the third time.

Mr. Fraine moved

That House Bill No. 26 be placed at the foot of the calendar.

Which motion was lost.

Mr. Streeter moved the previous question.

The question being, shall the main question be now put.

Which motion prevailed.

The Speaker called Mr. Homnes to the chair.

The question being on the final passage of the bill.

The roll was called and there were 41 ayes, 46 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fried	Moritz
Anderson, of Ramsey	Gardiner	O'Connor of Gd. Forks
Bjornson	Gorder	Olsgard of Nelson
Bond	Hanson	Ployhar
Burnett	Harty	Price
Burns	Hawkinson	Robinson
Christenson	Hill, of Bottineau	Scott
Collins	Hyland	Sorlie
Cunningham	Johns	Stern
DeNault	Jordal	Tande
Doyle, of Foster	Knox	Tollefson
Doyle, of McIntosh	Knutson	Wambem
Fox	Law	Whitmer
Fraine	Morrison	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Pembina
Akesson	Hersrud	Olsgard of Richland
Andrus	Hoge	O'Shea
Benson	Homnes	Pearl
Boyd	Kyllo	Pendray
Brusletten	Lageson	Putnam
Carey	Lee	Ray
Davidson	McClellan	Roquette
Dean	Moen, of Benson	Sauer
DeLance	Moen, of Cavalier	Scheer
Edwards	Narum	Streeter
Englund	Nelson, of Richland	Tostenson
Fassett	Nelson, of Walsh	Tuttle
France	Nestos	Ulsaker
Fritz	Norheim	Walters
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Kane	Sgutt
Davis	Kuhl	Stranahan
Dosseth	Martin	Thompson
Heinemeyer	Paulson	William
Hill, of Cass	Reeve	Mr. Speaker
Johnson		

So the bill was lost.

Mr. Streeter moved

That the vote by which House Bill No. 26 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 206.

A bill for an act establishing a Missouri Slope agricultural fair at Mandan and making appropriation therefor.

Was read the third time.

Mr. Burnett moved

That the bill be referred to the committee on appropriations.

Mr. Hanley moved the previous question.

The question being shall the main question be now put.

Which motion prevailed,

The question being on the original motion,

The same was lost.

The question being on the final passage of the bill.

The roll was called and there were 86 ayes, 10 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Olsgard of Nelson
Anderson, of Ramsey	Hanson	Olsgard of Richland
Andrus	Harty	O'Shea
Benson	Hawkinson	Peart
Boerner	Hedalen	Pendray
Bond	Heinemeyer	Ployhar
Boyd	Hersrua	Price
Burnett	Hoge	Putnam
Burns	Homnes	Ray
Carey	Hill, of Bottineau	Robinson
Christenson	Hill, of Cass	Roquette
Collins	Hyland	Sauer
Cunningham	Johns	Scott
Davidson	Jordal	Scheer
Dean	Knox	Sgutt
DeLance	Knutson	Stranahan
DeNault	Kuhl	Streeter
Dosseth	Lageson	Tande
Doyle, of Foster	Law	Thompson
Doyle, of McIntosh	Lee	Tollefson
Edwards	Martin	Tostenson
Englund	McClellan	Tuttle
Fassett	Moen, of Benson	Ulsaker
Fox	Morrison	Walters
France	Moritz	Wambem

Messrs.—	Messrs.—	Messrs.—
Fried	Nelson, of Walsh	Whitmer
Fritz	Norheim	Williams
Gardiner	O'Connor of Gd. Forks	Mr. Speaker
Geiger	O'Connor of Pembina	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Kyllo	Nelson, of Richland
Anderson, of Griggs	Moen, of Cavalier	Sorlie
Bjornson	Narum	Stern
Brusletten		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Kane	Paulson
Fraine	Nestos	Reeve
Johnson		

So the bill was passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 206 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

The Speaker in the chair.

Whereas, It is necessary to expedite and complete the work of this session of the assembly.

*Resolved by the Senate, the House Concurring:*

That further introduction of bills be limited and that no further bill be introduced in either house after the 45th day, except upon a two-thirds vote of the House into which it is offered.

Mr. Davidson moved

That the resolution be amended to read the 51st day and Mr. Ployhar moved that the House do now concur in the Senate concurrent resolution.

Mr. Doyle of Foster, moved as an amendment:

That the resolution be referred to the committee on state affairs.

Which motion prevailed.

And the resolution was so referred.

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Which the Senate has amended as follows:

In line two (2) of printed bill, strike out "not later than the first day of August, 1911, and insert "with the advice and consent of the Senate." And by adding the following: "Whereas, an emergency exists, this bill shall be in effect from and after its passage and approval."

Mr. Homnes moved

That the House do now concur in the Senate amendments to House Bill No. 168.

Which motion prevailed.

Mr. Homnes moved

That the rules be suspended and House Bill No. 168 be placed upon its third reading and final passage as amended.

Which motion prevailed.

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate.

The roll was called and there were 91 ayes, no nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gardiner	Norheim
Aasheim	Gelger	O'Connor of Gd. Forks
Akesson	Gorder	O'Connor of Pembina
Anderson, of Ramsey	Hanson	Olgard of Nelson
Andrus	Harty	Olgard of Richland
Benson	Hawkinson	O'Shea
Bjornson	Hedalen	Peart
Boerner	Heinemeyer	Pendray
Bond	Hersrud	Ployhar



Messrs.—	Messrs.—	Messrs.—
Boyd	Hoge	Price
Brusletten	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Burns	Hill, of Cass	Robinson
Carey	Hyland	Roquette
Christenson	Johns	Sauer
Collins	Knox	Scott
Davidson	Knutson	Scheer
Dean	Kuhl	Stern
DeLance	Lageson	Stranahan
DeNault	Law	Streeter
Dosseth	Lee	Tande
Doyle, of Foster	Martin	Thompson
Doyle, of McIntosh	McClellan	Tollefson
Edwards	Moen of Benson	Tostenson
Englund	Moen of Cavalier	Tuttle
Fassett	Morrison	Walters
Fox	Moritz	Wambem
France	Narum	Whitmer
Fraine	Nelson of Richland	Williams
Fried	Nelson of Walsh	Mr. Speaker
Fritz		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cunningham	Kane	Reeve
Davis	Kyllo	Sgutt
Johnson	Nestos	Sorlie
Jordal	Paulson	Ulsaker

So the bill was passed and the title was agreed to.

Mr. Homnes moved

That the House do now concur in the Senate concurrent resolution, relating to federal inspection of grain.

Which motion prevailed.

And the resolution was so concurred in.

## FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 174.

A bill for an act relating to desertion and non-support of wife by husband, or of children by either father or mother, and providing punishment therefor; and providing for manner of procedure and evidence required in such cases; and to promote uniformity between the states in reference thereto.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 172.

A bill for an act to amend Section 2170 of the Revised Codes of North Dakota for 1905, providing automobiles and motor cycles must have bell, horn or whistle.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 171.

A bill for an act relating to payments of deposits in trust, in any bank, banking institution or trust company.

Was read the first and second times, and

Referred to the committee on banking.

Senate Bill No. 120.

A bill for an act to punish the giving of checks or drafts on any bank or other depository wherein the person so giving such check or draft shall not have sufficient funds or a credit for the payment of the same.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 94.

A bill for an act regulating inheritance in case of unlawful killing.

Was read the first and second times, and

Referred to the committee on judiciary.

Mr. Price moved

That the House pass the fourteenth order of business.

Which motion prevailed

#### GENERAL ORDERS.

Mr. Doyle of Foster, moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

**Which motion prevailed, and**

The House resolved itself into a committee of the whole.

The Speaker called Mr. Doyle of Foster to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration:

House Bill No. 91.

A bill for an act to provide for fixing the amount to be allowed for labor on highways when performed in payment of road taxes.

And recommend that the same be amended as follows:

After "Sec. 1," line 1, insert "Compensation. Electors to Fix Rate.)"

After "Sec. 2," line 1, insert "Supervisors to Fix Rate, When.)"

After "Sec. 3," line 1, insert "County Commissioners to Fix Rate, When.)"

After "Sec. 4," line 1, insert "Minimum Rate.)"

After "Sec. 5," line 1, insert "Commutation.)"

After "Sec. 6," line 1, insert "Repeal.)"

After "Sec. 7," line 1, insert "Emergency.)"

And when so amended recommend the same do pass.

Also,

Senate Bill No. 58.

A bill for an act amending and re-enacting Section 2597 of the Revised Codes of 1905, relating to the fees in the office of the register of deeds.

And recommend that the same be indefinitely postponed.

Also

Senate Bill No. 122.

A bill for an act requiring natural gas to be confined, and prescribing penalty for the violation thereof.

And recommend that the same be amended as follows:

In line 10, strike out the word "four" and insert in its place the word "ten," and at the end of section 1, after the word "oil," add the words:

"Provided also that this act shall not apply to any artesian or other

well used for water supply purposes, which discharges natural gas with the water, where the discharge of gas does not exceed an average of five thousand cubic feet of gas each twenty-four hours."

And when so amended recommend the same do pass.

Also,

House Bill No. 132.

A bill for an act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state, to equip locomotives with electric headlights.

And recommend that the same be indefinitely postponed.

S. J. DOYLE,  
Chairman.

Mr. Nestos moved

That the report of the committee be adopted, except as to House Bill No. 132.

Which motion prevailed, and

The report of the committee was adopted except as to House Bill No. 132.

Mr. Fraine moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FORTY-FOURTH DAY.

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HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 15, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 43rd day, have carefully examined the same and find the same to be correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

We, the undersigned, citizens of North Dakota, respectfully ask the members of the North Dakota Legislature to work and vote against any

bill or measure requiring men, who sell family and veterinary medicines, or other products from wagons to us, to pay a greater license or tax than they are now paying.

We hereby register our protest against the attempts of certain dealers to drive out the wagons by legislation, thus throttling competition and taking from us a legitimate source of supply and forming a monopoly for themselves.

We resent any attempt to dictate to us from whom we shall buy, and demand the right to exercise our own judgment in our purchases.

H. M. SARKNESS AND 62 OTHERS.

Stowers, N. D., Feb. 13th, 1911.

Hon. Martin Hersrud, Member House of Representatives, Bismarck, N. D.

Dear sir: The undersigned, all residents of Adams county, N. D., wish to assure you that the consensus of opinion among the rural population of Adams county is against the restrictions and inconveniences placed in the way of itinerant vendors of medicines, spices, etc., as contemplated by House Bill No. 213, which was recommended to pass Feb. 9th. The entire farm population sees in the measure only another means of playing the public into the hands of the druggist and physicians, vocations which already enjoy their full share of protection.

Owing to the lack of time to make the required canvass for signatures instructing the Hon. Representatives as to the stand Adams County takes on this matter, the undersigned hereby would urge you to stand by their constituency on this proposition, and vote against any measure tending to restrict or ruin the business of vendors of standard patent medicines, toilet preparations, spices, etc.

Respectfully submitted,

S. D. POTTS AND 26 OTHERS.

Wheat Sheaf Lodge No. 463,

February 12, 1911.

To the Members of the Twelfth Legislative Assembly:

We, the undersigned members of the Brotherhood of Railroad Trainmen, Lodge 463, located at Grand Forks, N. D., request you gentlemen to give your support to H. B. No. 273 and become a law in this state.

M. TRAUFLER AND 26 OTHERS.

Dickinson, N. D., Feb. 11, 1911.

To the Members of the Twelfth Legislative Assembly, Bismarck, N. D.

Honored Sirs: We, the undersigned, members of Pyramid Park Lodge, No. 779, Brotherhood of Railroad Trainmen, are in favor of the passage of House Bill No. 273,

Respectfully,

Signed:

J. J. LITTLEHALES AND 25 OTHERS.

We, the undersigned, citizens of Pierce county, respectfully ask the members of the legislature to work and vote against any bill or measure requiring men who sell family and veterinary remedies or other products from wagons to us to pay a greater license or tax than they now are paying.

We hereby register our protest against the attempts of certain dealers to drive out the wagons by legislation, thus throttling competition by taking from us a legitimate source of supply and forming a monopoly for themselves.

We resent any attempt to dictate to us from whom we shall buy and demand the right to exercise our own judgment in our purchases.

C. D. FORD AND 131 OTHERS.

The Speaker appointed as a committee to investigate as to why the reports of the various state institutions have not been printed for the use of the members of the legislature, Messrs. Price, Hedalen and Fritz.

### REPORT OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker

Your committee on engrossment have examined

House Bill No. 188.

A bill for an act to amend Section 521 of the Revised Codes of 1905, relating to the furnishing of a list of jurors to the clerk of the district court.

Also

House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

House Bill No. 287.

A bill for an act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. STRANAHAN,  
Chairman.

Mr. Stranahan moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

House Bill No. 269.

A bill for an act entitled, an act to amend and re-enact Sections 1352 and 1353 of Chapter 19 of the Revised Codes of North Dakota for the year 1905, relating to altering, discontinuing and laying out public roads and defining what shall be deemed sufficient notices to all parties concerned.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, line 18, change word "owner" to "owners."  
On page 2, line 19, at beginning of line insert word "or."  
On page 2, line 19, strike out words "or occupants."  
Section 2, page 3, line 6, change word "occupants" to "owners."

And when so amended recommend the same do pass.

E. H. STRANAHAN,  
Chairman.



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**MESSAGE FROM THE SENATE.**

The following message was received from the senate:

**SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,**

February 15, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 206.

A bill for an act to amend Section 1346 of the Revised Codes of North Dakota for 1905, relating to highways.

Also,

Senate Bill No. 225.

A bill for an act to amend and re-enact Sections 4071, 4073 and 4074 of the Revised Codes of the State of North Dakota for the year 1905, relating to alimony, support and maintenance of the children of a marriage or of either party thereto in divorce actions.

Also,

Senate Bill No. 233.

A bill for an act to amend Section 7045 of the Revised Codes of 1905, relating to the calling of another judge on account of prejudice or bias.

Also

Senate Bill No. 244.

A bill for an act prohibiting public administrators from acting as attorneys in the estates of decedents.

Also

Senate Bill No. 248.

A bill for an act to provide for the better preservation of section corner, quarter section corner and meander corner monuments on any government line of survey, and to provide a penalty for their destruction or defacement.

Also

Senate Bill No. 72.

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for 1905, as amended by Chapter 199 of the Session Laws of North Dakota for 1909, relating to the redemption of real estate.

Also,

Senate Bill No. 86.

A bill for an act to provide a judicial procedure to determine the identity of the grantees and the shares of each in cases where lands have been or may be patented, granted or conveyed by the United States to the heirs or devisees of a deceased person without naming therein the persons so designated as grantees.

Also

Senate Bill No. 124.

A bill for an act to amend Section 2594 of the Revised Codes of North Dakota.

Also,

Senate Bill No. 133.

A bill for an act to amend Section 1584 of the Revised Codes of the State of North Dakota, as amended by Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Also,

Senate Bill No. 113.

A bill for an act defining and taxing the occupation of transient merchants, regulating the licensing of persons engaged in such occupation, increasing the state revenue by such taxation, and prescribing penalties for violation of its provisions.

Also

Senate Bill No. 181.

A bill for an act to provide for the levy and collection of taxes in the villages of the state of North Dakota, and to

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repeal Sections 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882 and 2883 of the Revised Codes of 1905.

Also

Senate Bill No. 200.

A bill for an act to amend and re-enact Section 10371 and Section 10373 of the Revised Codes of North Dakota, for the year 1905, relating to parole of inmates of the state penitentiary.

Also,

Senate Bill No. 203.

A bill for an act to repeal Section 1544 of the Revised Codes of the State of North Dakota, relating to county treasurers and the collection of taxes.

Also,

Senate Bill No. 205.

A bill for an act to amend Section 10381 of the Revised Codes of 1905, as amended by Section 1, of Chapter 40, of the Session Laws of 1907, relating to the manner of disposing of the product of the state binder plant.

Also,

Senate Bill No. 229.

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker :

I have the honor to return herewith  
House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Which the Senate has amended as follows :

In line 7 of the printed bill, strike out the words "on the same" and substitute the word "at."

That the words "wye" or "wyes" wherever appearing in the bill be changed to "Y" or "Y's."

In lines 10 and 11 of section 1 of the printed bill, after the word "as," in line 10, the following words be stricken out: "building of platforms, station houses," and insert in lieu thereof the following: "waiting rooms."

Line 9, section 3 of the printed bill, after the word "including," the following words be stricken out: "platforms, station," and in line 10 of the same section the word "houses," and insert in lieu thereof the words "waiting rooms."

And passed as amended.

Also

Mr. Speaker :

I have the honor to return herewith  
House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws of North Dakota, for the year 1909, relating to the taking of fish.

Which the Senate has amended as follows :

In line 11 of the engrossed bill, insert the word "Sheyenne" before the word "and" and after the word "Mouse."

And passed as amended.

Also

Mr. Speaker :

I have the honor to return herewith

## House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Also,

## House Bill. No. 68. ●

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Also

## House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state, reports as required by and under Section 4186, Revised Codes of 1905.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

## REPORT OF STANDING COMMITTEES.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 294.

A bill for an act requiring a locomotive fireman to have three years experience before being promoted to the rank of locomotive engineer.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

Senate Bill No. 131.

A bill for an act amending Sections 167, 169, 170, 171, 189 and 191 of the Revised Codes of North Dakota for 1905, relating to the appraisalment and sale of school lands.

Have had the same under consideration and recommend that the same be amended as follows:

On page 3, line 43, of the printed bill change the words "secretary of the board" to "commissioner."

On page 6, line 15, strike out the words "except as to interest."

On page 8 of printed bill, strike out section 7.

And when so amended recommend the same do pass.

C. B. HEINEMEYER,  
Chairman.

Also

Mr. Speaker:

Your committee on school and public lands to whom was referred

House Bill No. 212.

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of the school and public lands and reserving to the state the coal in them.

Have had the same under consideration and recommend that the same do pass.

C. B. HEINEMEYER,  
Chairman.

Mr. Heinemeyer moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 87.

A bill for an act to amend Section 2767 of the Revised Codes of North Dakota for 1905, relating to the letting of contracts for sidewalks in cities.

Have had the same under consideration and recommend that the same do pass.

ALEX STERN,  
Chairman.

Mr. Stern moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 270.

A bill for an act to amend Article 4 of Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Have had the same under consideration and recommend that the same do pass.

ALEX STERN,  
Chairman.

Mr. Stern moved  
That the report be adopted.

Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 196.

A bill for an act to amend Section 2972 of the Political Code of the Revised Codes of North Dakota of 1905.

Have had the same under consideration and recommend that the same do pass.

ALEX STERN,  
Chairman.

Mr. Stern moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 332.

A bill for an act prohibiting the placing of screens or other obstructions across the windows and doors of pool halls and providing a penalty therefor.

Have had the same under consideration and recommend that the same be amended as follows:

After the words and figure "Section 1" insert the following sub-head: "Certain Places of Amusement. Not to be Screened.—Penalty.)"

And after the words and figures "Section 2," the sub-head "(Emergency.)"

And when so amended recommend the same do pass.

ALEX STERN,  
Chairman.

The committee on education made the following report:



Mr. Speaker:

Your committee on education to whom was referred  
House Bill No. 29.

A bill for an act to provide for the establishment and maintenance of department of agriculture, manual training and domestic economy in state, high, graded and consolidated schools.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all of section 1.

By striking out the figure 2 in line 1 of section 2 of the printed bill and inserting the figure 1.

By inserting after the said figure 1 the words: "Schools to Maintain Department of Agriculture. How Designated."

In line 4 of section 2 of the printed bill strike out the words "State Agricultural," and in lines 5 and 6 of section 2 of the printed bill strike out all the words after the word "Department" in line 5.

In line 1 of section 3 of the printed bill strike out the figure 3 and insert the figure 2.

In line 1 of section 3 of the printed bill after the figure 3 insert the word "Requirements."

In line 1 of section 4 of the printed bill strike out the figure 4 and insert the figure 3.

In line 1 of section 4 of the printed bill, after figure 3 insert the words "Instruction to be Offered."

In section 5, line 2 of the printed bill, after the word "dollars" insert the words "and its proportionate share of all moneys appropriated by the national government for the teaching of elementary or secondary agriculture in the public or high schools of this state, but shall not participate in the state aid now being given to the state high schools."

Further: In section 5, line 2, strike out the word "ten" and insert in lieu thereof the word "five." In section 5, line 3, of the printed bill strike out the word "ten" and insert in lieu thereof the word "five."

Further: In section 6, line 3, of the printed bill, strike out the number "\$25,000," and insert in lieu thereof the number "\$12,500."

Further: In Section 6, line 4, of the printed bill, strike out the number "\$25,000," and insert in lieu thereof the number "\$12,500."

In line 1 of section 6 strike out the figure 6 and insert the figure 5.

In line 1 of printed bill after figure 6 insert word "Appropriation."

In line 1 of section 7 of the printed bill strike out figure 7 and insert the figure 6 and words: "Extension to Rural Schools."

In line 1 of section 8 of the printed bill, strike out the figure 8 and insert the figure 7 and the words "How Effectuated."

In line 1 of section 9 of the printed bill, strike out the figure 9 and insert the figure 8 and the words "Taxes. How Levied."

In line 1 of section 10 strike out the figure 10 and insert the figure 9 and words: "Central Board. How Organized."

In line 1 of section 11 of the printed bill, strike out the figure 11 and insert the figure 10 and words "Duties of Principal."

In line 1 of section 12 of the printed bill, strike out the figure 12 and insert the figure 11 and the words "How Terminated."

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 279.

A bill for an act to make it a felony, and providing a penalty for a guardian, county commissioner, or official or employe in a penal, correctional or eleemosynary institution, to induce a female ward, or pauper under his care, or an inmate of such institution, to have illicit sexual intercourse with him by threatening to withhold the necessities of life, or threatening physical violence.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Thompson moved

That the bill be referred to the committee on judiciary.

Which motion prevailed.

And the bill was so referred.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 209.

A bill for an act to amend Chapter 70, Laws of 1909, relating to the investment of county sinking funds.

Have had the same under consideration and recommend that the same be amended as follows:

Line 8 of printed bill, strike out the word "and."

Line 9 of printed bill, strike out the word "to," and insert "and shall."

Line 14 of printed bill, strike out all after word "than" and insert the word "three."

Line 15 strike out the word "five."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 297.

A bill for an act to amend Section 1168 of the Revised Codes of 1905, as amended by Section 3 of Chapter 237 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 328.

A bill for an act prohibiting the keeping open, or the running or permitting of running of any theatre, show, moving picture show, or theatrical performance, upon the first day of the week, commonly called the Sabbath, and providing a penalty for violations of the same.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 306.

A bill for an act to prevent the consolidation or pooling of telegraph and telephone companies, prohibiting the issuance of stocks, bonds or other evidences of debt for consolidation purposes, providing for the forfeiture of telegraph and telephone franchises and prescribing penalties for violators.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W: S. DEAN,  
Chairman.

Mr. Dean moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 263.

A bill for an act to amend Section 2439 of the Revised Codes of 1905, as amended by Chapter 70 of the 1909 Session Laws, relating to sinking funds and the duty of county commissioners pertaining thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

### REPORTS OF SPECIAL COMMITTEES.

Mr. Speaker: Your special committee appointed to investigate the State Treasurer's Office beg leave to report as follows:

That we have examined part of the records as well as gathered other evidence with reference to the manner of conducting the business of said office. That we have found it impossible to complete our work by this time and respectfully ask that we be granted further extension of time in which to complete our report.

ROBERT A. NORHEIM.

Mr. Norheim moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the special committee was adopted.

Mr. Norheim moved  
That the committee be given until the 55th day of the session in which to report.  
Which motion prevailed.

### MOTIONS AND RESOLUTIONS.

Mr. Doyle of McIntosh moved  
That the vote by which House Bill No. 251 was indefinitely postponed, be reconsidered.  
Which motion was lost.

### UNFINISHED BUSINESS.

Mr. Price moved  
That the further consideration of House Bill No. 132 be indefinitely postponed.

Roll call demanded.

The roll was called and there were 55 ayes, 35 nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hill, of Cass	Peart
Anderson, of Griggs	Hyland	Pendray

Messrs.—	Messrs.—	Messrs.—
Burnett	Johnson	Ployhar
Burns	Kane	Price
Collins	Knox	Putnam
DeNault	Kuhl	Reeve
Doyle, of Foster	Lageson	Scheer
Doyle, of McIntosh	Law	Sgutt
Fox	McClellan	Sorlie
France	Moen, of Benson	Stern
Fraine	Morrison	Stranahan
Fried	Nelson, of Richland	Streeter
Gardiner	Nelson, of Walsh	Tande
Geiger	Norheim	Tuttle
Gorder	O'Connor of Gd. Forks	Walters
Hanson	Olsgard of Nelson	Whitmer
Harty	O'Shea	Williams
Hawkinson	Paulson	Mr. Speaker
Hill, of Bottineau		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fassett	Narum
Anderson, of Ramsey	Hedalen	Nestos
Benson	Heinemeyer	Olsgard of Richland
Bjornson	Hersrua	Ray
Bond	Hoge	Robinson
Boyd	Homnes	Roquette
Brusletten	Johns	Sauer
Carey	Knutson	Thompson
Christenson	Kyllo	Tostenson
Davidson	Lee	Ulsaker
Dean	Martin	Wambem
Englund	Moen, of Cavalier	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Moritz
Boerner	Edwards	O'Connor of Pembina
Cunningham	Fritz	Scott
Davis	Jordal	Tollefson
DeLance		

So the motion prevailed and the further consideration of the bill was indefinitely postponed.

Mr. Price moved

That the vote by which House Bill No. 132 was indefinitely postponed, be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hersrud moved

That the rules be suspended and the House return to the 7th order of business.

Which motion prevailed.

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**MOTIONS AND RESOLUTIONS.**

Mr. Hersrud moved

That the vote by which the committee report indefinitely postponing Senate Bill No. 58, be reconsidered.

Which motion was lost.

Mr. Johns asked unanimous consent to introduce a bill carrying an appropriation.

There being no objections, the bill was introduced.

**INTRODUCTION, FIRST AND SECOND READING  
OF HOUSE BILLS.**

Mr. Price (by request) introduced

House Bill No. 341.

For an Act to Submit to the Qualified Electors of the State the Question of Extending the Right of Suffrage to Women of Lawful Age, and Otherwise Qualified, According to the Provisions of Sections 121 and 122 of the Constitution of North Dakota.

Was read the second time and

Referred to the committee on rules.

Mr. Englund (by request) introduced

House Bill No. 371.

An Act to Promote the Safety of Employes and Travelers Upon Railroads by Compelling Common Carriers Engaged in the Transportation of Passengers or Property in this State to Install and Use the Telegraph for the Transmission of Orders and Dispatches for the Movement and Regulation of Trains.

Was read the first and second times, and

Referred to the committee on railroads.

Mr. Davidson introduced

House Bill No 372.

For an Act Entitled an Act to Limit Candidates Election Expenses; to Define, Prevent and Punish Corrupt and Illegal Practices in Nominations and Elections; to Secure

and Protect the Purity of the Ballot; to Provide for Furnishing Information to the Electors and to Provide the Manner of Conducting Contest for Nominations and Elections in Certain Cases.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Mr. Aasheim introduced

House Bill No. 373.

A bill for an act prohibiting prize fighting, boxing and sparring exhibitions, repealing Section 9089 of the Revised Codes of 1905, and providing penalty for the violation of this act.

Was read the first and second times, and

Referred to the committee on state affairs.

Mr. Dean introduced

House Bill No. 374.

A bill for an act to amend Section 3231 of the Revised Codes of 1905, relating to fences.

Was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Reeve introduced

House Bill No. 375.

A bill for an act providing for the licensing of persons, firms and corporations engaged in the real estate or real estate loan business, and providing for the disposition of the fees derived therefrom.

Was read the first and second times and

Referred to the committee on ways and means.

Mr. Johns introduced



## House Bill No. 376.

A bill for an act to provide for the carrying on of a campaign of education against tuberculosis and making an appropriation therefor.

Was read the first and second times, and

Referred to the committee on public health.

Mr. Johns introduced

## House Bill No. 377.

A bill for an act to submit to the qualified electors of the state question of extending the right of suffrage to women of lawful age, and otherwise qualified, according to the provisions of Sections 121 and 122 of the Constitution of North Dakota.

Was read the first and second times, and

Referred to the committee on rules.

Mr. Hyland introduced

## House Bill No. 378.

A bill for an act to amend and re-enact Chapter 196 of the Session Laws of 1909, relating to auditor's notice of tax sale.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Mr. Doyle of McIntosh, introduced

## House Bill No. 379.

A bill for an act to amend and re-enact Section 8087 and 8089 of the Revised Codes of the state of North Dakota for the year 1905, relating to the possession of the homestead and allotment of exempt property.

Was read the first and second times, and

Referred to the committee on judiciary.

## THIRD READING OF HOUSE BILLS.

House Bill No. 221.

A bill for an act to amend and re-enact Section 4303 of the Revised Codes of 1905, and repeal Section 4304 of said code.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 75 ayes, 7 nays, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	O'Connor of Gd. Forks
Akesson	Hedalen	Olgard of Nelson
Anderson, of Ramsey	Heinemeyer	Olgard of Richland
Benson	Hersrud	O'Shea
Bjornson	Hoge	Paulson
Bond	Homnes	Peart
Boyd	Hyland	Pendray
Brusletten	Johns	Ployhar
Burnett	Johnson	Ray
Carey	Kane	Reeve
Christenson	Knox	Robinson
Collins	Knutson	Roquette
Davis	Kuhl	Sauer
Dean	Kyllo	Sorlie
Doyle, of McIntosh	Lageson	Stern
Englund	Law	Stranahan
Fassett	Lee	Streeter
Fox	Martin	Tande
France	McClellan	Tostenson
Fraine	Moen of Cavaller	Tuttle
Gardiner	Morrison	Ulsaker
Geiger	Nelson of Richland	Wambem
Gorder	Nelson of Walsh	Whitmer
Hanson	Nestos	Williams
Harty	Norheim	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeNault	Hill, of Cats	Narum
Fried	Moen of Benson	Thompson
Hill, of Bottineau		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Dosseth	Price
Andrus	Doyle, of Foster	Putnam
Boerner	Edwards	Scott

Messrs.—	Messrs.—	Messrs.—
Burns	Fritz	Scheer
Cunningham	Jordal	Sgutt
Davidson	Moritz	Tollefson
DeLance	O'Connor of Pembina	Walters

Mr. Homnes moved

That the title be amended as follows:

After the figures "1905" insert the following words, "relating to liability of railroad companies for damages for fire escaping from railroad cars or engines."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

Mr. Martin moved

That the vote by which House Bill No. 221 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 84 ayes, no nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	O'Connor of Gd. Forks
Akesson	Hedalen	Olsgard of Nelson
Anderson, of Griggs	Heinemeyer	Olsgard of Richland
Anderson, of Ramsey	Hersrud	O'Shea
Benson	Hoge	Paulson
Bjornson	Homnes	Peart
Bond	Hill, of Bottineau	Pendray
Brusletten	Hill, of Cass	Poyhar
Burnett	Hyland	Price
Carey	Johnson	Ray
Christenson	Kane	Reeve
Collins	Knox	Robinson
Davidson	Knutson	Roquette
Davis	Kuhl	Sauer
Dean	Kyllo	Scheer

Messrs.—	Messrs.—	Messrs.—
DeLance	Lageson	Sgutt
DeNault	Law	Stern
Doyle, of Foster	Lee	Stranahan
Englund	Martin	Streeter
Fassett	McClellan	Tande
France	Moen of Benson	Thompson
Fraine	Moen of Cavaller	Tollefson
Fried	Morrison	Tostenson
Gardiner	Narum	Ulsaker
Geiger	Nelson of Richland	Wambem
Gorder	Nelson of Walsh	Whitmer
Hanson	Nestos	Williams
Harty	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Edwards	O'Connor of Pembina
Boerner	Fox	Putnam
Boyd	Fritz	Scott
Burns	Johns	Sorlie
Cunningham	Jordal	Tuttle
Dosseth	Moritz	Walters
Doyle, of McIntosh		

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 254 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 188.

A bill for an act to amend Section 521 of the Revised Codes of 1905, relating to the furnishing of a list of jurors to the clerk of the district court.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 86 ayes, no nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Olsgard of Nelson
Akesson	Hawkinson	Olsgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Benson	Hersrud	Peart
Bjornson	Hoge	Pendray

Messrs.—	Messrs.—	Messrs.—
Boerner	Homner	Ployhar
Bond	Hill, of Bottineau	Price
Boyd	Hill, of Cass	Ray
Brusletten	Hyland	Reeve
Burnett	Johnson	Robinson
Burns	Kane	Roquette
Carey	Knox	Sauer
Christenson	Knutson	Scheer
Collins	Kuhl	Sgutt
Davis	Kyllo	Sorlie
Dean	Lageson	Stern
DeLance	Law	Stranahan
DeNault	Lee	Streeter
Doyle, of Foster	McClellan	Tande
Englund	Moen, of Benson	Thompson
Fassett	Moen, of Cavalier	Tollefson
France	Morrison	Tostenson
Frane	Narum	Ulsaker
Fried	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker
Hanson	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fox	O'Connor of Pembina
Cunningham	Fritz	Putnam
Davidson	Johns	Scott
Dosseth	Jordal	Tuttle
Doyle, of McIntosh	Martin	Walters
Edwards	Moritz	

Mr. Price moved

That the vote by which House Bill No. 188 passed, be re-considered.

Which motion prevailed.

Mr. Price moved

That the bill be re-referred to the committee on state affairs.

Which motion prevailed.

And the bill was so re-referred.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Englund moved

That the House do now concur in the Senate amendments to House Bill No. 22.

Which motion prevailed, and

The amendments were concurred in.

Mr. Englund moved

That the House do now concur in the Senate amendments to House Bill No. 82.

Which motion prevailed.

And the amendments were concurred in.

#### GENERAL ORDERS.

Mr. Ployhar moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Anderson of Ramsey, to the chair.

When the committee arose it submitted the following report:

....

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 249.

A bill for an act prohibiting drinking intoxicating liquors on railroad trains in North Dakota, prescribing penalty for violation thereof and prescribing duties of peace officers.

And recommend the same be amended as follows:

After the figure 1, section 1, insert the following: "Prohibit the drinking of intoxicating liquors on trains," and after the figure 2, section 2, insert the word "Penalty" and after the figure 3, section 3, insert the words, "Duties of Peace Officers."

And when so amended recommend the same do pass.

Also

House Bill No. 260.

A bill for an act to amend Section 12, Chapter 109, of the laws of 1907, entitled, an act providing for the selection

of candidates for election by popular vote, and relating to their nomination and perpetuation of political parties, and relating particularly to percentage of votes required to nominate candidates.

And recommend that the same be amended as follows:

In Section 12, line 2 of the printed bill, strike out the word "for" and insert the word "by."

That the words in the same line "Candidate or candidates for any office for which nomination not herein provided for" be stricken out and the words "twenty-five" be stricken out, and the word "thirty" inserted in lieu thereof, and after the word "cast" insert "In the political subdivision in which any person is a candidate."

That the words "for such office," beginning at the end of line 6 and following on line 7 be stricken out and the word "twenty-five" in line 7 be stricken out and the word "thirty" be inserted in lieu thereof.

And when so amended recommend the same do pass.

Also,

House Bill No. 125.

A bill for an act relating to the assessment of lands for the construction of drains and providing for an appeal from the decision of the drainage board, and fixing the compensation of drain commissioners.

And recommend the same be amended as follows:

In the title in second line after "for" strike out "an appeal from the decision of the Drainage Board," and insert in lieu thereof the words, "A Protest." In line 1 of section 1, after "1" insert "Protest, when filed." In line 1 of section 2, after the figure 2 insert, "Drain, How Obtained." Strike out all of sections 3, 4, 5, 6 and 7. Make section 8 read 3, and after the figure 3 insert "compensation;" make section 9 read section 4; after the figure 4 insert "repeal." In section 9 of the printed bill in line 3 insert "emergency." After the word "law" in the same line strike out "regulating appeals from the decisions of the drainage board" and insert the following: "governing the provisions of this act."

And when so amended recommend the same do pass.

Also,

House Bill No. 160.

A bill for an act to amend Section 8799 of the Revised Codes of the State of North Dakota for the year 1905.

And recommend the same be indefinitely postponed.

Also

## House Bill No. 264.

A bill for an act to amend Section 4112 of the Revised Codes of 1905, relating to the adoption of minor children.

And recommend that the same be amended as follows:

After the word "children" in the title of the printed bill add the following words: "and children who have been abandoned."

After the word and figure "section 4112" insert the words "consent of parents, guardian or county commissioners."

After the word and figure "section 2" insert the word "emergency." Also in the same line strike out the words "when as" and substitute the word "whereas."

And when so amended recommend the same do pass.

Also

## House Bill No. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out two lines in title and insert in lieu thereof the following title: "A bill for an act providing for the inspection of nurseries; defining the duties of the director of the North Dakota experimental station in regard to nurseries and nursery stock; regulating the shipment and sale of nursery stock; requiring license for selling nursery stock; and providing penalties for violations of the provisions of this act." And in section 5, lines 8 and 9, strike out the word "sealing" and insert in lieu thereof the word "receiving." Also insert the following sub-headings::

In line 1 after "section 1," insert "Inspection of nurseries and nursery stock authorized."

After "Sec. 2" insert "Duties of agent. Notice."

After "Sec. 3" insert "Shipment of stock to be labeled."

After "Sec. 4" insert "Director may demand list of persons to whom infected stock sold."

After "Sec. 5" insert "Certificate of inspection, how obtained. Fee."

After "Sec. 6" insert "Shipment of stock must have shipping-tag certificate."

After "Sec. 7" insert "License, who must have. Bond."

After "Sec. 8" insert "Certified statement of sale."

After "Sec. 9" insert "Penalty for violation of act."

After "Sec 10" insert "Compensation and expenses of agent."

After "Sec. 11" insert "Report furnished to governor. Printed, when and where."

And when so amended recommend the same do pass.

Also,

## Senate Bill No. 176.

A bill for an act providing for the appointment of county superintendents of highways and deputy superintendents



in organized counties, who shall have charge and supervision of the construction, improvement and maintenance of roads within said counties, providing for road institutes, prescribing the duties of the state engineer in connection therewith.

And recommend that the same be amended as follows:

In line 8, section 2, after the word "township" insert the following: "Provided, however, that this act shall not apply in cases where townships have heretofore adopted, or which may hereafter adopt the system of cash payment of road taxes, and the contract system of road labor, pursuant to Section 3210 of the Revised Codes of 1905."

In line 1, Section 1, strike out the word "shall" and insert in lieu thereof the word "may."

In line 1, Section 2, after the words Section 2, insert the following words: "In counties where county superintendent of highways has been appointed."

In line 4, Section 5, strike out the word "may" after the word "supervisors" and insert the word "shall."

And when so amended recommend the same do pass.

Also

Senate Bill No. 69.

A bill for an act to amend Section 2592 of the Revised Codes of North Dakota for 1905, as amended by Chapter 70 of the Laws of the State of North Dakota for 1907, relating to the salary of county auditors.

And recommend that the same be referred to the committee on ways and means.

Also

Senate Bill No. 182.

A bill for an act to amend Section 12 of Chapter 109 of the laws of North Dakota for 1907, relating to the percentage of votes required for nomination at primary elections.

And recommend that the same be indefinitely postponed.

BERNT ANDERSON,

Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The privileges of the floor were extended to the following:

P. A. Anderson of Griggs county.

Arthur Blaisdell of Minot.

J. P. Smith of Beach.

August Hanson of Fargo.

Arthur LeSuere, John Ehr of Minot.

P. Timbs, John Van Lien, Frank Fry of Devils Lake.

L. H. Torgerson, L. D. Wiley, Wm. Reardon of Minot.

Prof. L. D. Waldron of Dickinson.

Wm. Sunnell.

F. B. Lambert.

Mr. Sorlie moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

E. H. GRIFFIN,  
Chief Clerk.

FORTY-FIFTH DAY

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA.

February 16, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina, who were excused.

REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 43rd day after recess, and the 44th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Forman, N. D., February 15, 1911.

Hon. Peter Narum, House of Representatives, Bismarck, N. D.

We, the undersigned electors of Sargent county, North Dakota, respectfully ask that you exert your influence and use your best endeavors in support of House Bill No. 328, prohibiting Sunday shows, now pending, as we believe said bill should become a law of the land.

J. E. BISHOP AND 65 OTHERS.

To the Legislative Assembly of the State of North Dakota:

Gentlemen: We, the undersigned resident electors of the county of Pembina, North Dakota, respectfully petition your honorable body to have the game law amended so as to permit the shooting of geese from first day of March to the tenth day of May of each year. And your petitioners will ever pray.

WM. McMURCHIE AND 106 OTHERS.

To the Twelfth Legislative Assembly of the State of North Dakota:

We, the undersigned, resident taxpayers and legal voters of the county of Ramsey, in the state of North Dakota, hereby respectfully petition your honorable body to give favorable thought and consideration to House Bill No. 213, now pending before the House; and your petitioners will ever pray.

BOTTON BROS. AND 30 OTHERS.

Grandin, N. D., February 7, 1911.

To the Members of the House of Representatives of the Twelfth Legislative Assembly of North Dakota.

Gentlemen: We, the undersigned citizens of Cass county, North Dakota, would respectfully urge that Senate Bill No. 176, known as the "Good Roads Bill," be not passed by your honorable body, as we think it will create a hardship on the part of the farmer, inasmuch as it takes all authority out of their hands to elect the road overseers in their several districts.

C. B. MAY AND 13 OTHERS.

We, the undersigned business men of the city of Fessenden, do hereby protest and remonstrate against the passage of the Senate bill known as the substitute for Senate Bill No. 67, introduced by Senator Hookway of McHenry county, providing for the repeal of the Mechanics' Lien law, in so far as the same relates to material, for the reason that the same is revolutionary, radical and detrimental to the interests of the new settlers tributary to our city and throughout the western portion of our state, and that it will in great measure prevent the extension of credit to those who are mostly in need of it; and for the further reason that its results would be prohibitive upon a person of moderate means to engage

in the contracting business, such persons being wholly unable to procure the necessary credit to finance to construction of modern buildings now being constructed in all our cities; and for the further reason that the bill as framed not only prevents such contractors from obtaining credit, but also destroys all protection to such contractors in securing compensation for their services, thus placing such contractors in danger of insolvency in assuming and performing such contracts.

For the foregoing reasons we earnestly urge the members of the Legislative Assembly to use all honorable means to prevent the passage of the above mentioned bill.

T. L. QUARVE AND 43 OTHERS.

### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 91.

A bill for an act to provide for fixing the amount to be allowed for labor on highways when performed in payment of road taxes.

Also,

House Bill No. 196.

A bill for an act to amend Section 2972 of the Political Code of the Revised Codes of North Dakota of 1905.

Also

House Bill No. 212.

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of the school and public lands and reserving to the state the coal in them.

Also

House Bill No. 249.

A bill for an act prohibiting drinking intoxicating liquors on railroad trains in North Dakota, prescribing penalty for violation thereof and prescribing duties of peace officers.

Also

House Bill No. 264.

A bill for an act to amend Section 4112 of the Revised Codes of 1905, relating to the adoption of minor children.

Also

House Bill No. 270.

A bill for an act to amend Article 4 of Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Also

House Bill No. 297.

A bill for an act to amend Section 1168 of the Revised Codes of 1905, as amended by Section 3 of Chapter 237 of the Session Laws of 1907.

Also

House Bill No. 328.

A bill for an act prohibiting the keeping open, or the running or permitting of running of any theatre, show, moving picture show, or theatrical performance, upon the first day of the week, commonly called the Sabbath, and providing a penalty for violations of the same.

Also,

House Bill No. 125.

A bill for an act relating to the assessment of lands for the construction of drains and providing for an appeal from the decision of the drainage board, and fixing the compensation of drain commissioners.

Also

House Bill No. 260.

A bill for an act to amend Section 12, Chapter 109, of the laws of 1907, entitled, an act providing for the selection of candidates for election by popular vote, and relating to their nomination and perpetuation of political parties, and relating particularly to percentage of votes required to nominate candidates.

Also,

House Bill No. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on warehouses and grain grading made the following report:

Mr. Speaker:

Your committee on warehouse and grain grading to whom was referred

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "state," in line 2 of printed bill, insert "and who does not pay cash in advance for the grain so bought."

And when so amended recommend the same do pass.

C. E. KNOX,  
Chairman.

The committee on education made the following report:

Mr. Speaker:

A majority of your committee on education to whom was referred

House Bill No. 103.

A bill for an act to create a state text book commission and to provide for the adoption and use of uniform text books throughout the state.

Have had the same under consideration and recommend that the same be amended as follows:

In the title, line 2 of printed bill, after the word "books" insert the words "in rural schools."

In the title, line 3, after the word "state," add the words "and making an appropriation."

In section 1, line 1, insert after figure "1" the word "members."

In section 1, strike out all words in line 4 after the word "commission," and all of lines 5, 6, 7, 8, and insert in lieu thereof the words "and of five county superintendents."

In section 1, line 12, after the word "act," strike out the word "one" and insert in lieu thereof the word "two," and further in same section, line 13, after the word "and" strike out the word "one" and insert in lieu thereof the word "three."

In section 2, line 1, after the figure 2, insert as a sub-title the word "meetings."

In section 3, line 1, after the figure 3, insert as a sub-title the word "Bids."

In section 4, line 1, after the figure 4, insert as a sub-title the words "Adoption of Books."

In section 5, line 1, after the figure 5, insert as a sub-title the word "Manuscripts."

In section 6, line 1, after the figure 6, insert as a sub-title the words "North Dakota Supplement."

In section 7, line 1, after the figure 7, insert as a sub-title the word "Contracts."

In section 8, line 1, after the figure 8, insert as a sub-title the words "State Not Liable."

In section 9, line 1, after the figure 9, insert as a sub-title the words "Proclamation of Adoption."

In section 10, line 1, after the figure 10, insert as a sub-title the words "Local Agents."

In section 11, line 1, after the figure 11, insert as a sub-title the words "Estimates of Books."

In section 11, line 3, after the word "the" insert the word "school," and further in same section, in line 3, after the word "board," strike out the words "of education," and further in same section, in line 3, after the word "any" strike out the word "city" and insert in lieu thereof the word "district."

In section 12, line 1, after the figure 12, insert as a sub-title the words "Lists Posted."

In section 13, line 1, after the figure 13, insert as a sub-title the words "Supplementary Texts."

In section 14, line 1, after the figure 14, insert as a sub-title the words "Blank Contracts."

In section 15, line 1, after the figure 14, insert as a sub-title the words "School Apparatus."

In section 16, line 1, after the figure 16, insert as a sub-title the word "Penalty."

In section 17, line 1, after the figure 17, insert as a sub-title the words "Members. Penalty."

In section 18, line 1, after the figure 18, insert as a sub-title the word "Appropriation."

Strike out all of section 19.

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.



Also,

Mr. Speaker:

A minority of your committee on education to whom was referred

House Bill No. 103.

A bill for an act to create a state text book commission and to provide for the adoption and use of uniform text books throughout the state.

Beg leave to submit the following minority report: Inasmuch as there is before the House, House Bill No. 326, providing for a county uniform system of text books for use in common schools, and inasmuch as this plan has many advocates throughout the state, we desire to have House Bill No. 103 re-referred to the committee on education to be considered in conjunction with House Bill No. 326.

S. J. A. BOYD,  
A. M. THOMPSON,  
J. N. KUHL,  
A. P. HANSON,  
V. R. BOERNER.

Mr. Boyd moved

That the minority report be adopted and the bill be re-referred to the committee on education.

Which motion prevailed.

And the bill was so re-referred.

Also,

Mr. Speaker:

Your committee on education, to whom was referred

House Bill No. 75.

A bill for an act to amend and re-enact Sections 1031, 1033, 1034, 1035 and 1036 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same be amended as follows:-

In section 1031 of printed bill, beginning with the word "and" in line 5, strike out all words to and including the word "years" in line 11, and

substitute in lieu thereof the following words: "and one superintendent of city schools in a district in the state in which is located a high school of the first class, and one county superintendent of schools in one of the counties of the state, each to be appointed by the governor for a term of two years, are hereby constituted a board of commissioners on secondary education for the encouragement of secondary and higher education in the state."

In section 1033, line 21, immediately after the word "said" strike out the words "board of commissioners" and insert in lieu thereof the words "high school board."

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 313.

A bill for an act to provide for the establishment, organization, regulation, and management of a state board of health, county boards of health, township boards of health, city boards of health and village boards of health, and making an appropriation for the expenses of the state board of health.

Have had the same under consideration and recommend that the same do pass.

J. H. FRAINE,  
Chairman

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 334.

A bill for an act to amend Section 5 of Chapter 172 of the Session Laws of 1909, relating to the regulation of practice of osteopathy.

Have had the same under consideration and recommend that the same do pass.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 277.

A bill for an act to prohibit the marriage of insane, epileptic, or feeble-minded persons.

Have had the same under consideration and recommend that the same do pass.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on public health to whom was referred  
Senate Bill No. 179.

A bill for an act providing for the regulation and the use of the public drinking cup and public towel.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 309.

A bill for an act to regulate the sale of hen's eggs.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved  
That the report be adopted  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Your committee on public health to whom was referred  
House Bill No. 301.

A bill for an act making it a misdemeanor to falsely or  
fraudulently defeat payment of any bill for laundrying,  
washing, cleaning or repairing clothing, and providing a  
penalty therefor.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred  
House Bill No. 200.

A bill for an act to regulate the importation of live stock  
into this state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. CUNNINGHAM,  
Chairman.

Mr. Cunningham moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on live stock to whom was referred  
House Bill No. 275.

A bill for an act entitled, "An act to regulate and provide for admission of live stock into the state of North Dakota from all other states and territories and foreign countries; and providing penalties for violation thereof."

Have had the same under consideration and recommend that the same be amended as follows:

At the end of section 1, after the word "diseases" insert the following: "Also all stallions imported into North Dakota must also be accompanied by certificate that said animal is free from any infectious, contagious, transmissible disease or unsoundness, as specified in Section 3, Chapter 161, Session Laws of 1909."

In section 4, at the end of line 6, after the word "niles" and before the word "serum" in printed bill, insert the words "hog-cholera."

In section 5, strike out all of lines 2, 3, 4 and 5 of printed bill.

In section 6, line 3, after the word "veterinarian" and before the word "all" in printed bill, insert the following, "or graduate veterinarian whose inspections are endorsed by officers in charge of live stock sanitary work in state where inspection is made."

In line 7, section 6, after the word "temperatures" and before the word commencing," insert the following words, "two hours apart."

In section 8, line 2 of the printed bill, strike out the word "by" and insert in lieu thereof the word "of."

Add: "Sec. 10. Emergency.) An emergency exists in this that there is now no law in force regulating the shipment of live stock into the state, therefore this act shall be in full force and effect from and after its adoption and approval."

And when so amended recommend the same do pass.

A. W. CUNNINGHAM,  
Chairman.

Also,

Mr. Speaker:

Your committee on live stock to whom was referred  
House Bill No. 355.

A bill for an act to provide for the reimbursement of owners of cattle destroyed by order of the state live stock sanitary board on account of the disease known as tuberculosis, and providing for the levy of a tax to create a fund therefor.

Have had the same under consideration and recommend that the same do pass.

A. W. CUNNINGHAM,  
Chairman.

Mr. Cunningham moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred  
House Bill No. 130.

A bill for an act to amend Section 9366 of the Revised Codes of North Dakota, as amended by Chapter 191 of the Laws of 1907, and Chapter 187 of the Laws of 1909, defining intoxicating liquors.

Have had the same under consideration and recommend that the same be amended as follows:

After the figure 2 in section 2, insert the words "Hard Cider Defined."

And when so amended recommend that the same do pass.

L. L. BRUSLETTEN,  
Chairman.

The committee on warehouses and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses and grain grading to whom was referred

Senate Bill No. 135.

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erection, leasing, purchasing and operating terminal elevators in the states of Minnesota and Wisconsin, or either.

Have had the same under consideration and recommend that the same do pass.

C. E. KNOX,  
Chairman.

Mr. Knox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on warehouses and grain grading to whom was referred

House Bill No. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

Have had the same under consideration and recommend that the same do pass.

C. E. KNOX,  
Chairman.

Mr. Knox moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on warehouses and grain grading to whom was referred

House Bill No. 204.

A bill for an act entitled, an act requiring railway companies to furnish sites for flour and feed mills on their right of way and fixing the manner in which sites may be obtained.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5, after the word "mill" and before the word "which" insert "in connection with such warehouse or elevator."

And when so amended recommend the same do pass.

C. E. KNOX,  
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 169.

A bill for an act indemnifying owners for horses killed or destroyed according to law for being affected with the disease known as glanders.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 307.

A bill for an act to amend Section 4277 of the Revised Codes of North Dakota for the year 1905.



Have had the same under consideration and recommend that the same be amended as follows:

After the figures "1905" in the title of the bill, add the following: "relating to the execution and recording of conveyances by railroad companies."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 94.

A bill for an act regulating inheritance in case of unlawful killing.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 93.

A concurrent resolution to amend Section 154 of the Constitution of the state of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11 of the printed bill, strike out all after the word "with" in said line. Strike out all of line 12 and the words "thereof and" in line 13.

At the end of line 24, after the word "fund" add the following sentence: "The net proceeds of all fines and forfeitures for the violation of state laws

shall be credited to and be a part of the common school funds of the county in which they were paid."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 312.

A bill for an act to amend and re-enact Section 8089 of the Revised Codes of the state of North Dakota of 1905, providing for the disposition of exempt personal property of decedents.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Tuttle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Your committee on judiciary to whom was referred  
House Bill No. 345.

A bill for an act to harmonize Sections 8089 and 7117 of the 1905 Code, by amending Section 8089 of the act providing for the settlement of the estates of decedents.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the bill after the words "A Bill" and insert the following:

For an Act to Amend and Re-Enact Section 8089 of the Revised Codes of the State of North Dakota of 1905, Providing for the Disposition of Exempt Personal Property of Decedents.

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

Section 1. Amendment.) Section 8089 of the Revised Codes of North Dakota of 1905, is hereby amended and re-enacted to read as follows:

Section 8089. Exempt Personal Property, Disposition Of.) There shall be set apart absolutely to the surviving wife or husband or minor children all the personal property of the testator or intestate which would be exempt from execution if he were living, including all property exempt, and other property selected by the person or persons entitled thereto of the character and description and to the amount allowed by the exemption laws according to the appraisal, and such property shall not be liable for any prior debt of the decedent except the necessary charges of his last sickness and funeral, and expenses of administration, when there are no other assets available for the payment of such charges.

Section 2. Repeal.) All acts and parts of acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 302.

A bill for an act to provide a method of proving the due cancellation of a contract for deed or any other instrument for the future conveyance of any estate of interest in real property, and clearing the record title of said real property from the effects of such contract after cancellation, and the recording of such proof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 281.

A bill for an act to authorize a popular vote upon the question of calling a delegate convention to amend and revise the Constitution of the state of North Dakota.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 192.

A bill for an act to amend Paragraph 2, Section 5187, Revised Codes of 1905, relating to succession of estates.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 183.

A bill for an act to amend Section 5187 of the Revised Codes of 1905, relating to order of succession.

Have had the same under consideration and recommend that the same be amended as follows:

At the close of section 1, on page 2, after the word "representation" change the period to a comma and add the following: "but if the decedent's child or children be dead, leaving issue, all the estate goes to such issue by right of representation."

That all of section 4 be stricken out.

In line 53 strike out the figure "5" and substitute therefor the figure "4"; that the figure "6" in line 66 be changed to "5" and the figure "7" in line 74 be changed to the figure "6."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

The committee on elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

House Bill No. 291.

A bill for an act to amend Chapter 93 of the Session Laws of 1909, relating to compensation of election officers and rental of polling places.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, after the figure 1 insert the word "Amendment," and after the figure "93" in line 3, and before the word "There" insert the following words: "Compensation of Election Officers."

After the figures "\$6.00," line 12, strike out the balance of the section.

In section 2, after the figure "2" insert the word "Repeal."

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Also,

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 175.

A bill for an act to amend Section 417 of the Revised Codes of North Dakota for the year 1905, relating to officers and offices, and the qualifications of officers.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and  
The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable,, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions,, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman

Mr. Dean moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 213.

A bill for and act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

### MOTIONS AND RESOLUTIONS.

Mr. Boyd moved

That House Bill No. 326 be withdrawn from the committee on state affairs and referred to the committee on education.

Which motion prevailed.

And the bill was so referred.

A Concurrent Resolution providing for a Conference Committee on House Bill No. 262 and Senate Bill No. 165.

WHEREAS, The House has passed House Bill No. 262, and the Senate has passed Senate Bill No. 165, both bills treating on the same subject; and

WHEREAS, The people of the state of North Dakota expect the present Legislature to enact a law covering the subject matter which these two bills contain;

*Be it Therefore Resolved:*

That the president of the Senate is hereby authorized to appoint a committee of three to act with a like committee of three to be appointed by the speaker of the House of Representatives, for the purpose of considering both bills that one may be reported back for consideration, said committee to report back to their respective bodies not later than Saturday, February 18th.

Mr. Sorlie moved

That the concurrent resolution be adopted.

Which motion prevailed.

And the concurrent resolution was adopted.

The Speaker appointed as such committee Messrs. Sorlie, Homnes and Nestos.

Mr. Price moved

That the rules be suspended and the House return to the fifth order of business.

Which motion prevailed.

## REPORTS OF STANDING COMMITTEES.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred  
Senate Bill No. 160.

A bill for an act to amend Section 3213, Revised Codes of North Dakota, relating to township boards.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
Senate Bill No. 221.

A bill for an act providing for the transferring of the so-called "Oil Inspection Fund" in the hands of the state treasurer to the general fund of the state and providing that future collections by the state inspector of oils shall be credited to the general fund of the state.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,



Mr. Speaker:

Your committee on state affairs to whom was referred  
Senate Bill No. 76.

A bill for an act to amend and re-enact Sections 6 and 9 of Chapter 174 of the Laws of North Dakota of 1909, being an act to provide for probation of persons convicted of felonies and misdemeanors.

Have had the same under consideration and recommend that the same be amended as follows:

That in section 6, after the words "field officer" strike out all down to the word "whose" and insert in lieu thereof the words: "The board of trustees of the penitentiary shall appoint and employ one officer, to be known as field officer for the institution, who shall be an employee of the state penitentiary and who shall give his entire time to penitentiary duties when not otherwise employed as field officer."

Also strike out section 4, Emergency.

Also that bill be re-printed.

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
Senate Bill No. 77.

A bill for an act to amend and re-enact Section 3 of Chapter 175 of the Laws of North Dakota for 1909, being an act to provide indeterminate sentences of persons convicted of certain crimes, providing for a board of experts empowered to prescribe suitable rules of conduct and treatment, and to determine how and when a person sentenced under this act shall be paroled or released.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of section 3, strike out the words "board of trustees" and insert in lieu thereof the word "warden." In section 3, after the word

"parole" at the last of the section, insert the following: "Further, it shall be the duty of the field officer to devote all of his time to the discharge of his duties as field officer, and such other duties as may be assigned to him in connection with the state penitentiary and the state penitentiary twine plant and other industries maintained by the state at the North Dakota State Penitentiary, and that he shall at all times be subject to the order of the warden of the state penitentiary, and he shall make reports direct to the warden on all matters pertaining to his duties as field officer and other duties to which he may be assigned."

And that section 3, Emergency, be stricken out, and that bill be re-printed.

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 290.

A bill for an act to amend and re-enact Chapter 221 of the Session Laws of North Dakota of 1907, entitled, an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Hill of Bottineau introduced

House Bill No. 380.

A bill for an act to amend Section 1213 of the Revised

Codes of 1905, of the state of North Dakota, relating to the board of trustees of the soldiers' home.

Which was read the first and second times, and  
Referred to the committee on military affairs.

Mr. Doyle of Foster introduced

House Bill No. 381.

A concurrent resolution proposing an amendment to the Constitution of the state of North Dakota, providing for the length of the term which the governor shall hold office.

Which was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Doyle of Foster introduced

House Bill No. 382.

A concurrent resolution proposing an amendment to the Constitution of the state of North Dakota, providing for the election of county officers.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. Doyle of Foster introduced

House Bill No. 383.

A concurrent resolution proposing an amendment to the constitution of the state of North Dakota, providing for the length of the term which the different state officers shall be elected.

Which was read the first and second times, and  
Referred to the committee on judiciary.

Mr. Aasheim introduced

House Bill No. 384.

A bill for an act making it a misdemeanor for any person to lobby within the capitol building for or against any appointment to office, for or against any measure pending before the legislative assembly of the state of North Dakota before first procuring a license and label therefor as auth-

orized by the provisions of this act, and providing a penalty for the violation thereof.

Which was read the first and second times, and

Referred to the committee on ways and means.

Mr. Englund introduced

House Bill No. 385.

A bill for an act to require railroad companies to provide telephone connections with their offices in towns, cities and villages in this state, where there is a local telephone exchange, and providing penalty for violation thereof.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Tostenson introduced

House Bill No. 386.

A concurrent resolution amending the Constitution of the state of North Dakota, relative to the elective franchise.

Which was read the first and second times and

Referred to the committee on elections and election privileges.

Mr. Narum introduced

House Bill No. 387.

A bill for an act to amend Section 6788 of the Revised Codes of the state of North Dakota for 1905, relating to the time within which actions must be commenced after the cause of action has accrued.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Williams, by request, introduced

House Bill No. 388.

A bill for an act to provide a uniform system for building and maintaining local improvements in cities, and for levying special taxes to pay for the same.

Which was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Morrison introduced

House Bill No. 389.

A bill for an act prohibiting trespass on the lands or tenements of another, providing the punishment therefor.

Which was read the first and second times and

Referred to the committee on counties and county boundaries.

Mr. Fox introduced

House Bill No. 390.

A bill for an act requiring two or more stationary fire escapes, consisting of iron stairways, to be attached to the outside of each one and every story, above the first story of all school houses in this state having more than one story, designating those whose duty it shall be to have said fire escapes installed, prescribing the time within which said fire escapes shall be installed and prescribing the punishment for a violation thereof.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. France introduced

House Bill No. 391.

A bill for an act to amend Chapter 109 of the Laws of the state of North Dakota of 1907, being an act providing for the selection of candidates for election by popular vote and relating to their nomination and perpetuation of political parties.

Which was read the first and second times, and

Referred to the committee on elections and election privileges.

Mr. Hersrud introduced

House Bill No. 392.

A bill for an act fixing the liability of persons, co-partnerships and corporations engaged in mining, for injury

sustained by employes in consequence of the negligence of fellow servant.

Which was read the first and second times and

Referred to the committee on coal lands and mines.

Mr. Knutson introduced

House Bill No. 393.

A bill for an act to prevent unfair discrimination in the purchase of dairy products.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Homnes introduced

House Bill No. 394.

A bill for an act providing for the removal from office by the governor of certain officers, and prescribing the conditions for the exercise of such power.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Olsgard of Nelson introduced

House Bill No. 395.

A bill for an act to amend Chapter 183, Section 1, of the Laws of 1909, being an amendment of Section 9354 of the Revised Codes of 1905, relating to druggists permit, how obtained.

Which was read the first and second times, and

Referred to the committee on temperance.

### THIRD READING OF HOUSE BILLS.

House Bill No. 212.

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of the school and public lands and reserving to the state the coal in them.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 90 ayes, 2 nays; absent and not voting, 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Griggs	Harkinson	O'Shea
Bjornson	Hedalen	Paulson
Bond	Hersrud	Pearl
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Bottineau	Price
Burns	Hill, of Cass	Putnam
Carey	Hyland	Ray
Christenson	Johnson	Reeve
Collins	Kane	Robinson
Davidson	Knox	Roquette
Davis	Knutson	Sauer
Dean	Kuhl	Scott
DeLance	Kyllo	Scheer
DeNault	Lageson	Sgutt
Doyle, of Foster	Law	Sorlie
Doyle, of McIntosh	Lee	Stern
Edwards	Martin	Stranahan
Englund	McClellan	Tande
Fassett	Moen of Benson	Thompson
Fox	Moen of Cavalier	Tollefson
France	Morrison	<del>Tostenson</del>
Fraine	Narum	Tuttle
Fried	Nelson of Richland	Ulsaker
Fritz	Nelson of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Fork	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Cunningham	Moritz
Andrus	Dosseth	O'Connor of Pembina
Benson	Heinemeyer	Streeter
Boerner	Jordal	

Messrs. Johns and Walters voted in the negative.

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 212 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 270.

A bill for an act to amend Article 4 of Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 91 ayes, no nays; absent and not voting, 12.

Those who voted in the affirmative were:

## Messrs.—

Aasheim  
 Akesson  
 Anderson, of Griggs  
 Benson  
 Bjornson  
 Bond  
 Boyd  
 Brusletten  
 Burnett  
 Burns  
 Carey  
 Christenson  
 Collins  
 Davidson  
 Davis  
 Dean  
 DeLance  
 DeNault  
 Doyle, of Foster  
 Doyle, of McIntosh  
 Edwards  
 Englund  
 Fassett  
 Fox  
 France  
 Fraine  
 Fritz  
 Gardine.  
 Geiger  
 Gorder  
 Hanson

## Messrs.—

Harty  
 Hawkinson  
 Hedalen  
 Hersrud  
 Hoge  
 Homnes  
 Hill, of Bottineau  
 Hill, of Cass  
 Hyland  
 Johns  
 Kane  
 Knox  
 Knutson  
 Kuhl  
 Kylo  
 Lageson  
 Law  
 Lee  
 Martin  
 McClellan  
 Moen of Benson  
 Moen of Cavalier  
 Morrison  
 Narum  
 Nelson of Richland  
 Nelson of Walsh  
 Nestos  
 Norheim  
 O'Connor of Gd. Forks  
 Olsgard of Nelson

## Messrs.—

Olsgard of Richland  
 O'Shea  
 Paulson  
 Peart  
 Pendray  
 Ployhar  
 Price  
 Putnam  
 Ray  
 Reeve  
 Robinson  
 Roquette  
 Sauer  
 Scott  
 Scheer  
 Sgutt  
 Sorlie  
 Stern  
 Stranahan  
 Streeter  
 Tande  
 Thompson.  
 Tollefson  
 Tostenson  
 Tuttle  
 Ulsaker  
 Walters  
 Wambem  
 Whitmer  
 Mr. Speaker



Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Dosseth	Jordal
Andrus	Fried	Moritz
Boerner	Heinemeyer	O'Connor of Pembina
Cunningham	Johnson	Williams

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which House Bill No. 270 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 196.

A bill for an act to amend Section 2972 of the Political Code of the Revised Codes of North Dakota of 1905.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 92 ayes, no nays; absent and not voting, 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Olsgaru of Nelson
Akesson	Hanson	Olsgard of Richland
Anderson, of Griggs	Harty	O'Shea
Anderson, of Ramsey	Hawkinson	Paulson
Benson	Hedalen	Pearl
Bjornson	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Burns	Hyland	Reeve
Carey	Johns	Robinson
Christenson	Kane	Roquette
Collins	Knox	Sauer
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Doyle, of Foster	Lee	Streeter

Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Narum	Ulsaker
Fraine	Nelson of Richland	Walters
Fried	Nelson of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Mr. Speaker
Geiger	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Heinemeyer	O'Connor of Pembina
Boerner	Johnson	Scott
Cunningham	Jordal	Williams
Dosseth	Moritz	

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

Mr. Hoge moved

That the title be amended as follows:

By adding after the figures "1905" the following words: "as amended by Chapter 155 of the Laws of 1909 providing for library funds."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

House Bill No. 297.

A bill for an act to amend Section 1168 of the Revised Codes of 1905, as amended by Section 3 of Chapter 237 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 90 ayes, no nays; absent and not voting, 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Norheim
Akesson	Harty	O'Connor of Gd. Forks
Anderson, of Griggs	Hawkinson	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Bond	Hoge	Peart

Messrs.—	Messrs.—	Messrs.—
Boyd	Homes	Pendray
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Burns	Hyland	Reeve
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Davidson	Kane	Sauer
Davis	Knox	Scheer
Dean	Knutson	Sgutt
DeLance	Kuhl	Sorlie
DeNault	Kyllo	Stern
Doyle, of McIntosh	Lageson	Stranahan
Edwards	Law	Streeter
Englund	Lee	Tande
Fassett	Martin	Thompson
Fox	McClellan	Tollefson
France	Moen, of Benson	Tostenson
Fraine	Moen, of Cavalier	Tuttle
Fried	Morrison	Ulsaker
Fritz	Narum	Walters
Gardiner	Nelson, of Richland	Wambem
Geiger	Nelson, of Walsh	Whitmer
Gorder	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of Foster	Ployhar
Boerner	Jordal	Price
Collins	Moritz	Scott
Cunningham	O'Connor of Pembina	Williams
Dosseth		

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

Mr. Fraine moved

That the title be amended as follows:

By adding after the figures "1907" the following words: "Relating to the transfer of funds by superintendent of institution for feeble minded."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 297 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## House Bill No. 328.

A bill for an act prohibiting the keeping open, or the running or permitting of running of any theatre, show, moving picture show, or theatrical performance, upon the first day of the week, commonly called the Sabbath, and providing a penalty for violations of the same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 75 ayes, 16 nays; absent and not voting, 12.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Narum
Akesson	Geiger	Nelson of Richland
Anderson, of Griggs	Gorder	Norheim
Anderson, of Ramsey	Harty	O'Connor of Gd. Forks
Benson	Hawkinson	Olsgard of Nelson
Bjornson	Hedalen	Olsgard of Richland
Bond	Hersrud	O'Shea
Boyd	Hoge	Paulson
Brusletten	Homnes	Peart
Burnett	Hill, of Bottineau	Pendray
Burns	Hill, of Cass	Ployhar
Carey	Johns	Putnam
Christenson	Johnson	Reeve
Davidson	Kane	Sauer
Davis	Knox	Scott
Dean	Knutson	Scheer
DeNault	Kyllo	Sgutt
Doyle, of Foster	Lageson	Sorlie
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Tande
Fassett	Martin	Thompson
Fox	McClellan	Tostenson
France	Moen of Benson	Ulsaker
Fraine	Moen of Cavalier	Wambem
Fried	Morrison	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeLance	Kuhl	Streeter
Englund	Ray	Tollefson
Fritz	Robinson	Tuttle
Hanson	Roquette	Walters
Heinemeyer	Stern	Whitmer
Hyland		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Nestos
Boerner	Jordal	O'Connor of Pembina
Collins	Moritz	Price
Cunningham	Nelson of Walsh	Williams

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

Mr. Boyd moved

That the vote by which House Bill No. 328 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Homnes gave notice that tomorrow at 3 o'clock p. m. he would move to reconsider the vote by which House Bill No. 270 passed.

House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 94 ayes, no nays; absent and not voting, 9.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Griggs	Hawkinson	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Benson	Heinemeyer	Peart
Bjornson	Hersrud	Pendray
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hoge	Putnam
Burnett	Homnes	Ray
Burns	Hyland	Reeve

Messrs.—	Messrs.—	Messrs.—
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Collins	Kane	Sauer
Davidson	Knox	Scott
Davis	Knutson	Scheer
Dean	Kuhl	Sgutt
DeLance	Kyllo	So-lie
DeNault	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenso
Francé	Morrison	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson, of Richland	Walters
Fritz	Nelson, of Walsh	Wambem
Gardiner	Norheim	Whitmer
Geiger	O'Connor of Gd. Forks	Mr. Speakr
Gorder		

#### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Nestos
Boerner	Jordal	O'Connor of Pembina
Cunningham	Moritz	Williams

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 16, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 5.

A bill for an amendment to the constitution providing for the initiative and referendum.

Also,

## Senate Bill No. 84.

A concurrent resolution, amending the Constitution of the State of North Dakota, relating to the legislative department and providing for direct legislation, the proposing of constitutional amendments, reference of laws and recall of officers.

Also,

## Senate Bill No. 153.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the future amendment thereof.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws of North Dakota, for the year 1909, relating to the taking of fish.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate.

The roll was called and there were 91 ayes, 2 nays; absent and not voting, 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hawkinson	Olgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Benson	Hersrud	Peart
Bjornson	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Ployhar
Burnett	Hoge	Price
Burns	Homnes	Putnam
Carey	Hyland	Ray

Messrs.—	Messrs.—	Messrs.—
Christenson	Johns	Reeve
Collins	Johnson	Robinson
Davidson	Knox	Roquette
Davis	Knutson	Sauer
Dean	Kuhl	Scott
DeLance	Kylo	Scheer
DeNault	Lageson	Sgutt
Doyle, of Foster	Law	Sorlie
Doyle, of McIntosh	Lee	Stern
Edwards	Martin	Stranahan
Englund	McCuellan	Streeter
Fassett	Moen, of Benson	Tande
Fox	Moen, of Cavalier	Thompson
France	Morrison	Tollefson
Fraine	Narum	Tostenon
Fried	Nelson, of Richland	Tuttle
Fritz	Nelson, of Walsh	Ulsaker
Gardiner	Nestos	Walters
Geiger	Norheim	Wambem
Gorder	O'Connor of Gd. Forks	Whitmer
Hanson	Olsgard of Nelson	Mr. Speaker
Harty		

Messrs. Aasheim and Brusletten voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Moritz
Boerner	Jordal	O'Connor of Pembina
Bond	Kane	Williams
Cunningham		

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

House Bill No. 91.

A bill for an act to provide for fixing the amount to be allowed for labor on highways when performed in payment of road taxes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 44 nays; absent and not voting, 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Walsh
Akesson	Hanson	Norheim
Benson	Hawkinson	Olsgard of Richland



Messrs.—	Messrs.—	Messrs.—
Brusletten	Hedalen.	Paulson
Burnett	Hill, of Bottineau	Peart
Christenson	Hill, of Cass	Pendray
Dean	Hoge	Ployhar
DeLance	Homnes	Price
DeNault	Knox	Reeve
Edwards	Knutson	Stranahan
Englund	Kuhl	Tostenson
Fox	Lageson	Ulsaker
Frane	Law	Walters
Fried	Moen, of Cavalier	Wambem
Fritz	Nelson, of Richland	Mr. Speaker
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hersrud	Putnam
Bjornson	Hyland	Ray
Bond	Johns	Robinson
Boyd	Johnson	Roquette
Burns	Kane	Sauer
Carey	Kyllo	Scott
Collins	Lee	Sgutt
Davidson	McClellan	Sorlie
Davis	Moen, of Benson	Stern
Doyle, of Foster	Morrison	Streeter
Doyle, of McIntosh	Narum	Tande
Fassett	Nestos	Tollefson
France	O'Connor of Gd. Forks	Tuttle
Gardiner	Olgard of Nelson	Whitme.
Heinemeyer	O'Shea	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Harty	O'Connor of Pembina
Anrus	Jordal	Scheer
Boerner	Martin	Thompson
Cunningham	Moritz	Williams
Dosseth		

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill was lost.

House Bill No. 249.

A bill for an act prohibiting drinking intoxicating liquors on railroad trains in North Dakota, prescribing penalty for violation thereof and prescribing duties of peace officers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 76 ayes, 14 nays; absent and not voting, 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	Nestos
Anderson, of Griggs	Hawkinson	Norheim
Anderson, of Ramsey	Hedalen	O'Connor of Gd. Forks
Benson	Hersrud	Olsgard of Nelson
Bjornson	Hill, of Bottineau	Olsgard of Richland
Bond	Hill, of Cass	O'Shea
Boyd	Hoge	Paulson
Brusletten	Homnes	Pearl
Burnett	Hyland	Pendray
Carey	Johns	Ployhar
Christenson	Johnson	Putnam
Collins	Kane	Roquette
Davidson	Knox	Sauer
Davis	Knutson	Scott
Dean	Kyllo	Scheer
DeNault	Lageson	Sorlie
Doyle, of Foster	Law	Streeter
Englund	Lee	Tande
Fassett	McClellan	Tostenson
Fox	Moen, of Benson	Tuttle
Fraine	Moen, of Cavalier	Ulsaker
Fried	Morrison	Walters
Gardiner	Narum	Wambem
Geiger	Nelson, of Richland	Whitmer
Gorder	Nelson, of Walsh	Mr. Speaker
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	Reeve
Doyle, of McIntosh	Kuhl	Robinson
Edwards	Martin	Sgutt
France	Price	Tollefson
Fritz	Ray	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Stern
Cunningham	Jordal	Stranahan
Burns	Moritz	Thompson
Boerner	O'Connor of Pembina	Williams
DeLance		

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which House Bill No. 249 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 260.

A bill for an act to amend Section 12, Chapter 109, of the laws of 1907, entitled, an act providing for the selection of candidates for election by popular vote, and relating to their nomination and perpetuation of political parties, and relating particularly to percentage of votes required to nominate candidates.

Was read the third time.

Mr. Doyle of Foster moved

That the bill be re-referred to the committee on elections and election privileges.

Which motion was lost.

The question being on the final passage of the bill,

The roll was called and there were 71 ayes, 18 nays; absent and not voting, 14.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hill, of Bottineau	O'Shea
Akesson	Hill, of Cass	Paulson
Anderson, of Griggs	Hoge	Peart
Anderson, of Ramsey	Homnes	Pendray
Brusletten	Hyland	Price
Burnett	Johns	Putnam
Collins	Johnson	Reeve
Davidson	Kane	Robinson
Davis	Kuhl	Sauer
Dean	Kyllo	Scott
DeNault	Lageson	Scheer
Doyle, of McIntosh	Law	Sorlie
Englund	Lee	Stern
Fox	Martin	Stranahan
France	McClellan	Streeter
Fraine	Moen, of Benson	Tande
Gardiner	Morrison	Tostenson
Geiger	Narum	Tuttle
Hanson	Nelson, of Richland	Ulsaker
Harty	Nelson, of Walsh	Walters
Hawkinson	Nestos	Wambem
Hedalen	Norheim	Whitmer
Heinemeyer	Olsgard of Nelson	Mr. Speaker
Hersrud	Olsgard of Richland	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of Foster	Knox
Bjornson	Edwards	Moen, of Cavalier
Bond	Fassett	O'Connor of Gd. Forks
Boyd	Fried	Ray
Carey	Fritz	Roquette
Christenson	Gorder	Tollefson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Ployhar
Boerner	Jordal	Sgutt
Burns	Knutson	Thompson
Cunningham	Moritz	Williams
DeLance	O'Connor of Pembina	

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 260 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 125.

A bill for an act relating to the assessment of lands for the construction of drains and providing for an appeal from the decision of the drainage board, and fixing the compensation of drain commissioners.

Was read the third time.

Mr. Burnett asked unanimous consent to amend the bill.

There being no objections, Mr. Burnett offered the following amendment and moved its adoption:

By striking out of the engrossed bill, in section 1, the words "from those whose land has been assessed pro rata according to their assessment," and insert "from the signers of such petition" in lieu thereof.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 84 ayes, no nays; absent and not voting, 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Walsh
Akesson	Hanson	Nestos
Anderson, of Griggs	Harty	O'Connor of Gd. Forks
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Benson	Hedalen	Olsgard of Richland
Bjornson	Heinemeyer	O'Shea
Bond	Hersrud	Paulson
Boyd	Hill, of Bottineau	Peart
Brusletten	Hill, of Cass	Pendray
Burnett	Hoge	Putnam
Burns	Hyland	Reeve
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Collins	Kane	Sauer
Davidson	Knox	Scott
Davis	Knutson	Scheer
Dean	Kuhl	Sorlie
DeNault	Kyllo	Stern
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Tollefson
Fassett	McClellan	Tostenson
France	Moen, of Benson	Ulsaker
Fried	Moen, of Cavalier	Walters
Fritz	Morrison	Wambem
Gardiner	Narum	Whitmer
Geiger	Nelson, of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Homnes	Price
Boerner	Jordal	Ray
Cunningham	Moritz	Sgutt
DeLance	Norheim	Thompson
Dosseth	O'Connor of Pembina	Tuttle
Fox	Ployhar	Williams
Fraine		

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Burnett moved

That the vote by which House Bill No. 125 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Nestos to the chair.

House Bill No. 264.

A bill for an act to amend Section 4112 of the Revised Codes of 1905, relating to the adoption of minor children.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 80 ayes, no nays; absent and not voting, 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Norheim
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	Olsgard of Nelson
Benson	Hersrud	Olsgard of Richland
Bjornson	Hill, of Bottineau	O'Shea
Boyd	Hill, of Cass	Paulson
Brusletten	Hoge	Peart
Burnett	Homnes	Putnam
Carey	Hyland	Reeve
Christenson	Johns	Robinson
Collins	Johnson	Roquette
Davidson	Kane	Sauer
Davis	Knox	Scott
Dean	Knutson	Scheer
DeNault	Kuhl	Sgutt
Doyle, of Foster	Lageson	Sorlie
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Streeter
Englund	Martin	Tande
Fassett	McClellan	Tollefson
Fox	Moen, of Benson	ostenson
France	Moen, of Cavalier	Ulsaker
Fried	Morrison	Walters
Gardiner	Narum	Wambem
Geiger	Nelson, of Richland	Whitmer
Gorder	Nelson, of Walsh	Mr. Speaker
Hanson	Nestos	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fraine	Ployhar
Andrus	Fritz	Price
Boerner	Heinemeyer	Ray
Bond	Jordal	Stern
Burns	Kyllo	Thompson
Cunningham	Moritz	Tuttle
DeLance	O'Connor of Pembina	Williams
Dosseth	Pendray	

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. O'Connor of Grand Forks moved

That the vote by which House Bill No. 264 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 82 ayes, no nays; absent and not voting, 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hawkinson	Olsgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Putnam
Burnett	Hoge	Ray
Burns	Homnes	Reeves
Carey	Hyland	Roquette
Collins	Johns	Sauer
Davidson	Johnson	Scott
Davis	Kane	Scheer
Dean	Knox	Sorlie
DeLance	Knutson	Stern
DeNault	Kuhl	Stranahan
Doyle, of Foster	Lageson	Tande
Doyle, of McIntosh	Law	Thompson
Englund	Lee	Tollefson
Fassett	Moen, of Benson	Tostenson
Fox	Moen, of Cavalier	Tuttle
France	Morrison	Ulsaker
Fried	Narum	Walters
Fritz	Nelson, of Richland	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Mr. Speaker
Gorder		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fraine	O'Connor of Pembina
Boerner	Jordal	Pendray
Bond	Kylo	Price
Christenson	Martin	Robinson
Cunningham	McClellan	Sgutt
Dosseth	Moritz	Streeter
Edwards	Nelson, of Walsh	Williams

Messrs. Andrus, Boerner, Cunningham, Jordal, Moritz and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Anderson of Ramsey moved

That the vote by which House Bill No. 207 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker in the chair.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 16, 1911.

I have the honor to transmit herewith

Senate Bill No. 57.

A bill for an act establishing a county hail insurance department; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how taxes for same shall be levied and collected, and how expenses and indemnity for losses by hail shall be paid.

Also,

Senate Bill No. 194.

A bill for an act defining the Tenth judicial district and providing for holding terms of court therein.

Also,



## Senate Bill No. 67.

A bill for an act to repeal sections 6237, 6238, 6239, 6240, 6241, 6242, 6243, 6244, 6245, 6246, 6247, 6248, 6249, 6250 and 6251 of the Revised Codes of the State of North Dakota for A. D., 1905, and Chapter 167 of the Session Laws of 1907 and Chapter 158 of the Session Laws of 1909, relating to mechanic's liens, and the filing of mechanic's liens, the giving of notice to contractors and sub-contractors, and the record and priority of liens, and all matters appertaining to the creation, existence and enforcement of mechanic's liens.

Which the Senate has passed and your favorable consideration is respectfully requested.

Also,

Mr. Speaker:

I have the honor to return herewith,

House Bill No. 46.

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

Which the Senate has indefinitely postponed.

Also,

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

WHEREAS, The Sixth Biennial Report of the North Dakota Geological Survey, prepared by the State Geologist, Dr. A. G. Leonard, and now ready for publication, will contain the results of several years of investigation of the geological formations, coal deposits and other mineral resources of North Dakota, investigations which were carried on with the co-operation and assistance of the United States Geological Survey, and will include also a chapter on the origin and history of Devils Lake and Stump Lake; and

WHEREAS, This report will be of great service in making known to our people and to outside investors and others the great value, extent and possibilities of our natural resources and will thus help the development of North Dakota;

*Therefore, Be it Resolved by the Senate, the House of Representatives Concurring:*

That the printing commission be authorized to have 2,000 extra copies of said report printed for general circulation, 250 of these to be bound in cloth.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House resolution regarding House Bill No. 262 and Senate Bill No. 165 and the President of the Senate has named as Senate members of the conference committee Messrs. Gilbert, Bessesen and Putnam.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Thompson moved

That the House resolve itself into a committee of the whole for the consideration of general orders and when in the committee of the whole, debate on any one bill be limited to fifteen minutes.

Which motion prevailed.

And the House resolved itself into a committee of the whole.

The Speaker called Mr. Hanson to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 190.

A bill for an act providing for aid to the poor, consisting of persons convicted of crime who have been placed upon probation subject to the provisions of law, or who have

been paroled or whose term of imprisonment has expired, and making an appropriation therefor.

And recommend that the same be amended as follows:

Section 1, line 9 of printed bill, after the word "purpose" insert the word "practically."

And when so amended recommend the same do pass.

Also,

House Bill No. 227.

A bill for an act to amend and re-enact Section 7475 of the Revised Codes of 1905, State of North Dakota, relating to costs and disbursements on the foreclosure of a real estate mortgage by advertisement.

And recommend that the same be amended as follows:

In line 7 of the printed bill, strike out the word "ten" and substitute the word "fifteen" therefor. After the word and figure "Section 7475" insert the words "Costs and Disbursements, Limited When.)"

And when so amended recommend the same do pass.

Also,

House Bill No. 180.

A bill for an act amending Section 8406, Revised Codes of 1905, providing when an action of forcible detainer is maintainable.

And recommend that the same be amended as follows:

Between lines 2 and 3 of the printed bill, insert the words "Section 8406. Forcible Detainer, When Maintainable.) This action is maintainable."

In line 12, between the word "over" and the word "the" insert the word "after." In line 17, strike out the word "or" and substitute therefore the word "and." In line 20, between the word "deed" and the word "other," insert the word "or."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 197.

A bill for an act to amend Article 2, Chapter 10 of the Session Laws of 1909, relating to normal schools.

And recommend that the same be re-referred to the committee on education.

Also,

House Bill No. 135.

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 278.

A bill for an act to provide for the payment of the expenses of district judges when acting outside of their judicial districts.

And recommend that the same be amended as follows:

After the word and figure "Section 1," in line 1 of the printed bill, insert the following words, "District Judge. Certain Expenses, How Paid." And that all of section 2 be stricken out, the same being the emergency clause.

And when so amended recommend the same do pass.

Also,

House Bill No. 170.

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

And recommend that the same be amended as follows:

In line 7 of the printed bill, strike out the word "three" and substitute the word "four."

After the word "quorum," in line 8, change the period to a semi-colon and insert the following words: "provided that at special meetings, called in case of emergency, the governor, the chief justice of the supreme court and the attorney general may constitute a quorum."

And when so amended recommend the same do pass.

Also

House Bill No. 163.

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 267.

A bill for an act to amend and re-enact Chapter 172 of the laws of the state of North Dakota for 1907, relating to whom may solemnize marriages and to marriage licenses.

And recommend that the same be amended as follows:

"By inserting after the word "Dakota," in section 1, "for 1907," and by inserting after the word "Quakers," in line 10 of the printed bill, the words "and by the Salvation Army," and by striking out in line 10 of the printed bill the word "form" and inserting in lieu thereof the word "forms," and in line 10 of the printed bill, after the word "their" insert the word "respective."

That section 2, emergency, be added as follows:

"Whereas, the present law excludes a number of persons authorized by various Christian bodies to solemnize matrimony from exercising their authority in this particular, therefore an emergency is declared to exist, and this act shall take effect and be in force from and after its passage and approval."

And when so amended recommend the same do pass.

Also

House Bill No. 219.

A bill for an act to prevent fraud in taking mortgages on personal property, to extend the time of validity of the same, to provide a penalty for alteration, and to repeal Section 6186 of the Revised Codes of 1905.

And recommend that the same be amended as follows:

Amending the title so as to read as follows: "For an Act to Prevent Fraud and Alteration in Taking Mortgages on Personal Property, Providing for a Copy Thereof to be Delivered to Mortgagor, and to Provide a Penalty for Violation."

Also strike out all of section 2. Change the number "Section 3" to "Section 2." Strike out the emergency. In section 4, strike out the figure "4" and insert in lieu thereof "3."

And when so amended recommend the same do pass.

Also

Senate Bill No. 56.

A bill for an act to enable cities in this state that may adopt or have adopted the commission form of government as provided in Chapter 45 of the Laws of 1907, to

recall incompetent or dishonest elective officers by vote of the people; also providing for the initiative and referendum in city matters, defining the form of the petition required in the law and prescribing the manner in which a city which may adopt or has adopted the commission plan may return to the former system.

And recommend that the same be amended as follows:

In section 1 of the engrossed bill, line 8, strike out the word "forty" and substitute the word "twenty-five."

In section 2, line 8, strike out the word "forty" and insert the word "twenty-five."

Section 2, in the last line of page 3 of the engrossed bill, strike out the words "fifteen or more than forty," and substitute the word "twenty-five."

Section 3, in line 5 on page 5, strike out the word "Council" and insert the words, "Board of City Commissioners."

In line 8, section 3, page 5, strike out the words "thirty-five" and insert the words "twenty-five."

Add: "Section 6. Emergency.) Whereas, there is no law governing said recall for commission form of government, this act shall be in force from and after date of its passage and approval."

And when so amended recommend the same do pass.

Also

Senate Bill No. 78.

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

And recommend that the same be amended as follows:

After sub-division 9 of section 1484, add the following:

"10. The real and personal property of any agricultural fair association, duly incorporated for the exclusive purpose of holding agricultural fairs, and is not conducted for profit to any of its members."

And when so amended recommend the same do pass.

Also,

House Bill No. 269.

A bill for an act entitled, an act to amend and re-enact Sections 1352 and 1353 of Chapter 19 of the Revised Codes of North Dakota for the year 1905, relating to altering, discontinuing and laying out public roads and defining what shall be deemed sufficient notices to all parties concerned.

And recommend that the same be amended as follows:

On page 2, line 18, change word "owner" to "owners."

On page 2, line 19, at beginning of line, insert word "or."

On page 2, line 19, strike out words "or occupants."

Section 2, page 3, line 6, change word "occupants" to "owners."

Wherever the word "eighty" appears, strike out and insert the word "seventy" in lieu thereof.

And when so amended recommend the same do pass.

Also,

House Bill No. 332.

A bill for an act prohibiting the placing of screens or other obstructions across the windows and doors of pool halls and providing a penalty therefor.

And recommend that the same be amended as follows:

After the words and figure "Section 1" insert the following sub-head: "Certain Places of Amusement Not to be Screened. Penalty.)"

And after the words and figures "Section 2," the sub-head "Emergency.)"

And when so amended recommend the same do pass.

Also

House Bill No. 29.

A bill for an act to provide for the establishment and maintenance of department of agriculture, manual training and domestic economy in state, high, graded and consolidated schools.

And recommend that the same be referred to the committee on appropriations.

Also

House Bill No. 209.

A bill for an act to amend Chapter 70, Laws of 1909, relating to the investment of county sinking funds.

And recommend that the same be amended as follows:

Line 8 of printed bill, strike out the word "and."

Line 9 of printed bill, strike out the word "to" and insert "and shall."

Line 14 of printed bill, strike out all after word "than" and insert the word "three."

Line 15, strike out the word "five."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 131.

A bill for an act amending Sections 167, 169, 170, 171, 189

and 191 of the Revised Codes of North Dakota for 1905, relating to the appraisal and sale of school lands.

And recommend that the same be amended as follows:

On page 3, line 43 of the printed bill, change the words "secretary of the board" to "commissioner."

On page 6, line 15, strike out the words "except as to interest."

On page 8 of printed bill, strike out section 7.

And when so amended recommend the same do pass.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report of the committee be adopted.

Mr. Doyle of Foster asked for a division as to House Bill No. 135.

The question being on the adoption of the report except as to House Bill No. 135,

The same prevailed.

And the report of the committee was adopted except as to House Bill No. 135.

Mr. DeNault moved

The previous question.

The question being, shall the main question be now put,  
The same prevailed.

The question being on the report of the committee indefinitely postponing House Bill No. 135.

Roll call demanded.

The roll was called and there were 53 ayes, 32 nays; absent and not voting, 18.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	Olsgard of Nelson
Akesson	Hersrud	Olsgard of Richland
Anderson, of Griggs	Hill, of Cass	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Boerner	Homnes	Peart
Boyd	Kane	Pendray
Brusletten	Knutson	Sauer



Messrs.—	Messrs.—	Messrs.—
Carey	Kylo	Scott
Davidson	Lageson	Scheer
Davis	Lee	Sorlie
Dean	McClellan	Stern
Doyle, of McIntosh	Moen, of Benson	Stranahan
Englund	Morrison	Tande
Fox	Moritz	Tostenson
Gardiner	Narum	Wambem
Geiger	Nelson, of Richland	Whitmer
Hawkinson	Nestos	Mr. Speaker
Hedalen	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hanson	O'Connor of Gd. Forks
Burnett	Harty	O'Connor of Pembina
Christenson	Hill, of Bottineau	Ployhar
Collins	Hyland	Price
DeNault	Johns	Putnam
Dosseth	Johnson	Ray
Doyle, of Foster	Jordal	Reeve
Edwards	Kuhl	Robinson
Fassett	Law	Tollefson
Fritz	Moen, of Cavalier	Ulsaker
Gorder	Nelson, of Walsh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	France	Sgutt
Benson	Fraine	Streeter
Bond	Fried	Thompson
Burns	Knox	Tuttle
Cunningham	Martin	Walters
DeLance	Roquette	Williams

Messrs. Andrus and Cunningham being excused.

So the motion prevailed.

And the report of the committee indefinitely postponing House Bill No. 135 was adopted, and the further consideration of House Bill No. 135 was indefinitely postponed.

Mr. Hoge moved

That the vote by which the report of the committee indefinitely postponing House Bill No. 135 be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The privileges of the floor were extended to the following:

R. Norton.

Geo. W. Mallough of Devils Lake.

Henry Hancock of Grand Forks.

G. S. Woolege, P. S. Crewe of Sherwood.

A. E. geland of Bisbee.

Geo. D. Kelley of Lakota.

J. E. Halstead of Jamestown.

C. W. Herstein, New England.

Mr. Burnett moved

That the house do now adjourn.

Which motion prevailed.

And the house adjourned.

**E. H. GRIFFIN,**  
Chief Clerk.

## FORTY-SIXTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 17, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz and O'Connor of Pembina, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the journal of the 45th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 19, on line 27, change word "House to Senate." Also take out title of bill following and insert in lieu thereof title of Senate Bill No. 175.

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

Also,

House Bill No. 219.

A bill for an act to prevent fraud in taking mortgages on personal property, to extend the time of validity of the same, to provide a penalty for alteration, and to repeal Section 6186 of the Revised Codes of 1905.

Also,

House Bill No. 277.

A bill for an act to prohibit the marriage of insane, epileptic, or feeble-minded persons.

Also

House Bill No. 290.

A bill for an act to amend and re-enact Chapter 221 of the Session Laws of North Dakota of 1907, entitled, an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Also

House Bill No. 334.

A bill for an act to amend Section 5 of Chapter 172 of the Session Laws of 1909, relating to the regulation of practice of osteopathy.

Also,

House Bill No. 355.

A bill for an act to provide for the reimbursement of owners of cattle destroyed by order of the state live stock sanitary board on account of the disease known as tuberculosis, and providing for the levy of a tax to create a fund therefor.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 69.

A bill for an act to amend Section 2592 of the Revised Codes of North Dakota for 1905, as amended by Chapter 70 of the Laws of the State of North Dakota for 1907, relating to the salary of county auditors.

Have had the same under consideration and recommend that the same be amended as follows:

Line 38 of the engrossed Senate bill, strike out all after the word "dollars." Strike out all of lines 39, 40, 41, 42, and line 43 all before word "and." Strike out all of section 2 and insert:

"Section 2. When Effective.) This act shall be in force and effect on and after the first day of April, 1913."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 214.

A bill for an act to amend sub-division 3 of Section 5001 of the Revised Codes of North Dakota of 1905, relative to the recording of instruments in the office of register of deeds.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 17, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, A bill, H. B. No. 29346, known as the Sulloway Bill, granting pensions to certain enlisted men, soldiers and officers who served in the Civil War and the war with Mexico, has passed the House of Representatives in the Congress of the United States, and is now pending in the Senate;

*Therefore, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That we heartily approve all of the provisions of said bill, and we hereby respectfully request our senators in Congress to vote for and use

every honorable means to secure its passage by the Senate of the United States just it passed the House of Representatives, without alteration or amendment as to benefits provided.

*Resolved:*

That copies of this resolution, signed by the respective officers of both Houses, be sent to each of the senators and representatives from North Dakota in the Congress of the United States.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 17, 1911.

Mr. Speaker:

I have the honor to return herewith,

House Bill No. 77.

A bill for an act to amend Section 544 of the Revised Codes of 1905, relating to the seals of notaries public.

Also

House Bill No. 32.

A bill for an act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Which the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 223.

A bill for an act to amend and re-enact Section 39 and Section 40 of Chapter 109 of the Session Laws of the year 1907, of the State of North Dakota, relating to primary election.

Also

Senate Bill No. 247.

A concurrent resolution amending Section 185 of the Constitution of the state of North Dakota, relating to state aid in the construction and improvement of public highways.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 167.

A bill for an act to provide for the non-forfeiture of premiums on policies of life insurance.

Also,

Senate Bill No. 97.

A bill for an act fixing the salaries and providing for the payment of necessary expenses of the judges of the district courts of the State of North Dakota.

Also,

Senate Bill No. 114.

A bill for an act to enlarge the powers and duties of the board of railroad commissioners, creating a public warehouse fund and making an appropriation.

Also



Senate Bill No. 128.

A bill for an act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict herewith.

Also,

Senate Bill No. 132.

A bill for an act appropriating money for the maintenance of the public health laboratory in the medical department of the State University and School of Mines at Grand Forks, and its branches at Bismarck and at Minot, and to repeal Section 1, Chapter 26, Session Laws of 1907.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Which the Senate has amended as follows:

In page 2, line 20, strike out the last word, all of line 21 and the first word in line 22, and insert the words "articles of incorporation." Also in line 24, strike out the word "by law" and insert "articles of incorporation."

And passed as amended.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith  
House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to  
the constitution of the United States.

Which the Senate has amended as follows:

In line 1 of the engrossed bill, strike out the words "both houses of."  
In line 19 of the engrossed bill, strike out the words "Senate and House  
of Representatives," and insert in lieu thereof the words "legislative as-  
sembly."

In line 24 of the engrossed bill, strike out the words "further be it  
resolved," and insert in lieu thereof the words "be it further resolved."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Fraine moved

That the rules be suspended and that the House do now  
concur in the Senate concurrent resolution relating to the  
Sulloway bill now pending in congress.

Which motion prevailed.

And the concurrent resolution was concurred in.

#### REPORTS OF STANDING COMMITTEES.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred  
Senate Bill No. 75.

A bill for an act to prevent the spread of noxious weeds.

Have had the same under consideration and recommend  
that the same do pass.

GEO. H. LAW,  
Chairman.

Mr. Law moved

That the report be adopted.  
Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on agriculture to whom was referred  
House Bill No. 265.

A bill for an act providing for the construction and maintenance of wire fences along public highways, and providing for penalties for violations of the provisions of this act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. H. LAW,  
Chairman.

Mr. Law moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 178.

A bill for an act prohibiting county superintendents of schools, deputies, school officers, school official, principals and teachers from receiving commission or fees or reward for or on account of any school books, furniture or other supplies purchased during the incumbency of such office, and providing for a penalty therefor.

Have had the same under consideration and recommend that the same do pass.

E. C. OLSGARD,  
Chairman.

Mr. Olsgard moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on education to whom was referred  
Senate Bill No. 197.

A bill for an act to amend Article 2, Chapter 10 of the  
Session Laws of 1909, relating to normal schools.

Have had the same under consideration and recommend  
that the same be amended as follows:

Strike out title and insert the following:

A BILL

For an act to provide for a State Board of Normal School Trustees,  
the organization, meetings and compensation of such board, and the  
purpose, maintenance and government of the normal schools of the  
state, and repealing Sections 1074 to 1091, inclusive, of the Revised  
Codes of North Dakota of 1905, as amended by Chapters 100 and  
240 of the Session Laws of North Dakota of 1907, relating to Normal  
Schools.

Strike out three words "Article II. Normal Schools," immediately after  
enacting clause.

Strike out the figures 1074 in line 1 of section 1074 of the printed bill  
and insert the figure 1.

Strike out figure 1075 and insert figure 2 in section 1075 of printed bill.

Strike out figure 1076 and insert figure 3.

Strike out figure 1077 and insert figure 4.

Strike out figure 1078 and insert figure 5.

Strike out figure 1079 and insert figure 6.

Strike out figure 1080 and insert figure 7.

Strike out figure 1081 and insert figure 8.

Strike out figure 1082 and insert figure 9.

Strike out figure 1083 and insert figure 10.

Strike out figure 1084 and insert figure 11.

Strike out figure 1085 and insert figure 12.

Strike out figure 1086 and insert figure 13.

Strike out figure 1087 and insert figure 14.

Strike out figure 1088 and insert figure 15.

Strike out figure 1089 and insert figure 16.

Strike out figure 1090 and insert figure 17.

Strike out figure 1091 and insert figure 18.

Strike out lines 4 and 5 of section 1091 of printed bill and insert the  
following:

"Section 19. Repeal.) Sections 1074, 1075, 1076, 1077, 1078, 1079, 1080,  
1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090 and 1091 of the  
Revised Codes of North Dakota of 1905, as amended by Chapters 100 and  
240 of the Session Laws of North Dakota of 1907, are hereby repealed."

At the beginning of line 6 of section 1091 of the printed bill, before the  
word "Whereas," insert the following: "Section 20. Emergency.)"

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

Mr. Olsgard moved

That the rules be suspended and the report of the committee adopted and the bill go to the calendar for third reading.

Which motion prevailed.

And the report of the committee was adopted and the bill placed on third reading.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 73.

A bill for an act making an appropriation to meet the deficiency incurred by the State Live Stock Sanitary board in carrying out the purpose of Chapter 169 of the Session Laws of 1907.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

Senate Bill No. 130.

A bill for an act to amend and re-enact Section 4466 of the Revised Codes of North Dakota for the year 1905, relating to the annual statements of insurance companies.

Have had the same under consideration and recommend that the same be amended as follows:

In line 19 of the engrossed bill, strike out all of said line after the word "agency," all of lines 20 and 21, and all of line 22 up to the word "statements," and insert in lieu thereof the following amendment: "provided,

however, that the statements of county and town mutual insurance companies need only be published once in a newspaper selected at their annual meeting in the county wherein such company does business."

And when so amended recommend the same do pass.

A. P. HANSON,  
Chairman.

Also,

Mr. Speaker:

Your committee on insurance to whom was referred  
House Bill No. 308.

A bill for an act providing for certain deposits to be made by foreign insurance companies doing business in the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. P. HANSON,  
Chairman.

Mr. Tuttle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on game and fish made the following report:

Mr. Speaker:

Your committee on game and fish to whom was referred  
House Bill No. 243.

A bill for an act to amend Section 44, Chapter 128 of the Session Laws of 1909, relating to time when fish may be taken.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. O. JOHNSON,  
Chairman.

Mr. Johnson moved  
That the report be adopted.  
Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on game and fish to whom was referred  
House Bill No. 65.

A bill for an Act to repeal Chapter 128 of the Laws of  
North Dakota of 1909.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

N. O. JOHNSON,  
Chairman.

Mr. Johnson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on game and fish to whom was referred  
House Bill No. 149.

A bill for an act to prohibit the hunting, shooting at,  
killing, or in any way destroying any deer within the bound-  
ary limit of the State of North Daokta, before January  
1st, 1915.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

N. O. JOHNSON,  
Chairman.

Mr. Johnson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on game and fish to whom was referred

House Bill No. 88.

A bill for an act to amend Section 35, Chapter 128, of the Session Laws of 1909—House Bill No. 156.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. O. JOHNSON,  
Chairman.

Mr. Johnson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

There being no objection, the House returned to the 15th order of business.

#### REPORTS OF STANDING COMMITTEES.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

Senate Bill No. 48.

A bill for an act regulating the speed of locomotives and trains while passing through cities, towns and villages in North Dakota.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.



Have had the same under consideration and recommend that the same be amended as follows:

Amend the title by striking out the word "regulate" and insert in lieu thereof "amending section 1 and 2, Chapter 190, Session Laws 1909, relating." After the word "cars" in the title, insert "to be used on freight trains in this state." After the figure 1 in section 1, line 1 of the printed bill, strike out the word "be it enacted that," and insert in lieu thereof "to whom this act shall apply." Between the words "any" and "corporation," in line 2 of the printed bill, insert the word "railroad." After the figure 2, in section 2, line 1 of the printed bill, insert the following: "When to Take Effect. How Constructed.)" In line 8 of the printed bill, strike out the word "sixty" and insert in lieu thereof the word "thirty." After the figure 3, section 3, insert "Repairs. How Made.)" Strike out the word "such" in line 1, section 3, also the words "or its cars" in the same line, and add an "s" to the word "car." Also in the same line, after the figure 4, in section 4, insert "Extensions. How Granted.)" After the figure 5, section 5, insert the word "Penalty.)" Strike out all of section 6 so amended.

And when so amended recommend the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Anderson of Griggs asked unanimous consent to introduce a bill carrying an appropriation.

There being no objection, the bill was introduced.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Homnes introduced

House Bill No. 396.

A bill for an act to amend Section 2335 of the Revised Codes of the state of North Dakota of 1905, as amended by Chapter 66 of the Session Laws of 1909, relating to the transcribing of records in newly organized counties.

Which was read the first and second times, and

Referred to the committee on ways and means.

Mr. O'Connor of Pembina introduced

House Bill No. 397.

A bill for an act relating to suspensions by fraternal or other insurance companies for non-payment of premiums.

Which was read the first and second times and

Referred to the committee on insurance.

Mr. Williams introduced

House Bill No. 398.

A bill for an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Which was read the first and second times and

Referred to the committee on judiciary.

Mr. Hyland introduced

House Bill No. 399.

A bill for an act to amend and re-enact Section 2402 of the Revised Codes of North Dakota for the year 1905.

Which was read the first and second times and

Referred to the committee on state affairs.

Mr. Anderson of Griggs introduced

House Bill No. 400.

A bill for an act to amend and re-enact Section 1310 and adding new sections, relating to county and state aid of county fairs, and making appropriation therefor.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Knox introduced

House Bill No. 401.

A bill for an act to amend and re-enact Section 2979 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

Which was read the first and second times, and

Referred to the committee on ways and means.

Mr. Aasheim introduced

House Bill No. 402.

A bill for an act to prohibit the manufacture, use and sale of blank cartridges, fire arms, certain fire crackers and certain other explosives.

Which was read the first and second times and  
Referred to the committee on manufactures.

### THIRD READING OF HOUSE BILLS

House Bill No. 334.

A bill for an act to amend Section 5 of Chapter 172 of the Session Laws of 1909, relating to the regulation of practice of osteopathy.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 88 ayes, no nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olgard of Nelson
Akesson	Hawkinson	Olgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Benson	Hoge	Peart
Bjornson	Homnes	Pendray
Bond	Hill, of Cass	Ployhar
Boyd	Hyland	Price
Brusletten	Johns	Putnam
Burnett	Johnson	Ray
Burns	Kane	Reeve
Carey	Knox	Robinson
Christenson	Knutson	Roquette
Davidson	Kuhl	Sauer
Davis	Kylo	Scott
Dean	Lageson	Scheer
DeLance	Law	Sgutt
DeNault	Lee	Sorlie
Doyle, of Foster	Martin	Stern
Doyle, of McIntosh	McClellan	Stranahan
Edwards	Moen of Benson	Streeter
Englund	Moen of Cavalier	Tande
Fassett	Morrison	Tostenson
Fox	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Walters
Fritz	Nestos	Wambem
Gardiner	Norhelm	Williams
Geiger	O'Connor of Gd. Fork	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	France	Moritz
Boerner	Harty	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Collins	Hersrud	Thompson
Cunningham	Hill, of Bottineau	Tollefson
Dosseth	Jordal	Whitmer

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 334 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 277.

A bill for an act to prohibit the marriage of insane, epileptic, or feeble-minded persons.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 92 ayes, no nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Olsgard of Nelson
Akesson	Hanson	Olsgard of Richland
Anderson, of Griggs	Hawkinson	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Benson	Heinemeyer	Pearl
Bjornson	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeve
Carey	Johnson	Robinson
Christenson	Kane	Roquette
Collins	Knox	Sauer
Davidson	Knutson	Scott
Davis	Kuhl	Scheer
Dean	Kyllo	Sgutt
DeLance	Lageson	Sorlie
DeNault	Law	Stern
Doyle, of McIntosh	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Edwards	McClellan	Tande

Messrs.—	Messrs.—	Messrs.—
Englund	Moen, of Benson	Tostenson
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Ulsaker
France	Narum	Walters
Fraine	Nelson, of Richland	Wambem
Fried	Nelson, of Walsh	Whitme.
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger	O'Connor of Gd. Forks	

### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Harty	O'Connor of Pembina
Boerner	Hill, of Bottineau	Thompson
Cunningham	Jordal	Tollefson
Dosseth	Moritz	

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Christenson moved

That the vote by which House Bill No. 277 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

Was read the third time.

Mr. Homnes asked unanimous consent to amend the bill.

There being no objections,

Mr. Homnes offered the following amendment and moved its adoption:

In section 1, line 1, after the figure 1, insert the following: "Refund of license fee of public grain warehouses authorized."

Which motion prevailed.

Mr. Homnes moved

That the rules be suspended and the bill considered re-  
engrossed and placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as  
amended,

The roll was called and there were 91 ayes, no nays, 12  
absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	Olgard of Nelson
Anderson, of Griggs	Hawkinson	Olgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrua	Pearl
Bond	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Burns	Johns	Ray
Carey	Johnson	Reeve
Christenson	Kane	Robinson
Collins	Knox	Roquette
Davidson	Knutson	Sauer
Davis	Kuhl	Scott
Dean	Kyllo	Scheer
DeLance	Lageson	Sorlie
DeNault	Law	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	Martin	Streeter
Edwards	McClellan	Tande
Englund	Moen, of Benson	Tostenson
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Ulsaker
France	Narum	Walters
Fraine	Nelson, of Richland	Wambem
Fried	Nelson, of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Harty	O'Connor of Pembina
Boerner	Hill, of Bottineau	Sgutt
Cunningham	Jordal	Thompson
Dosseth	Moritz	Tollefson

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of  
Bottineau, Jordal, Moritz, and O'Connor of Pembina being  
excused.

So the bill passed and the title was agreed to.

House Bill No. 290.

A bill for an act to amend and re-enact Chapter 221 of the Session Laws of North Dakota of 1907, entitled, an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Was read the third time.

Mr. Sorlie moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

House Bill No. 290 was indefinitely postponed.

House Bill No. 219.

A bill for an act to prevent fraud in taking mortgages on personal property, to extend the time of validity of the same, to provide a penalty for alteration, and to repeal Section 6186 of the Revised Codes of 1905.

Was read the third time.

Mr. Davidson moved

That the roll call be stopped for the purpose of discussion.

Which motion prevailed.

Mr. Martin moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill,

The roll was called and there were 86 ayes, 5 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Aasheim  
Akesson

Messrs.—  
Hedalen  
Heinemeyer

Messrs.—  
Paulson  
Peart

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hersrud	Pendray
Anderson, of Ramsey	Hoge	Ployhar
Benson	Homnes	Price
Bjornson	Hill, of Cass	Putnam
Bond	Hyland	Ray
Boyd	Johns	Reeve
Brusletten	Johnson	Robinson
Carey	Kane	Roquette
Christenson	Knox	Sauer
Collins	Knutson	Scott
Davidson	Kuhl	Scheer
Davis	Lageson	Sgutt
Dean	Law	Sorlie
DeLance	Lee	Stern
DeNault	McClellan	Stranahan
Doyle, of Foster	Moen of Benson	Streeter
Edwards	Moen of Cavalier	Tande
Englund	Morrison	Thompson
Fassett	Narum	Tostenson
Fox	Nelson of Richland	Tuttle
Fried	Nelson of Walsh	Ulsaker
Fritz	Nestos	Walters
Gardiner	Norheim	Wambem
Geiger	O'Connor of Gd. Forks	Whitmer
Gorder	Olsgard of Nelson	Williams
Hanson	Olsgard of Richland	Mr. Speaker
Hawkinson	O'Shea	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burns	France	Martin
Doyle, of McIntosh	Kyllo	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Jordal
Boerner	Fraine	Moritz
Burnett	Harty	O'Connor of Pembina
Cunningham	Hill, of Bottineau	Tollefson

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Kuhl moved

That the vote by which House Bill No. 219 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.



CONSIDERATION OF MESSAGES FROM THE  
SENATE.

Mr. Doyle of Foster moved

That the House do now concur in the Senate amendments to House Bill No. 1.

Which motion prevailed.

Mr. Doyle of Foster moved

That the rules be suspended and House Bill No. 1 be placed upon its third reading and final passage as amended by the Senate.

Which motion prevailed.

House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 92 ayes, no nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Benson  
Bjornson  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Davidson  
Davis  
Dean  
DeLance  
DeNault  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards

Messrs.—

Gorder  
Hanson  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
Martin  
McClellan

Messrs.—

Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Reeve  
Robinson  
Roquette  
Sauer  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson

Messrs.—	Messrs.—	Messrs.—
Englund	Moen, of Benson	Tostenson
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Ulsaker
France	Narum	Walters
Fraine	Nelson, of Richland	Wambem
Fried	Nelson, of Walsh	Whitmer
Fritz	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Harty	O'Connor of Pembina
Boerner	Hill, of Bottineau	Scott
Cunningham	Jordal	Tollefson
Dosseth	Moritz	

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Doyle of Foster moved

That the vote by which House Bill No. 1 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hoge moved

That the House do now concur in the Senate amendments to House Bill No. 173.

Which motion prevailed.

Mr. Hoge moved

That the rules be suspended and House Bill No. 173 be placed upon its third reading and final passage as amended by the Senate.

Which motion prevailed.

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 89 ayes, no nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Bond	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Cass	Price
Burns	Hyland	Putnam
Carey	Johns	Ray
Christenson	Johnson	Reeve
Collins	Kane	Robinson
Davidson	Knox	Roquette
Davis	Knutson	Sauer
Dean	Kuhl	Scott
DeLance	Kyllo	Scheer
DeNault	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen, of Benson	Tostenson
Fox	Moen, of Cavalier	Tuttle
France	Morrison	Ulsaker
Fraine	Narum	Whitmer
Fried	Nelson, of Richland	Williams
Fritz	Nelson, of Walsh	Mr. Speaker
Gardiner	Nestos	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hill, of Bottineau	Sgutt
Boerner	Jordal	Sorlie
Cunningham	Moritz	Tollefson
Dosseth	O'Connor of Pembina	Wambem
Harty		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which House Bill No. 173 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 17, 1911.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 247.

A concurrent resolution amending Section 185 of the Constitution of the state of North Dakota, relating to state aid in the construction and improvement of public highways.

Was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

## Senate Bill No. 223.

A bill for an act to amend and re-enact Section 39 and Section 40 of Chapter 109 of the Session Laws of the year 1907, of the State of North Dakota, relating to primary election.

Was read the first and second times and

Referred to the committee on elections and election privileges.

## Senate Bill No. 167.

A bill for an act to provide for the non-forfeiture of premiums on policies of life insurance.

Was read the first and second times, and

Referred to the committee on insurance.

## Senate Bill No. 132.

A bill for an act appropriating money for the maintenance of the public health laboratory in the medical department of the State University and School of Mines at Grand Forks, and its branches at Bismarck and at Minot, and to repeal Section 1, Chapter 26, Session Laws of 1907.

Was read the first and second times, and

Referred to the committee on appropriations.

## Senate Bill No. 128.

A bill for an act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict herewith.

Was read the first and second times, and

Referred to the committee on public health.

## Senate Bill No. 114.

A bill for an act to enlarge the powers and duties of the board of railroad commissioners, creating a public warehouse fund and making an appropriation.

Was read the first and second times, and  
Referred to the committee on railroads.

Senate Bill No. 97.

A bill for an act fixing the salaries and providing for the payment of necessary expenses of the judges of the district courts of the State of North Dakota.

Was read the first and second times, and  
Referred to the committee on judiciary.

Senate Bill No. 194.

A bill for an act defining the Tenth judicial district and providing for holding terms of court therein.

Was read the first and second times, and  
Referred to the committee on judiciary.

Senate Bill No. 57.

A bill for an act establishing a county hail insurance department; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how taxes for same shall be levied and collected, and how expenses and indemnity for losses by hail shall be paid.

Was read the first and second times, and  
Referred to the committee on insurance.

Senate Bill No. 5.

A concurrent resolution for an amendment to the constitution providing for the initiative and referendum.

Was read the first and second times, and  
Referred to the committee of the whole house.

Senate Bill No. 67.

A bill for an act to repeal sections 6237, 6238, 6239, 6240, 6241, 6242, 6243, 6244, 6245, 6246, 6247, 6248, 6249, 6250 and 6251 of the Revised Codes of the State of North Dakota for A. D., 1905, and Chapter 167 of the Session Laws of 1907 and Chapter 158 of the Session Laws of 1909, relating to mechanic's liens, and the filing of me-

chanic's liens, the giving of notice to contractors and sub-contractors, and the record and priority of liens, and all matters appertaining to the creation, existence and enforcement of mechanic's liens.

Was read the first and second times, and

Referred to the committee on state affairs.

Mr. Fritz moved

That Senate Bill No. 67 be referred to the committee on agriculture.

Which motion was lost.

Senate Bill No. 153.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the future amendment thereof.

Was read the first and second times, and

Referred to the committee of the whole house.

Senate Bill No. 84.

A concurrent resolution, amending the Constitution of the State of North Dakota, relating to the legislative department and providing for direct legislation, the proposing of constitutional amendments, reference of laws and recall of officers.

Was read the first and second times, and

Referred to the committee of the whole house.

Senate Bill No. 206.

A bill for an act to amend Section 1346 of the Revised Codes of North Dakota for 1905, relating to highways.

Was read the first and second times and

Referred to the committee on highways, bridges and ferries.

Senate Bill No. 225.

A bill for an act to amend and re-enact Sections 4071, 4073 and 4074 of the Revised Codes of the State of North

Dakota for the year 1905, relating to alimony, support and maintenance of the children of a marriage or of either party thereto in divorce actions.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 233.

A bill for an act to amend Section 7045 of the Revised Codes of 1905, relating to the calling of another judge on account of prejudice or bias.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 244.

A bill for an act prohibiting public administrators from acting as attorneys in the estates of decedents.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 248.

A bill for an act to provide for the better preservation of section corner, quarter section corner and meander corner monuments on any government line of survey, and to provide a penalty for their destruction or defacement.

Was read the first and second times and

Referred to the committee on counties and county boundaries.

Senate Bill No. 72.

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for 1905, as amended by Chapter 199 of the Session Laws of North Dakota for 1909, relating to the redemption of real estate.

Was read the first and second times, and

Referred to the committee on ways and means.



## Senate Bill No. 86.

A bill for an act to provide a judicial procedure to determine the identity of the grantees and the shares of each in cases where lands have been or may be patented, granted or conveyed by the United States to the heirs or devisees of a deceased person without naming therein the persons so designated as grantees.

Was read the first and second times, and

Referred to the committee on judiciary.

## Senate Bill No. 124.

A bill for an act to amend Section 2594 of the Revised Codes of North Dakota.

Was read the first and second times, and

Referred to the committee on state affairs.

## Senate Bill No. 133.

A bill for an act to amend Section 1584 of the Revised Codes of the State of North Dakota, as amended by Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

## Senate Bill No. 113.

A bill for an act defining and taxing the occupation of transient merchants, regulating the licensing of persons engaged in such occupation, increasing the state revenue by such taxation, and prescribing penalties for violation of its provisions.

Was read the first and second times, and

Referred to the committee on ways and means.

## Senate Bill No. 181.

A bill for an act to provide for the levy and collection of taxes in the villages of the state of North Dakota, and to repeal Sections 2872, 2873, 2874, 2875, 2876, 2877, 2878,

2879, 2880, 2881, 2882 and 2883 of the Revised Codes of 1905.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Senate Bill No. 200.

A bill for an act to amend and re-enact Section 10371 and Section 10373 of the Revised Codes of North Dakota, for the year 1905, relating to parole of inmates of the state penitentiary.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 203.

A bill for an act to repeal Section 1544 of the Revised Codes of the State of North Dakota, relating to county treasurers and the collection of taxes.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Senate Bill No. 205.

A bill for an act to amend Section 10381 of the Revised Codes of 1905, as amended by Section 1, of Chapter 40, of the Session Laws of 1907, relating to the manner of disposing of the product of the state binder plant.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 229.

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Was read the first and second times, and

Referred to the committee on railroads.

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**MESSAGE FROM THE SENATE.**

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 17, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

WHEREAS, A commission appointed by President Taft has negotiated with a like commission from Canada a treaty of reciprocity between the United States of North America and the Dominion of Canada; and

WHEREAS, Said reciprocity treaty has the approval and support of the President of the United States; and

WHEREAS, Said reciprocity treaty has passed the House of Representatives of the Congress of the United States; and

WHEREAS, Said reciprocity treaty is now pending in the Senate for its passage and approval; and

WHEREAS, It is the belief of this Legislative Assembly that the enactment of such reciprocity treaty into law would remove the tariff on all grain raised in Canada and permit the same to be imported into this country free of duty, which would work an irreparable injury to the state of North Dakota, and especially to the agricultural communities in said state, and would retard immigration and development in this state and have a tendency to reduce the values of land and real estate; and

WHEREAS, We object to the proposed Canadian tariff reciprocity treaty because it gives us no assurances that it will be reasonable, or that it will not be burdensome; and

WHEREAS, We believe that a proper reciprocity treaty with Canada can be made, but that no such treaty should be made until a complete and detailed report upon the working of such tariff is made by a tariff commission and until the said tariff commission has set forth its report with facts and statistics, giving the reason for the adoption of each schedule of the said reciprocity treaty; and

WHEREAS, We believe that Congress should refer the said reciprocity treaty for investigation to the tariff commission, with recommendations that it report promptly thereon with clear and full statements of the actual working of said treaty, schedule by schedule, in order that the people of this country may get full and satisfactory information, in order to act intelligently and wisely upon the matter of its adoption; and

WHEREAS, It is the belief of this Legislative Assembly that a vast majority of the people of the state of North Dakota are opposed to such measure;

*Therefore, Be it Resolved by the Senate of the Twelfth Legislative Assembly, the House of Representatives Concurring:*

That the senators and members of the House of Representatives representing the state of North Dakota in the National Congress, be and they are hereby requested to use all honorable means within their power to prevent the passage of said reciprocity treaty and its enactment into law.

*Resolved, Further:*

That copies of this resolution, duly signed by the respective officers of both Houses, be sent to the President of the United States and to each of said senators and representatives in Congress.

Which the Senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House resolution relating to medals for survivors of Indian uprising and massacre.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Stern asked unanimous consent to return to the tenth order of business.

There being no objections,

The House returned to the tenth order of business.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Stern introduced

House Bill No. 403.

A bill for an act to provide for the appointment of an assistant labor commissioner; defining duties of commissioner—protect employes; assessors and county auditors reports; statements required; seal of office; hearing by commissioner; printing and distribution of reports; contingent expenses; free employment bureau; hours constituting a day's labor; duty of employers; penalty for not providing; employment of females; hours required posted; penalty for violation of act; workingmen's association; unauthorized use of trade marks; trade marks to be filed; suits to enjoin use of counterfeit trade marks; suits to enjoin unauthorized use of genuine trade marks; to protect trade

marks and labels; imitation or wrong use may be enjoined; penalty for wrongful use of trade marks in advertising; appropriation; repeal.

Which was read the first and second times and  
Referred to the committee on ways and means.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 20.

A bill for an act prescribing the conditions by which the public examiner, his deputies and employes of the state public examiner's department, the stockholders, officers and employes of any banking association in this state may secure loans from banking associations with which they are in any way connected, and fixing the liability for non-compliance with the provisions of this act.

Was read the third time.

Mr. Fraine asked unanimous consent to amend the bill.

There being no objections,

Mr. Fraine offered the following amendment and moved its adoption:

In line 1, section 1, after the words "section 1," insert the following words: "Certain Persons Not to Borrow.) Exceptions Conditioned.)"

Which motion prevailed,

Mr. Fraine moved

That the rules be suspended and Senate Bill No. 20 be placed upon its final passage as amended.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 90 ayes, no nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Aasheim  
Akesson

Messrs.—  
Gorder  
Hanson

Messrs.—  
O'Connor of Gd. Forks  
Olsgard of Nelson

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	Olsgard of Richland
Anderson, of Ramsey	Hawkinson	O'Shea
Benson	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Bond	Hersrud	Pendray
Boyd	Hoge	Ployhar
Brusletten	Homnes	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Kane	Roquette
Davidson	Knox	Sauer
Davis	Knutson	Scott
Dean	Kuhl	Scheer
DeLance	Kyllo	Sorlie
DeNault	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen of Benson	Tostenson
Fox	Moen of Cavalier	Tuttle
Fraine	Morrison	Ulsaker
Fried	Narum	Wambem
Fritz	Nelson of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hill, of Bottineau	O'Connor of Pembina
Boerner	Jordal	Sgutt
Cunningham	Moritz	Tollefson
Dosseth	Nelson of Richland	Walters
France		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed as amended and the title was agreed to.

Mr. Kuhl moved

That the vote by which Senate Bill No. 20 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 166.

A bill for an act to amend and re-enact Section 6064 of the Revised Codes of North Dakota for the year A. D., 1905, relating to life insurance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 84 ayes, 1 nay, 18 absent and not voting.

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nestos
Akesson	Hanson	Norheim
Anderson, of Griggs	Harty	O'Connor o. Gd. Forks
Anderson, of Ramsey	Hawkinson	Olgard of Nelso
Benson	Hedalen	Olgard of Richland
Bjornson	Heinemeyer	O'Shea
Bond	Hersrud	Paulson
Boyd	Hoge	Peart
Brusletten	Homnes	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Kane	Robinson
Collins	Knox	Roquette
Davidson	Knutson	Sauer
Davis	Kuhl	Scott
DeNault	Kyllo	Scheer
Doyle, of McIntosh	Lageson	Sgutt
Edwards	Law	Sorlie
Englund	Lee	Stranahan
Fassett	Martin	Streeter
Fox	McClellan	Tande
France	Moen of Benson	Tostenson
Fraine	Moen of Cavalier	Ulsaker
Fried	Morrison	Wambem
Fritz	Narum	Whitmer
Gardiner	Nelson of Richland	Williams
Geiger	Nelson of Walsh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of Foster	Pendray
Boerner	Hill, of Bottineau	Ployhar
Cunningham	Johnson	Stern
Dean	Jordal	Thompson
DeLance	Moritz	Tollefson
Dosseth	O'Connor of Pembina	Walters

Mr. Tuttle voted in the negative.

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

Mr. Homnes moved that the title be amended as follows:

After the figures "1905," strike out balance and insert in lieu thereof "Relating to suicide as a defense in suits on policies of insurance on life."

So the bill passed and the title as amended was agreed to.

Mr. Hanson moved

That the vote by which Senate Bill No. 166 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 17.

A bill for an act to amend and re-enact Section 468 of the Revised Codes of North Dakota for the year, A. D., 1905, as amended by Chapter 159 of the Laws of 1907, relating to judicial districts within the state.

Was read the third time.

Mr. Fraine moved

That the bill be re-referred to the committee on judiciary.

Which motion prevailed.

And the bill was so re-referred.

Senate Bill No. 79.

A bill for an act to amend and re-enact Section 2323 of the Revised Codes for the year 1905, of the State of North Dakota.

Was read the third time.

Mr. Fraine asked unanimous consent to amend the bill.

There being no objections,

Mr. Fraine offered the following amendment and moved its adoption:

After the word "election" in line 9, page 2, insert the following words: "Provided such petition shall be presented to the several Boards of County Commissioners at least 60 days before such general election."

Which motion prevailed.

Mr. Fraine moved

That the rules be suspended and Senate Bill No. 79 be placed upon its final passage as amended.

Which motion prevailed.



The question being on the final passage of the bill, as amended,

The roll was called and there were 94 ayes, no nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olgard of Nelson
Akesson	Harty	Olgard of Richland
Anderson, of Griggs	Hawkinson	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Benson	Heinemeyer	Peart
Bjornson	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeve
Carey	Johnson	Robinson
Christenson	Kane	Roquette
Collins	Knox	Sauer
Davidson	Knutson	Scott
Davis	Kuhl	Scheer
Dean	Kyllo	Sgutt
DeLance	Lageson	Sorlie
DeNault	Law	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	Martin	Streeter
Edwards	McClellan	Tande
Englund	Moen of Benson	Thompson
Fassett	Moen of Cavalier	Tollefson
Fox	Morrison	Tostenson
France	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Forks	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Moritz
Boerner	Hill, of Bottineau	O'Connor of Pembina
Cunningham	Jordal	Walters

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

Mr. Homnes moved

That the title be amended as follows:

Strike out all of the title after the word "Codes" and insert "of the state of North Dakota for the year 1905, relating to the changing of county lines."

Which motion prevailed.

So the bill passed as amended and the title as amended was agreed to.

Mr. Homnes moved

That the vote by which Senate Bill No. 79 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Williams to the chair.

Senate Bill No. 154.

A bill for an act authorizing and directing the secretary of the State of North Dakota to loan the plates of the North Dakota supreme court reports covering volumes one to nineteen inclusive, and for prescribing the manner and conditions on which the said loan is to be made.

Was read the third time.

Mr. Fraine asked unanimous consent to amend the bill.

There being no objections,

Mr. Fraine offered the following amendment and moved its adoption:

After the words "Section 1," insert the following: "Secretary of State Authorized to Loan Certain Plates. Conditions. Bonds.)"

After the word "operative" in line 18, page 2, insert the word "publishing."

Strike out the word "is" in line 24, page 2, and insert the word "are."

Strike out the word "will" in line 34, page 3, and insert the word "shall."

Which motion prevailed.

Mr. Fraine moved

That the rules be suspended and Senate Bill No. 154 be placed upon its final passage.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 90 ayes, no nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nestos
Akesson	Gorder	Norheim
Anderson, of Griggs	Hanson	O'Connor of Gd. Lorks
Anderson, of Ramsey	Harty	Olsgard of Nelson
Benson	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	O'Shea
Bond	Heinemeyer	Paulson
Boyd	Hersrud	Peart
Brusletten	Hoge	Pendray
Burnett	Homnes	Ployhar
Burns	Hill, of Cass	Price
Carey	Hyland	Putnam
Christenson	Johns	Ray
Collins	Johnson	Reeve
Davidson	Kane	Robinson
Davis	Knox	Roquette
Dean	Knutson	Sauer
DeLance	Kuhl	Scott
DeNault	Kylo	Scheer
Doyle, of Foster	Lageson	Sorlie
Doyle, of McIntosh	Law	Stern
Edwards	Lee	Stranahan
Englund	Martin	Tande
Fassett	McClellan	Tollefson
Fox	Moen of Benson	Tostenson
France	Moen of Cavalier	Tuttle
Fraine	Morrison	Ulsaker
Fried	Narum	Wambem
Fritz	Nelson of Richland	Williams
Gardiner	Nelson of Walsh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Streeter
Boerner	Moritz	Thompson
Cunningham	O'Connor of Pembina	Walters
Dosseth	Sgutt	Whitmer
Hill, of Bottineau		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed as amended and the title was agreed to.

Senate Bill No. 123.

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 89 ayes, no nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nestos
Akesson	Gorder	Norheim
Anderson, of Griggs	Hanson	O'Connor of Gd. Forks
Anderson, of Ramsey	Harty	Olsgard of Nelson
Benson	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	O'Shea
Bond	Heinemeyer	Paulson
Boyd	Hersrud	Peart
Brusletten	Hoge	Pendray
Burnett	Homnes	Ployhar
Burns	Hill, of Cass	Price
Carey	Hyland	Putnam
Christenson	Johns	Ray
Collins	Johnson	Reeve
Davidson	Kane	Robinson
Davis	Knox	Roquette
Dean	Knutson	Sauer
DeLance	Kuhl	Scott
DeNault	Kyllo	Scheer
Doyle, of Foster	Lageson	Sorlie
Doyle, of McIntosh	Law	Stern
Edwards	Lee	Stranahan
Englund	Martin	Tande
Fassett	McClellan	Tollefson
Fox	Moen of Benson	Tostenson
France	Moen of Cavalier	Tuttle
Fraine	Morrison	Ulsaker
Fried	Narum	Williams
Fritz	Nelson of Richland	Mr. Speaker
Gardiner	Nelson of Walsh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Thompson
Boerner	Moritz	Walters
Cunningham	O'Connor of Pembina	Wambem
Dosseth	Sgutt	Whitmer
Hill, of Bottineau	Streeter	

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

## Senate Bill No. 19.

A bill for an act to amend Section 7782 of the Revised Codes of 1905, relating to the priority of claims in insolvency proceedings.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 91 ayes, no nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hawkinson	Olsgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boyd	Hoge	Pendray
Frusletten	Homnes	Ployhar
Burnett	Hill, of Cass	Price
Burns	Hyland	Putnam
Carey	Johns	Ray
Christenson	Johnson	Reeve
Collins	Kane	Robinson
Davidson	Linnox	Roquette
Davis	Knutson	Sauer
Dean	Kuhl	Scott
DeLance	Kyllo	Scheer
DeNault	Lageson	Sorlie
Doyle, of Foster	Law	Stern
Doyle, of McIntosh	Lee	Stranahan
Edwards	Martin	Streeter
Englund	McClellan	Tand
Fassett	Moen of Benson	Thompson
Fox	Moen of Cavalier	Tollefson
France	Morrison	Tostenson
Fraine	Narum	Tuttle
Fried	Nelson of Richland	Ulsaker
Fritz	Nelson of Walsh	Wambem
Gardiner	Nestos	Williams
Geiger	Norheim	Mr. Speaker
Gorder		

Absent and not voting:

Andrus	Dosseth	O'Connor of Pembina
Boerner	Hill, of Bottineau	Sgutt
Bond	Jordal	Walters
Cunningham	Moritz	Whitmer

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 78.

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 90 ayes, no nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Norheim
Akesson	Hanson	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	Olgard of Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Bond	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Cass	Price
Carey	Hyland	Ray
Christenson	Johns	Reeve
Collins	Johnson	Robinson
Davidson	Kane	Roquette
Davis	Knox	Sauer
Dean	Knutson	Scott
DeLance	Kuhl	Scheer
DeNault	Kyllo	Sgutt
Doyle, of Foster	Lageson	Sorlie
Doyle, of McIntosh	Law	Stern
Edwards	Lee	Stranahan
Englund	Martin	Streeter
Fassett	McClellan	Tande
Fox	Moen of Benson	Tollefson
France	Moen of Cavaller	Tostenson
Fraine	Morrison	Tuttle
Fried	Narum	Ulsaker
Fritz	Nelson of Richland	Wambem
Gardiner	Nelson of Walsh	Williams
Geiger	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hill, of Bottineau	Putnam
Boerner	Jordal	Thompson
Burns	Moritz	Walters
Cunningham	O'Connor of Pembina	Whitmer
Dosseth		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which Senate Bill No. 78 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 99.

A bill for an act to amend and re-enact Section 1513 of Revised Codes of North Dakota, as amended by Chapter 41, of the laws of 1909, relating to the furnishing by the county auditor of assessment books and blanks, lists of real property, regulating the time of meeting of assessors, and providing for their compensation for attending such meeting.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 88 ayes, no nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Hawkinson	Norheim
Anderson, of Griggs	Hedalen	Olsgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Benson	Hersrud	Paulson
Bjornson	Hoge	Pearl
Bond	Homnes	Pendray
Boya	Hill, of Cass	Ployhar
Brusletten	Hyland	Price
Burnett	Johns	Putnam
Carey	Johnson	Ray
Christenson	Kane	Reeve
Collins	Knox	Robinson
Davidson	Knutson	Roquette
Davis	Kuhl	Sauer
Dean	Kyllo	Scott
DeLance	Lage:son	Scheer
DeNault	Law	Stern
Doyle, of McIntosh	Lee	Stranahan

Messrs.—	Messrs.—	Messrs.—
Edwards	Martin	Streeter
Englund	McClellan	Tande
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fried	Narum	Ulsaker
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speake.
Harty		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of Foster	O'Connor of Pembina
Boerner	Fraine	Sgutt
Burns	Hill, of Bottineau	Sorlie
Cunningham	Jordal	Thompson
Dosseth	Moritz	Walters

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which Senate Bill No. 99 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker in the chair.

Senate Bill No. 107.

A bill for an act to amend Section No. 2743 of the Revised Codes of North Dakota for 1905, relating to election districts and precincts.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 90, ayes, no nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	O'Connor of Gd. Forks
Aasheim	Harty	Olsgard of Nelson
Anderson, of Griggs	Hawkinson	Olsgard of Richland



Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrua	Peart
Bond	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Carey	Johns	Ray
Christenson	Johnson	Reeve
Collins	Kane	Robinson
Davidson	Knox	Roquette
Davis	Knutson	Sauer
Dean	Kubl	Scott
DeLance	Kyllo	Scheer
DeNault	Lageson	Sgutt
Doyle, of Foster	Law	Sorlie
Doyle, of McIntosh	Lee	Stern
Edward's	Martin	Stranahan
Englund	McClellan	Streeter
Fassett	Moen, of Benson	Tande
Fox	Moen, of Cavalier	Tollefson
France	Morrison	Tostenson
Fried	Narum	Ulsaker
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fraine	O'Connor of Pembina
Boerner	Hill, of Bottineau	Thompson
Burns	Jordal	Tuttle
Cunningham	Moritz	Walters
Dosseth		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which Senate Bill No. 107 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 108.

A bill for an act to amend Section 2744 of the Revised Codes of North Dakota for 1905, relating to qualified voters and registration in cities.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 90 ayes, no nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Griggs	Hawkinson	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Bond	Hersrud	Pendray
Boyd	Hoge	Ployhar
Brusletten	Homnes	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Kane	Roquette
Dav. J. son	Knox	Sauer
Davis	Knutson	Scott
Dean	Kuhl	Scheer
DeLance	Kyllo	Sgutt
DeNault	Lageson	Sorlie
Dosseth	Law	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	McClellan	Streeter
Edwards	Moen, of Benson	Tande
Englund	Moen, of Cavalier	Thompson
Fassett	Morrison	Tollefsen
Fox	Narum	Tostenson
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fraine	Moritz
Benson	Hill, of Bottineau	O'Connor of Pembina
Boerner	Jordal	Tuttle
Cunningham	Martin	Walters
France		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which Senate Bill No. 108 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 216.

A bill for an act to amend and re-enact Section 8023 of the Revised Codes of North Dakota for 1905, relating to time to apply for letters of administration and providing when the statute of limitations shall run against claims against decedents.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 87 ayes, no nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Shea
Akesson	Heinemeyer	Paulson
Anderson, of Griggs	Hersrud	Pearl
Anderson, of Ramsey	Hill, of Cass	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Ray
Carey	Johnson	Reeve
Christenson	Kane	Robinson
Collins	Knox	Roquette
Davidson	Knutson	Sauer
Davis	Kuhl	Scott
Dean	Kyllo	Scheer
DeLance	Lageson	Stutt
DeNault	Law	Sorlie
Doyle, of Foster	Lee	Stern
Doyle, of McIntosh	McClellan	Stranahan
Edwards	Moen, of Benson	Streeter
Englund	Moen, of Cavalier	Tande
Fassett	Morrison	Thompson
Fox	Narum	Tollefson
France	Nelson, of Richland	Tostenson
Fried	Nelson, of Walsh	Tuttle
Fritz	Nestos	Ulsaker
Gardiner	Norheim	Wambem
Geiger	O'Connor of Gd. Forks	Whitmer
Gorder	Olsgard of Nelson	Williams
Hanson	Olsgard of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Jordal
Benson	Fraine	Martin

Messrs.—	Messrs.—	Messrs.—
Bjornson	Harty	Moritz
Boerner	Hawkinson	O'Connor of Pembina
Burns	Hill, of Bottineau	Walters
Cunningham		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 156.

A bill for an act to amend Section 8105 of the Revised Codes of 1905, relating to rejecting claims and providing how suit is instituted.

Was read the third time.

Mr. Homnes asked unanimous consent to amend the bill.

There being no objections,

Mr. Homnes offered the following amendment and moved its adoption:

In line 8, after the word "after" strike out the words "receiving notice by personal service or registered mail," and insert in lieu thereof the following: "notice of rejection of claim having been made by registered mail."

Which motion prevailed.

Mr. Homnes moved

That the rules be suspended and Senate Bill No. 156 be placed upon its final passage as amended.

Which motion prevailed.

The question being on the final passage of the bill, as amended,

The roll was called and there were 81 ayes, no nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olgard of Richland
Akesson	Heinemeyer	O'Shea
Anderson, of Griggs	Hersrud	Paulson
Anderson, of Ramsey	Hill, of Cass	Pearl
Bjornson	Hoge	Pendray
Bond	Homnes	Price
Boyd	Hyland	Ray
Brusletten	Johns	Reeve
Burnett	Johnson	Robinson

Messrs.—	Messrs.—	Messrs.—
Carey	Kane	Roquette
Christenson	Knox	Sauer
Davis	Knutson	Scott
Dean	Kuhl	Scheer
DeLance	Kyllo	Sorlie
DeNault	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Englund	Lee	Streeter
Fassett	Moen, o. Benson	Tande
Fox	Moen, of Cavalier	Thompson
France	Morrison	Tollefson
Fraine	Narum	Tostenson
Fried	Nelson, of Richland	Tuttle
Fritz	Nelson, of Walsh	Ulsaker
Gardiner	Nestos	Wambem
Geiger	Norheim	Whitmer
Gorder	O'Connor of Gd. Forks	Williams
Hawkinson	Olsgard of Nelson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of Foster	McClellan
Benson	Edwards	Moritz
Boerner	Hanson	O'Connor of Pembina
Burns	Harty	Ployhar
Collins	Hill, of Bottineau	Putnam
Cunningham	Jordal	Sgutt
Davidson	Martin	Walters
Dosseth		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed as amended and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 156 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 155.

A bill for an act to amend Section 8103 of the Revised Codes of 1905, of the State of North Dakota, relating to endorsement of allowance or rejection of claims by executive or administrators and providing for notice thereof.

Was read the third time.

Mr. Homnes asked unanimous consent to amend the bill.

There being no objections.

Mr. Homnes offered the following amendment and moved its adoption:

Line 19, after the word "claim" insert the following words: "stating the postoffice address of the claimant."

Line 22, strike out the words, "send to the claimant a written," and insert the word "serve" in lieu thereof.

Line 23, strike out the period and add "upon the claimant."

Which motion prevailed.

Mr. Homnes moved

That the rules be suspended and Senate Bill No. 155 be placed upon its final passage as amended.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 90 ayes, no nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Olsgard of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Griggs	Hawkinson	O'Shea
Anderson, of Ramsey	Hedaien	Paulson
Bjornson	Heinemeyer	Pearl
Bond	Hersrud	Pendray
Boyd	Hill, of Cass	Ployhar
Brusletten	Hoge	Price
Burnett	Homnes	Putnam
Carey	Hyland	Ray
Christenson	Johns	Reeve
Collins	Johnson	Robinson
Davidson	Kane	Roquette
Davis	Knox	Sauer
Dean	Knutson	Scott
DeLance	Kuhl	Scheer
DeNault	Kyllo	Sgutt
Doyle, of Foster	Lageson	Sorlie
Doyle, of McIntosh	Law	Stern
Edwards	Lee	Stranahan
Englund	McClellan	Streeter
Fassett	Moen, of Benson	Thompson
Fox	Moen, of Cavalier	Tollefson
France	Morrison	Tostenson
Fraine	Narum	Tuttle
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Hanson	O'Connor of Gd. Forks	Mr. Speaker

Absent and not voting:

Andrus	Dosseth	Moritz
Benson	Hill, of Bottineau	O'Connor of Pembina
Boerner	Jordal	Tande
Burns	Martin	Walters
Cunningham		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed as amended and the title was agreed to.

Senate Bill No. 147.

A bill for an act to amend Section 4048 of the Revised Codes of 1905, providing for the dissolution of marriage; the effect thereof and the duty of the court to regulate the re-marriage of either or both parties.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 89 ayes, no nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Griggs	Hawkinson	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Bond	Hersrud	Pendray
Boyd	Hill, of Cass	Putnam
Brusletten	Hoge	Ray
Burnett	Homnes	Reeve
Carey	Hyland	Robinson
Christenson	Johns	Roquette
Collins	Johnson	Sauer
Davidson	Kane	Scott
Davis	Knox	Scheer
Dean	Knutson	Sgutt
DeLance	Kuhl	Sorlie
DeNault	Kylo	Stern
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson, of Richland	Wambem

Messrs.—	Messrs.—	Messrs.—
Fritz	Nelson, of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	Mr. Speaker
Gorder	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Walters	Moritz
Benson	Dosseth	O'Connor of Pembina
Boerner	Hill, of Bottineau	Ployhar
Burns	Jordal	Price
Cunningham	Martin	

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 149.

A bill for an act to require sheriffs in all counties of the State of North Dakota to issue receipts and to file with the county auditor of their respective counties all duplicate receipts issued for the payment of delinquent taxes collected by them or their deputies during their term of office.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 84 ayes, no nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	Olsgard of Nelson
Anderson, of Griggs	Harty	Olsgard of Richland
Anderson, of Ramsey	Hawkinson	O Shea
Bjornson	Hedalen	Paulson
Bond	Heinemeyer	Pearl
Boyd	Hersrud	Pendray
Brusletten	Hill, of Cass	Ray
Burnett	Hoge	Reeve
Carey	Homnes	Robinson
Christenson	Hyland	Roquette
Collins	Johns	Sauer
Davidson	Johnson	Scott
Dean	Kane	Scheer
DeLance	Knox	Sgutt
DeNault	Knuts on	Sorlie
Doyle, of Foster	Lageson	Stern



Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Streeter
Englund	McClellan	Tande
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fraine	Moritz	Ulsaker
Fried	Narum	Wambem
Fritz	Nelson, of Richland	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hill, of Bottineau	O'Connor of Pembina
Benson	Jordal	Ployhar
Boerner	Kuhl	Price
Burns	Kylo	Putnam
Cunningham	Martin	Thompson
Davis	Nelson, of Walsh	Walters
Dosseth		

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

So the bill passed and the title was agreed to.

Mr. Moen of Benson moved

That the vote by which Senate Bill No. 149 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 82.

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Also

House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Also

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Also,

House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws of North Dakota, for the year 1909, relating to the taking of fish.

Also,

House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state, reports as required by and under Section 4186, Revised Codes of 1905.

Also,

House Bill. No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

And find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

Senate Bill No. 180.

A bill for an act to amend and re-enact Section 1607 of the Revised Codes of North Dakota for the year 1905.

Was read the third time.

Mr. DeNault asked unanimous consent to amend the bill.

There being no objections.

Mr. DeNault offered the following amendment and moved its adoption:

In line 11, after the word "patents" insert the following words: "or final proof."

Which motion prevailed.

Mr. DeNault moved

That the rules be suspended and Senate Bill No. 180 be placed upon its final passage as amended.

Which motion prevailed.

The question being on the final passage of, the bill as amended,

The roll was called and there were 85 ayes, no nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard, of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Griggs	Hawkinson	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Bond	Hersrud	Pendray
Boyd	Hill, of Cass	Putnam
Brusletten	Hoge	Ray
Burnett	Homnes	Reeve
Carey	Hyland	Robinson
Christenson	Johns	Roquette
Collins	Johnson	Sauer
Davidson	Kane	Scott
Dean	Knox	Scheer
DeLance	Knutson	Sgutt
DeNault	Kyllo	Sorlie
Doyle, of Foster	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Tande
Englund	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson, of Richland	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Forks	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Nelson, of Walsh
Benson	Hill, of Bottineau	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Boerner	Jordal	Ployhar
Burns	Kuhl	Price
Cunningham	Martin	Streeter
Davis	Moritz	Walters

Messrs. Andrus, Boerner, Cunningham, Dosseth, Hill of Bottineau, Jordal, Moritz, and O'Connor of Pembina being excused.

Mr. Homnes moved

That the title be amended as follows:

After the figures "1905" in the title, add the following: "relating to when the State Auditor shall forward list of new taxable lands to county auditors of the counties where such lands are situated."

Which motion prevailed.

So the bill passed as amended and the title as amended was agreed to.

The privileges of the floor were extended to the following:

Ernest Severson of Hettinger.  
 Chas. Hanska.  
 Axel Egeland.  
 C. S. Brown of Oakes.  
 Frank Randall of Ludden.  
 B. S. Hodges, A. Wirth, of Ellendale.  
 Wm. Suer of Cass county.  
 O. L. Sande.  
 L. D. McGahan.  
 J. W. Brinton, P. H. Lee, R. M. Andrews, D. J. Steiner,  
 of Beach.  
 Geo. Purchase, B. J. Piesik of Beach.  
 M. Branchflower, Devils Lake.  
 Supt. McAllister.  
 L. W. Mamer.  
 C. R. Kendall of Granville.  
 A. G. Tellner, Oscar K. Fried.  
 W. J. Lund of Larimore.  
 R. N. Davenport, I. Guitzer, G. E. Morrison, of Elgin.  
 C. E. Blackorby of Hansboro.

Mr. Fraine moved  
That the House do now adjourn.  
Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

FORTY-SEVENTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 18, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Andrus, Hill of Bottineau, Johnson and Putnam, who were excused.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 18, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 31.

A bill for an act defining and limiting the legal expenses of candidates for nomination and for election to any elective office in the state, and making the violation thereof unlawful, and prescribing penalties therefor.

Also,

Senate Bill No. 235.

A bill for an act to amend Sections 3, 4, 5, 6, 7, 8, 12, 15, 28, 35, 42, 43, 44 and 45 of Chapter 128 of the Session Laws of 1909, being an act creating a state game and fish board of control and chief game wardens and state fish commissioner, deputies and wardens, and defining their duties and jurisdiction, for the protection, propagation, preservation, taking, use and transportation of game, fish, wild birds, fur bearing animals and certain harmless birds and animals.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 14.

A bill for an act to provide a refuge or breeding ground for certain game birds and to protect the same.

Also,

Senate Bill No. 269.

A bill for an act creating a reserve at Devils Lake, North Dakota, and providing for the protection of birds and their nests within such reserve.

Also,

## Senate Bill No. 275.

A bill for an act authorizing the county commissioners to condemn and purchase right of way for highways whenever the cost of constructing such highway or any part thereof is to be borne by the county.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 46th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Leal, N. D., February 14, 1911.

Hon. Geo. H. Law, care of House:

We, the undersigned, earnestly request that you use your influence to vote to defeat Senate Bill No. 67. We believe it would be a serious mistake to repeal the Mechanics' Lien law, that it would work a hardship not only to the business man, but to the laborers and farmers as well.

A. E. LUNDY AND 17 OTHERS.

Fargo, North Dakota, January 9, 1911.

To Hon. Alex. Stern:

We, the undersigned voters, respectfully request your support of the following proposed bill, being House Bill No. 402, to create an appropriation to maintain a deputy labor commissioner under the Department of Agriculture and Labor.

C. O. STROM AND 114 OTHERS.



In order that the people may have more voice in making the laws, we, the undersigned voters of North Dakota, hereby petition the Twelfth Legislative Assembly to enact effective measures providing for the initiative and referendum. By effective measures, we mean measures which are substantially the same as those which now form a part of the constitutions of the states of Oregon, Oklahoma, Missouri and Maine.

C. E. FEIRING AND 1,500 OTHERS.

Grand Forks, January 9, 1911.

To Hon. James Collins:

We, the undersigned voters, respectfully request your support of the following proposed bill, being House Bill No. 402, to create an appropriation to maintain a deputy labor commissioner under the Department of Agriculture and Labor.

RALPH BATES AND 100 OTHERS.

We, the undersigned, request your interest and active co-operation for the passage of any bill in the interest of women's suffrage soon to come to vote.

C. M. BURR AND 46 OTHERS.

Fargo, North Dakota, January 9, 1911.

To Hon. W. J. Price:

We, the undersigned voters, respectfully request your support of the following proposed bill, being House Bill No. 402, to create an appropriation to maintain a deputy labor commissioner under the Department of Agriculture and Labor.

C. O. STROM AND 124 OTHERS.

The Hon. S. J. A. Boyd:

Dear Sir: We understand that there is pending before your legislature legislation which, if successful, will prohibit the manufacture and sale of cigarettes, cigarette paper, etc., also the sale of snuff. Recognizing the importance and helpfulness of good legislation in the material, social and moral well-being of our country, we earnestly beg of you and sincerely express the hope that you will give such legislation your full support.

(Signed) MRS. J. HENDERSON AND 32 OTHERS.

Mr. O'Connor of Grand Forks, asked unanimous consent to withdraw House Bills No. 131 and 330.

There being no objections, House Bills No. 131 and 330 were withdrawn.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker: Pursuant to the concurrent resolution passed by the House and Senate on February 16, 1911, providing for a conference committee on Senate Bill No. 165 and House Bill No. 262, the president appointed upon said committee Messrs. Gilbert, Bessesen and Putnam of the Senate, and the speaker appointed upon said committee Messrs. Sorlie, Homnes and Nestos of the House. Said conference committee begs leave to report as follows:

Said conference committee met on February 17, 1911, and thoroughly considered Senate Bill No. 165 and House Bill No. 262, and agreed to the following, viz.:

That Senate Bill No. 165, which passed the Senate on January 31, 1911, the same being "a bill for an act to prohibit the granting to or use by any person of any free pass, frank or special privilege withheld from any other person, and fixing the penalty for the violation thereof, except as provided therein," be amended as follows:

In line 1 of page 1 of the printed bill, following the words "Section 1," insert the paragraph heading, "Free Passes, Franks and Special Privileges Prohibited. Exceptions.)"

On page 3, between lines 35 and 36 of section 1 of the printed bill, insert the following as a special paragraph: "Provided further, that the provisions of this act shall not be construed to make unlawful the granting of free transportation to persons engaged in the state geological survey, farmers' institute lecturers and persons rendering service on good farming special trains."

On page 4, in line 1, after the words "Section 2," add the following paragraph heading, "Penalty."

And when so amended, your conference committee unanimously recommends said Senate Bill No. 165 do pass.

Dated February 18, 1911.

E. F. GILBERT,  
H. J. BESSESEN,  
S. N. PUTNAM,  
O. J. SORLIE,  
R. A. NESTOS,  
GEO. P. HOMNES,

Conference Committee.

Mr. Sorlie moved

That the report of the conference committee with the amendments, be adopted.

Which motion prevailed, and

The report of the conference committee was adopted.

Mr. Sorle moved

That the rules be suspended and that Senate Bill No. 165 be placed upon its third reading and final passage as amended by the conference.

Which motion prevailed.

Senate Bill No. 165.

A bill for an act to prohibit the granting to or use by any person of any free pass, frank, or special privilege withheld from any other person and fixing the penalty for the violation thereof, except as provided therein and to require the granting of free transportation to the board of railroad commissioners, their experts and their agents.

Was read the third time.

Mr. Martin moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

The question being on the final passage of the bill as amended by the conference committee,

The roll was called and there were 73 ayes, 26 nays, 4 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gorder	Narum
Anderson, of Ramsey	Hanson	Nelson, of Richland
Benson	Harty	Nelson, of Walsh
Bjornson	Hawkinson	Nestos
Boerner	Heinemeyer	Norheim
Bond	Hersrud	O'Connor of Gd. Forks
Boyd	Hoge	O'Connor of Pembina
Brusletten	Homnes	Olgard of Nelson
Burnett	Hill, of Cass	Olgard of Richland
Carey	Hyland	Paulson
Christenson	Johns	Ployhar
Collins	Jordal	Price
Cunningham	Kane	Reeve
Davidson	Knox	Robinson
Davis	Knutson	Sauer
Dean	Kuhl	Scheer
DeNault	Kyllo	Sgutt
Dosseth	Lageson	Sorlie
Doyle, of Foster	Law	Tande
Doyle, of McIntosh	Lee	Thompson
Fassett	Moen, of Benson	Ulsaker
Fraine	Moen, of Cavalier	Wambem
Fried	Morrison	Williams
Gardinet	Moritz	Mr. Speaker
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Stern
Akesson	Martin	Stranahan
Burns	McClellan	Streeter
DeLance	O'Shea	Tollefson
Edwards	Peart	Tostenson
Englund	Pendray	Tuttle
Fox	Ray	Walters
France	Roquette	Whitmer
Fritz	Scott	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Putnam
Hill, of Bottineau		

Messrs. Andrus, Hill of Bottineau, Johnson and Putnam being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which Senate Bill No. 165 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign.

House Bill No. 22.

A bill for an act to amend section 46, chapter 128, Laws of North Dakota for the year 1909, relating to the taking of fish.

Also

House Bill No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Also,

House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under section 4186, Revised Codes of 1905.

Also

House Bill No. 82.

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Also

House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Also,

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the Probate Code of the state of North Dakota, and appropriating money therefor.

Also,

Senate Bill No. 78.

A bill for an act to amend section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

And the Speaker signed the same in the presence of the House.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 180.

A bill for an act amending Section 8406, Revised Codes of 1905, providing when an action of forcible detainer is maintainable.

Also

House Bill No. 209.

A bill for an act to amend Chapter 70, Laws of 1909, relating to the investment of county sinking funds.

Also

House Bill No. 227.

A bill for an act to amend and re-enact Section 7475 of the Revised Codes of 1905, State of North Dakota, relat-

ing to costs and disbursements on the foreclosure of a real estate mortgage by advertisement.

Also,

House Bill No. 269.

A bill for an act entitled, an act to amend and re-enact Sections 1352 and 1353 of Chapter 19 of the Revised Codes of North Dakota for the year 1905, relating to altering, discontinuing and laying out public roads and defining what shall be deemed sufficient notices to all parties concerned.

Also,

House Bill No. 278.

A bill for an act to provide for the payment of the expenses of district judges when acting outside of their judicial districts.

Also,

House Bill No. 313.

A bill for an act to provide for the establishment, organization, regulation, and management of a state board of health, county boards of health, township boards of health, city boards of health and village boards of health, and making an appropriation for the expenses of the state board of health.

Also,

House Bill No. 332.

A bill for an act prohibiting the placing of screens or other obstructions across the windows and doors of pool halls and providing a penalty therefor.

Also,

House Bill No. 73.

A bill for an act making an appropriation to meet the deficiency incurred by the State Live Stock Sanitary board in carrying out the purpose of Chapter 169 of the Session Laws of 1907.

Also

House Bill No. 170.

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

Also,

House Bill No. 190.

A bill for an act providing for aid to the poor, consisting of persons convicted of crime who have been placed upon probation subject to the provisions of law, or who have been paroled or whose term of imprisonment has expired, and making an appropriation therefor.

Also,

House Bill No. 267.

A bill for an act to amend and re-enact Chapter 172 of the laws of the state of North Dakota for 1907, relating to whom may solemnize marriages and to marriage license.

Also,

House Bill No. 281.

A bill for an act to authorize a popular vote upon the question of calling a delegate convention to amend and revise the Constitution of the state of North Dakota.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 118.

A bill for an act to amend subdivisions six (6) and seven (7) of Section five (5) of Chapter one seventy-nine (179)

of the Session Laws of 1907, in relation to the powers of the board of park commissioners.

Have had the same under consideration and recommend that the same be amended as follows:

For an Act to Amend Subdivisions Five (5), Six (6), and Seven (7) of Chapter One Hundred Seventy-Six (176) of the Laws Passed by the Eleventh Session of the Legislative Assembly of the State of North Dakota, being Chapter One Hundred Seventy-Six (176) of the Session Laws of 1909, relating to Powers of Park Commissions.

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

Section 1. That subdivisions five (5), six (6) and seven (7) of Chapter one hundred seventy-six (176) of the Laws passed by the Eleventh Legislative Assembly of the state of North Dakota, being chapter one hundred seventy-six (176) of the Session Laws of 1909 of the state of North Dakota, be and the same are hereby amended to read as follows, to-wit:

6. To require the services of the city engineer of the city included in such park district, who shall be ex-officio engineer and surveyor of such commission, and to require the services of a clerk, and such clerk shall be paid by such commission for his services as clerk a salary not to exceed twenty-five dollars (\$25.00) per month, to appoint other employees for the performance of manual labor, including such police force as may be deemed necessary, and to fix their compensation, at a salary not to exceed sixty dollars per month for each person so employed.

6. To issue the negotiable bonds of the park district in a sum not to exceed one and one-half per cent of the taxable property therein situated, for the sole and exclusive purposes of purchasing and acquiring lands for such parks, boulevards and ways, and for the permanent improvement thereof, including the erection and construction of buildings, pavilions, plays and pleasure fields; provided, such bonds shall not bear a rate of interest to exceed six per cent; and provided further, that upon the affirmative vote of the electors of such district, as by law provided, such commission may be authorized to issue such bonds in an amount in the aggregate not to exceed five per cent of the value of the taxable property in such district.

7. To levy taxes upon all property within said district for the purpose of maintaining and improving said parks, boulevards and ways, and to defray the expenses of such board; provided, that such tax so levied shall in no year exceed the sum of three mills on each dollar of taxable property within said district.

Section 2. Repeal.) All acts or parts of acts in conflict with this act are hereby repealed.

Section 3. Emergency.) Whereas, an emergency exists in that the powers of the park commissioners in the issuance of bonds is too large, this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

ALEX STERN,  
Chairman.

The committee on public health made the following report:



Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 315.

A bill for an act relating to the duties of local boards of health, and sanitary regulations of school houses churches and public halls.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the words "Section 1," the words "Local Board of Health. Duties.)"

By inserting after the word "vocation" in the last line of the bill, the words "provided, that except in case of emergency, the disinfection of school houses shall be made after school hours on Friday afternoon or on Saturday."

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Also,

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 316.

A bill for an act entitled, an act to prevent procreation of confirmed criminals, idiots, imbeciles and rapists; providing that superintendents and boards of managers of institutions where such persons are confined, shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the word "adequate" in the preamble, the word "legal."

By inserting the following before the first word of the act, "Section 1. Operation Permitted in Certain Cases. Board of Experts, Who Constitute. Fees.)"

By striking out the word "rapists," in line 3 of the engrossed bill. By striking out the period after the word "managers," in line 8, and inserting in lieu thereof the word "and."

Amend the title by striking out the comma between the words "idiots" and "imbeciles," and inserting the word "and" in lieu thereof; and by striking out the word "rapists" in the title.

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Also,

Mr. Speaker:

Your committee on public health to whom was referred  
House Bill No. 317.

A bill for an act to prevent the spread of contagious dis-  
eases and sanitary regulation of coaches, cars and steam  
boats in this state.

Have had the same under consideration and recommend  
that the same be amended as follows:

By inserting the figure "1" and the words "Vehicles to be Disinfected,  
When.)" after the word "section" in line 1 of the engrossed bill.

By inserting after the words "Section 3," in line 10 of the engrossed  
bill, the words "Duty of Carrier.)"

By inserting after the words "Section 3," in line 16 of the engrossed  
bill, the words "Penalty.)"

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Mr. Fraine moved

That the rules be suspended and the report of the com-  
mittee be adopted and placed on the calendar for third read-  
ing.

Which motion prevailed, and

The report of the committee was adopted.

The committee on counties and county boundaries made  
the following report:

Mr. Speaker:

Your committee on counties and county boundaries to  
whom was referred

House Bill No. 223.

A bill for an act to amend Section 2613 of the Revised  
Codes of 1905, relating to the compensation and office  
hours of county commissioners.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6, section 1, after the word "and" in printed bill, strike out the word and figure "ten (\$10)," and insert in lieu thereof the word and figure "five (\$5)."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 186.

A bill for an act to amend Section 2406, Revised Codes, 1905, relating to the submission of extraordinary county expenditures to the vote of the people, and providing that the board of county commissioners may purchase land adjoining county buildings without submitting the question of such purchase to the vote of the people.

Have had the same under consideration and recommend that the same be indefinitely postponed.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on election and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

House Bill No. 340.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who is entitled to vote.

Have had the same under consideration and recommend that the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 80.

A bill for an act to amend Section 2869 of the Revised Codes of 1905, as amended by Chapter 265 of the Session Laws of 1907, relating to the contracting of loans for the payment of corporate indebtedness and providing for the levy of taxes to pay final judgments rendered against villages and providing for the manner of collecting the same.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the printed bill, insert the words "five-eighths of" after the word "unless," and strike out the words "of five-eighths" at the end of that line.

And when so amended recommend the same do pass.

ALEX. STERN,  
Chairman.

Mr. Price moved

That the rules be suspended and the report of the committee adopted and the bill placed on the calendar for third reading.

Which motion prevailed.

And the report of the committee was adopted.

The committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred

House Bill No. 245.

A bill for an act specifying that certain county offices shall be kept open for business during business hours of business days.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the printed bill, after the word "from," strike out the figures "8:30" and insert in lieu thereof the figure "9," and in line 7 of the printed bill, after the word "from," strike out the figure "8" and insert in lieu thereof the figure "9."

And when so amended recommend the same do pass.

WESLEY FASSETT,  
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred Senate Bill No. 205.

A bill for an act to amend Section 10381 of the Revised Codes of 1905, as amended by Section 1, of Chapter 40, of the Session Laws of 1907, relating to the manner of disposing of the product of the state binder plant.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 321.

A bill for an act to prohibit the throwing or depositing of glassware of any kind upon the streets of any village or

city or upon public highways, and providing for a penalty for the violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 188.

A bill for an act to amend Section 521 of the Revised Codes of 1905, relating to the furnishing of a list of jurors to the clerk of the district court.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the word "period" in line 6 of the printed bill and insert in lieu thereof the word "person."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the rules be suspended and the report of the committee adopted and the bill be placed on the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 351.

A bill for an act to amend and re-enact section 164 of the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out the words "three thousand dollars" and insert in lieu thereof the words "twenty-four hundred dollars."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred Senate Bill No. 120.

A bill for an act to punish the giving of checks or drafts on any bank or other depository wherein the person so giving such check or draft shall not have sufficient funds or a credit for the payment of the same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 319.

A bill for an act to amend Section 1961 of the Revised Codes of the state of North Dakota for 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 344.

A bill for an act to prohibit the appointment to any state, county or municipal situation, of clerks, bookkeepers, typewriters, shorthand writers or other office amanuensis who are not citizens of the United States (or who have not declared intention to become such) or who are not bona fide residents of North Dakota.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

#### MESSAGE FROM THE GOVERNOR

The following message was received from the Governor:

*To the House of Representatives:*

In deference to the request of Hon. Hiram W. Johnson Governor of the state of California, I present to you a telegram and letter recently received, for your consideration.

Very Respectfully,

JOHN BURKE,  
Governor.

State of California,  
Executive Office, Sacramento,  
February 13, 1911.

Hon. John Burke, Governor of North Dakota, Bismarck, North Dakota.

Your Excellency: This is to confirm my night telegram of the 12th inst., reading as follows:



"Congress having honored San Francisco by designating her the exposition city for nineteen fifteen, it is desired that a commission be appointed from your state, of which you shall be a member, to visit San Francisco and the exposition site. This commission should visit this city during the summer months when work on the exposition will have started. I earnestly ask you to endorse a bill and urge its introduction at this session of your legislature appropriating such an amount as you may deem necessary for the expenses of this commission. This will permit the commissioners to gain an intelligent idea of the requirements for a building and proper exhibit from your state and would be better able to advise your legislature at this or next session when the matter of appropriation for the Panama-Pacific International Exposition will be made. Letter follows. Please accept my deepest appreciation."

It is planned to have commissioners from every state in the Union visit San Francisco some time during the next six months, when the work on the exposition will be in full swing. In this way an opportunity will be afforded the commissioners to learn of the extensive plans for the exposition directors, to view the exposition site, and to select locations for their respective state buildings, as well as to see the new San Francisco and California.

It is my belief and the impression of the directors of the Panama-Pacific International Exposition Company that this general plan will materially help your State Legislature in making a suitable appropriation when the matter is formally presented. I strongly urge you to have a bill introduced at this session of your legislature appropriating an amount sufficient to cover the expenses of the commissioners to this city. I hope I may count on your hearty support, as we are anxious to have all arrangements perfected for the Panama-Pacific International Exposition at as early a date as possible. Enclosed please find copy of bill in blank.

Thanking you for your courtesy, and assuring you of the appreciation of every citizen in this state, I beg to remain,

Respectfully yours,

HIRAM W. JOHNSON,  
Governor.

Mr. Doyle of Foster moved

That the communication be referred to the committee on state affairs.

Which motion prevailed.

And the communication was so referred.

The Speaker called Mr. Homnes to the chair.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred Senate Bill No. 219.

A bill for an act, making an appropriation to meet the deficiency incurred by William Blake of Stutsman county,

North Dakota, in carrying on the work of state humane agent.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.

Mr. Doyle of Foster moved

As an amendment that the report be made a special order for 3 o'clock p. m. Monday, February 20, 1911.

Mr. Aasheim moved  
The previous question.

The question being, shall the main question be now put.  
Which motion prevailed.

The question being upon the motion for special order,  
The same prevailed, and  
House Bill No. 219 was made a special order for 3 o'clock p. m. Monday, February 20th.

Also,

Mr. Speaker:

A majority of your committee on state affairs, to whom was referred

Senate Bill No. 124.

A bill for an act to amend Section 2594 of the Revised Codes of North Dakota.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on state affairs, to whom was referred

Senate Bill No. 124.

A bill for an act to amend Section 2594 of the Revised Codes of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

RICHARD PENDRAY,  
W. B. DE NAULT,  
JOHN B. FRIED.

The Speaker in the chair.

Mr. Ployhar moved

That the majority report of the committee be adopted.

Mr. Fried moved

That the majority report be indefinitely postponed.

Which was lost.

The question being upon the original motion.

Roll call demanded.

The roll was called and there were 51 ayes, 38 nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Homnes	O'Shea
Anderson, of Ramsey	Hill, of Cass	Peart
Benson	Hyland	Ployhar
Bjornson	Johns	Price
Boyd	Knox	Robinson
Collins	Kuhl	Sauer
Davidson	Kyllo	Scott
Davis	Lageson	Sgutt
DeLance	Law	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	Morrison	Streeter
Fox	Narum	Tollefson
Gorder	Nelson, of Richland	Tostenson
Hanson	Nestos	Ulsaker
Harty	Norheim	Whitme
Hersrud	O'Connor of Gd. Forks	Williams
Hoge	Olsgard of Nelson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Moen, of Cavalier
Anderson, of Griggs	Frane	Nelson, of Walsh
Bond	Fried	Olsgard of Richland
Brusletten	Fritz	Paulson
Burnett	Gardiner	Pendray
Burns	Geiger	Ray
Carey	Hawkinson	Scheer

Messrs.—	Messrs.—	Messrs.—
Christenson	Hedalen	Sorlie
Dean	Heinemeyer	Tande
DeNault	Kane	Tuttle
Edwards	Knutson	Walters
Englund	Martin	Wambem
Fassett	Moen, of Benson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Putnam
Boerner	Jordal	Reeve
Cunningham	McClellan	Roquette
Dosseth	Moritz	Thompson
Hill, of Bottineau	O'Connor of Pembina	

Messrs. Andrus, Hill of Bottineau, Johnson and Putnam being excused.

So the motion prevailed and the majority report of the committee was adopted.

### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 18, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 222.

A bill for an act to amend and re-enact section 2, section 16 and section 24 of chapter 109 of the Session Laws of the year 1907, of the state of North Dakota, relating to primary election.

Also,

Senate Bill No. 280.

A bill for an act to amend and re-enact Section 9 of the Session Laws for the year 1907, of the state of North Dakota, relating to primary election.

Also,

Senate Bill No. 278.

A bill for an act to amend and re-enact Section 13 of the Session Laws for the year 1907 of the state of North Dakota, relating to primary election.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred  
A Senate Concurrent Resolution.

WHEREAS, It is necessary to expedite and complete the work of this session of the assembly;

*Resolved by the Senate, the House Concurring:*

That further introduction of bills be limited and that no further bill be introduced in either House after the forty-fifth day, except upon a two-thirds vote of the House into which it is offered.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "forty-fifth" and insert in lieu thereof "fifty-first."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman

Mr. Thompson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections and election privileges made the following report:

Mr. Speaker:

A majority of your committee on elections and election privileges, to whom was referred

## House Bill No. 156.

A bill for an act relating to the qualifications of all state, county and city elective officers.

Have had the same under consideration and recommend that the same be amended as follows:

Beginning with line 4 of the engrossed bill, strike out the balance of the bill and insert the following in lieu thereof:

"For an act relating to the qualifications to hold certain offices.

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

Section 1. Qualifications.) No person shall be qualified to hold at the same time any two or more of the following offices: City, township or village assessor, village trustee, alderman of any city, city commissioner of cities organized under the commission form of government, county commissioner, commissioner of agriculture and labor, state treasurer, state auditor, attorney general, or governor.

Section 3. Emergency.) Whereas, elections will be held prior to July 1, 1911, to fill vacancies in some of the offices herein named, an emergency exists, and this act shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on elections and election privileges, to whom was referred

## House Bill No. 156.

A bill for an act relating to the qualifications of all state, county and city elective officers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JOE AKESSON,  
JAS. COLLINS.

Mr. Stranahan moved

That the minority report of the committee be adopted.

Which motion prevailed, and

The minority report of the committee was adopted, and House Bill No. 156 was indefinitely postponed.

Also,

Mr. Speaker:

Your committee on elections and election privileges, to whom was referred

House Bill No. 311.

A bill for an act to amend and re-enact Section 2858 of the Revised Codes of North Dakota for 1905, providing for the election of village trustees.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

Senate Bill No. 184.

A bill for an act fixing the liability of a bank to its depositor for payment of forged and raised checks.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker

Your committee on ways and means to whom was referred

Senate Bill No. 72.

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for 1905, as amended by Chapter 199 of the Session Laws of North Dakota for 1909, relating to the redemption of real estate.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred

House Bill No. 346.

A bill for an act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such liens or reservation of title.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred



## Senate Bill No. 92.

A bill for an act relating to children who are now or may hereafter become dependent, neglected or delinquent; to define these terms, and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the persons of such children.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 336.

A bill for an act requiring railroad companies to provide scales for the weighing of grain, providing liabilities thereunder, and prescribing a penalty for neglect thereof.

Have had the same under consideration and recommend that the same be referred to the committee of the whole.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on elections and election privileges made the following report:

Mr. Speaker:

A majority of your committee on elections and election privileges, to whom was referred

House Bill No. 329.

A bill for an act to amend Section 2385 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. R. BOND,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on elections and election privileges, to whom was referred

House Bill No. 329.

A bill for an act to amend Section 2385 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

L. W. SAUER,  
JAS. COLLINS,  
BERNT ANDERSON.

Mr. Norheim moved

That the majority report of the committee be adopted. Which motion prevailed.

And the report of the committee was adopted.

And the further consideration of the bill was indefinitely postponed.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

House Bill No. 136.

A bill for an act declaring to be common nuisances bawdy houses, houses of ill fame, of assignation, of prostitution, or any other house, room or place for persons to visit for unlawful sexual intercourse or for any other lewd, obscene, indecent or disorderly purpose; and prescribing remedies and penalties for the prevention of the same.

Have had the same under consideration and recommend that the same be amended as follows:

After the words "Section 1," in line 1 of the printed bill, insert the following: "Bawdy House Declared to be Public Nuisances. Penalty for Maintaining.)"

In line 21 on page 2 of the printed bill, strike out the words "in the penitentiary not more than."

In line 22, strike out the word "five" and figure "5" and the words "years or."

After the words "Section 2," on page 2 of the printed bill, insert the words "Injunction. Penalty for Violation.)"

In line 8, in section 2 of the printed bill, after the word "belief" strike out all of said line and strike out the words "be required" at the beginning of line 9, in section 2 of the printed bill, and insert in lieu thereof the following: "provided that the complainant shall give a bond in a sufficient amount to cover the costs, or such amount as a court or a judge thereof may direct."

In line 13, on page 3 of the printed bill, strike out the words "penitentiary not more than five" and the figure "5."

In line 14, on page 3 of the printed bill, strike out the words "years or."

After the words "Section 3," on page 3 of the printed bill, insert the words "Officers to Take Possession. When.)"

Strike out all after the words "Section 4," in line 1, on page 4 of the printed bill, down to and including the word "property" at the end of line 17, on page 5, and insert in lieu thereof the following: "Innocent persons May Recover Property, How.) Where personal property is found in any house or room mentioned in section 3 of this act, and it shall appear to the court or judge before whom said action is tried that the owner of such personal property or the person entitled to possession thereof is innocent and has not aided or abetted in carrying on the nuisance, the court shall, by order, direct the sheriff in possession of said property to deliver the same to such owner or person entitled to the possession thereof."

After the words "Section 5," on page 5 of the printed bill, insert the words "Contempt Proceedings.)"

After the words "Section 6," on page 5 of the printed bill, strike out all of said section and insert in lieu thereof the following: "Injunction, Violation. How Punished.) When an injunction, either temporary or permanent, has been granted under the provisions of this act, the same shall be binding on the defendant or defendants, and for the violation of such injunction the offending party shall be punished as for contempt in the amount according to the rules in this act prescribed."

After the words "Section 8," on page 6 of the printed bill, insert the words "What Evidence Admissible. Immunity From Prosecution.)"

After the word "himself" in line 15, on page 7 of the printed bill, insert the words "but the persons giving such testimony shall be forever exempt from prosecution for any offense under the provisions of this act, of which such evidence shall directly or indirectly tend to incriminate him."

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

House Bill No. 324.

A bill for an act to amend Section 6931 of the Revised Codes of 1905, relative to the time of granting injunctions.

Have had the same under consideration and recommend that the same be amended as follows :

By inserting after "Section 6931" in section 1, the words "Injunction. When Granted. Limitation.)"

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker :

Your committee on judiciary to whom was referred

Senate Bill No. 244.

A bill for an act prohibiting public administrators from acting as attorneys in the estates of decedents.

Have had the same under consideration and recommend that the same be amended as follows :

By striking out the period after the word "decedents" in the second line of the engrossed bill, and inserting therein after said word "decedents" the words "of which he shall be the administrator."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker :

Your committee on judiciary to whom was referred

House Bill No. 352.

A bill for an act providing for a bailiff of the supreme court.

Have had the same under consideration and recommend that the same be amended as follows :

By inserting after the word and figure "Section 1," in the first line of the engrossed bill, the words "Court May Designate Bailiff.)"

By inserting after the word and figure "Section 2," in line 5 of the engrossed bill, the word "Compensation.)"

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 30.

A concurrent resolution, amending Section 25 of the Constitution of the state of North Dakota, providing for the initiative and referendum.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Tuttle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 175.

A concurrent resolution for an amendment to the Constitution, providing for the initiative and referendum.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 236.

A bill for an act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:-

Your committee on judiciary to whom was referred  
House Bill No. 237.

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum, recall of public officers and future amendments to the constitution.

Have had the same under consideration and recommend that the same be referred to the committee of the whole to be considered with Senate Bills on the same subject.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 225.

A bill for an act to amend and re-enact Sections 4071, 4073 and 4074 of the Revised Codes of the State of North Carolina, 2879, 2880, 2881, 2882 and 2883 of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 174.

A bill for an act relating to desertion and non-support of wife by husband, or of children by either father or mother, and providing punishment therefor; and providing for manner of procedure and evidence required in such cases; and to promote uniformity between the states in reference thereto.

Have had the same under consideration and recommend that the same do pass.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 318.

A bill for an act amending Section 28 of Chapter 80 of the laws of 1909, relating to the taxation of costs in county courts having increased jurisdiction.

Have had the same under consideration and recommend that the same do pass.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 215.

A bill for an act defining the boundaries of the Fifth  
judicial district, fixing the terms of court therein, and val-  
idating certain judgments.

Have had the same under consideration and recommend  
that the same do pass.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 233.

A bill for an act to amend Section 7045 of the Revised  
Codes of 1905, relating to the calling of another judge on  
account of prejudice or bias.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred



## Senate Bill No. 97.

A bill for an act fixing the salaries and providing for the payment of necessary expenses of the judges of the district courts of the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 86.

A bill for an act to provide a judicial procedure to determine the identity of the grantees and the shares of each in cases where lands have been or may be patented, granted or conveyed by the United States to the heirs or devisees of a deceased person without naming therein the persons so designated as grantees.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 216.

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries

thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Have had the same under consideration and recommend that the same do pass.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 98.

A bill for an act creating and defining the Twelfth judicial district within the state of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 246.

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 244.

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 115.

A bill for an act to amend and re-enact Section 981 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 320.

A bill for an act to amend Section 7459 of the Revised Codes of North Dakota of 1905, relating to the publication of the notice of foreclosure by advertisement, and prescribing the duty of the party, attorney or agent foreclosing the mortgage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 298.

A bill for an act to amend Sections 516, 524, 9797, 9803, 9810, 9818 and 9841 of the Revised Codes of 1905, relating to a grand jury, adding new sections and repealing Sections 9798, 9801, 9833 and 9840.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Acting Chairman.

Mr. Fraine moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Englund introduced

House Bill No. 405.

A bill for an act to amend Section 938 of the Revised Codes of 1905, of the state of North Dakota, as amended by Chapter 223, Section 1, of the Session Laws of 1907, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and to divide the property and indebtedness of such school district.

Which was read the first and second times, and

Referred to the committee on municipal corporations.

Mr. Olsgard, by request, introduced

House Bill No. 406.

A bill for an act to amend Section 3 of Chapter 161 of the Session Laws of 1909, to regulate the public service of stallions.

Which was read the first and second times, and  
Referred to the committee on live stock.

Mr. Edwards introduced

House Bill No. 407.

A bill for an act to provide for county bureaus of immigration, imposing certain additional duties upon the board of county commissioners, amending Sections 2402 and 2403 of the Revised Codes of 1905, providing for the appointment of a secretary and prescribing his duties.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Fassett introduced

House Bill No. 408.

Mr. Price raised the question of the consideration of House Bill No. 408.

By vote the House decided not to consider House Bill No. 408.

Mr. Boyd introduced

House Bill No. 409.

A bill for an act prescribing the duties of a mortgagee and his attorney in relation to the foreclosure of real property mortgages by advertisement, and providing for notice of such foreclosure to subsequent lien holders.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Fried introduced

House Bill No. 410.

A bill for an act to amend Sections 2231, 2232, 2233 and 2234 of the Revised Codes of 1905, relating to abstractors of titles.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Williams introduced

House Bill No. 411.

A bill for an act entitled, an act to amend Section 2783 of the Revised Codes of the state of North Dakota of 1905, relating to cities.

Which was read the first and second times, and

Referred to the committee on municipal corporations.

Mr. Knox introduced

House Bill No. 412.

Mr. Thompson raised the question of consideration of House Bill No. 412.

By vote the House decided not to consider House Bill No. 412.

Mr. Collins introduced

House Bill No. 413.

A bill for an act entitled, an act to amend Section 2389 of the Revised Codes of 1905, relating to county commissioners.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Johns introduced

House Bill No. 414.

A bill for an act entitled, an act to prevent infant blindness caused by the preventable disease known as ophthalmia neonatorum.

Which was read the first and second times, and

Referred to the committee on public health.

There being no objections,

The House returned to the seventh order of business.

## MOTIONS AND RESOLUTIONS.

Mr. Davidson moved

That House Bill No. 405 be referred to the committee on education.

Which motion was lost.

## THIRD READING OF HOUSE BILLS.

House Bill No. 313.

A bill for an act to provide for the establishment, organization, regulation, and management of a state board of health, county boards of health, township boards of health, city boards of health and village boards of health, and making an appropriation for the expenses of the state board of health.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 73 ayes, 1 nay, 29 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akesson	Hanson	Olgard of Nelson
Anderson, of Griggs	Hawkinson	Olgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boyd	Hoge	Peart
Brusletten	Homnes	Pendray
Burns	Hill, of Cass	Price
Carey	Hyland	Ray
Christenson	Johns	Reeve
Collins	Kane	Robinson
Davidson	Knox	Sauer
Davis	Knutson	Scott
Dean	Kyllo	Scheer
DeNault	Lageson	Sorlie
Englund	Law	Stranahan
Fassett	Lee	Tande
Fox	Moen of Benson	Tollefson
France	Moen of Cavalier	Tostenson
Fraine	Morrison	Ulsaker
Fried	Narum	Wambem
Fritz	Nelson of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	Mr. Speaker
Gorder		



## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Edwards	Ployhar
Benson	Hedalen	Putnam
Boerner	Hill, of Bottineau	Roquette
Bond	Johnson	Sgutt
Burnett	Jordal	Stern
Cunningham	Kuhl	Streeter
DeLance	Martin	Thompson
Dosseth	McClellan	Tuttle
Doyle, of Foster	Moritz	Walters
Doyle, of McIntosh	O'Connor of Pembina	

Mr. Nelson of Richland voted in the negative.

Messrs. Andrus, Hill of Bottineau, Johnson and Putnam being excused.

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 313 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 355.

A bill for an act to provide for the reimbursement of owners of cattle destroyed by order of the state live stock sanitary board on account of the disease known as tuberculosis, and providing for the levy of a tax to create a fund therefor.

Was read the third time.

Mr. Sorlie moved

That the further consideration of the bill be indefinitely postponed.

Mr. Sorlie moved

That the bill be re-referred to the committee on live stock.

Which motion prevailed.

And the bill was so re-referred.

## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 18, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 281.

A concurrent resolution for an amendment to the Constitution of the state of North Dakota, providing for the recall of public officers by the people.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

House Bill No. 281.

A bill for an act to authorize a popular vote upon the question of calling a delegate convention to amend and revise the Constitution of the state of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 44 ayes, 42 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Bjornson  
Bond  
Boyd  
Burnett  
Burns  
Collins  
Davidson  
Davis  
DeLance  
Doyle, of McIntosh  
Edwards

Messrs.—

Gardiner  
Geiger  
Gorder  
Hanson  
Harty  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Johns  
Knox  
Knutson

Messrs.—

Norheim  
O'Shea  
Ployhar  
Ray  
Reeve  
Robinson  
Sauer  
Scott  
Scheer  
Sgutt  
Streeter  
Thompson

Messrs.—	Messrs.—	Messrs.—
Fassett	Law	Tuttle
France	Narum	Whitmer
Fraine	Nelson, of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hedalen	Paulson
Anderson, of Griggs	Hyland	Peart
Anderson, of Ramsey	Hill, of Cass	Pendray
Benson	Kane	Price
Brusletten	Kyllo	So-lie
Carey	Lageson	Stern
Christenson	Lee	Stranahan
Dean	Moen, of Benson	Tande
DeNault	Moen, of Cavalier	Tollefson
Englund	Morrison	Tostenson
Fox	Nelson, of Richland	Ulsaker
Fried	Nestos	Wambem
Fritz	Olsgard of Nelson	Williams
Hawkinson	Olsgard of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	O'Connor of Gd. Forks
Boerner	Jordal	O'Connor of Pembina
Cunningham	Kuhl	Putnam
Dosseth	Martin	Roquette
Doyle, of Foster	McClellan	Walters
Hill, of Bottineau	Moritz	

Messrs. Andrus, Hill of Bottineau, Johnson and Putnam being excused.

So the bill was lost.

Mr. Davidson moved

That the vote by which House Bill No. 281 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Price moved

That House Bill No. 271 be referred to the committee of the Whole House and be made a special order at 3:30 o'clock p. m. Monday, February 20, 1911.

Which motion prevailed.

And the bill was so referred.

## House Bill No. 190.

A bill for an act providing for aid to the poor, consisting of persons convicted of crime who have been placed upon probation subject to the provisions of law, or who have been paroled or whose term of imprisonment has expired, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 53 ayes, 21 nays, 29 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	Norheim
Anderson, of Griggs	Gorder	Olgard, of Nelson
Anderson, of Ramsey	Hanson	O'Shea
Benson	Harty	Paulson
Bjornson	Hawkinson	Pearl
Bond	Hedalen	Reeve
Boyd	Heinemeyer	Robinson
Brusletten	Hersrud	Sauer
Burns	Hoge	Scott
Collins	Homnes	Scheer
Davidson	Hill, of Cass	Sgutt
Dean	Johns	Thompson
Edwards	Kane	Tostenson
Fassett	Lageson	Tuttle
Fox	Lee	Ulsaker
France	Narum	Whitmer
Fritz	Nelson, of Richland	Williams
Gardiner	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Ployhar
Carey	Law	Price
Christenson	Moen, of Benson	Sorlie
DeLance	Moen, of Cavalier	Stern
DeNault	Nelson, of Walsh	Stranahan
Englund	Olgard of Richland	Tande
Fraine	Pendray	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	O'Connor of Gd. Forks
Boerner	Jordal	O'Connor of Pembina
Burnett	Knox	Putnam
Cunningham	Knutson	Ray
Davis	Kuhl	Roquette
Dosseth	Kyllo	Streeter

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Martin	Tollefson
Doyle, of McIntosh	McClellan	Walters
Hill, of Bottineau	Morrison	Mr. Speaker
Hyland	Moritz	

Messrs. Andrus, Hill of Bottineau, Johnson and Putnam being excused.

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which House Bill No. 190 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 227.

A bill for an act to amend and re-enact Section 7475 of the Revised Codes of 1905, State of North Dakota, relating to costs and disbursements on the foreclosure of a real estate mortgage by advertisement.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 71 ayes, 7 nays, 25 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Olsgard of Nelson
Akesson	Gorder	Olsgard of Richland
Anderson, of Ramsey	Hanson	O'Shea
Benson	Hedalen	Peart
Bjornson	Heinemeyer	Pendray
Bond	Hersrud	Ployhar
Boyd	Hill, of Cass	Ray
Brusletten	Hoge	Reeve
Burnett	Homnes	Robinson
Carey	Johns	Sauer
Christenson	Kane	Scheer
Davidson	Knox	Sgutt
Davis	Knutson	Sorlie
Dean	Kylo	Stern
Doyle, of Foster	Lageson	Streeter
Doyle, of McIntosh	Law	Tande
Edwards	Lee	Tollefson
Englund	Moen, of Benson	Tostenson
Fassett	Moen, of Cavalier	Tuttle
France	Narum	Ulsaker

Messrs.—	Messrs.—	Messrs.—
Fraine	Nelson, of Richland	Wambem
Fried	Nelson, of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Paulson	Thompson
Burns	Scott	Whitmer
DeNault		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hill, of Bottineau	Moritz
Boerner	Hyland	O'Connor of Gd. Forks
Collins	Johnson	O'Connor of Pembina
Cunningham	Jordal	Price
DeLance	Kuhl	Putnam
Dosseth	Martin	Roquette
Fox	McCiellan	Stranahan
Harty	Morrison	Walters
Hawkinson		

Messrs. Andrus, Hill of Bottineau, Johnson and Putnam being excused.

So the bill passed and the title was agreed to.

Mr. Tostenson moved

That the vote by which House Bill No. 227 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the Probate Code of the state of North Dakota, and appropriating money therefor.

Also,

House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Also

House Bill No. 82.

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Also,

House Bill No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Also,

House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under section 4186, Revised Codes of 1905.

Also,

House Bill No. 22.

A bill for an act to amend section 46, chapter 128, Laws of North Dakota for the year 1909, relating to the taking of fish.

Were delivered to the governor for his approval at the hour of 4 o'clock p. m. February 18, 1911.

ALBERT A. DAVIS,  
Chairman.

The Speaker appointed E. J. Conrad as clerk as recommended by the committee on employment.

The Speaker administered the oath of office to E. J. Conrad.

The privileges of the floor were extended to the following:

C. E. Blackorby of Hansboro.

C. A. Jacobson of Alexander.

Llewellyn Johns, Hettinger.

Mr. Johns moved

That the House take a recess until 10 o'clock a. m. Monday, February 20, 1911.

Which motion prevailed, and

The House took a recess.

**E. H. GRIFFIN,**  
Chief Clerk.



FORTY-SEVENTH DAY AFTER RECESS AND  
FORTY-NINTH DAY

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA.

February 20, 1911.

The House reassembled pursuant to recess taken.

GENERAL ORDERS.

Mr. Boyd moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Kuhl to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

And recommend that the same be amended as follows:

After the word "state," in line 2 of printed bill, insert "and who does not pay cash in advance for the grain so bought."

And when so amended recommend the same do pass.

Also,

House Bill No. 75.

A bill for an act to amend and re-enact Sections 1031, 1033, 1034, 1035 and 1036 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907.

And recommend that the same be amended as follows:

In section 1031 of printed bill, beginning with the word "and" in line 5, strike out all words to and including the word "years" in line 11, and substitute in lieu thereof the following words: "and one superintendent of city schools in a district in the state in which is located a high school of the first class, and one county superintendent of schools in one of the counties of the state, each to be appointed by the governor for a term of two years, are hereby constituted a board of commissioners on secondary education for the encouragement of secondary and higher education in the state."

In section 1033, line 21, immediately after the word "said" strike out the words "board of commissioners" and insert in lieu thereof the words "high school board."

And when so amended recommend the same do pass.

Also,

House Bill No. 275.

A bill for an act entitled, "An act to regulate and provide for admission of live stock into the state of North Dakota from all other states and territories and foreign countries; and providing penalties for violation thereof."

And recommend that the same be amended as follows:

At the end of section 1, after the word "diseases" insert the following: "Also all stallions imported into North Dakota must also be accompanied by certificate that said animal is free from any infectious, contagious, transmissible disease or unsoundness, as specified in Section 3, Chapter 161, Session Laws of 1909."

In section 4, at the end of line 6, after the word "niles" and before the word "serum" in printed bill, insert the words "hog-cholera."

In section 5, strike out all of lines 2, 3, 4 and 5 of printed bill.

In section 6, line 3, after the word "veterinarian" and before the word "all" in printed bill, insert the following, "or graduate veterinarian whose inspections are endorsed by officers in charge of live stock sanitary work in state where inspection is made."

In line 7, section 6, after the word "temperatures" and before the word commencing," insert the following words, "two hours apart."

In section 8, line 2 of the printed bill, strike out the word "by" and insert in lieu thereof the word "of."

Add: "Sec. 10. Emergency.) An emergency exists in this that there is now no law in force regulating the shipment of live stock into the state, therefore this act shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

Also,

House Bill No. 130.

A bill for an act to amend Section 9366 of the Revised Codes of North Dakota, as amended by Chapter 191 of the Laws of 1907, and Chapter 187 of the Laws of 1909, defining intoxicating liquors.

And recommend that the same be amended as follows:

After the figure 2 in section 2, insert the words "Hard Cider Defined."

And when so amended recommend the same do pass.

Also

House Bill No. 204.

A bill for an act entitled, an act requiring railway companies to furnish sites for flour and feed mills on their right of way and fixing the manner in which sites may be obtained.

And recommend that the same be amended as follows:

In line 5, after the word "mill" and before the word "which" insert "in connection with such warehouse or elevator."

Section 1, line 1, after the words "Section 1" insert the words, "Sites for Flour and Feed Mills. How Furnished.)"

Section 2, line 1, after the words "Section 2," insert the word "Procedure.)"

And when so amended recommend the same do pass.

Also,

House Bill No. 307.

A bill for an act to amend Section 4277 of the Revised Codes of North Dakota for the year 1905.

And recommend that the same be amended as follows:

After the figures "1905" in the title of the bill, add the following: "relating to the execution and recording of conveyances by railroad companies."

And when so amended recommend the same do pass.

Also,

House Bill No. 93.

A concurrent resolution to amend Section 154 of the Constitution of the state of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

And recommend that the same be amended as follows:

In line 11 of the printed bill, strike out all after the word "with" in said line. Strike out all of line 12 and the words "thereof and" in line 13.

At the end of line 24, after the word "fund" add the following sentence: "The net proceeds of all fines and forfeitures for the violation of state laws shall be credited to and be a part of the common school funds of the county in which they were paid."

And when so amended recommend the same do pass.

Also

House Bill No. 345.

A bill for an act to harmonize Sections 8089 and 7117 of the 1905 Code, by amending Section 8089 of the act providing for the settlement of the estates of decedents.

And recommend that the same be amended as follows:

Strike out all of the bill after the words "A Bill" and insert the following:

For an Act to Amend and Re-Enact Section 8089 of the Revised Codes of the State of North Dakota of 1905, Providing for the Disposition of Exempt Personal Property of Decedents.

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

Section 1. Amendment.) Section 8089 of the Revised Codes of North Dakota of 1905, is hereby amended and re-enacted to read as follows:

Section 8089. Exempt Personal Property, Disposition Of.) There shall be set apart absolutely to the surviving wife or husband or minor children all the personal property of the testator or intestate which would be exempt from execution if he were living, including all property exempt, and other property selected by the person or persons entitled thereto of the character and description and to the amount allowed by the exemption laws according to the appraisal, and such property shall not be liable for any prior debt of the decedent except the necessary charges of his last sickness and funeral, and expenses of administration, when there are no other assets available for the payment of such charges.

Section 2. Repeal.) All acts and parts of acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

Also

House Bill No. 183.

A bill for an act to amend Section 5187 of the Revised Codes of 1905, relating to order of succession.

And recommend that the same be amended as follows:

At the close of section 1, on page 2, after the word "representation" change the period to a comma and add the following: "but if the decedent's child or children be dead, leaving issue, all the estate goes to such issue by right of representation."

That all of sub-division 4 be stricken out.

In line 53 strike out the figure "5" and substitute therefor the figure "4"; that the figure "6" in line 66 be changed to "5" and the figure "7" in line 74 be changed to the figure "6."

And when so amended recommend the same do pass.

Also

House Bill No. 291.

A bill for an act to amend Chapter 93 of the Session Laws of 1909, relating to compensation of election officers and rental of polling places.

And recommend that the same be amended as follows:

In section 1, after the figure 1, insert the word "Amendment," and after the figure "93" in line 3, and before the word "There" insert the following words: "Compensation of Election Officers."

After the figures "\$6.00" in line 2, strike out the balance of the section.

In section 2, after the figure 2, insert the word "Repeal."

After the word "amend" in the title insert the following words: "Section 687 of the Revised Codes of 1905, as amended by," and strike out in the title the following words: "and rental of polling places."

After the subdivision in section 1 insert the words, "that section 687 of the Revised Code of 1905, as amended by," and strike out the first word in section 1, line 1, being the word "that."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 76.

A bill for an act to amend and re-enact Sections 6 and 9 of Chapter 174 of the Laws of North Dakota of 1909, being an act to provide for probation of persons convicted of felonies and misdemeanors.

And recommend that the same be amended as follows:

That in section 6, after the words "field officer" strike out all down to the word "whose" and insert in lieu thereof the words: "The board of trustees of the penitentiary shall appoint and employ one officer, to be known as field officer for the institution, who shall be an employee of the state penitentiary and who shall give his entire time to penitentiary duties when not otherwise employed as field officer."

Also strike out section 4, Emergency.

And when so amended recommend the same do pass.

Also

Senate Bill No. 77.

A bill for an act to amend and re-enact Section 3 of Chapter 175 of the Laws of North Dakota for 1909, being an act to provide indeterminate sentences of persons convicted of certain crimes, providing for a board of experts empowered to prescribe suitable rules of conduct and treatment, and to determine how and when a person sentenced under this act shall be paroled or released.

And recommend that the same be amended as follows:

In line 6 of section 3, strike out the words "board of trustees" and insert in lieu thereof the word "warden." In section 3, after the word "parole" at the last of the section, insert the following: "Further, it shall be the duty of the field officer to devote all of his time to the discharge of his duties as field officer, and such other duties as may be assigned to him in connection with the state penitentiary and the state penitentiary twine plant and other industries maintained by the state at the North Dakota State Penitentiary, and that he shall at all times be subject to the order of the warden of the state penitentiary, and he shall make reports direct to the warden on all matters pertaining to his duties as field officer and other duties to which he may be assigned."

And that section 3, Emergency, be stricken out.

And when so amended recommend the same do pass.

Also,

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.

And recommend that the same be amended as follows:

Amend the title by striking out the word "regulate" and insert in lieu thereof "amending section 1 and 2, Chapter 190, Session Laws 1909, relating." After the word "cars" in the title, insert "to be used on freight trains in this state." After the figure 1 in section 1, line 1 of the printed bill, strike out the word "be it enacted that," and insert in lieu thereof "to whom this act shall apply." Between the words "any" and "corporation," in line 2 of the printed bill, insert the word "railroad." After the figure 2, in section 2, line 1 of the printed bill, insert the following: "When to Take Effect. How Constructed." In line 8 of the printed bill,

strike out the word "sixty" and insert in lieu thereof the word "thirty." After the figure 3, section 3, insert "Repairs. How Made.)" Strike out the word "such" in line 1, section 3, also the words "or its cars" in the same line, and add an "s" to the word "car." Also in the same line, after the figure 4, in section 4, insert "Extensions. How Granted.)" After the figure 5, section 5, insert the word "Penalty.)" Strike out all of section 6 so amended.

And when so amended recommend the same do pass.

Also

Senate Bill No. 69.

A bill for an act to amend Section 2592 of the Revised Codes of North Dakota for 1905, as amended by Chapter 70 of the Laws of the State of North Dakota for 1907, relating to the salary of county auditors.

And recommend that the same be amended as follows:

Line 38 of the engrossed Senate bill, strike out all after the word "dollars." Strike out all of lines 39, 40, 41, 42, and line 43 all before word "and." Strike out all of section 2.

And when so amended recommend the same do pass.

Also

Senate Bill No. 130.

A bill for an act to amend and re-enact Section 4466 of the Revised Codes of North Dakota for the year 1905, relating to the annual statements of insurance companies.

And recommend that the same be amended as follows:

In line 19 of the engrossed bill, strike out all of said line after the word "agency," all of lines 20 and 21, and all of line 22 up to the word "statements," and insert in lieu thereof the following amendment: "provided, however, that the statements of county and town mutual insurance companies need only be published once in a newspaper selected at their annual meeting in the county wherein such company does business."

And when so amended recommend the same do pass.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Bond moved

That Senate Bill No. 69 be reprinted as amended.  
Which motion prevailed.  
The House adjourned.

E. H. GRIFFIN,  
Chief Clerk.



## FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 20, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Putnam and Reeve, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 47th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 37, strike out the word "House" on line 14 and insert in lieu thereof the word "Senate." Also change title of bill following by inserting title of Senate Bill No. 98.

Also on page 42, on line 20, strike out the words "Counties and county boundaries," and insert the words "State affairs."

Also on page 44, strike out all of line 29.

And when so amended recommend that the same be approved.

FRANK H. HYLAND,

Chairman.

Mr. Hyland moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

We, the undersigned, of Ramsey county, request your interest and co-operation in securing suffrage for the women of North Dakota.

MRS. FRED B. MANN AND 65 OTHERS.

Churchs Ferry, N. Dak., February 16, 1911.

To the Members of the Legislature, Bismarck, N. D.:

We, the undersigned taxpayers, respectfully ask that you use your influence to repeal the lumber liens, because as the law is now the lumber interests have special privileges.

A. F. SYLVESTER AND 33 OTHERS.

We, the undersigned business men of Martin, N. D., do hereby protest against the passage of Senate Bill No. 67 and amendment, believe the same would be very detrimental to the best interests of the state at large, and especially work hardship on new settlers, people of very limited means, and on carpenters and contractors, and that the former would be unable to make necessary improvements on account of their lacking sufficient line of credit, which our mechanic lien law affords them. Contractors and carpenters would be greatly handicapped in their work without the protection of a reasonable lien law which works hardship on no one, and we believe the development of our entire state would be greatly retarded.

We urge the members of the Legislative Assembly to use all honorable means to prevent the passage of the above-mentioned measure.

FRANK A. PIETZ, JR., AND 29 OTHERS.

## REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 215.

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.

Also,

House Bill No. 216.

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Also

House Bill No. 318.

A bill for an act amending Section 28 of Chapter 80 of the laws of 1909, relating to the taxation of costs in county courts having increased jurisdiction.

Also

House Bill No. 340.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who is entitled to vote.

Also

House Bill No. 344.

A bill for an act to prohibit the appointment to any state, county or municipal situation, of clerks, bookkeepers, typewriters, shorthand writers or other office amanuensis who are not citizens of the United States (or who have not declared intention to become such) or who are not bona fide residents of North Dakota.

Also,

House Bill No. 317.

A bill for an act to prevent the spread of contagious diseases and sanitary regulation of coaches, cars and steam boats in this state.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Also,

House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Also

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

And find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

Mr. Speaker:

The committee on supplies and expenditures, to whom was referred Mr. Hoge's resolution, increasing the clerk hire of the three assistant Journal clerks from four to five dollars a day, have had the same under consideration and recommend that the same be amended as follows:

The name C. E. Forrest be stricken out, as the same C. E. Forrest was elected and his salary cannot be changed under this resolution.

And when so amended recommend the same do pass.

HARVE ROBINSON,  
Chairman.

Mr. Robinson moved  
That the report be adopted.  
Which motion prevailed, and

The report of the committee was adopted.

The committee on warehouse and grain grading made the following report:

Mr. Speaker:

A majority of your committee on warehouse and grain grading to whom was referred

House Bill No. 177.

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway commissioners to appoint agents at terminal points of Duluth and Minneapolis, for the benefit of shippers of grain of this state, and providing for the compensation and appropriating funds for the purpose of carrying out the provisions of this act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. E. KNOX,  
Chairman.

Also

Mr. Speaker:

A minority of your committee on warehouse and grain grading to whom was referred

House Bill No. 177.

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway commissioners to appoint agents at terminal points of Duluth and Minneapolis, for the benefit of shippers of grain of this state, and providing for the compensation and appropriating funds for the purpose of carrying out the provisions of this act.

Have had the same under consideration and recommend that the same do pass.

A. W. CUNNINGHAM,  
C. E. KNOX,  
E. C. ANDRUS,

Mr. Englund moved

That the minority report be adopted.

Mr. Tuttle moved

That the majority report be adopted.

Which motion was lost.

The question being upon the adoption of the minority report, the same prevailed.

And the bill was placed on the calendar for third reading.

The committee on judiciary made the following report:

Mr. Speaker:

A majority of your committee on judiciary to whom was referred

House Bill No. 40.

A bill for an act authorizing counties to issue bonds or warrants to establish a fund to aid needy farmers residing therein to procure seed grain, regulating its disbursements and fixing penalty for violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on judiciary to whom was referred

House Bill No. 40.

A bill for an act authorizing counties to issue bonds or warrants to establish a fund to aid needy farmers residing therein to procure seed grain, regulating its disbursements and fixing penalty for violation thereof.

Have had the same under consideration and recommend that the same be referred to the committee on ways and means for amendments.

J. T. HOGE,  
BERT ANDERSON,  
P. J. MOEN.

Mr. Hoge moved

That House Bill No. 40 be referred to the committee on ways and means.

Which motion prevailed.

And the bill was so referred.

The committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred

House Bill No. 285.

A bill for an act to amend Section 9445 of the Revised Codes of North Dakota for 1905, relating to unlawful obligations in writing.

Have had the same under consideration and recommend that the same do pass.

A. W. CUNNINGHAM,  
Chairman.

Mr. Cunningham moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 95.

A bill for an act entitled "An Act to Provide for the Equitable Assessment and Taxation of Real Property and Mortgage Liens Thereon."

Have had the same under consideration and recommend that the same be amended as follows:

Amend House Bill No. 95 by striking out in the title the words "an act entitled." In line 3 of section 1, strike out the words "and taxed so that the assessment," and also strike out the word "taxation" and insert in lieu thereof the words "tax or taxes." In line 3 of section 2, strike out the word "taxation" and insert in lieu thereof the word "tax." In

line 2 of section 3, strike out the word "taxation" and insert in lieu thereof the words "tax or taxes." In line 3 strike out the word "which" and insert in lieu thereof the word "such," and change the word "portion" to "portions," and in line 4 change the word "books" to "book," and "this" to "the." In line 2 of section 5, change the word "assessment" to "assessments," and strike out the word "taxation" and insert in lieu thereof the word "taxes." In line 10 change the word "taxation" to "taxes." In line 10 of section 6, strike out the word "taxation" and insert in lieu thereof the word "taxes." Also insert the following sub-titles:

After Section 1, insert "Taxes to be Equitable Between Title Owner and Mortgage Lienor.)"

After Section 2, insert "Mortgage Lien to be Valued on Same Basis as Real Property.)"

After Section 3, insert "Assessor to Proportion Assessment.)"

After Section 4, insert "Taxes Shall Be a Lien.)"

After Section 5, insert "Title Holder and Claimants to Pay Taxes.)"

After Section 6, insert "Receipts.)"

After Section 7, insert "Uniform System of Assessment.)"

After Section 8, "Emergency.)"

And when so amended refer the same to the committee of the whole house without recommendation.

R. A. NESTOS,  
Chairman.

Also,

Mr. Speaker:

A majority of your committee on taxes and tax laws to whom was referred

House Bill No. 211.

A bill for an act defining the method of assessing, determining the rate of taxation and disposition of taxes, rail-ways, freight line companies, dining car companies, ex-press companies, telegraph companies, telephone companies, or corporations engaged in carrying persons, property or messages in the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of section 2 of the printed bill, insert the words "state and local" after the word "taxes," and strike out the words "general fund of the state" at the end of section 3 and insert instead the words "various state funds," and also the following sub-heads:

Section 1, "Properly Assessed by the Board of Equalization.)"

Section 2, "Rate. How Determined.)"

Section 3, "Duty of State Auditor.)"

Section 4, "Repeal.)"

And that at the close of section 1, the words "except road taxes" be added.



And when so amended refer the same to the committee of the whole house, without recommendation.

R. A. NESTOS,  
Chairman.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 203.

A bill for an act to repeal Section 1544 of the Revised Codes of the State of North Dakota, relating to county treasurers and the collection of taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 310.

A bill for an act entitled, an act to amend and re-enact Section 2478 of the Revised Codes of North Dakota of the year 1905, relating to taxes.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 35.

A bill for an act to amend Section 1571 of the 1905 Revised Codes of North Dakota, relating to delinquent real estate axes.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 74.

A bill for an act to amend Section 1608 of the Revised Codes of 1905, relating to revenue and taxation.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

## House Bill No. 138.

A bill for an act requiring county auditors in all counties in the State of North Dakota, to deliver to the county treasurer all tax lists, and requiring the treasurer to publish the delinquent personal property tax assessed, and appearing unpaid and not cancelled.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred

## House Bill No. 355.

A bill for an act to provide for the reimbursement of owners of cattle destroyed by order of the state live stock sanitary board on account of the disease known as tuberculosis, and providing for the levy of a tax to create a fund therefor.

Have had the same under consideration and recommend that the same do pass.

A. W. CUNNINGHAM,  
Chairman.

Mr. Cunningham moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred

## House Bill No. 274.

A bill for an act to run a survey or surveys from the Mouse river to Devils lake for the purpose of determining

the feasibility of draining the surplus flood waters of the Mouse river into Devils lake; and making an appropriation therefor.

Have had the same under consideration and recommend that the same be referred to the committee of the whole.

J. B. AAKESON,  
Chairman.

Mr. Aakeson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on drainage to whom was referred  
Senate Bill No. 142.

A bill for an act to amend Sections 1821 and 1828 of the Revised Codes of 1905, as amended in Chapter 93 of the Session Laws of 1907, and also to amend Section 1825 of the Revised Codes of 1905, relating to drainage.

Have had the same under consideration and recommend that the same be amended as follows:

Add after the word "thereto" on line 60, page 4 of the printed bill, the following words: "Should two-thirds of the land owners whose land is subject to assessment for the construction of the proposed drain believe that the benefits to be derived are not equal to the expense of the construction, they may petition the Board of Drain Commissioners to have further proceedings discontinued, whereupon the said board shall by resolution order further proceedings discontinued."

In line 19, page 5 of the printed bill, after the word "should" add the following words, "two-thirds of," and after the word "owners" on the same line, strike out the words "representing the major portion of the land."

In line 20, page 5, strike out the last three words and all in lines 21, 22, 23 and the first six words in line 24.

In line 40, page 6, strike out the last three words and all of lines 41, 42, 43, 44, 45, 46, 47, 48 and 49 inclusive.

Section 3. Amendment.) Condemning Right of Way Under Certain Conditions.) Any person, firm or corporation, either alone or in company with others, may petition the drainage board for a drain, and deposit with the chairman of the drainage board a good and sufficient bond to be approved by the drainage board, conditioned that the petitioner will pay all costs of the proposed drain. Then the drainage board shall, within ten days commence proceedings for the construction of said drain according to the provisions of chapter 23 of the Code of North Dakota of 1905. No person, firm or corporations, except the petitioners above mentioned,

shall dig or construct any lateral ditch or drain that will conduct the flow of water from any land or lands into any drain constructed under the provisions of this section. Provided, that any person or persons, firm or corporation, may petition the drainage board for the privilege of digging ditches or lateral drains into the original ditch; and thereupon the drainage board shall estimate and determine the proportionate share of the cost of the main or original drain and the exact amount which should be paid by such petitioners. The said petitioners may pay into the county treasury the amount so determined, and they shall then be allowed to connect their lateral ditches or drains with the main drain under the direction and superintendence of the drainage board, but at their own cost and expense. The money paid into the county treasury, as aforesaid, shall be divided among those persons, their heirs or assigns, who paid for the original or main drain, in proportion to the amount paid by each.

Section 4. Compensation.) The drain commissioners shall receive for their services such amount not less than three nor exceeding four dollars per day for the time actually spent by them in the performance of the duties of their office, such per diem to be fixed by the board of county commissioners; provided, the said drain commissioners shall render an itemized and varified statement showing the date or dates when their services were rendered, and not more than the compensation for one day shall be allowed to them for services rendered in any one calendar day of twenty-four hours.

In the printed bill, change section 3 to 5 and section 4 to 6.

And when so amended recommend the same do pass.

J. B. AKESSON,  
Chairman.

Mr. Aakeson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House Bill No. 54.

A bill for an act to amend Section 3062 of the Revised Codes of 1905, and to provide for the appointment of overseers of highways.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, in line 7, after the word "vacancies" add: "in the event that the county commissioners have not at their regular meeting after April 1st appointed a county superintendent of highways, then."

And when so amended recommend the same do pass.

E. H. STRANAHAN,  
Chairman.

Also,

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

Senate Bill No. 206.

A bill for an act to amend Section 1346 of the Revised Codes of North Dakota for 1905, relating to highways.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. H. STRANAHAN,  
Chairman.

Mr. Stranahan moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

Senate Bill No. 247.

A concurrent resolution amending Section 185 of the Constitution of the state of North Dakota, relating to state aid in the construction and improvement of public highways.

Have had the same under consideration and recommend that the same do pass.

E. H. STRANAHAN,  
Chairman.

Mr. Stranahan moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on banks and banking made the following report:

Mr. Speaker:

Your committee on banks and banking to whom was referred

Senate Bill No. 171.

A bill for an act relating to payments of deposits in trust, in any bank, banking institution or trust company.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, after the figure 1, insert the following sub-head: "Deposits Made in Trust. When Bank Authorized to Pay.)"

And when so amended recommend the same do pass.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved

That the rules be suspended and the report be adopted and the bill go to the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

House Bill No. 360.

A bill for an act fixing the liability of railway companies for stock killed or injured and for loss of property by fires, and fixing the degree of proof necessary to recover.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on railroads to whom was referred  
Senate Bill No. 229.

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on railroads to whom was referred  
Senate Bill No. 114.

A bill for an act to enlarge the powers and duties of the board of railroad commissioners, creating a public warehouse fund and making an appropriation.

Have had the same under consideration and recommend that the same be amended as follows:

After the figure 1, in section 1, insert the following: "Duties of Railroad Commissioners.)"

After figure 3, section 3, insert: "Branch Line Schedules.)"

After figure 4, section 4, insert: "Assistance provided For.)"

After figure 5, section 5, insert: "Appropriation.)"

And when so amended recommend the same do pass.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the rules be suspended and the report of the com-



mittee adopted, and the bill placed on the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred:

House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

Have had the same under consideration and recommend that the same do pass.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on insurance to whom was referred:

House Bill No. 335.

A bill for an act to amend Section 4494 of the Revised Codes of North Dakota of 1905, relating to county mutual companies.

Have had the same under consideration and recommend that the same do pass.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on insurance to whom was referred:  
Senate Bill No. 167.

A bill for an act to provide for the non-forfeiture of premiums on policies of life insurance.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. P. HANSON,  
Chairman.

Mr. Hanson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on insurance to whom was referred:  
House Bill No. 272.

A Bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how premiums shall be paid and collected, and how expense and indemnity for losses by hail shall be paid.

Have had the same under consideration and recommend that the same be referred to the committee on judiciary.

A. P. HANSON,  
Chairman.

Mr. Hanson moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted, and  
The bill was so referred.

Also

Mr. Speaker:

Your committee on insurance to whom was referred:

## House Bill No. 199.

A bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how taxes for same shall be levied and collected, and how expense and indemnity for losses by hail shall be paid.

Have had the same under consideration and recommend that the same be referred to the committee on judiciary.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

And the bill was so referred.

Also

Mr. Speaker:

Your committee on insurance to whom was referred:

House Bill No. 129.

A concurrent resolution for an amendment to the constitution, providing for a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance, prescribing rules, regulations and duties of all officers and persons connected therewith prescribing how taxes for same shall be levied and collected and how expense and indemnity for losses by hail shall be paid.

Have had the same under consideration and recommend that the same be referred to the committee on judiciary.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

And the bill was so referred.

## MOTIONS AND RESOLUTIONS.

Mr. Akesson moved

That the vote by which House Bill No. 91 was lost, be reconsidered.

Which motion prevailed.

Mr. Burnett moved

That House Bill No. 91 be referred to the committee on highways, bridges and ferries.

Which motion prevailed, and

The bill was so referred.

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Also

House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Also

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

And the Speaker signed the same in the presence of the House.

INTRODUCTION, FIRST AND SECOND READING  
OF HOUSE BILLS.

Mr. DeNault introduced

House Bill No. 415.

A bill for an act to amend Section 8135 of the Revised Codes of North Dakota for 1905, relating to sales of real estate by executors or administrators.

Which was read the first and second times and  
Referred to the committee on judiciary.

Richland County Representatives introduced  
House Bill No. 416.

A bill for an act fixing the terms of court in the various counties comprising the Fourth judicial district of this state and the begining and duration thereof.

Which was read the first and second times and  
Referred to the committee on judiciary.

Mr. DeNault introduced  
House Bill No. 417.

A bill for an act to amend Section 8273 of the Revised Codes of North Dakota for 1905, relating to terms of sale of real estate by guardians.

Which was read the first and second times, and  
Referred to the committee on judiciary.

i Mr. Williams introduced  
House Bill No. 418.

A bill for an act to aid assessors in valuing coal deposits reserved to grantors by providing that all deeds and transfers of real property which reserves the coal deposits to the grantor shall contain a full description of the coal deposits, so reserved, its length, width and thickness, and prohibiting the recording by register of deeds of any deed or transfer of real property that reserves to the grantor the coal deposits, unless such description is contained therein, and providing a penalty therefor.

Which was read the first and second times, and  
i Referred to the committee on taxes and tax laws.

Mr. Moen of Cavalier, introduced  
House Bill No. 419.

A bill for an act to amend Section 10430 of the Revised Codes of North Dakota of 1905, relating to the appoint-

ment and obligations of jailers, and the manner of fixing compensations to be allowed for jailer's services.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. McClellan introduced

House Bill No. 420.

A bill for an act to amend Section 2826 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 58 of the Session Laws, for the year 1909, relating to the extension of corporate limits of cities, and to provide a method of procedure for the extension of corporate limits of cities.

Which was read the first and second times, and

Referred to the committee on municipal corporations.

Mr. Sgutt (by request) introduced

House Bill No. 421.

A bill for an act entitled, an act to prevent the placing of dependent children in family homes, for pay, by midwives, maternity hospitals and others.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. DeLance (by request) introduced

House Bill No. 422.

A bill for an act to amend and re-enact Section 1385, Revised Codes of 1905, limiting the cost of bridges over navigable rivers.

Which was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

Mr. DeNault, by request, introduced

House Bill No. 423.

A bill for an act to amend Section 2598 of Article 6 of Chapter 29, of the Revised Codes of 1905.

Which was read the first and second times, and  
Referred to the committee on ways and means.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

February 20, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 46.

A bill for an act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how premiums, expenses and indemnity for losses by hail shall be paid.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 148.

A bill for an act to amend Section 12 of Chapter 182, the same being Senate Bill No. 128 of the Session Laws for 1907, relating to the qualifications for registration of pharmacists.

Also,

Senate Bill No. 198.

A bill for an act to amend and re-enact Section 7387 of Article 4 of Chapter 27 of the Revised Codes of North Dakota for the year 1905.

Also,

Senate Bill No. 201.

A bill for an act to prohibit certain designated officers from advising, counseling, or suggesting to persons upon whom process is served, the name of attorneys and prescribing a penalty for violation.

Also

Senate Bill No. 242.

A bill for an act prohibiting and punishing the unauthorized publication or distribution of the secret work of fraternal orders, and any publication claimed or represented to be secret work.

Also

Senate Bill No. 236.

A bill for an act to amend and re-enact Section 2240, Article 45, Chapter 24, of the Revised Codes of North Dakota for the year 1905, relating to the duties of county auditors and prescribing how records of fees shall be kept.

Also

Senate Bill No. 226.

A bill for an act giving the court authority to require the defendant to provide for the temporary support and maintenance of the plaintiff in divorce actions.

Also,

Senate Bill No. 212.

A bill for an act to provide for the refund of any tax upon land which shall have been paid through the error of a county official, or by mistake of the party so paying.

Also,

Senate Bill No. 243.

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota for 1905, relating to proof of planting trees, under the tree bounty law

Also,



Senate Bill No. 246.

A bill for an act to prohibit the carrying and use of fire-arms by children and minors.

Also,

Senate Bill No. 252.

A bill for an act to amend Section 1541 of the Revised Codes of 1905, relating to tax lists made out by county auditors.

Also,

Senate Bill No. 81.

A bill for an act to amend Section 1564 of the Revised Codes, relating to fees of sheriffs for the collection of delinquent personal property taxes.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very Respectfully,

J. W. FOLEY,  
Secretary.

### THIRD READING OF HOUSE BILLS

House Bill No. 180.

A bill for an act amending Section 8406, Revised Codes of 1905, providing when an action of forcible detainer is maintainable.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 89 ayes, 1 nay, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Olgard of Richland
Akesson	Hedalen	O'Shea
Anderson, of Griggs	Heinemeyer	Paulson
Anderson, of Ramsey	Hersrud	Peart
Benson	Hoge	Pendray
Bjornson	Homnes	Ployhar

Messrs.—	Messrs.—	Messrs.—
Bond	Hill, of Bottineau	Price
Boyd	Hill, of Cass	Ray
Brusletten	Hyland	Robinson
Burnett	Johns	Roquette
Carey	Johnson	Sauer
Christenson	Kane	Scott
Collins	Knox	Scheer
Dean	Knutson	Sgutt
DeLance	Kuhl	Sorlie
DeNault	Kyllo	Stern
Doyle, of McIntosh	Lageson	Stranahan
Edwards	Law	Streeter
Englund	Lee	Tande
Fassett	McClellan	Thompson
Fox	Moen of Benson	Tollefson
France	Moen of Cavalier	Tostenson
Fraine	Morrison	Tuttle
Fried	Narum	Ulsaker
Fritz	Nelson of Richland	Walters
Gardiner	Nelson of Walsh	Wambem
Geiger	Nestos	Whitmer
Gorder	Norheim	Williams
Hanson	O'Connor of Gd. Forks	Mr. Speaker
Harty	Olsgard of Nelson	

Mr. Burns voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Moritz
Boerner	Doyle, of Foster	O'Connor of Pembina
Cunningham	Jordal	Putnam
Davidson	Martin	Reeve
Davis		

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which House Bill No. 180 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 278.

A bill for an act to provide for the payment of the expenses of district judges when acting outside of their judicial districts.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 88 ayes, 3 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Olsgard of Nelson
Akesson	Hawkinson	Olsgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Benson	Hersrud	Pearl
Bjornson	Hoge	Pendray
Bond	Homnes	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Ray
Burnett	Hyland	Robinson
Carey	Johnson	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sgutt
DeNault	Kyllo	Sorlie
Doyle, of Foster	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Streeter
Englund	McClellan	Tande
Fassett	Moen, of Benson	Thompson
Fox	Moen, of Cavalier	Tollefson
France	Morrison	Tostenson
Fraine	Narum	Tuttle
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speaker
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burns	Johns	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Davis	Moritz
Boerner	Dossett	O'Connor of Pembina
Cunningham	Jordal	Putnam
Davidson	Martin	Reeve

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

## House Bill No. 170.

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 90 ayes, 1 nay, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Hanson	O'Connor of Gd. Forks
Akesson	Harty	Olgaru of Nelson
Anderson, of Griggs	Hawkinson	Olgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Bond	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burns	Hill, of Cass	Ray
Carey	Hyland	Robinson
Christenson	Johns	Roquette
Collins	Johnson	Sauer
Davis	Kane	Scott
Dean	Knox	Scheer
DeLance	Knutson	Sgutt
DeNault	Kuhl	Sorlie
Doyle, of Foster	Kylo	Stern
Doyle, of McIntosh	Lageson	Stranahan
Edwards	Law	Streeter
Englund	Lee	Tande
Fassett	McClellan	Tollefson
Fox	Moen of Benson	Tostenson
France	Moen of Cavalier	Tuttle
Fraine	Morrison	Ulsaker
Fried	Narum	Walters
Fritz	Nelson of Richland	Wambem
Gardiner	Nelson of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker

Mr. Davidson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anirus	Dosseth	O'Connor of Pembina
Boerner	Jordal	Putnam
Burnett	Mertin	Reeve
Cunningham	Moritz	Thompson

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 20, 1911.

Mr. Speaker:

I have the honor to return herewith  
House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

### THIRD READING OF HOUSE BILLS.

Mh. Ployhar moved a call of the House.

Which motion prevailed.

The chief clerk called the roll of the House.

All members present except Messrs. Andrus, Boerner, Burns, Cunningham, Dosseth, Kuhl, Jordal, Moritz, O'Connor of Pembina, Putnam, Reeves and Whitmer.

Messrs. Putnam and Reeve being excused.

The above names were given to the sergeant-at-arms and instructed to find the absent members and return them to the bar of the House.

Mr. DeNault moved

That further action under the call of the House be dispensed with.

The sergeant-at-arms brought before the bar of the House Messrs. Andrus, Boerner, Cunningham, Dosseth, Jordal, Moritz and O'Connor of Pembina.

• Mr. DeNault moved

That the further call of the House be dispensed with.

Which motion prevailed.

And the call of the House was dispensed with.

Mr. Doyle of Foster moved

That the special order for 3 o'clock p. m. on Senate Bill No. 219 be deferred until 4 o'clock p. m.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 20, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

*Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

THAT, WHEREAS, The reciprocity agreement now pending before the National Congress is of the most vital importance to the North Dakota people; and

WHEREAS, The Hon. James J. Hill, president of the board of directors of the Great Northern road, made a certain speech in the city of Chicago on the 15th day of February, 1910, in which the said speaker is quoted in the press as saying that "the Northwest was in favor of said reciprocity agreement"; and

WHEREAS, Said speech has been widely circulated throughout the United State; and

WHEREAS, Said speech has had its influence upon Congress, and inasmuch as it does not express the sentiments of the farmers and business interests of the state of North Dakota; and

WHEREAS, Action will be taken on said reciprocity agreement on Wednesday or Thursday of the present week;

*Now, Therefore, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That two members of the Senate and three members of the House of Representatives be appointed to draft the proper resolution to be telegraphed to our representatives in the National Congress by the secretary of state, setting forth fully the sentiments of the North Dakota farmers and other business interests of North Dakota.

Which the Senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Sorlie moved

That the rules be suspended and the House pass to the twelfth order of business.

Which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Sorlie moved

That the House amend the Senate concurrent resolution relating to the reciprocity agreement by adding the name of President Wm. H. Taft and that the House concur in the Senate concurrent resolution as amended.

Which motion prevailed, and

The resolution was concurred in as amended.

The Speaker appointed as House members of the committee on the reciprocity agreement, Messrs. Fraine, Norheim and Price.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 20, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House amendment to the Senate resolution limiting the time for introduction of bills.

Very respectfully,

J. W. FOLEY,  
Secretary.

## House Bill No. 267.

A bill for an act to amend and re-enact Chapter 172 of the laws of the state of North Dakota for 1907, relating to whom may solemnize marriages and to marriage license.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 97 ayes, no nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Norheim
Akessou	Hanson	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Pearl
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Ray
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Collins	Jordal	Sauer
Cunningham	Kane	Scott
Davidson	Knox	Scheer
Davis	Knutson	Sgutt
Dean	Kuhl	Sorlie
DeLance	Kylo	Stern
DeNault	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	McClellan	Thompson
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Walters
Fried	Nelson of Richland	Wambem
Fritz	Nelson of Walsh	Williams
Gardine	Nestos	Mr. Speaker
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Martin	Reeve
Dosseth	Putnam	Whitmer

Messrs. Putnam and Reeve being excused.



So the bill passed and the title was agreed to.

Mr. Price moved that the special order set for 3:30 o'clock be deferred until 4:30 o'clock.

Which motion prevailed,

And the special order was deferred.

House Bill No. 215.

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 57 ayes, 41 nays, 5 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Fox	Nestos
Anderson, of Ramsey	Fritz	Norheim
Benson	Gordr	O'Connor of Gd. Forks
Bjornson	Hanson	O'Connor of Pembina
Boerner	Harty	Peart
Bond	Hawkinson	Ployhar
Brusletten	Heinemeyer	Price
Burnett	Hoge	Ray
Carey	Homnes	Roquette
Collins	Hill, of Bottineau	Scott
Cunningham	Hill, of Cass	Scheer
Davidson	Hyland	Sgutt
Davis	Johns	Sorlie
Dean	Jordal	Stern
DeLance	Knox	Stranahan
Dosseth	<b>Kuhl</b>	Streeter
Doyle, of Foster	Law	Thompson
Doyle, of McIntosh	Lee	Williams
Fassett	Nelson of Richland	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Olsgard of Richland
Anderson, of Griggs	Johnson	O'Shea
Andrus	Kane	Paulson
Boyd	Knutson	Pendray
Christenson	Kyllo	Robinson
DeNault	Lageson	Sauer
Edwards	McClellan	Tande
Englund	Moen of Benson	Tollefson
France	Moen of Cavalier	<b>Tostenson</b>
Fraine	Morrison	Tuttle

Messrs.—	Messrs.—	Messrs.—
Fried	Moritz	Ulsaker
Gardiner	Narum	Walters
Geiger	Nelson of Walsh	Wambem
Hedalen	Olsgard of Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Putnam	Whitmer
Martin	Reeve	

Messrs. Putnam and Reeve being excused.

So the bill was lost.

Mr. DeNault moved

That the vote by which House Bill No. 215 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Fraine moved

That the further consideration of House Bill No. 216 be indefinitely postponed.

Mr. Ployhar moved as an amendment,

That House Bill No. 216 be placed at the foot of the calendar.

Which motion prevailed.

And House Bill No. 216 was so placed.

The Speaker called Mr. Fraine to the chair.

House Bill No. 269.

A bill for an act entitled, an act to amend and re-enact Sections 1352 and 1353 of Chapter 19 of the Revised Codes of North Dakota for the year 1905, relating to altering, discontinuing and laying out public roads and defining what shall be deemed sufficient notices to all parties concerned.

Was read the third time.

Mr. Hedalen asked unanimous consent to amend the bill.

There being no objections,

Mr. Hedalen offered the following amendment and moved its adoption:

In line 13, insert the word "public" after the word "three."

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 89 ayes, no nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Richland
Anderson, of Ramsey	Hawkinson	O'Shea
Benson	Hedalen	Peart
Boerner	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Carey	Hyland	Reeve
Christenson	Johns	Robinson
Collins	Johnson	Roquette
Davidson	Kane	Sauer
Davis	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sgutt
DeNault	Kylo	Sorlie
Doyle, of Foster	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Streeter
Englund	McClellan	Tande
Fassett	Moen of Benson	Tollefson
Fox	Moen of Cavalier	Tostenson
France	Morrison	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson of Richland	Wambem
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger	Norhelm	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Heinemeyer	Paulson
Bjornson	Jordal	Thompson
Burns	Martin	Walters
Cunningham	Moritz	Whitmer
Dosseth	Olgard of Nelson	

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which House Bill No. 269 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 332.

A bill for an act prohibiting the placing of screens or other obstructions across the windows and doors of pool halls and providing a penalty therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 84 ayes, no nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Norheim
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	Olsgard of Nelson
Benson	Heinemeyer	Olsgard of Richland
Bjornson	Hersrud	O'Shea
Boyd	Hoge	Paulson
Brusletten	Homnes	Pearl
Burnett	Hill, of Bottineau	Pendray
Burns	Hill, of Cass	Price
Carey	Hyland	Ray
Christenson	Johns	Robinson
Collins	Johnson	Roquette
Davidson	Kane	Sauer
Dean	Knox	Scott
DeNault	Knutson	Scheer
Doyle, of Foster	Kuhl	Sgutt
Doyle, of McIntosh	Kylo	Sorlie
Edwards	Lageson	Stern
Englund	Law	Stranahan
Fassett	Lee	Streeter
Fox	Martin	Tande
France	McClellan	Tollefson
Fraine	Moen of Benson	Tostenson
Fritz	Morrison	Tuttle
Gardiner	Narum	Ulsaker
Geiger	Nelson of Richland	Wambem
Gorden	Nelson of Walsh	Whitmer
Hanson	Nestos	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Dosseth	Ployhar
Andrus	Fried	Putnam
Boerner	Jordal	Reeve
Bond	Moen of Cavalier	Thompson
Cunningham	Moritz	Walters
Davis	O'Connor of Pembina	Mr. Speaker
DeLance		

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which House Bill No. 332 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 209.

A bill for an act to amend Chapter 70, Laws of 1909, relating to the investment of county sinking funds.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 83 ayes, 4 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Ramsey	Hawkinson	O'Shea
Benson	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Boyd	Hersrud	Pendray
Brusletten	Hoge	Ployhar
Burnett	Homnes	Price
Carey	Hill, of Bottineau	Ray
Christenson	Hill, of Cass	Robinson
Collins	Hyland	Roquette
Davidson	Johns	Sauer
Dean	Johnson	Scott
DeLance	Kane	Scheer
DeNault	Knox	Sgutt
Doyle, of Foster	Knutson	Sorlie
Doyle, of McIntosh	Kuhl	Stern
Edwards	Lageson	Stranahan

Messrs.—	Messrs.—	Messrs.—
Englund	Law	Streeter
Fassett	Lee	Tande
Fox	Moen of Cavalier	Tollefson
France	Morrison	Tostenson
Fraine	Narum	Tuttle
Fried	Nelson of Richland	Ulsaker
Fritz	Nelson of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Forks	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burns	Martin	Walters
Kyllo		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Dosseth	O'Connor of Pembina
Andrus	Jordal	Putnam
Boerner	McClellan	Reeve
Bond	Moen of Benson	Thompson
Cunningham	Moritz	Mr. Speaker
Davis		

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which House Bill No. 209 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### SPECIAL ORDER.

Mr. Doyle of Foster moved

That the House do now consider Senate Bill No. 219.

Which motion prevailed.

Senate Bill No. 219.

A bill for an act, making an appropriation to meet the deficiency incurred by William Blake of Stutsman county, North Dakota, in carrying on the work of state humane agent.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 76 ayes, 12 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Pendray
Boyd	Hoge	Ray
Brusletten	Homnes	Roquette
Burns	Hill, of Bottineau	Sauer
Carey	Hyland	Scott
Christenson	Johns	Scheer
Collins	Johnson	Sgutt
Davis	Kane	Stern
Dean	Knox	Stranahan
DeLance	Knutson	Streeter
DeNault	Kuhl	Tande
Doyle, of Foster	Lageson	Thompson
Doyle, of McIntosh	Law	Tollefson
Edwards	Lee	Tostenson
Englund	Martin	Tuttle
Fassett	McClellan	Walters
Fox	Moen of Cavalier	Wambem
France	Morrison	Whitmer
Fried	Nelson of Richland	Williams
Fritz	Nelson of Walsh	Mr. Speaker
Gardiner		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Davidson	Moen of Benson	Price
Fraine	Narum	Robinson
Hill, of Cass	Nestos	Sorlie
Kyllo	Peart	Ulsaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	O'Connor of Pembina
Boerner	Harty	Paulson
Bond	Hawkinson	Ployhar
Burnett	Jordal	Putnam
Cunningham	Moritz	Reeve

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 219 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 20, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House amendment to the reciprocity resolution and the President of the Senate has named as Senate members of the committee, Messrs. Talcott and Bessesen.

Very respectfully,

J. W. FOLEY,  
Secretary.

The Speaker in the chair.

### THIRD READING OF HOUSE BILLS.

House Bill No. 73.

A bill for an act making an appropriation to meet the deficiency incurred by the State Live Stock Sanitary board in carrying out the purpose of Chapter 169 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 86 ayes, no nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Heinemeyer	O'Shea
Aasheim	Hersrud	Paulson
Anderson, of Griggs	Hoge	Peart
Anderson, of Ramsey	Homnes	Pendray



Messrs.—	Messrs.—	Messrs.—
Bjornson	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Ray
Brusletten	Johns	Robinson
Carey	Johnson	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edward's	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fried	Narum	Ulsaker
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Walters
Geiger	Nestos	Whitmer
Gorder	Norheim	Williams
Hanson	O'Connor of Gd. Forks	Mr. Speaker
Hedalen	Olsgard of Nelson	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Moritz
Benson	Doyle, of Foster	O'Connor of Pembina
Boerner	Fraine	Olsgard of Richland
Burnett	Harty	Putnam
Burns	Hawkinson	Reeve
Cunningham	Jordal	

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Anderson of Ramsey moved

That the vote by which House Bill No. 73 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 317.

A bill for an act to prevent the spread of contagious diseases and sanitary regulation of coaches, cars and steam boats in this state.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 82 ayes, 1 nay, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nestos
Akesson	Hanson	Norheim
Anderson, of Griggs	Hedalen	O'Connor of Gd. Forks
Anderson, of Ramsey	Heinemeyer	Olgard of Richland
Bjornson	Hersrud	O'Shea
Bond	Hoge	Paulson
Boyd	Homnes	Peart
Brusletten	Hill, of Bottineau	Pendray
Burnett	Hill, of Cass	Ployhar
Carey	Hyland	Price
Christenson	Johns	Robinson
Collins	Johnson	Roquette
Davidson	Kane	Sauer
Davis	Lnox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sgutt
DeNault	Kylo	Sorlie
Doyle, of McIntosh	Lageson	Stranahan
Edwards	Law	Streeter
Englund	Lee	Tandø
Fassett	Martin	Tollefson
Fox	Moen of Benson	Tostenson
France	Moen of Cavalier	Tuttle
Fraine	Morrison	Wambem
Fried	Narum	Whitmer
Fritz	Nelson of Richland	Williams
Gardiner	Nelson of Walsh	Mr. Speaker
Geiger		

Mr. Walters voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Harty	Putnam
Benson	Hawkinson	Ray
Boerner	Jordal	Reeve
Burns	McClellan	Stern
Cunningham	Moritz	Thompson
Dosseth	O'Connor of Pembina	Ulsaker
Doyle, of Foster	Olgard of Nelson	

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Johns moved

That the vote by which House Bill No. 317 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hyland moved

That the rules be suspended and that Senate Bill No. 176 be placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 176.

A bill for an act to amend Sections 2 and 4 of Chapter 174 of the Session Laws of 1907.

Was read the third time.

Mr. Nestos asked unanimous consent to amend the bill.

There being no objections,

Mr. Nestos offered the following amendment and moved its adoption:

Between lines 4 and 5, section 2, after the word "be" insert the following words: "a resident of such township shall be."

Which motion prevailed.

Mr. Norheim asked unanimous consent to amend the bill.

There being no objections,

Mr. Norheim offered the following amendment and moved its adoption:

Section 2, line 1, strike out the word "office" and insert the word "offices," and in the same line, after the word "overseer" insert "and county road superintendent," and strike out the word "is" and insert the word "are."

Line 4, section 2, after the word "supervisors" insert "in organized townships and to the Board of County Commissioners if in unorganized townships."

Section 4, line 9, after the word "taxes" insert: "provided that in unorganized townships such examination, inspection and acceptance shall be made by said county superintendent or deputy superintendent of highways."

Which motion prevailed.

Mr. Davidson moved

That the rules be suspended and Senate Bill No. 176 be placed upon its final passage as amended.

Which motion prevailed.

Mr. Streeter moved

That the special order be deferred until after the roll call on Senate Bill No. 176.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 75 ayes, 13 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Narum
Akesson	Geiger	Nelson of Walsh
Anderson, of Ramsey	Gorder	Nestos
Benson	Hanson	Norheim
Bjornson	Harty	O'Connor of Gd. Forks
Bond	Hawkinson	Olsgard of Nelson
Boyd	Hedalen	O'Shea
Burnett	Heinemeyer	Ployhar
Burns	Hersrud	Price
Christenson	Hoge	Ray
Collins	Homnes	Robinson
Davidson	Hill, of Bottineau	Roquette
Davis	Hyland	Sauer
Dean	Johns	Scott
DeLance	Kane	Sgutt
DeNault	Knox	Sorlie
Doyle, of Foster	Knutson	Stern
Doyle, of McIntosh	Kuhl	Stranahan
Edwards	Kyllo	Streeter
Englund	Law	Tande
Fassett	Lee	Tostenson
France	Martin	Wambem
Fraine	Moen of Benson	Williams
Fried	Moen of Cavalier	Whitmer
Fritz	Morrison	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Olsgard of Richland	Scheer
Carey	Paulson	Tuttle
Hill, of Cass	Peart	Ulsaker
Lageson	Pendray	Walters
Nelson of Richland		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fox	O'Connor of Pembina
Andrus	Johnson	Putnam
Poerner	Jordal	Reeve

Messrs.—  
Cunningham  
Dosseth

Messrs.—  
McClellan  
Moritz

Messrs.—  
Thompson  
Tollefson

Messrs. Putnam and Reeve being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 176 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 147.

A bill for an act to amend Section 4048 of the Revised Codes of 1905, providing for the dissolution of marriage; the effect thereof and the duty of the court to regulate the re-marriage of either or both parties.

Also,

Senate Bill No. 19.

A bill for an act to amend Section 7782 of the Revised Codes of 1905, relating to the priority of claims in insolvency proceedings.

Also,

Senate Bill No. 99.

A bill for an act to amend and re-enact Section 1513 of Revised Codes of North Dakota, as amended by Chapter 41, of the laws of 1909, relating to the furnishing by the county auditor of assessment books and blanks, lists of real property, regulating the time of meeting of assessors, and providing for their compensation for attending such meeting.

Also,

Senate Bill No. 108.

A bill for an act to amend Section 2744 of the Revised Codes of North Dakota for 1905, relating to qualified voters and registration in cities.

Also,

Senate Bill No. 166.

A bill for an act to amend and re-enact Section 6064 of the Revised Codes of North Dakota for the year A. D., 1905, relating to life insurance.

Also,

Senate Bill No. 180.

A bill for an act to amend and re-enact Section 1607 of the Revised Codes of North Dakota for the year 1905.

Also,

Senate Bill No. 216.

A bill for an act to amend and re-enact Section 8023 of the Revised Codes of North Dakota for 1905, relating to time, to apply for letters of administration and providing when the statute of limitations shall run against claims against decedents.

And the Speaker signed the same in the presence of the House.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

House Bill No. 1.

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Also,

House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Also,

## House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Were delivered to the governor for his approval at the hour of 5 o'clock p. m. February 20, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Price moved

That the House resolve itself into a committee of the whole for the consideration of House Bill No. 271.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Nestos to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

And beg leave to report progress and leave to sit again.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

There being no objections,

The House returned to the sixth order of business.

### REPORTS OF SELECT COMMITTEES.

*To the President of the Senate and Speaker of the House:*

Your committee appointed to visit the State School of Science at Wahpeton begs to report as follows:

Your committee arrived at Wahpeton at 1:00 o'clock a. m. on Monday, February 6th, and were met in the hotel the next morning by President Smith of the School of Science, and after discussing the condition of the school for some time with him, we finally accompanied him to the new ladies' dormitory, built with the appropriation provided in 1909. We arrived just in time to partake of a delicious dinner prepared by the girls in the domestic science course, whose department is in that building. After dinner we made a thorough investigation of the girls' dormitory and found the building well planned and furnished, and most substantially built. The work in the domestic science course, as explained, was very interesting and instructive, and your committee believes that this work should have continued and careful attention in many of the schools in the state.

We next directed our attention to the main building, a building built about twenty years ago and purchased from the Red River Valley University. The building was bought at a very low figure originally and has had very little repairs since that time. The roof on this building is leaky in many places, and we would recommend that a new roof be put on the building, and that the amount of \$3,500.00 would place the building in a fair state of repair until the next session of the legislature, when a further appropriation should be made.

The engineering building where the work in manual training, consisting of wood working, iron working and work with engines, etc., is carried on, we found very crowded; and there is a great necessity for more room to properly carry on the work.

The gymnasium is a part of this same building, and could be used as an addition to the engineering department of the building, providing a new assembly hall and gymnasium is furnished. The gymnasium at the present time is situated across the campus some two hundred yards from the girls' dormitory and from the main building where many of the boys room. There are no dressing rooms or bath rooms in the gymnasium building, and after exercising, the boys and girls are obliged to go across the campus in all kinds of weather, this being a menace to their health as they are liable to take cold.

An assembly hall and gymnasium are badly needed by the institution, and we would recommend that \$20,000.00 be appropriated for such a building. This sum would not, in our opinion, be sufficient to complete and equip the building, but would probably enclose it so it could be used until the next session of the legislature, when an additional appropriation to complete the building would be required.

We believe that the boys' dormitory asked for will have to be dispensed with for the present biennial period.

We recommend the appropriation of \$4,950.00 for the deficit in cost of the girls' dormitory, chemical building and heating plant, which amount was temporarily transferred from the maintenance fund.

Cement walks are needed, and the amount of \$1,800.00 asked for should be appropriated for these walks.

An appropriation of \$1,000.00 for grading and improving the ground as asked for should also be allowed. There was a great deal of snow, so we were not able to judge of the existing condition of the ground, but understand that considerable work has already been done, and this amount is necessary to properly complete the work.



Unless the assembly hall and gymnasium can be built within the next two years, it will be necessary to make some temporary provision for the accommodation of the engineering students, and some appropriation for an addition to the present engineering building should be made.

Respectfully submitted,

W. B. OVERSON,  
S. N. PUTNAM,  
N. O. JOHNSEN,  
T. E. TOSTENSON.

Mr. Norheim moved

That the Speaker appoint a committee of five to consider the four initiative and referendum bills now before the House and report the same to the House tomorrow.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Price, Homnes, Anderson of Ramsey, Bond and Burnett.

The privileges of the floor were extended to the following:

O. L. Hemstad, W. A. Shear, of Sentinel Butte.

W. C. Lasell of LaMoure.

Frank I. Hall of Fargo.

Mr. Hoge moved

That the House take a recess until 10 o'clock tomorrow.

Which motion prevailed, and

The House took a recess.

E. H. GRIFFIN,  
Chief Clerk.

FORTY-NINTH DAY AFTER RECESS AND  
FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 21, 1911.

The House re-assembled pursuant to recess taken.

GENERAL ORDERS.

Mr. Sorlie moved

That the House resolve itself into a committee of the whole for the consideration of

House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable,, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions,, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Boyd to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

And recommend that the same be amended as follows:

Strike out the last three words of line 3, all of line 4, and the first word in line 5 of the title.

Section 1, line 9, insert a comma after the word "district," where it appears the first time.

Section 1, line 10, insert a comma after the word "defined."

Section 1, line 17, strike out the word "nor," and insert the word "not" in lieu thereof.

Section 10, line 30, strike out the letter "a."

Section 11, line 9, insert the letter "a" after the word "appoint."

Section 38, line 4, strike out the words "each month" and insert the words "February, May, August and November," in lieu thereof.

Section 38, line 7, strike out the word "month," and insert "quarterly period beginning on the 1st day of January, April, July and October" in lieu thereof.

Strike out all of sections 49, 50, 51 and 52.

Section 53, line 1, strike out the words "Section 53" and insert the words "Section 49" in lieu thereof.

Section 54, line 1, strike out the words "Section 54," and insert the words "Section 50" in lieu thereof.

Section 10, line 12, strike out word "case" and insert word "cases" in lieu thereof.

Section 20, line 10, strike out word "was" and insert word "is" in lieu thereof.

Insert after the word "state" in line five of section 1 the words "not more than;" after the second word "the" insert the word "same;" strike out all of line seven after the word "party" and the word "assembly" in line eight; strike out all of line 27 after the word "may," and all of line 28 up to the word "remove."

Strike out the balance of the section after line 31.

Strike out after the word "appropriated" in line two of section four, all the balance of the section, and insert "the sum of \$15,000.00 annually, or as much thereof as may be necessary to carry out the provisions of this act."

Strike out the words "the Soldiers' Home" in line 3 of section 8.

Strike out the words "Tuesday in April," in line 17 of section 8, and insert the words "day of July."

Strike out in line 4 of section 9 the words "Tuesday in April" and insert the words "day of July."

Strike out in line 11 of section 9 the words "Tuesday in April," and insert the words "day of July."

Strike out the first "the" in line 17, section 3, and insert the word "said."

Strike out in line 10, section 11, after the word "woman," the words "who resides within fifty miles of the hospital."

Strike out the figures "10" in line 13 of section 11, and insert the figure "5."

Strike out the word "November" in line 6 of section 12, and insert the word "October."

Strike out all of line 10 after the word "purposes," and all of lines 11, 12 and 13, up to the word "the."

Strike out after the word "the" in line 7 of section 19, the words "Soldiers' Home and the."

After the word "may" in line 1 of section 22, insert "if deemed advisable and expedient for the best interest of the state."

Strike out all of line 7 after the word "specifications," and all of lines five, seven and a half and eight.

Strike out "Soldiers' Home" in line 3 of section 25.

Insert after the word "organization," line 2, section 30, "and each July 1st and January 1st of each year thereafter."

After the second "the" in line 14 of section 30, insert the word "semi"

Strike out the word "April" in line 1, section 35, and insert the word "July."

Strike out the word "April" in line 9, section 35, and insert the word "July."

Strike out the word "April" in line 10, section 36, and insert the word "July."

After the word "state," line 35, section 40, insert "auditing" and strike out the word "of" in line 35, and also strike out the word "audit" in line 36, section 40.

Strike out the words "the last named officer," in line 23 of section 40, and insert the words "the state auditor."

Strike out the first word "to" in line 25 of section 40, and insert the word "on."

Strike out the words "two hundred" in line 2 of section 41, and the words "and fifty dollars" and figures (\$250.00) in line 3 of same section, and insert in lieu thereof the words and figures "three thousand dollars (\$3,000.00)."

Strike out the words "three hundred" in line 11, section 47, and insert the words "one thousand."

Strike out the figures "(\$300.00)" in line 11 of section 47, and insert "(\$1,000.00)."

Strike out in line 2 of the title the words, "the Soldiers' Home."

And when so amended recommend the same do pass.

S. J. A. BOYD,  
Chairman.

Mr. Boyd moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Boyd moved

That the rules be suspended and House Bill No. 271 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

Mr. Sorlie moved the previous question.

The question being shall the main question be now put.

Which motion prevailed.

House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 51 ayes, 39 nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Nelson, of Walsh
Anderson, of Griggs	Hedalen	Nestos
Anderson, of Ramsey	Heinemeyer	Norheim
Benson	Hoge	O'Shea
Bond	Homnes	Ployhar
Burnett	Hill, of Bottineau	Price
Burns	Hyland	Putnam
Christenson	Kane	Robinson
Davis	Knox	Sauer
Dean	Knutson	Scott
Doyle, of Foster	Kuhl	Sorlie
Edwards	Lageson	Stranahan
Englund	Law	Thompson
Fox	Lee	Tostenson
Fraine	Martin	Wambem
Gorder	Moen, of Benson	Williams
Hanson	Narum	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gardiner	Olsgard of Richland
Bjornson	Geiger	Paulson

Messrs.—	Messrs.—	Messrs.—
Boyd	Hawkinson	Peart
Brusletten	Hersrud	Pendray
Carey	Hill, of Cass	Roquette
Collins	Johns	Scheer
Davidson	Johnson	Sgutt
DeNault	Kyllo	Streeter
Doyle, of McIntosh	Moen, of Cavalier	Tande
Fassett	Morrison	Tollefson
France	Nelson, of Richland	Tuttle
Fried	O'Connor of Gd. Forks	Ulsaker
Fritz	Olsgard, of Nelson	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Ray
Boerner	McClellan	Reeve
Cunningham	Moritz	Stern
DeLance	O'Connor of Pembina	Whitra
Dosseth		

Mr. Reeve being excused.

So the bill was lost.

Mr. Fraine moved

That the vote by which House Bill No. 271 was lost, be re-considered.

Which motion prevailed.

Mr. Fraine moved

That House Bill No. 271 be made a special order for 3 o'clock p. m., this afternoon.

Which motion prevailed.

And House Bill No. 271 was made a special order for 3 o'clock p. m.

## FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 222.

A bill for an act to amend and re-enact section 2, section 16 and section 24 of chapter 109 of the Session Laws of the year 1907, of the state of North Dakota, relating to primary election.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

## Senate Bill No. 235.

A bill for an act to amend Sections 3, 4, 5, 6, 7, 8, 12, 15, 28, 35, 42, 43, 44 and 45 of Chapter 128 of the Session Laws of 1909, being an act creating a state game and fish board of control and chief game wardens and state fish commissioner, deputies and wardens, and defining their duties and jurisdiction, for the protection, propagation, preservation, taking, use and transportation of game, fish, wild birds, fur bearing animals and certain harmless birds and animals.

Was read the first and second times, and

Referred to the committee on game and fish.

## Senate Bill No. 14.

A bill for an act to provide a refuge or breeding ground for certain game birds and to protect the same.

Was read the first and second times, and

Referred to the committee on game and fish.

## Senate Bill No. 269.

A bill for an act creating a reserve at Devils Lake, North Dakota, and providing for the protection of birds and their nests within such reserve.

Was read the first and second times, and

Referred to the committee on game and fish.

## Senate Bill No. 31.

A bill for an act defining and limiting the legal expenses of candidates for nomination and for election to any elective office in the state, and making the violation thereof unlawful, and prescribing penalties therefor.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

## Senate Bill No. 280.

A bill for an act to amend and re-enact Section 9 of the Session Laws for the year 1907, of the state of North Dakota, relating to primary election.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 275.

A bill for an act authorizing the county commissioners to condemn and purchase right of way for highways whenever the cost of constructing such highway or any part thereof is to be borne by the county.

Was read the first and second times, and

Referred to the committee on highways and bridges.

Senate Bill No. 278.

A bill for an act to amend and re-enact Section 13 of the Session Laws for the year 1907 of the state of North Dakota, relating to primary election.

Was read the first and second times and

Referred to the committee on elections and election privileges.

Senate Bill No. 281.

A concurrent resolution for an amendment to the Constitution of the state of North Dakota, providing for the recall of public officers by the people.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 46.

A bill for an act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how premiums, expenses and indemnity for losses by hail shall be paid.

Was read the first and second times, and

Referred to the committee on agriculture.



## Senate Bill No. 148.

A bill for an act to amend Section 12 of Chapter 182, the same being Senate Bill No. 128 of the Session Laws for 1907, relating to the qualifications for registration of pharmacists.

Was read the first and second times and

Referred to the committee on state affairs.

## Senate Bill No. 198.

A bill for an act to amend and re-enact Section 7387 of Article 4 of Chapter 27 of the Revised Codes of North Dakota for the year 1905.

Was read the first and second times, and

Referred to the committee on corporations other than municipal.

## Senate Bill No. 201.

A bill for an act to prohibit certain designated officers from advising, counseling, or suggesting to persons upon whom process is served, the name of attorneys and prescribing a penalty for violation.

Was read the first and second times and

Referred to the committee on state affairs.

## Senate Bill No. 242.

A bill for an act prohibiting and punishing the unauthorized publication or distribution of the secret work of fraternal orders, and any publication claimed or represented to be secret work.

Was read the first and second times and

Referred to the committee on judiciary.

## Senate Bill No. 236.

A bill for an act to amend and re-enact Section 2240, Article 45, Chapter 24, of the Revised Codes of North Dakota for the year 1905, relating to the duties of county auditors and prescribing how records of fees shall be kept.

Was read the first and second times, and

Referred to the committee on ways and means.

Senate Bill No. 226.

A bill for an act giving the court authority to require the defendant to provide for the temporary support and maintenance of the plaintiff in divorce actions.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 212.

A bill for an act to provide for the refund of any tax upon land which shall have been paid through the error of a county official, or by mistake of the party so paying.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Senate Bill No. 243.

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota for 1905, relating to proof of planting trees, under the tree bounty law

Was read the first and second times, and

Referred to the committee on forestry.

Senate Bill No. 246.

A bill for an act to prohibit the carrying and use of firearms by children and minors.

Was read the first and second times, and

Referred to the committee on military affairs.

Senate Bill No. 252.

A bill for an act to amend Section 1541 of the Revised Codes of 1905, relating to tax lists made out by county auditors.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

Senate Bill No. 81.

A bill for an act to amend Section 1564 of the Revised Codes, relating to fees of sheriffs for the collection of delinquent personal property taxes.

Was read the first and second times, and

Referred to the committee on taxes and tax laws.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 165.

A bill for an act to prohibit the granting to or use by any person of any free pass, frank, or special privilege withheld from any other person and fixing the penalty for the violation thereof, except as provided therein and to require the granting of free transportation to the board of railroad commissioners, their experts and their agents.

Also,

Senate Bill No. 149.

A bill for an act to require sheriffs in all counties of the State of North Dakota to issue receipts and to file with the county auditor of their respective counties all duplicate receipts issued for the payment of delinquent taxes collected by them or their deputies during their term of office.

And the Speaker signed the same in the presence of the House.

Mr. Fraine moved

That the House take a recess until 1:15 o'clock p. m.

Which motion prevailed, and

The House took a recess.

The House assembled pursuant to recess taken.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 156.

A bill for an act to amend Section 8105 of the Revised Codes of 1905, relating to rejecting claims and providing how suit is instituted.

Also,

Senate Bill No. 155.

A bill for an act to amend Section 8103 of the Revised Codes of 1905, of the State of North Dakota, relating to

endorsement of allowance or rejection of claims by executive or administrators and providing for notice thereof.

Also,

Senate Bill No. 123.

A bill for an act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Also,

Senate Bill No. 107.

A bill for an act to amend Section No. 2743 of the Revised Codes of North Dakota for 1905, relating to election districts and precincts.

Also,

Senate Bill No. 79.

A bill for an act to amend and re-enact Section 2323 of the Revised Codes for the year 1905, of the State of North Dakota.

Also,

Senate Bill No. 20.

A bill for an act prescribing the conditions by which the public examiner, his deputies and employes of the state public examiner's department, the stockholders, officers and employes of any banking association in this state may secure loans from banking associations with which they are in any way connected, and fixing the liability for non-compliance with the provisions of this act.

And the Speaker signed the same in the presence of the House.

#### GENERAL ORDERS.

Mr. De Nault moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Davidson to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration  
House Bill No. 315.

A bill for an act relating to the duties of local boards of health, and sanitary regulations of school houses churches and public halls.

And recommend that the same be amended as follows:

By inserting after the words "Section 1," the words "Local Board of Health. Duties.)"

By inserting after the word "vocation" in the last line of the bill, the words "provided, that except in case of emergency, the disinfection of school houses shall be made after school hours on Friday afternoon or on Saturday."

And when so amended recommend the same do pass.

Also,

House Bill No. 316.

A bill for an act entitled, an act to prevent procreation of confirmed criminals, idiots, imbeciles and rapists; providing that superintendents and boards of managers of institutions where such persons are confined, shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

And recommend that the same be amended as follows:

By inserting after the word "adequate" in the preamble, the word "legal."

By inserting the following before the first word of the act, "Section 1. Operation Permitted in Certain Cases. Board of Experts, Who Constitute. Fees.)"

By striking out the word "rapists," in line 3 of the engrossed bill. By striking out the period after the word "managers," in line 8, and inserting in lieu thereof the word "and."

Amend the title by striking out the comma between the words "idiots" and "imbeciles," and inserting the word "and" in lieu thereof; and by striking out the word "rapists" in the title.

And when so amended recommend the same do pass.

Also,

House Bill No. 223.

A bill for an act to amend Section 2613 of the Revised Codes of 1905, relating to the compensation and office hours of county commissioners.

And recommend that the same be amended as follows :

In line 6, section 1, after the word "and" in printed bill, strike out the word and figure "ten (\$10)," and insert in lieu thereof the word and figure "five (\$5)."

And when so amended recommend the same do pass.

Also

House Bill No. 245.

A bill for an act specifying that certain county offices shall be kept open for business during business hours of business days.

And recommend that the same be amended as follows :

In line 6 of the printed bill, after the word "from," strike out the figures "8:30" and insert in lieu thereof the figure "9," and in line 7 of the printed bill, after the word "from," strike out the figure "8" and insert in lieu thereof the figure "9."

And when so amended recommend the same do pass.

Also

House Bill No. 351.

A bill for an act to amend and re-enact section 164 of the Revised Codes of North Dakota for 1905.

And recommend that the same be amended as follows :

By striking out the words "three thousand dollars" and insert in lieu thereof the words "twenty-four hundred dollars."

And when so amended recommend the same do pass.

Also

House Bill No. 336.

A bill for an act requiring railroad companies to provide scales for the weighing of grain, providing liabilities thereunder, and prescribing a penalty for neglect thereof.

And recommend the same do pass.

Also,

## House Bill No. 136.

A bill for an act declaring to be common nuisances bawdy houses, houses of ill fame, of assignation, of prostitution, or any other house, room or place for persons to visit for unlawful sexual intercourse or for any other lewd, obscene, indecent or disorderly purpose; and prescribing remedies and penalties for the prevention of the same.

And recommend that the same be amended as follows:

After the words "Section 1," in line 1 of the printed bill, insert the following: "Bawdy House Declared to be Public Nuisances. Penalty for Maintaining.)"

In line 21 on page 2 of the printed bill, strike out the words "in the penitentiary not more than."

In line 22, strike out the word "five" and figure "5" and the words "years or."

After the words "Section 2," on page 2 of the printed bill, insert the words "Injunction. Penalty for Violation.)"

In line 8, in section 2 of the printed bill, after the word "belief" strike out all of said line and strike out the words "be required" at the beginning of line 9, in section 2 of the printed bill, and insert in lieu thereof the following: "provided that the complainant shall give a bond in a sufficient amount to cover the costs, or such amount as a court or a judge thereof may direct."

In line 13, on page 3 of the printed bill, strike out the words "penitentiary not more than five" and the figure "5."

In line 14, on page 3 of the printed bill, strike out the words "years or."

After the words "Section 3," on page 3 of the printed bill, insert the words "Officers to Take Possession. When.)"

Strike out all after the words "Section 4," in line 1, on page 4 of the printed bill, down to and including the word "property" at the end of line 17, on page 5, and insert in lieu thereof the following: "Innocent persons May Recover Property, How.) Where personal property is found in any house or room mentioned in section 3 of this act, and it shall appear to the court or judge before whom said action is tried that the owner of such personal property or the person entitled to possession thereof is innocent and has not aided or abetted in carrying on the nuisance, the court shall, by order, direct the sheriff in possession of said property to deliver the same to such owner or person entitled to the possession thereof."

After the words "Section 5," on page 5 of the printed bill, insert the words "Contempt Proceedings.)"

After the words "Section 6," on page 5 of the printed bill, strike out all of said section and insert in lieu thereof the following: "Injunction, Violation. How Punished.) When an injunction, either temporary or permanent, has been granted under the provisions of this act, the same shall be binding on the defendant or defendants, and for the violation of such injunction the offending party shall be punished as for contempt in the amount according to the rules in this act prescribed."

After the words "Section 8," on page 6 of the printed bill, insert the words "What Evidence Admissible. Immunity From Prosecution.)"

After the word "himself" in line 15, on page 7 of the printed bill, insert the words "but the persons giving such testimony shall be forever exempt from prosecution for any offense under the provisions of this act, of which such evidence shall directly or indirectly tend to incriminate him."

And when so amended recommend the same do pass.

Also,

House Bill No. 324.

A bill for an act to amend Section 6931 of the Revised Codes of 1905, relative to the time of granting injunctions.

And recommend that the same be amended as follows:

By inserting after "Section 6931" in section 1, the words "Injunction. When Granted. Limitation.)"

And when so amended recommend the same do pass.

Also,

House Bill No. 352.

A bill for an act providing for a bailiff of the supreme court.

And recommend that the same be amended as follows:

By inserting after the word and figure "Section 1," in the first line of the engrossed bill, the words "Court May Designate Bailiff.)"

By inserting after the word and figure "Section 2," in line 5 of the engrossed bill, the word "Compensation.)"

And when so amended recommend the same do pass.

Also,

Senate Bill No. 244.

A bill for an act prohibiting public administrators from acting as attorneys in the estates of decedents.

And recommend the same be amended as follows:

By striking out the period after the word "decedents" in the second line of the engrossed bill, and inserting therein after said word "decedents" the words "of which he shall be the administrator."

And when so amended recommend the same do pass.

C. E. DAVIDSON,  
Chairman.

Mr. Sorlie moved

That the report of the committee be adopted except as to House Bill No. 336.

Which motion prevailed, and

The report of the committee was adopted except as to House Bill No. 336.



Mr. Sorlie moved

That the further consideration of House Bill No. 336 be indefinitely postponed..

Which motion prevailed, and

The further consideration of House Bill No. 336 was indefinitely postponed.

Mr. Davidson moved

That the house do now adjourn.

Which motion prevailed.

And the house adjourned.

**E. H. GRIFFIN.**  
Chief Clerk.

## FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 21, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 47th day after recess and the 49th day, have carefully examined the same and find the same correct.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the Hon. O. J. Sorlie, State Representative of the Eighth District of Traill County, North Dakota.

We, the undersigned, vigorously protest against the repeal of the present Mechanics' Lien law. This is bad legislation, especially in times like the present, when our people need all the credit they can get.

Many of our people are today living in homes built on credit, made possible by our lien laws, who could not otherwise obtain credit.

OLE O. MOEN AND 16 OTHERS.

Brotherhood of Railroad Trainmen,

Wheat Sheaf Lodge No. 463,

Grand Forks, N. D., Feb. 18, 1911.

To the Members of the Twelfth Legislative Assembly, Bismarck, N. D.

Gentlemen: We, the undersigned members of above mentioned Lodge, respectfully petition you, the Twelfth Legislative Assembly, to give your undivided support to House Bill No. 282.

GEO. BOYD AND 19 OTHERS.

## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

-BISMARCK, NORTH DAKOTA,

February 21, 1911.

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Introduced by a committee of three members from the House of Representatives and two members of the Senate of the Twelfth Legislative Assembly of the State of North Dakota.

*Be it Resolved by the Senate of the State of North Dakota and the House of Representatives Concurring:*

THAT, WHEREAS, The reciprocity agreement now pending before the National Congress is of most vital importance to the welfare of the people of the state of North Dakota; and

WHEREAS, The Honorable James J. Hill, president of the board of directors of the Great Northern Railway Company, made a certain speech in the city of Chicago on the 15th day of February, 1910, in which the speaker is quoted in the press as saying "The farmers of the Northwest are two to one in favor of said reciprocity agreement"; and

WHEREAS, The said speech has been widely circulated throughout the United States; and

WHEREAS, Said speech does not express the sentiment of the farmers of the Northwest; and

WHEREAS, If Mr. Hill made said statement, as alleged, it is not in accordance with the facts and sentiment of the North Dakota farmers and other interests in said state; and

WHEREAS, The Twelfth Legislative Assembly of the state of North Dakota is fully convinced that if said reciprocity agreement is entered into and becomes a law or a treaty between United States and Canada, that it will be a great detriment to the agricultural interests, as well as other interests of the state of North Dakota, and will have a disastrous effect upon the farm products and farm values of the state of North Dakota;

*New, Therefore, Be it Resolved by the Senate of the State of North Dakota, and the House of Representatives Concurring:*

That the senators and members of the House of Representatives representing the state of North Dakota in the National Congress be and they are hereby requested by the Twelfth Legislative Assembly of the state of North Dakota to use all honorable means within their power to prevent the passage of said reciprocity treaty and its enactment into law.

*Resolved, Further:*

That copies of this resolution, duly signed by representative officers of both Houses of the Twelfth Legislative Assembly of the state of North Dakota and be sent to the President of the United States and to each of said senators and representatives in the National Congress, that they may have the sentiment of the North Dakota people properly expressed by the Legislative Body of this state before them for their consideration.

*It is Further Resolved:*

That the Secretary of State is hereby authorized to transmit the foregoing resolution by telegraph to William H. Taft, president of the United States, and to the senators and representatives in Congress from the state of North Dakota.

Which the Senate has adopted, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith  
House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Also

House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Also

House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Also,

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Also,

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

Also,

House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also

Mr. Speaker:

I have the honor to return herewith

House Bill No. 36.

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

Which the Senate has amended as follows:

Following the word "year" in line 4 of section 1 of the printed bill, insert the following "when so ordered by the railroad commissioners."

The word "six" in line 8 of section 1 of the printed bill be stricken out and the word "five" be inserted in lieu thereof.

In line 8 of section 1 of the printed bill, following the word "miles" insert the word "apart."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 159.

A bill for an act to require a re-insurance reserve for mutual life insurance companies.

Also

Senate Bill No. 129.

A bill for an act concerning insurance contracts and providing that contracts of insurance made by any company belonging to or member of or in any way connected with any tariff association or such like thing by whatever name called, shall be construed to add twenty-five per cent to the face of the policy or contract of insurance in addition to the actual loss or damage suffered; providing that the jury or court finding certain facts must add the amount of said penalty to the verdict, and providing for a liberal construction of this act.

Also,

Senate Bill No. 185.

A bill for an act providing for the establishing of savings banks and defining the powers and restrictions of the same.

Also

Senate Bill No. 213.

A bill for an act to regulate the manner of sale of food products and beverages, and establishing the legal weight for lard or lard substitutes and for bread, and providing a penalty for the violation thereof.

Also,

Senate Bill No. 267.

A bill for an act to amend Sections 2, 3, 4, 10, 14 and 28, of Chapter 92 of the Session Laws of the state of North Dakota of 1909, relating to the creation of a bureau of the department of agriculture and labor, to be known as the dairy department, to provide for the appointment of a dairy commissioner and assistant dairy commissioners, fixing their compensation, defining their powers and duties, prescribing rules and regulations for the manufacture and sale of dairy products, prescribing penalties for violations, providing for a license for creameries, cream stations, cheese factories and renovating or process butter factories, throughout the state.

Also

Senate Bill No. 265.

A bill for an act to amend Sections 2772, 2775, 2776, 2777, 2786, Revised Codes of 1905, relating to the creation of improvement districts and the purposes for which special assessments may be levied in this state.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 204.

A bill for an act to authorize boards of trustees of incorporated villages to regulate and license liveries, dray and express lines, and other vehicles used for the carrying of passengers, messages, or property for hire.

Also,

Senate Bill No. 257.

A bill for an act entitled, an act regulating the erection of telegraph, telephone, electric light, power and other poles carrying wires conveying electricity in incorporated cities.

Also,

Senate Bill No. 282.

A bill for an act to amend and re-enact Section 2563 of the Revised Codes of the state of North Dakota for the year 1905, relating to the power of counties to issue bonds for the purpose of purchasing sites and constructing county buildings.

Also,

Senate Bill No. 228.

A bill for an act to amend and re-enact Section 1599 of the Revised Codes of 1905, relating to the platting of irregular tracts of land.

Also

Senate Bill No. 289.

A bill for an act making it unlawful for any chairman of the board of county commissioners of any county in the state of North Dakota from signing any county warrant or warrants before such warrant or warrants are drawn by the county auditor, and all blanks filled out in full and compared with the bill for which the same was allowed.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 307.

A concurrent resolution for an amendment to the Constitution of the state of North Dakota, relating to the term of office of the judges of the supreme court.

Also,

Senate Bill No. 311.

A bill for an act to amend and re-enact Sections 6240 and 6241 of Chapter 79 of the Revised Codes of North Dakota



for 1905, relating to accounts to be filed with clerk of court in mechanic's liens; and clerk's records thereof.

Also,

Senate Bill No. 302.

A bill for an act to forfeit firearms or other weapons to the state when found on the person of any one arrested and convicted of a felony, misdemeanor or other crime.

Also,

Senate Bill No. 277.

A bill for an act relating to trespassing while hunting game.

Also,

Senate Bill No. 260.

A bill for an act to regulate the names of corporations and to prohibit the use of misleading words in the names of corporations organized or authorized to do business in this state.

Also,

Senate Bill No. 290.

A bill for an act to amend and re-enact Section 496 of the Revised Codes of North Dakota, relating to qualifications of applicants for admission to the bar of the state of North Dakota.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 188.

A bill for an act to license motor and other vehicles, and chauffeurs, defining the road regulations of such vehi-

cles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Sections 2169, 2170, 2171 and 2172 of the Revised Codes of 1905, and repealing Sections 2173 and 2174 of the Revised Codes of 1905, as amended in Chapter 42 of the Session Laws of 1909.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 253.

A bill for an act transferring funds from the state wolf bounty fund of this state to the general fund of the state.

Have had the same under consideration and recommend that the same do pass.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith  
House Bill No. 64.

A bill for an act to amend Section 1380 of the Session Laws of 1907, relating to location and building of bridges.

Which the Senate has amended as follows:

Amend title to read: "For an act to amend Section 1380 of the Revised Codes of 1905, as amended by Chapter 42 of the Session Laws of 1907."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

House Bill No. 44.

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Which the Senate has amended as follows:

Line 8 of section 4381, between the words "the" and "side" insert the words "main or."

Also after the word "switch" in the same line, the following words be inserted: "when so ordered by the railroad commissioners."

And passed as amended.

Also,

Mr. Speaker:

I have the honor to return herewith

House Bill No. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

Which the Senate has amended as follows:

After the word "of" in line 5 in the printed bill, insert the words "one-half of," and after the word "tenth" in same line, insert the words "of one."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker :

I have the honor to return herewith  
House Bill No. 153.

A bill for an act to amend and re-enact Section 1597 of Chapter 219, Laws of 1907, relative to duty of county auditor, and requirements of tax deeds.

Which the Senate has amended as follows :

In line 1 of the title of the bill, after the word "of" insert "the Revised Codes of 1905, as amended by."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report :

Mr. Speaker :

Your committee on engrossment have examined  
House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

Also,

House Bill No. 310.

A bill for an act entitled, an act to amend and re-enact Section 2478 of the Revised Codes of North Dakota of the year 1905, relating to taxes.

Also,

House Bill No. 335.

A bill for an act to amend Section 4494 of the Revised Codes of North Dakota of 1905, relating to county mutual companies.

Also,

House Bill No. 275.

A bill for an act entitled, "An act to regulate and provide for admission of live stock into the state of North Dakota from all other states and territories and foreign countries; and providing penalties for violation thereof."

Also,

House Bill No. 285.

A bill for an act to amend Section 9445 of the Revised Codes of North Dakota for 1905, relating to unlawful obligations in writing.

Also,

House Bill No. 291.

A bill for an act to amend Chapter 93 of the Session Laws of 1909, relating to compensation of election officers and rental of polling places.

Also,

House Bill No. 183.

A bill for an act to amend Section 5187 of the Revised Codes of 1905, relating to order of succession.

Also,

House Bill No. 204.

A bill for an act entitled, an act requiring railway companies to furnish sites for flour and feed mills on their right of way and fixing the manner in which sites may be obtained.

Also,

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.

Also,

House Bill No. 35.

A bill for an act to amend Section 1571 of the 1905 Revised Codes of North Dakota.

Also

House Bill No. 93.

A concurrent resolution to amend Section 154 of the Constitution of the state of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Also

House Bill No. 177.

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway commissioners to appoint agents at terminal points of Duluth and Minneapolis, for the benefit of shippers of grain of this state, and providing for the compensation and appropriating funds for the purpose of carrying out the provisions of this act.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

And find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Also,

House Bill No. 75.

A bill for an act to amend and re-enact Sections 1031, 1033, 1034, 1035 and 1036 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907.

Also,

House Bill No. 307.

A bill for an act to amend Section 4277 of the Revised Codes of North Dakota for the year 1905.

Also,

House Bill No. 130.

A bill for an act to amend Section 9366 of the Revised Codes of North Dakota, as amended by Chapter 191 of the Laws of 1907, and Chapter 187 of the Laws of 1909, defining intoxicating liquors.

Also,

House Bill No. 345.

A bill for an act to harmonize Sections 8089 and 7117 of the 1905 Code, by amending Section 8089 of the act providing for the settlement of the estates of decedents.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

## House Bill No. 367.

A bill for an act to legalize all notes and other written evidence of indebtedness, providing for more than seven per cent, but not exceeding twelve per cent per annum interest, and amending Section 5513 of the 1905 Code, relating to penalty for usury.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, printed bill, line 6, strike out all after word "concurred." Also strike out all of line 7 and 8.

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 136.

A bill for an act declaring to be common nuisances bawdy houses, houses of ill fame, of assignation, of prostitution, or any other house, room or place for persons to visit for unlawful sexual intercourse or for any other lewd, obscene, indecent or disorderly purpose; and prescribing remedies and penalties for the prevention of the same.

Also,

House Bill No. 223.

A bill for an act to amend Section 2613 of the Revised Codes of 1905, relating to the compensation and office hours of county commissioners.

Also,

House Bill No. 245.

A bill for an act specifying that certain county offices shall be kept open for business during business hours of business days.

Also



## House Bill No. 315.

A bill for an act relating to the duties of local boards of health, and sanitary regulations of school houses churches and public halls.

Also,

## House Bill No. 316.

A bill for an act entitled, an act to prevent procreation of confirmed criminals, idiots, imbeciles and repists; providing that superintendents and boards of managers of institutions where such persons are confined, shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

Also,

## House Bill No. 351.

A bill for an act to amend and re-enact section 164 of the Revised Codes of North Dakota for 1905.

Also,

## House Bill No. 352.

A bill for an act providing for a bailiff of the supreme court.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

## House Bill No. 284.

A bill for an act to amend Section 4177 of the Revised Codes of North Dakota of 1905, as amended by Chapter

64 of the Laws of North Dakota of 1909, relating to fees for filing articles of incorporation.

Have had the same under consideration and recommend that the same be amended as follows:

After word "corporations" in line 22, insert the following: "and the sum of fifty dollars for twenty-five thousand dollars up to fifty thousand dollars of the capital stock of such corporation."

And when so amended recommend the same do pass.

H. C. HARTY,  
Chairman.

Also,

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

House Bill No. 8.

A bill for an act amending Section 4458 of the Revised Codes of North Dakota for 1905.

Have had the same under consideration and recommend that the same be indefinitely postponed.

H. C. HARTY,  
Chairman.

Mr. Harty moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 201.

A bill for an act providing that railroad and telephone companies file with county auditors, maps showing exact location of their lines in each assessment district and school district and the mileage of said lines and description of any other property owned in said district, and make

reports to state auditor and state board of equalization, and providing penalties for violations of this act.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, after the words "Section 1," insert the following words: "Railroad and Telephone Companies Shall File Maps and Information.)"

In section 2, after the words "Section 2," insert the following words: "County Map, Auditor to Send.)"

In section 3, after the words "Section 3," insert the following words: "Information to be Filed.)"

In section 4, after the words "Section 4," insert the words: "County Auditor to Report to State Auditor.)"

In section 5, after the words "Section 5," insert the words: "Company Shall Report to State Auditor.)"

In section 5, in the second line, in the blank space insert the words "July first."

In section 6, after the words "Section 6," insert the words: "Maps. When Filed.)"

In section 7, after the words "Section 7," insert the words: "Duty of Companies Organized.)"

In section 8, after the words "Section 8," insert the words: "Duty of County and State Officers.)" And in line 1, after the word "any," strike out the word "after" and insert in lieu thereof the word "of."

In section 9, after the words "Section 9," insert the words "Penalty.)"

In section 9, in the first blank space insert the figures "\$500.00," and in the second blank space insert the figures "\$50.00."

In section 10, after the words "Section 10," insert the following word: "Emergency.)"

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

House Bill No. 241.

A bill for an act to amend Chapter 145, laws of 1907, being, an act to prohibit the issuance of non-participating policies of certain life insurance companies.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11, after the word "policies," insert the following amendment: "This act shall not apply to any mutual or stock life insurance company, domestic or foreign, who shall keep separate accounts of participating and non-participating policies, and shall make and include in the annual statement to be filed with the insurance commissioner each year a separate statement of the gains, losses and expenses properly attributed to each

of such classes, and also showing the manner in which any general outlay of expenses of the company has been apportioned to each class. No foreign life insurance company shall be permitted to do business in this state unless the statement filed shows that the separation has been fairly and equitably made as between the two classes of policy holders."

And when so amended recommend the same do pass.

A. P. HANSON,  
Chairman.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

House Bill No. 91.

A bill for an act to provide for fixing the amount to be allowed for labor on highways when performed in payment of road taxes.

Have had the same under consideration and recommend that the same be amended as follows:

Section 1, line 5, change word "two" to "one and one-half." Section 1, line 6, change word "three" to "two." Section 3, line 6, change word "two" to "one and one-half." Section 3, line 6, change word "three" to "two."

And when so amended recommend the same to the committee of the whole.

E. H. STRANAHAN,  
Chairman.

Also

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

House Bill No. 169.

A bill for an act to pay road tax in money.

Have had the same under consideration and refer the same to the committee of the whole without recommendation.

E. H. STRANAHAN,  
Chairman.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred  
House Bill No. 154.

A bill for an act to amend Section 9363 of the Revised Codes of the State of North Dakota of 1905, as amended by Section 10 of Chapter 183 of the Laws of 1909.

Have had the same under consideration and recommend that the same be amended as follows:

In the title, after the figure 1909, add the words "relating to druggists' permits." In line 10 of the printed bill, strike out the word "fifteen" and insert in lieu thereof the word "ten." In line 11, strike out all after the word "by" in lines 11 and 12, and insert in lieu thereof the words: "the druggists to whom the permit is issued."

And when so amended recommend the same do pass.

L. L. BRUSLETTEN,  
Chairman.

Also,

Mr. Speaker:

Your committee on temperance to whom was referred  
House Bill No. 220.

A bill for an act to repeal Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362, 9363, 9364 and 9365 of the Revised Codes of 1905, and Chapter 183 of the Session Laws of 1909, relating to permits to sell intoxicating liquors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. BRUSLETTEN,  
Chairman.

Mr. Brusletten moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 36.

A bill for an act amending Section 616 of Article 6, Chapter 8 of the Revised Codes of 1905, titled Elections.

Recommend that the same do pass with the following amendment:

In line 12 of section 616 of the printed bill, after the word "printed" insert the following: "Where there is more than one person to be elected to an office, there shall be printed in plain type immediately under the designation of the office to be voted for, the following words: 'Vote for (number) names only.' Mark X after name to be voted for and cross out names not desired. The names of the greatest number of candidates for such an office appearing in either of the two left-hand columns, or if said two left-hand columns have an equal number of names, then the first left-hand column, and every second column to the right thereof on said ballot shall be alternated in the printing of said official ballot for each precinct by changing the position of the names in each office division as many times as there are candidates for such office."

W. R. BOND,  
Chairman.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred  
House Bill No. 401.

A bill for an act to amend and re-enact Section 2979 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

Have had the same under consideration and recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

## House Bill No. 40.

A bill for an act authorizing counties to issue bonds or warrants to establish a fund to aid needy farmers residing therein to procure seed grain, regulating its disbursements and fixing penalty for violation thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

## House Bill No. 229.

A bill for an act amending Section 476 of the Revised Codes of North Dakota of 1905, relating to boundaries of, and terms of court in the Eighth judicial district.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of the printed bill, strike out the words "fourth Monday in January," and substitute the words "second Monday in November."

In line 8, strike out the whole line up to the word "provided" and substitute the following: "the third Monday in July and the first Monday in February."

In line 10, strike out the word "January" and substitute the word "February."

In line 12, strike out the word "fourth" and insert the word "second," also the word "March" and insert the word "October."

In line 13, strike out the word "July" and substitute the word "June"; also strike out the word "first" and substitute the word "fourth"; also strike out the word "December" and substitute the word "January."

In line 14, strike out the word "July" and substitute the word "January."

In line 17, strike out the word "second" and substitute the word "fourth"; also the word "March" and substitute the word "October."

In line 18, strike out the word "fourth" and substitute the word "first"; also strike out the word "June" and substitute the word "July"; also strike out the word "September" and substitute the word "January."

In line 19, strike out the word "June" and substitute the word "January."

In line 22, strike out the word "third" and substitute the word "fourth"; also the word "February" and substitute the word "September."

In line 23, strike out the word "November" and substitute the word "January."

In line 25, strike out the word "June" and substitute the word "January."  
 And when so amended recommend the same do pass.

GEO. P. HOMNES,  
 Chairman.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
 House Bill No. 353.

A bill for an act to amend sections 1295, 1297 and 1298 of the Revised Codes of North Dakota of 1905, and section 1296 of the Revised Codes of 1905 as amended by the Legislative Assembly of 1909, being chapter 13 of the Revised Codes of 1905, entitled State Library.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out all of section 1 after the sub-head, and inserting in lieu thereof the following: "That section 1295 of the Revised Codes of North Dakota of 1905 be amended to read as follows:"

By inserting after the words "Section 1295" and before the words "the clerk" the sub-head, "State Law Library Custodian.")

By inserting before the words and figures "Section 1296" the following: "Section 2. Amendment.) That section 1296 of the Revised Codes of North Dakota, as amended by Chapter 31 of the Session Laws of 1909, be amended as follows:"

By inserting after the words and figures "Section 1296 and Section 2" the following: "Same. Appropriation.)"

By striking out the word "two" in line 7 of the engrossed bill and inserting in lieu thereof the word "one."

By inserting after line 15 of the engrossed bill the following: "Section 3. Amendment.) That section 1297 of the Revised Codes of North Dakota of 1905 be amended to read as follows:"

By inserting after the words and figures "Section 1297," in line 16 of the engrossed bill the following: "Librarian. Clerk to Employ. Compensation.)"

By striking out the words "two thousand," in line 21 of the engrossed bill, and inserting in lieu thereof the words "twelve hundred."

By striking out of line 23 all after the word "librarians," all of lines 24, 25, 26 and 27.

By inserting after line 27 of the engrossed bill the following: "Section 4. Amendment.) That section 1298 of the Revised Codes of the state of North Dakota of 1905 be amended to read as follows:"

By inserting after the words and figures "Section 1298" in line 28, the following: "Expenses. How Paid.)"

By striking out the figure "2" after the word "section" in line 34 of the engrossed bill and inserting in lieu thereof the figure "4."

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
 Chairman.



Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 200.

A bill for an act to regulate the importation of live stock  
into this state.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Price moved

That the vote by which Senate Bill No. 200 was indefi-  
nitely postponed, be reconsidered.

Which motion was lost.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 322.

A bill for an act prescribing a form of venue of notary  
public, taking acknowledgment to an instrument in a county  
other than the one in which he resides.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker :

Your committee on judiciary to whom was referred  
House Bill No. 230.

A bill for an act to amend Chapter 120 of the Session  
Laws of 1909.

Have had the same under consideration and recommend  
that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker :

Your committee on judiciary to whom was referred  
House Bill No. 347.

A bill for an act to amend and re-enact Section 498 of the  
Revised Codes of North Dakota for the year 1905, relating  
to admission to the bar.

Have had the same under consideration and recommend  
that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker :

Your committee on judiciary to whom was referred  
House Bill No. 279.

A bill for an act to make it a felony, and providing a  
penalty for a guardian, county commissioner, or official  
or employe in a penal, correctional or eleemosynary insti-  
tution, to induce a female ward, or pauper under his care,

or an inmate of such institution, to have illicit sexual intercourse with him by threatening to withhold the necessities of life, or threatening physical violence.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 288.

A bill for an act to amend Section 9319 of the Revised Codes of North Dakota for 1905, relating to the abuse of domestic animals and providing punishment therefor.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 343.

A bill for an act to repeal Article 21 of Chapter 32, entitled, townsites located on public lands, of the Revised Codes of 1905.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 272.

A Bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how premiums shall be paid and collected, and how expense and indemnity for losses by hail shall be paid.

Have had the same under consideration and recommend that the same be indefinitely postponed. -

GEO. P. HOMNES,  
Chairman.

Mr. Tuttle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 199.

A bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how taxes for same shall be levied and collected, and how expense and indemnity for losses by hail shall be paid.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 69.

A bill for an act to provide for the ascertaining and giving notice of the title of lands to the heirs of deceased persons and establishing the right of heirship to real property and to provide a method of procedure therefor.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of section 1 of the printed bill, after the word and figure "Section 1," insert the following: "Petition to Establish Heirship. Proceedings.)"

In line 3, strike out the word "six," and in line 4, strike out the word "months" and insert in lieu thereof the words "one year."

In line 1 of section 2, after the word and figure "Section 2," insert the following: "Petition, Hearing of. Section Applies to Whom. Answer.)"

In line 4 of section 2, strike out the words "by default," and in line 5 of said section, after the word "them" add the words "by default."

In line 1 of section 3, after the word and figure "Section 3," insert the following: "Respondents, Who May Be Joined As. Unknown Persons, How Made Respondents.)"

In line 1 of section 4, after the word and figure "Section 4," insert the following: "Service of Citation, How Made.)"

In line 12 of section 4, strike out the words "of citation" and also the first eight words of line 13, and substitute the following: "of summons in district court as provided for in section 7525 of the Revised Codes of North Dakota for 1905."

In line 1 of section 5, after the word and figure "Section 5," insert the words "Decree, What to Specify. Conclusive Upon Whom.)"

In line 1 of section 7, after the word and figure "Section 7," insert the following: "Costs. How Determined and Paid.)"

In line 4 of section 7, strike out the words "the county," and also the balance of the section, and substitute the words: "The County Court fees shall be the same as in the probate of estates of like value."

In line 1 of section 8, after the word and figure "Section 8," insert the word "Emergency.)"

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 139.

A bill for an act defining the powers of county commissioners relating to highways and bridges.

Have had the same under consideration and recommend that the same be referred to the committee on highways and bridges.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 17.

A bill for an act to amend and re-enact Section 468 of the Revised Codes of North Dakota for the year, A. D., 1905, as amended by Chapter 159 of the Laws of 1907, relating to judicial districts within the state.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 194.

A bill for an act defining the Tenth judicial district and providing for holding terms of court therein.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 195.

A bill for an act regulating the discharge of liens, not dependent upon possession, and to provide for the release of liens, filed of record against real property and personal property, and the giving of an undertaking for the payment thereof.

Have had the same under consideration and recommend that the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Homnes moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Mr. Speaker:

We, your committee on supplies and expenditures, have had expense bill of Grand Pacific hotel for committee rooms under consideration, and recommend same to be allowed to be paid.

To HENRY TATLEY Dr.  
Grand Pacific Hotel.

To two months rent committee room at \$75 per month..... \$ 150.00

HARVE ROBINSON,  
Chairman.

Mr. Robinson moved

That the report of the committee be adopted and the bill presented be allowed.

Which motion prevailed, and

The report of the committee adopted and the bill allowed.

### REPORT OF SELECT COMMITTEES.

The special committee on initiative and referendum made the following report:

Mr. Speaker:

Your special committee on initiative and referendum to whom was referred

Senate Bill No. 5.

A bill for an amendment to the constitution providing for the initiative and referendum.

Have had the same under consideration and recommend that the same be amended as follows:

In line 12, on page 2 of the printed bill, strike out the word "from" and insert in lieu thereof the word "in."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

Your special committee on initiative and referendum to whom was referred

Senate Bill No. 153.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the future amendment thereof.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

Your special committee on initiative and referendum to whom was referred



## Senate Bill No. 84.

A concurrent resolution, amending the Constitution of the State of North Dakota, relating to the legislative department and providing for direct legislation, the proposing of constitutional amendments, reference of laws and recall of officers.

Have had the same under consideration and recommend that action on the same be deferred.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

Your special committee on initiative and referendum to whom was referred

## House Bill No. 237.

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum, recall of public officers and future amendments to the constitution.

Have had the same under consideration and recommend that the same be amended as follows:

That the words "Doyle and Ployhar" be stricken out, and the words "special committee of the House" be inserted in lieu thereof.

After the word "governor," in line 33, on page 2, section 25 of the printed bill, strike out the period and substitute a semi-colon, and add the following words: "providing, that the initiative petition proposing an amendment or amendments to the Constitution shall be signed by not more than 15 per cent of the legal electors in at least one-half of the counties of the state."

That wherever the words "general assembly" appear that they be stricken out and the words "Legislative Assembly" be inserted in lieu thereof.

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report of the special committee on the four initiative and referendum bills be adopted.

Which motion prevailed, and  
The report was adopted.

Mr. Price moved

That the rules be suspended and House Bill No. 237 be considered engrossed and placed upon its third reading

and final passage as amended, and that Senate Bills No. 5 and 153 be placed upon their third reading and final passage.

Which motion prevailed.

Mr. Homnes moved

That House Bill No. 237 be amended as follows:

Section 2, line 33, after the word "governor" insert "provided that the initiative petition purposing an amendment or amendments to the Constitution shall require signatures of not more than 15 per cent of the legal electors in at least one-half of the counties of the state."

Which motion prevailed.

Mr. Price moved

That the rules be suspended and House Bill No. 237 be considered engrossed and placed upon its third reading and final passage as amended.

Mr. DeNault moved

The previous question.

The question being shall the main question be now put.

Which motion prevailed.

The question being on the motion to suspend the rules and House Bill No. 237 be considered engrossed and placed upon its third reading and final passage as amended,

The same prevailed.

Mr. Hoge moved

That the special order for 3 o'clock be deferred until after the vote on House Bill No. 237.

Which motion prevailed.

Mr. Olsgard of Nelson moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

House Bill No. 237.

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum, recall of public officers and future amendments to the constitution.

Was read the third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 72 ayes, 23 nays, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	O'Connor of Gd. Forks
Akesson	Gorder	O'Shea
Anderson, of Griggs	Hanson	Pendray
Anderson, of Ramsey	Harty	Ployhar
Benson	Hedalen	Price
Bjornson	Heinemeyer	Putnam
Bond	Hersrud	Ray
Burnett	Hoge	Reeve
Burns	Homnes	Robinson
Carey	Hill, of Bottineau	Roquette
Christenson	Hyland	Sauer
Collins	Johns	Scott
Davis	Kane	Scheer
Dean	Knox	Sgutt
DeLance	Kuhl	Stern
Doyle, of Foster	Kyllo	Streeter
Doyle, of McIntosh	Lageson	Tande
Edwards	Law	Thompson
Fassett	Lee	Tollefson
Fox	Martin	Tostenson
France	McClellan	Walters
Fraine	Moen, of Cavalier	Wambem
Fried	Nelson, of Walsh	Whitmer
Fritz	Norheim	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Johnson	Olsgard of Richland
Brusletten	Knutson	Paulson
Davilson	Moen, of Benson	Peart
DeNault	Morrison	Sorlie
Englund	Narum	Tuttle
Geiger	Nelson, of Richland	Ulsaker
Hawkinson	Nestos	Williams
Hill, of Cass	Olsgard of Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	O'Connor of Pembina
Boerner	Jordal	Stranahan
Cunningham	Moritz	

So the bill passed and the title was agreed to.

Mr. Doyle of Foster moved

That the vote by which House Bill No. 237 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## SPECIAL ORDER.

Mr. Fraine moved

That House Bill No. 271 be placed upon its final passage.

Which motion prevailed.

House Bill No. 271.

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable,, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions,, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 62 ayes, 32 nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Norheim
Anderson, of Griggs	Heinemeyer	O'Shea
Anderson, of Ramsey	Hersrud	Paulson
Bond	Hoge	Price
Burnett	Homnes	Putnam
Burns	Hill, of Bottineau	Reeve
Christenson	Hill, of Cass	Robinson
Davidson	Hyland	Sauer
Davis	Kane	Scott
Dean	Knox	Sorlie
DeNault	Knutson	Stern
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Thompson
Fassett	McClellan	Tostenson
Fox	Moen, of Benson	Wambem
Fraine	Morrison	Whitmer
Gorder	Narum	Williams
Hanson	Nelson, of Walsh	Mr. Speake:
Harty	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	Peart
Bjornson	Hawkinson	Pendray
Boyd	Johns	Ray

Messrs.—	Messrs.—	Messrs.—
Brusletten	Johnson	Roquette
Carey	Kuhl	Scheer
Collins	Kylo	Sgutt
DeLance	Moen, of Cavalier	Tollefson
France	Nelson, of Richland	Tuttle
Fried	O'Connor of Gd. Forks	Ulsaker
Fritz	Olsgard of Nelson	Walters
Gardiner	Olsgard of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Cunningham	Moritz
Benson	Dosseth	O'Connor of Pembina
Boerner	Jordal	Ployhar

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 271 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Thompson moved

That Senate Bills No. 5 and 153 be referred to the committee on judiciary.

Which motion was lost.

Senate Bill No. 5.

A concurrent resolution for an amendment to the constitution providing for the initiative and referendum.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 77 ayes, 9 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Walsh
Akesson	Hanson	Nestos
Anderson, of Griggs	Harty	Norheim
Anderson, of Ramsey	Hawkinson	O'Connor of Gd. Forks
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Bond	Hersrud	Peart
Burnett	Hoge	Pendray
Burns	Homnes	Ployhar
Carey	Hill, of Bottineau	Price
Christenson	Hyland	Putnam

Messrs.—	Messrs.—	Messrs.—
Collins	Johns	Reeve
Davidson	Johnson	Robinson
Davis	Kane	Sauer
Dean	Knox	Scott
DeLance	Knutson	Scheer
DeNault	Lageson	Scutt
Doyle, of Foster	Law	Sorlie
Doyle, of McIntosh	Lee	Stern
Edwards	Martin	Stranahan
Englund	McClellan	Tande
Fassett	Moen, of Benson	Tostenson
France	Moen, of Cavalier	Wambem
Fraine	Morrison	Whitmer
Fried	Narum	Mr. Speaker
Gardiner	Nelson, of Richland	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Hill, of Cass	Tollefson
Brusletten	Ray	Ulsaker
Geiger	Roquette	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Oisgard of Richland
Boerner	Kuhl	Streeter
Cunningham	Kyllo	Thompson
Dosseth	Moritz	Tuttle
Fox	O'Connor of Pembina	Walters
Fritz	Oisgard of Nelson	

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 5 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Fraine moved

That the vote by which Senate Bill No. 5 passed be reconsidered and the motion to reconsider be made a special order for Wednesday at 3 o'clock p. m.

Which motion prevailed.

Senate Bill No. 153.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the future amendment thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 73 ayes, 16 nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	O'Connor of Pembina
Akesson	Hoge	O'Shea
Benson	Homnes	Paulson
Bjornson	Hill, of Bottineau	Peart
Burnett	Hill, of Cass	Pendray
Burns	Hyland	Ployhar
Carey	Johns	Price
Christenson	Johnson	Putnam
Collins	Kane	Ray
Cunningham	Knox	Reeve
Davis	Knutson	Robinson
Dean	Kyllo	Roquette
DeLance	Lageson	Sauer
Doyle, of Foster	Law	Scott
Edwards	Lee	Scheer
Fassett	Martin	Sgutt
France	McClellan	Stern
Fraine	Moen, of Benson	Stranahan
Fried	Moen, of Cavalier	Streeter
Fritz	Morrison	Tollefson
Gardinet	Narum	Tostenson
Hanson	Nelson, of Walsh	Wambem
Harty	Norheim	Whitmer
Hedalen	O'Connor of Gd. Forks	Mr. Speaker
Heinemeyer		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Hawkinson	Sorlie
Brusletten	Nelson, of Richland	Tande
Davidson	Nestos	Tuttle
DeNault	Olsgard of Nelson	Ulsaker
Englund	Olsgard of Richland	Williams
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Dosseth	Kuhl
Anderson, of Ramsey	Doyle, of McIntosh	Moritz
Andrus	Fox	Thompson
Boerner	Gorder	Walters
Bond	Jordal	

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which Senate Bill No. 153 passed be reconsidered and the motion to reconsider be made a special

order for 3 o'clock p. m. Wednesday, February 22nd.

Which motion prevailed.

Mr. Lageson moved

That the vote by which House Bill No. 215 was lost be reconsidered.

Mr. DeNault moved

That the motion to reconsider be laid on the table.

Which motion was lost.

The question being upon the original motion,

The same prevailed.

And the vote by which House Bill No. 215 was lost was reconsidered.

Mr. Sorlie moved

That House Bill No. 215 be placed upon its final passage.

Which motion prevailed.

Mr. Sorlie moved

The previous question.

The question being, shall the main question be now put.

Which motion prevailed.

House Bill No. 215.

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 68 ayes, 28 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Heinemeyer	Olsgard of Richland
Benson	Hersrud	Peart
Bjornson	Hoge	Ployhar
Boerner	Homnes	Price
Bond	Hill, of Bottineau	Putnam
Brusletten	Hill, of Cass	Ray
Burnett	Hyland	Roquette
Carey	Johns	Scott
Christenson	Johnson	Scheer
Collins	Jordal	Sgutt
Cunningham	Kane	Sorlie



Messrs.—	Messrs.—	Messrs.—
Davis	Knox	Stern
DeLance	Knutson	Stranahan
Dosseth	Kuhl	Streeter
Doyle, of Foster	Lageson	Thompson
Doyle, of McIntosh	Law	Tollefson
Fox	Lee	Tostenson
Fritz	Martin	Ulsaker
Gorder	Moen of Cavalier	Wambem
Hanson	Nestos	Whitmer
Harty	Norhelm	Williams
Hawkinson	O'Connor of Gd. Forks	Mr. Speaker
Hedalen	O'Connor of Pembina	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	France	Nelson of Walsh
Anderson, of Griggs	Fraine	Olsgard of Nelson
Andrus	Fried.	O'Shea
Boyd	Gardiner	Paulson
Davidson	Kylo	Pendray
Dean	McClellan	Robinson
DeNault	Morrison	Sauer
Edwards	Narum	Tande
Englund	Nelson of Richland	Tuttle
Fassett		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Moen of Benson	Reeve
Burns	Moritz	Walters
Geiger		

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which House Bill No. 215 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

The chief clerk announced that the Speaker was about to sign

House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

Also,

Senate Bill No. 219.

A bill for an act, making an appropriation to meet the deficiency incurred by William Blake of Stutsman county,

North Dakota, in carrying on the work of state humane agent.

And the Speaker signed the same in the presence of the House.

Mr. Ployhar moved

That the rules be suspended and that House Bill No. 216 be placed upon its third reading and final passage.

Mr. DeNault moved

That House Bill No. 216 be made a special order for 3 o'clock Wednesday.

Which motion was lost.

Mr. Doyle of Foster moved

A call of the House.

Which motion prevailed, and

A call of the House ordered.

The chief clerk called the roll of the House.

All members present except Messrs. Andrus, Geiger, Reeve and Walters.

The above list was given to the sergeant-at-arms with instructions to forthwith bring before the bar of the House the absent members.

The sergeant-at-arms reported with Messrs. Reeve and Geiger in charge.

The Speaker called Mr. Fraine to the chair.

Mr. Streeter moved

That the call of the House be dispensed with.

Which motion prevailed, and

The call was dispensed with.

House Bill No. 216.

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 80 ayes, 22 nays, 1 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	O'Connor of Pembina
Benson	Heinemeyer	Olsgard of Nelson
Bjornson	Hersrud	Olsgard of Richland
Boerner	Homnes	Peart
Bond	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Burns	Johns	Ray
Carey	Johnson	Reeve
Christenson	Jordal	Roquette
Collins	Kane	Scott
Cunningham	Knox	Scheer
Davidson	Knutson	Sgutt
Davis	Kuhl	Sorlie
DeLance	Kyllo	Stern
Dosseth	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Doyle, of McIntosh	Lee	Thompson
Edwards	Martin	Tollefson
Englund	Moen, of Benson	Tostenson
Fassett	Moen, of Cavalier	Ulsaker
Fox	Morrison	Wambem
Fritz	Moritz	Whitmer
Gorder	Narum	Williams
Hanson	Nestos	Mr. Speaker
Harty	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	O'Shea
Anderson, of Griggs	Gardiner	Paulson
Andrus	Geiger	Pendray
Boyd	Hoge	Robinson
Dean	McClellan	Sauer
DeNault	Nelson, of Richland	Tande
France	Nelson, of Walsh	Tuttle
Fraine		

Absent and not voting: Mr. Walters.

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which House Bill No. 216 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## REPORT OF SPECIAL COMMITTEE.

Your special committee appointed to investigate the charges preferred against the Hon. John F. Cowan have been busily engaged in taking testimony and beg leave to say that we will be unable to make any report as to our investigations and conclusions until Thursday, the 23rd inst. We therefore respectfully ask that the time for making this report be extended until the 23rd day of February, 1911.

O. P. JORDAL,  
Chairman.

Mr. Sorlie moved  
That the report be adopted.  
Which motion prevailed, and

The report of the committee was adopted and the time asked for granted.

## MOTIONS AND RESOLUTIONS.

Mr. Sorlie offered the following concurrent resolution and moved its adoption:

WHEREAS, There is now pending before the United States Congress and before the Canadian Parliament a measure relating to the free exchange of farm products between this nation and Canada, showing conclusively that the two countries have interests in common; and

WHEREAS, We believe that the people of the two nations can best be served under one and the same government; and

WHEREAS, A large portion Western Canada is now populated with former citizens of the United States; and

WHEREAS, We believe a proposition of annexation will be looked upon with favor by the people of the western provinces;

*Therefore, Be it Resolved by the House of Representatives, the Senate Concurring:*

That we instruct our representatives in Congress to use their utmost influence to bring about a peaceable annexation treaty by which Canada can become a part of the United States and enjoy all the rights and benefits of a protective tariff on all farm products.

Mr. Homnes moved

That the resolution be referred to the committee on military affairs.

The motion prevailed, and

The resolution was so referred.

The Speaker in the chair.

•Mr. Williams moved

That Senate Bill No. 167 be recalled from the Senate.  
Which motion prevailed.

Mr. Williams moved

That when the bill is returned it be referred to the committee on insurance.

Mr. Ployhar moved

That the House recall Senate Bill No. 55 from the Senate.  
Which motion was lost.

Mr. Price moved

That the House recall Senate Bill No. 224 from the Senate.

Which motion prevailed.

Mr. Homnes moved

That the House take a recess until 8 o'clock p. m., this evening.

Which motion prevailed, and

The House took a recess.

The House re-assembled pursuant to recess taken.

Mr. Nestos moved

That Senate Bill No. 72 be recalled from the Senate.

Which motion prevailed.

Mr. Hyland moved

That House Bill No. 74 be recalled from the committee of the whole and referred to the committee on appropriations.

Which motion prevailed.

And the bill was so referred.

## INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Burns introduced

House Bill No. 424.

A bill for an act to prohibit the manufacture and sale of firecrackers.

Which was read the first and second times and

Referred to the committee on manufactures.

Mr. DeNault introduced

House Bill No. 425.

A bill for an act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the governor of this state.

Which was read the first and second times and

Referred to the committee on ways and means.

Mr. Sgutt introduced

House Bill No. 426.

A bill for an act to amend and re-enact Section 38 of Chapter 128, Session Laws of 1909.

Which was read the first and second times, and

Referred to the committee on game and fish.

Mr. Heinemeyer introduced

House Bill No. 427.

A bill for an act to withdraw from sale or rent certain school land in Dunn county.

Which was read the first and second times, and

Referred to the committee on school and public lands.

Mr. Martin introduced

House Bill No. 428.

A bill for an act pertaining to the licensing of county and state auctioneers.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Burns introduced

## House Bill No. 429.

A bill for an act to require all railroad companies to employ two brakemen on each passenger train.

Which was read the first and second times, and

Referred to the committee on railroads.

Mr. Dosseth introduced

## House Bill No. 430.

A bill for an act requiring all life insurance companies doing business in the state of North Dakota to invest a percentage of their reserve therein, and providing a penalty for the violation thereof.

Which was read the first and second times, and

Referred to the committee on insurance.

Mr. Heinemeyer introduced

## House Bill No. 431.

A bill for an act to amend and re-enact Section 2364 of the Revised Codes of the state of North Dakota for the year 1905, as amended by Chapter 61 of the Session Laws of North Dakota for the year 1907.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. Heinemeyer introduced

## House Bill No. 432.

A bill for an act to make permanent the location of county seats within the state of North Dakota.

Which was read the first and second times, and

Referred to the committee on counties and county boundaries.

Mr. DeLance introduced

House Bill No. 433.

A bill for an act to amend Section 6237 of the Revised Codes of 1905, and Chapter 158 of the Session Laws of 1909, relating to the filing of mechanic's liens, the giving of notice of furnishing materials to contractors and sub-contractors.

Which was read the first and second times, and

Referred to the committee on judiciary.

Mr. Price introduced

House Bill No. 434.

A bill for an act entitled, an act for the purpose of governing the construction of public school buildings and providing for the inspection, ventilation and sanitation thereof.

Which was read the first and second times, and

Referred to the committee on education.

Mr. Doyle of McIntosh introduced

House Bill No. 435.

A bill for an act to repeal Section 1933 of the Revised Codes of 1905.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Fassett, by request, introduced

House Bill No. 436.

A bill for an act to license and regulate hospitals, sanitariums and other institutions, and for the protection of patients therein.

Which was read the first and second times, and

Referred to the committee on public health.

Mr. Scott introduced

House Bill No. 437.

A bill for an act to amend Section 8 of Chapter 161 of the Session Laws of 1909.



Which was read the first and second times, and  
Referred to the committee on live stock.

Mr. Bjornson introduced

House Bill No. 438.

A bill for an act to amend and re-enact Section 29 of Chapter 182 of the Session Laws of 1907, being an act to regulate the practice of pharmacy and providing penalties for violating the provisions thereof.

Which was read the first and second times, and  
Referred to the committee on public health.

Mr. Christenson introduced

House Bill No. 439.

A bill for an act entitled, an act requiring the payment of road and poll tax in money, and providing for the expenditure thereof under the contract system.

Which was read the first and second times, and  
Referred to the committee on highways, bridges and ferries.

Mr. Olsgard of Nelson moved

That the rules be suspended and Senate Bill No. 197 be now considered and placed upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 197.

A bill for an act to amend Article 2, Chapter 10 of the Session Laws of 1909, relating to normal schools.

Was read the third time.

Mr. Price moved

That the bill be re-referred to the committee on education.

Which motion was lost.

The question being on the final passage of the bill as amended,

The roll was called and there were 70 ayes, 5 nays, 28 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	Narum
Anderson, of Griggs	Hanson	Nelson, of Walsh
Anderson, of Ramsey	Harty	Nestos
Bjornson	Hawkinson	Norheim
Bond	Hedaen	O'Connor of Gd. Forks
Boyd	Heinemeyer	Olgard of Nelson
Brusletten	Hersrud	Olgard of Richland
Burnett	Hoge	O'Shea
Burns	Hill, of Bottineau	Peart
Carey	Hill, of Cass	Pendray
Christenson	Hyland	Ployhar
Davidson	Johns	Putnam
Davis	Kane	Sauer
Dean	Knox	Scott
DeNault	Knutson	Sgutt
Doyle, of McIntosh	Lageson	Sorlie
Edwards	Law	Tollefson
Englund	Lee	Tostenson
Fassett	Martin	Ulsaker
Fox	McClellan	Wambem
Fried	Moen, of Benson	Whitmer
Gardiner	Moen, of Cavalier	Williams
Geiger	Morrison	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Homnes	Robinson
France	Price	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Roquette
Benson	Jordal	Scheer
Boerner	Kuhl	Stern
Collins	Kyllo	Stranahan
Cunningham	Moritz	Streeter
DeLance	Nelson, of Richland	Tande
Dosseth	O'Connor of Pembina	Thompson
Doyle, of Foster	Ray	Tuttle
Fraine	Reeve	Walters
Fritz		

So the bill passed and the title was agreed to.

Mr. Olgard of Nelson moved

That the vote by which Senate Bill No. 197 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## THIRD READING OF HOUSE BILLS.

House Bill No. 340.

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who is entitled to vote.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 74 ayes, no nays, 29 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Gorder	Nelson, of Walsh
Akesson	Hanson	Nestos
Anderson, of Griggs	Harty	Norheim
Anderson, of Ramsey	Hawkinson	O'Connor of Gd. Forks
Bjornson	Hedalen	Olgard of Nelson
Bond	Heinemeyer	Olgard of Richland
Boyd	Hersrud	O'Shea
Brusletten	Hoge	Peart
Burnett	Homnes	Pendray
Burns	Hill, of Bottineau	Ployhar
Carey	Hill, of Cass	Price
Christenson	Hyland	Putnam
Davidson	Johns	Robinson
Davis	Kane	Sauer
Dean	Knox	Scott
DeNault	Knutson	Sgutt
Doyle, of McIntosh	Lageson	Sorlie
Edwards	Law	Tollefsen
Englund	Lee	Tostenson
Fassett	Martin	Ulsaker
Fox	McClellan	Wambem
France	Moen, of Benson	Whitmer
Fried	Moen, of Cavalier	Williams
Gardiner	Morrison	Mr. Speaker
Geiger	Narum	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Roquette
Benson	Jordal	Scheer
Boerner	Kuhl	Stern
Colins	Kylo	Stranahan
Cunningham	Moritz	Streeter
DeLance	Nelson, of Richland	Tande
Dosseth	O'Connor of Pembina	Thompson
Doyle, of Foster	Paulson	Tuttle
Fraine	Ray	Walters
Fritz	Reeve	

So the bill passed and the title was agreed to.

## House Bill No. 344.

A bill for an act to prohibit the appointment to any state, county or municipal situation, of clerks, bookkeepers, typewriters, shorthand writers or other office amanuensis who are not citizens of the United States (or who have not declared intention to become such) or who are not bona fide residents of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 64 ayes, 9 nays, 30 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Geiger	McClellan
Akesson	Gorder	Moen, of Benson
Anderson, of Griggs	Hanson	Moen, of Cavalier
Bjornson	Harty	Morrison
Bond	Hawkinson	Narum
Boyd	Hedalen	Nestos
Brusletten	Heinemeyer	Norheim
Burnett	Hersrud	O'Connor of Gd. Forks
Burns	Hoge	Olsgard of Richland
Carey	Homnes	O'Shea
Christenson	Hill, of Bottineau	Pearl
Davidson	Hill, of Cass	Ployhar
Davis	Hyland	Price
Dean	Johns	Putnam
DeNault	Kane	Robinson
Doyle, of McIntosh	Knox	Sauer
Edwards	Knutson	Scott
Englund	Lageson	Sgutt
Fassett	Law	Sorlie
Fox	Lee	Whitmer
France	Martin	Williams
Fried		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Pendray	Ulsaker
Gardiner	Tollefson	Wambem
Olsgard, of Nelson	Tostenson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Reeve
Benson	Jordal	Roquette
Boerner	Kuhl	Scheer
Collins	Kyllo	Stern
Cunningham	Moritz	Stranahan

Messrs.—	Messrs.—	Messrs.—
DeLance	Nelson, of Richland	Streeter
Dosseth	Nelson, of Walsh	Tande
Doyle, of Foster	O'Connor of Pembina	Thompson
Fraine	Paulson	Tuttle
Fritz	Ray	Walters

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 344 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Gardiner explained his vote

House Bill No. 188.

A bill for an act to amend Section 521 of the Revised Codes of 1905, relating to the furnishing of a list of jurors to the clerk of the district court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 72 ayes, no nays, 31 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Walsh
Akesson	Hanson	Nestos
Anderson, of Griggs	Harty	Norheim
Anderson, of Ramsey	Hawkinson	O'Connor of Gd. Forks
Bjornson	Hedalen	Olgard of Nelson
Bond	Heinemeyer	Olgard of Richland
Boyd	Hersrud	O'Shea
Brusletten	Hoge	Peart
Burnett	Homnes	Pendray
Carey	Hill, of Bottineau	Ployhar
Christenson	Hill, of Cass	Price
Davidson	Hyland	Putnam
Davis	Johns	Robinson
Dean	Kane	Sauer
DeNault	Knox	Scott
Doyle, of McIntosh	Knutson	Sgutt
Edwards	Lageson	Sorlie
Englund	Law	Tollefson
Fassett	Lee	Tostenson
Fox	McClellan	Ulsaker
Fraine	Moen, of Benson	Wambem
Fritz	Moen, of Cavalier	Whitmer

Messrs.—	Messrs.—	Messrs.—
Gardiner	Morrison	Williams
Geiger	Narum	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Reeve
Benson	Jordal	Roquette
Boerner	Kuhl	Scheer
Burns	Kyllo	Stern
Collins	Martin	Stranahan
Cunningham	Moritz	Streeter
DeLance	Nelson, of Richland	Tande
Dosseth	O'Connor of Pembina	Thompson
Doyle, of Foster	Paulson	Tuttle
France	Ray	Walters
Fried		

So the bill passed and the title was agreed to.

Mr. Moen of Benson moved

That the vote by which House Bill No. 188 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 318.

A bill for an act amending Section 28 of Chapter 80 of the laws of 1909, relating to the taxation of costs in county courts having increased jurisdiction.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 73 ayes, no nays, 30 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Walsh
Akesson	Hanson	Nestos
Anderson, of Griggs	Harty	Norheim
Anderson, of Ramsey	Hawkinson	O'Connor of Gd. Forks
Bjornson	Hedalen	Olsgard of Nelson
Bond	Heinemeyer	Olsgard of Richland
Boyd	Hersrud	O'Shea
Brusletten	Hoge	Pearl
Burnett	Homner	Pendray
Burns	Hill, of Bottineau	Ployhar
Carey	Hill, of Cass	Price
Christenson	Hyland	Putnam
Davidson	Johns	Robinson

Messrs.—	Messrs.—	Messrs.—
Davis	Kane	Sauer
Dean	Knox	Scott
DeNault	Knutson	Sgutt
Doyle, of McIntosh	Lageson	Sorlie
Edwards	Law	Tollefson
Englund	Lee	Tostenson
Fassett	McClellan	Ulsaker
Fox	Moen, of Benson	Wambem
France	Moen, of Cavalier	Whitmer
Fried	Morrison	Williams
Gardiner	Narum	Mr. Speaker
Geiger		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Reeve
Benson	Jordal	Roquette
Boerner	Kuhl	Scheer
Collins	Kyllo	Stern
Cunningham	Martin	Stranahan
DeLance	Moritz	Streeter
Dosseth	Nelson, of Richland	Tande
Doyle, of Foster	O'Connor of Pembina	Thompson
Fraine	Paulson	Tuttle
Fritz	Ray	Walters

So the bill passed and the title was agreed to.

House Bill No. 355.

A bill for an act to provide for the reimbursement of owners of cattle destroyed by order of the state live stock sanitary board on account of the disease known as tuberculosis, and providing for the levy of a tax to create a fund therefor.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 71 ayes, 1 nay, 31 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nelson, of Walsh
Akesson	Gorder	Nestos
Anderson, of Griggs	Hanson	Norheim
Anderson, of Ramsey	Harty	O'Connor of Gd. Forks
Bjornson	Hawkinson	Olsgard of Nelson
Bond	Hedalen	Olsgard of Richland
Boyd	Heinemeyer	O'Shea
Brusletten	Hersrud	Peart
Burnett	Hoge	Pendray
Burns	Homnes	Ployhar

Messrs.—	Messrs.—	Messrs.—
Carey	Hill, of Bottineau	Price
Christenson	Hill, of Cass	Putnam
Davidson	Hyland	Robinson
Davis	Johns	Sauer
Dean	Kane	Scott
DeNault	Knox	Sgutt
Doyle, of McIntosh	Knutson	Tollefson
Edwards	Lageson	Tostenson
Englund	Law	Ulsaker
Fassett	Lee	Wambem
Fox	Moen, of Benson	Whitmer
France	Moen, of Cavalier	Williams
Fried	Morrison	Mr. Speaker
Gardiner	Narum	

Mr. Sorlie voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Reeve
Benson	Kuhl	Roquette
Boerner	Kyllo	Scheer
Collins	Martin	Stern
Cunningham	McClellan	Stranahan
DeLance	Moritz	Streeter
Dosseth	Nelson, of Richland	Tande
Doyle, of Foster	O'Connor of Pembina	Thompson
Fraine	Paulson	Tuttle
Fritz	Ray	Walters
Johnson		

So the bill passed and the title was agreed to.

Mr. Englund moved

That the vote by which House Bill No. 355 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie explained his vote.

House Bill No. 177.

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway commissioners to appoint agents at terminal points of Duluth and Minneapolis, for the benefit of shippers of grain of this state, and providing for the compensation and appropriating funds for the purpose of carrying out the provisions of this act.

Was read the third time.

Mr. Englund asked unanimous consent to amend the bill.



There being no objections,  
Mr. Englund offered the following amendment and moved its adoption:

Section 1, line 3, after the word "the" insert "governor upon the recommendation of the."

Section 1, line 16, after the word "by" insert "governor upon the request of."

Strike out all of section 3.

Section 4, line 3, strike out the words "six thousand" and the figures "6,000" and insert the words "four thousand eight hundred," also the figures "4,800."

Section 5, line 1, after the word "herewith" insert "including Chapters 134 of the Session Laws of 1909."

In the title, after the word "act" insert "repealing Chapter 134 and."

Section 1, line 1, after the figure 1, insert the word "Amendment."

Section 2, line 3, after the figure 2, insert "Grain Experts, How Appointed. Duties of."

Section 4, strike out figure 4 and insert figure 3.

Section 5, after figure 5, insert the word "Repeal." Also strike out the figure 5 and insert the figure 4.

Which motion prevailed.

Mr. Johns moved

That the bill be re-referred to the committee on warehouses and grain grading.

Which motion was lost.

Mr. Davidson moved

That the rules be suspended and the bill be considered engrossed and placed upon its final passage as amended.

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 67 ayes, 4 nays, 32 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Nestos
Akesson	Harty	Norheim
Anderson, of Griggs	Hawkinson	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	Olgard of Nelson
Bjornson	Heinemeyer	Olgard of Richland
Bond	Hersrua	O'Shea
Boyd	Hoge	Peart
Brusletten	Homnes	Pendray
Burnett	Hill, of Bottineau	Price
Burns	Hill, of Cass	Putnam
Carey	Hyland	Robinson
Christenson	Kane	Sauer

Messrs.—	Messrs.—	Messrs.—
Davidson	Knox	Scott
Davis	Knutson	Scutt
Dean	Lageson	Sorlie
DeNault	Law	Tollefson
Edwards	Lee	Tostenson
Englund	Moen, of Benson	Ulsaker
Fassett	Moen, of Cavalier	Wambem
Fox	Morrison	Whitmer
Gardiner	Narum	Williams
Geiger	Nelson, of Walsh	Mr. Speaker
Gorder		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Fried	Johns
France		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Reeve
Benson	Kuhl	Roquette
Boerner	Kyllo	Scheer
Collins	Martin	Stern
Cunningham	McClellan	Stranahan
DeLance	Moritz	Streeter
Dosseth	Nelson, of Richland	Tande
Doyle, of Foster	O'Connor of Pembina	Thompson
Fraine	Paulson	Tuttle
Fritz	Ployhar	Walters
Johnson	Ray	

Mr. Englund moved

That the title be amended as follows:

Strike out the words "Board of Railroad Commissioners" and insert the word "governor."

Which motion prevailed.

So the bill passed and the title was agreed to as amended.

Mr. Englund moved

That the vote by which House Bill No. 177 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 285.

A bill for an act to amend Section 9445 of the Revised Codes of North Dakota for 1905, relating to unlawful obligations in writing.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 34 ayes, 33 nays, 36 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Akesson	Heinemeyer	O'Connor of Gd. Forks
Anderson, of Griggs	Hoge	Peart
Boyd	Homnes	Ployhar
Burns	Hill, of Bottineau	Price
Davidson	Hill, of Cass	Putnam
Davis	Hyland	Robinson
Doyle, of McIntosh	Johns	Tollefson
Edwards	Lageson	Whitmer
Englund	Law	Williams
Fox	Morrison	Mr. Speaker
Gardiner		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Gorder	Nelson of Walsh
Bjornson	Hanson	Olsgard of Nelson
Brusletten	Hawkinson	Olsgard of Richland
Burnett	Hedalen	O'Shea
Carey	Hersrud	Pendray
Christenson	Kane	Sauer
Dean	Knutson	Scott
DeNault	Lee	Sorlie
Fassett	Moen of Benson	Tostenson
France	Moen of Cavalier	Ulsaker
Fried	Narum	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Ray
Benson	Jordal	Reeve
Boerner	Knox	Roquette
Bond	Kuhl	Scheer
Collins	Kylo	Sgutt
Cunningham	Martin	Stern
DeLance	McClellan	Stranahan
Dosseth	Moritz	Streeter
Doyle, of Foster	Nelson of Richland	Tande
Fraine	Nestos	Thompson
Fritz	O'Connor of Pembina	Tuttle
Harty	Paulson	Walters

So the bill was lost.

Mr. Hyland moved

That the vote by which House Bill No. 285 was lost be reconsidered.

Which motion prevailed.

Mr. Hyland moved

That House Bill No. 285 be referred to the committee of the whole.

Which motion prevailed.

And the bill was so referred.

House Bill No. 310.

A bill for an act entitled, an act to amend and re-enact Section 2478 of the Revised Codes of North Dakota of the year 1905, relating to taxes.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 62 ayes, 2 nays, 39 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Geiger	Morrison
Akesson	Gorder	Narum
Anderson, of Griggs	Hanson	Nelson, of Walsh
Anderson, of Ramsey	Harty	Nestos
Bjornson	Hawkinson	Norheim
Boyd	Hedalen	O'Connor of Gd. Forks
Brusletten	Heinemeyer	O'Shea
Burnett	Hersrud	Peart
Carey	Hoge	Pendray
Christenson	Homnes	Price
Davis	Hill, of Bottineau	Putnam
Dean	Hill, of Cass	Robinson
DeNault	Hyland	Sauer
Doyle, of McIntosh	Johns	Scott
Edwards	Kane	Tostenson
Englund	Knutson	Ulsaker
Fassett	Lageson	Wambem
Fox	Law	Whitmer
France	Lee	Williams
Fried	Moen, of Benson	Mr. Speaker
Gardiner	Moen, of Cavalier	

Messrs. Burns and Tollefson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Ray
Benson	Knox	Reeve
Boerner	Kuhl	Requette

Messrs.—	Messrs.—	Messrs.—
Bond	Kylo	Scheer
Collins	Martin	Sgutt
Cunningham	McClellan	Sorlie
Davidson	Moritz	Stern
DeLance	Nelson, of Richland	Stranahan
Dosseth	O'Connor of Pembina	Streeter
Doyle, of Foster	Olgard of Nelson	Tande
Fraine	Olgard of Richland	Thompson
Fritz	Paulson	Tuttle
Johnson	Ployhar	Walters

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which House Bill No. 310 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 35.

A bill for an act to amend Section 1571 of the 1905 Revised Codes of North Dakota, relating to delinquent real estate axes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 54 ayes, 9 nays, 40 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Lee
Akesson	Geiger	Moen, of Benson
Anderson, of Griggs	Gorder	Moen, of Cavalier
Anderson, of Ramsey	Hanson	Narum
Boyd	Harty	Nelson, of Walsh
Brusletten	Hedalen	Nestos
Burnett	Heinemeyer	O'Connor of Gd. Forks
Carey	Hersrud	O'Shea
Christenson	Hoge	Peart
Davis	Homnes	Pendray
Dean	Hill, of Bottineau	Price
DeNault	Hill, of Cass	Robinson
Doyle, of McIntosh	Hyland	Sauer
Edwards	Johns	Tostenson
Englund	Kane	Ulsaker
Fassett	Knutson	Whitmer
Fox	Lageson	Williams
France	Law	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hawkinson	Scott
Burns	Morrison	Tollefson
Gardiner	Putnam	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Knox	Ray
Benson	Kuhl	Reeve
Boerner	Kylo	Roquette
Bond	Martin	Scheer
Collins	McGiellan	Sgutt
Cunningham	Moritz	Sorlie
Davidson	Nelson, of Richland	Stern
DeLance	Norheim	Stranahan
Dosseth	O'Connor of Pembina	Streeter
Doyle, of Foster	Olsgard of Nelson	Tande
Fraine	Olsgard of Richland	Thompson
Fritz	Paulson	Tuttle
Johnson	Ployhar	Walters
Jordal		

Mr. Homnes moved to amend the title as follows:

After the word "Dakota" insert "relating to when real estate taxes become due and delinquent, and describing penalties on delinquent taxpayers."

Which motion prevailed.

So the bill passed and the title was agreed to.

Mr. Aasheim moved

That the vote by which House Bill No. 35 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The privileges of the floor were extended to the following:

Leslie R. Putnam of Carrington.

G. Grimson of Langdon.

J. A. Ketchen of Sentinel Butte.

H. C. Miller of Ryder.

Rev. G. W. Symon of Jamestown.

Capt. Alex. Scarlett of Minot.

Mr. Burnett moved

That the House do now adjourn until 4 o'clock p. m.  
February 22nd.

Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN.  
Chief Clerk.

## FIFTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 22, 1911.

The House assembled at 4 o'clock p. m., pursuant to adjournment.

I hereby designate Mr. Homnes of Divide, to preside as Speaker pro tem for the 51st day.

J. M. HANLEY,  
Speaker.

Prayer by the chaplain.

Mr. Nestos moved

That the roll call be dispensed with.

Which motion prevailed.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 49th after recess, and 50th day, have carefully examined the same and recommend that the same be corrected as follows:

On the last line of page 7, strike out the word "insurance" and insert in lieu thereof the word "agriculture."



On page 9, on line 8, strike out the figures "211" and insert "212." Also strike out title of bill following and insert title of Senate Bill No. 212 in lieu thereof.

On page 49, on the last line of the page, insert after the word "bill" "as amended."

Insert titles of bills on page 60, 61, 62, 63 and 64.

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Williams moved

That the Speaker appoint a committee of three to inform the Senate that the House was ready to receive them in joint session.

Which motion prevailed.

And the Speaker appointed as such committee Messrs. Williams, Burnett and Kuhl.

The sergeant at arms announced the Senate in waiting.

#### JOINT SESSION.

The joint session was called to order by Senator Plain.

Prayer by the Rev. A. Lincoln Shute.

The joint session was addressed by President McVey of the State University.

Mr. Bessesen moved

That a rising vote of thanks be extended to President McVey for his able address.

Which motion prevailed.

Mr. Bessesen moved

That the joint session do now dissolve.

Which motion prevailed.

And the joint assembly dissolved.

The privileges of the floor were extended to:

L. B. Pendray, Towner.

Frank Swanson, Towner.

George Kramer, New Salem.

Mr. Hanson moved

That the House take a recess until 10 o'clock a. m., tomorrow.

Which motion prevailed.

And the House took a recess.

E. H. GRIFFIN,  
Chief Clerk.

FIFTY-FIRST DAY AFTER RECESS AND  
FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 23, 1911.

The House assembled at 10 o'clock a. m., pursuant to recess taken.

PRESENTATION OF PETITIONS AND COMMUNICA-  
TIONS.

*To the Honorable, the Legislative Assembly of the State of North Dakota:*

We, the undersigned, electors and taxpayers of Richland county, North Dakota, do most respectfully petition that a law be enacted repealing the present drainage law in this state or modifying the same to the end that before any drain can be established, any person owning real property affected thereby, may have the right of appeal to the district court upon the question as to the necessity of the drain, and also as to the amount of assessments made upon property within the drainage district.

As the law now stands it is within the power of the drainage board to practically confiscate the property within the drainage district, and we respectfully submit that no such power should be invested in any man or in any body of men, and we therefore ask that the present drainage law be repealed and that if another law is enacted that it shall contain proper provisions for the safeguarding of the interest of the property holders in the state.

E. T. Lee and 22 others.

*To the Hon. J. N. Kuhl, State Representatives from the Thirtyfourth District, State of North Dakota:*

We, the undersigned, vigorously protest against the repeal of the present Mechanics' Lien law. This is bad legislation in times like the present

when our people need all the credit they can get. Many of our people are living in homes built on credit, made possible by our lien laws, who could not otherwise obtain credit.

George Muth and 87 others.

Northwood, N. D., February 20, 1911.

*To the Twelfth Legislative Assembly of the State of North Dakota:*

We, the undersigned, citizens and voters of Grand Forks county, do hereby protest against the passage of House Bill No. 169, a bill for an act to pay road tax in money, for the reason that it is more expensive and will require more money to accomplish the same amount of road work. It would be a direct loss to the townships, by reason of rendering useless all road machinery; nor can the work be let by contract as cheap as the present system.

P. O. Mandt, and 12 others.

February 20, 1911.

*Hon. F. E. Ployhar, Representative Fifteen District, Bismarck, N. D.:*

We, the undersigned voters, and sportsmen of the Fifteenth district, hereby declare ourselves as opposed to spring shooting of game birds in any form whatever, for the present. We are especially desirous that the clause relating to the shooting of geese up to May 10th be eliminated from Senate Bill 235, before it be allowed to pass the House. Kindly bring this petition to the attention of the House of Representatives, and do what you can to have the bill amended, so as to protect all of our game birds in the spring.

F. E. Packard and 38 others.

## REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 324.

A bill for an act to amend Section 6931 of the Revised Codes of 1905, relative to the time of granting injunctions.

Also,

House Bill No. 343.

A bill for an act to repeal Article 21 of Chapter 32, entitled, townsites located on public lands, of the Revised Codes of 1905.

Also,

House Bill No. 347.

A bill for an act to amend and re-enact Section 498 of the Revised Codes of North Dakota for the year 1905, relating to admission to the bar.

Also,

House Bill No. 230.

A bill for an act to amend Chapter 120 of the Session Laws of 1909.

Also,

House Bill No. 279.

A bill for an act to make it a felony, and providing a penalty for a guardian, county commissioner, or official or employe in a penal, correctional or eleemosynary institution, to induce a female ward, or pauper under his care, or an inmate of such institution, to have illicit sexual intercourse with him by threatening to withhold the necessities of life, or threatening physical violence.

Also

House Bill No. 288.

A bill for an act to amend Section 9319 of the Revised Codes of North Dakota for 1905, relating to the abuse of domestic animals and providing punishment therefor.

Also

House Bill No. 401.

A bill for an act to amend and re-enact Section 2979 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined  
House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Also

House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Also,

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The committee on taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 212.

A bill for an act to provide for the refund of any tax upon land which shall have been paid through the error of a county official, or by mistake of the party so paying.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 81.

A bill for an act to amend Section 1564 of the Revised Codes, relating to fees of sheriffs for the collection of delinquent personal property taxes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

Senate Bill No. 252.

A bill for an act to amend Section 1541 of the Revised Codes of 1905, relating to tax lists made out by county auditors.

Have had the same under consideration and recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 349.

A bill for an act to provide for the collection of delinquent personal property taxes, and for reducing the same to judgment.

Have had the same under consideration and recommend that the same be amended as follows:

Insert the enacting clause and at the beginning of the last line insert "Section 7. Repeal."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved

That the rules be suspended and the report of the committee be adopted.

Which motion prevailed and the report of the committee was adopted.

Also

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

House Bill No. 350.

A bill for an act to amend Section 1554 of the Revised Codes of North Dakota of 1905, as amended by Chapter 197 of the Laws of 1909, relating to delinquent personal property taxes and the collection of taxes.

Have had the same under consideration and recommend that the same be amended as follows:

Before the word "Repeal," insert "Section 2."

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Nestos moved



That the rules be suspended and the report of the committee be adopted.

Which motion prevailed, and

The report of the committee was adopted.

### REPORTS OF SELECT COMMITTEES.

Mr. Speaker: Your joint committee, appointed by the Legislative Assembly to visit the North Dakota Dairymen's Association at Jamestown, beg leave to report that it attended the session of the association and was particularly impressed with the importance and size of this organization, as having to do with one of the principal industries of this state. Its deliberations were harmonious and the subjects before the association were discussed freely and with a broad idea of the importance of the industry to this state.

Your committee also reports that the Dairymen's Association adopted resolutions, of which the following are reported for the information of the legislature:

Whereas, we appreciate the honor conferred on us by having the Legislature of North Dakota delegate members to attend our convention, thereby assuring us of their deep interest in the future welfare and success of our work, and prosperity of the great state of North Dakota; therefore, be it

*Resolved*, That we extend to them collectively and individually our most sincere and heartfelt thanks.

*Resolved*, That the thanks of this association be and are hereby respectfully tendered to the Dairy Commissioners for their good work and loyalty to the dairy interests of our state; and,

Whereas, we as a body representing the dairymen of North Dakota, see the urgent need of more rigid inspection in order to promote the dairy interests of the state of North Dakota; therefore, be it

*Resolved*, That it is the sense of this association to ask the present legislature to appropriate not less than twenty-five thousand dollars per annum for the maintaining of the dairy department, with a commissioner, and five assistants; and be it

*Resolved*, That a copy of these resolutions be forwarded to the presiding officer of the Senate and House, also to each member of the joint committee delegated to represent the legislature at this convention.

Whereas, the people of this state realize the necessity of a change of crops so as to include corn, clover and other forage crops; and

Whereas, dairying offers more ready disposition of such crops than aught else; and,

Whereas, the hope of any movement is the education of the young; and,

Whereas, the State Agricultural College can do little for dairy education with its present facilities; be it

*Resolved*, That we endorse House Bill No. 205, which provides for a modest appropriation for a dairy laboratory and a dairy barn at the Agricultural College, and urge the passage of the same.

Whereas, a Legislative Committee has been appointed to frame up or pass upon a bill to be introduced in reimbursing owners of cattle and dairy stock for animals condemned and killed on account of the disease known as tuberculosis; and,

Whereas, said committee has met and agreed upon a bill to be submitted; therefore be it

*Resolved*, That this convention adopt said report and favor the introduction and passage of the bill submitted; and be it further

*Resolved*, That each and every member of this Association urge our various Senators and Representatives at Bismarck to help pass said bill.

Your committee therefore recommends that this legislative body lend to this association every proper encouragement and that any requests for legislation from this assembly be given the most careful consideration with the view to the promotion of this important and valuable industry.

A. W. CUNNINGHAM,  
JACOB NELSON,  
LIVY JOHNSON,  
CHAS. M. WHITMER.

Mr. Sorlie moved

That the reading of the report be dispensed with and printed in the journal.

Which motion prevailed.

### MOTIONS AND RESOLUTIONS.

Mr. Hyland introduced the following concurrent resolution:

#### CONCURRENT RESOLUTION.

Whereas, the present highway laws of this state are in a chaotic condition and should be compiled, and, whereas, the subject of good road legislation is of paramount interest to the citizens of North Dakota;

*Therefore, Be It Resolved by the House of Representatives of the Twelfth Legislative Assembly, the Senate Concurring:*

There is hereby created a commission consisting of three members, to be known as the Commission on Highway Laws, of which the following state officers shall be ex-officio members: The Governor, Attorney General and State Engineer.

It shall be the duty of said commission to compile the present laws relating to highways and publish the same in pamphlet form, and to have not to exceed fifteen hundred copies printed and distributed among the highway officials of the state; the cost of printing the same to be paid out of the general printing fund, said expense not to exceed \$200; and,

*Be It Further Resolved*, That it shall be the duty of said commission to recommend to the Thirteenth Legislative Assembly such legislation as it shall deem necessary and proper.

Mr. Nestos moved

That the resolution be referred to the Committee on Highways, Bridges and Ferries.

Which motion prevailed and

The Resolution was so referred.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. De Lance introduced

House Bill No. 440.

For an act to amend sections 9354 and 9355 of Chapter 183, Session Laws of the state of North Dakota, 1909, relating to the sale of liquors by druggists.

Which was read the first and second times, and  
Referred to the committee on temperance.

Mr. Hoge introduced

House Bill No. 441.

To amend section 56 of the constitution of the State of North Dakota relating to the length of sessions of the legislative assembly.

Which was read the first and second times, and  
Referred to the committee on state affairs.

Mr. Edwards introduced

House Bill No. 442.

For an act to amend section 3198 of the Revised Codes of 1905, as amended by chapter 224, Laws of 1909, relating to the issue of bonds by civil townships.

Which was read the first and second times, and  
Referred to the committee on state affairs.

Mr. Hoge introduced

House Bill No. 443.

A bill for an act to amend Section 2020 of the Revised Codes of 1905, relating to registration fees and compensation of the state board of veterinary examiners.

Which was read the first and second times and  
Referred to the committee on live stock.

There being no objections the House returned to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES.

The committee on apportionment made the following report:

Mr. Speaker:

Your committee on apportionment to whom was referred

## House Bill No. 214.

A bill for an act to re-district the State of North Dakota into senatorial districts and apportion the senators and representatives therein.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. N. PUTNAM,  
Chairman.

Mr. Putnam moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on apportionment to whom was referred  
House Bill No. 25.

A bill for an act to re-district the state of North Dakota into senatorial districts and apportion the senators and representatives therein.  
land.

Have had the same under consideration and recommend that the same be amended as follows:

After the name Nestos, insert "and Mr. Bjornson."

At the close of the title add, "and making special provision for the districts within Pembina and Cavalier counties."

After the words and figures "Section 1" strike out the balance of the bill and insert the provisions following the words and figures "Section 1" in the attached bill.

## HOUSE BILL NO. 25

Mr. Nestos and Mr. Bjornson introduced the following bill:

## A BILL

For an Act to Redistrict the State of North Dakota Into Senatorial Districts and Apportion the Senators and Representatives Therein; and Making Special Provision for the Districts Within Pembina and Cavalier Counties.

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

Section 1. Number of District.) Until otherwise provided by law under the terms of the constitution, the legislative assembly of the state North Dakota shall until the end of 1914, consist of forty-seven senators and one hundred and four representatives, and shall thereafter consist

of forty-six senators and one hundred and five representatives, and the senatorial and representative districts of the state shall be formed, and the senators and representatives be apportioned as follows:

(1) The eastern part of the county of Pembina, now constituting the first legislative district, shall be added to and become a part of the second legislative district, and the second legislative district is hereby renumbered and shall hereafter be, and become known as the First Legislative District and the term of the senator from the district so enlarged and renumbered shall continue for the period for which he was elected as senator of the Second legislative district, and the said first legislative district shall in November, 1914, elect his successor for a term of but two years, and the said district consisting of the county of Pembina shall be entitled to one senator and three representatives.

(2) The second district shall consist of the City of Kenmare and that portion of Ward county situated and being in townships 154, 155 and 156 of ranges 85, 86 and 87; township 157 of ranges 83, 84, 85, 86 and 87; township 158 of range 87; townships 159 and 160 of ranges 87, 88 and 89, and township 161 of range 88, and shall be entitled to one senator and one representative.

(3) The third district shall consist of the townships of Perth, Latona, Adams, Silvesta, Cleveland, Norton, Vesta, Tiber, Medford, Vernon, Golden, Lampton, Eden, Rushford, Kensington, Dundee, Opps, Prairie Center, Fertile, City of Park River, village of Edinburg, village of Conway, village of Hoople, village of Pisek, village of Adams, Fairdale, Glenwood, Kinloss, Shepherd, Sauter and Dewey, in the county of Walsh, and be entitled to one senator and two representatives.

(4) The fourth district shall consist of the townships of Forest River; village of Forest River, Walsh Center, Grafton, city of Grafton, Farmington, Ardoch, village of Ardoch, Harriston, Oakwood, Martin, Walshville, Pulaski, Acton, city of Minto and St. Andrews, in the county of Walsh, and be entitled to one senator and one representative.

(5) The fifth district shall consist of the county of Grand Forks with the exception of the city of Grand Forks and the townships of Grand Forks and Faulkner, and be entitled to one senator and three representatives.

(6) The sixth district shall consist of the city of Grand Forks, the townships of Grand Forks and Faulkner, and be entitled to one senator and three representatives.

(7) The seventh district shall consist of the county of Burke and Divide, and shall be entitled to one senator and three representatives.

(8) The eighth district shall consist of the county of Traill, and be entitled to one senator and two representatives.

(9) The ninth district shall consist of the township of Fargo and the city of Fargo, in the county of Cass, and the fractional township number one hundred and thirty-nine, range forty-eight, and be entitled to one senator and three representatives.

(10) The tenth district shall consist of the townships of Noble, Wiser, Harwood, Reed, Barnes, Stanley, Pleasant, Kenyon, Gardner, Berlin, Raymond, Mapleton, village of Mapleton, Warren, Normania, Bell, Harmony, Durbin, Addison, Davenport, village of Davenport, Casselton, and the city of Casselton, in the county Cass, and be entitled to one senator and one representative.

(11) The eleventh district shall consist of the townships of Gunkle, Rush River, Hunter, Arthur, Amenia, Everest, Maple River, Leonard, Dows, Erie, Empire, Wheatland, Gill, Walburg, Watson, Page, Rich, Ayr, Buffalo, the village of Buffalo, Howes, Eldred Highland, Rochester, Lake, Cornell, Tower, Hill, Clifton and Pontiac, in the county of Cass, and be entitled to one senator and two representatives.

(12) The twelfth district shall consist of the townships of Eagle, Abercrombie, village of Abercrombie, Dwight, Ibsen, Centre, Mooreton, Brandenberg, village of Great Bend, Summit, Fairmount, village of Fairmount,

DeVillo, Lamars, Waldo, Greendale, and the city of Wahpeton, in the county of Richland, and be entitled to one senator and one representative.

(13) The thirteenth district shall consist of the county of Sargent, and be entitled to one senator and one representative.

(14) The fourteenth district shall consist of the county of Ransom, and be entitled to one senator and two representatives.

(15) The fifteenth district shall consist of the counties of Adams and Hettinger and shall be entitled to one senator and two representatives.

(16) The sixteenth district shall consist of the counties of Steele and Griggs, and be entitled to one senator and three representatives.

(17) The seventeenth district shall consist of the county of Nelson, and be entitled to one senator and one representative.

(18) The eighteenth district shall until the end of 1914 consist of the townships of Cypress, Byron, Lynden, Dresden, Langdon, city of Langdon, South Dresden, Grey, Glenila, Huron, Moscow, Waterloo, Elgin, Perry, Billings, Nekoma, Storie, Banner, Trier, Gordon, Henderson, Nekoma village, Sievert, Sarles village, Bruce, Mount Carmel and Minto, in the county of Cavalier, and shall be entitled to one senator and one representative and that thereafter, the district shall consist of all of the county of Cavalier, including that portion comprised within and in this act numbered as the forty-seventh district, and shall then be entitled to and shall in November, 1914, elect, one senator and three representatives.

(19) The nineteenth district shall consist of the county of Rlette and shall be entitled to one senator and one representative.

(20) The twentieth district shall consist of the county of Benson and be entitled to one senator and two representatives.

(21) The twenty-first district shall consist of the county of Ramsey, and be entitled to one senator and three representatives.

(22) The twenty-second district shall consist of the county of Towner, and be entitled to one senator and one representative.

(23) The twenty-third district shall consist of the county of Stutsman and be entitled to one senator and four representatives.

(24) The twenty-fourth district shall consist of the county of of La-Moure, and be entitled to one senator and two representatives.

(25) The twenty-fifth district shall consist of the county of Dickey, and be entitled to one senator and one representative.

(26) The twenty-sixth district shall consist of the counties of Emmons and Kidder, and be entitled to one senator and three representatives.

(27) The twenty-seventh district shall consist of the county of Burleigh and be entitled to one senator and two representatives.

(28) The twenty-eighth district shall consist of the county of Bottineau and shall be entitled to one senator and four representatives.

(29) The twenty-ninth district shall consist of the city of Minot and that portion of Ward county situated and being in townships 151, 152 and 153 of ranges 81, 82, 83, 84, 85, 86 and 87; townships 154, 155 and 156 of ranges 81, 82, 83 and 84, and township 157 of ranges 81 and 82, and shall be entitled to one senator and four representatives.

(30) The thirtieth district shall consist of the city of Mandan and all of that portion of the county of Morton situated and being in townships 130 of ranges 85, 86 and 87; township 131 of ranges 84, 85, 86 and 87; township 132, ranges 83, 84, 85, 86 and 87; township 133 of ranges 82, 83, 84, 85 and 86; township 134 of ranges 79, 80, 81, 82, 83, 84 and 85 and 86; townships 135 and 136 of ranges 79, 80, 81, 82, 83, 84 and 85; township 137 of ranges 79, 80, 81, 83 and 83; township 138 of ranges 80, 81, 82 and 83; townships 139 and 140 of ranges 81, 82 and 83, and be entitled to one senator and three representatives.

(31) The thirty-first district shall consist of the county of Stark, and be entitled to one senator and two representatives.

(32) The thirty-second district shall consist of the counties of Eddy and Foster, and shall be entitled to one senator and one representative.

(33) The thirty-third district shall consist of the county of Wells and be entitled to one senator and two representatives.

(34) The thirty-fourth district shall consist of the county of McHenry, and be entitled to one senator and four representatives.

(35) The thirty-fifth district shall consist of the county of Sheridan, and be entitled to one senator and one representative.

(36) The thirty-sixth district shall consist of the counties of McIntosh and Logan, and be entitled to one senator and three representatives.

(37) The thirty-seventh district shall consist of the townships of Walcott, Colfax, Barrier, Helendale, Sheyenne, Piking, Garbourg, Freeman, West End, Homestead, Grafton, Antelope, Danton, Garfield, Dexter, Wyndmere, village of Wyndmere, Belford, Liberty, Brightwood, town of Hankinson Elma, Durr, city of Lidgerwood, Moran, and Grant in the county of Richland, and be entitled to one senator and two representatives.

(38) The thirty-eighth district shall consist of the county of Barnes, and be entitled to one senator and four representatives.

(39) The thirty-nine district shall consist of the counties of Billings and Bowman and shall be entitled to one senator and three representatives.

(40) The fortieth district shall consist of the counties of Dunn, Mercer and Oliver, and be entitled to one senator and three representatives.

(41) The forty-first district shall consist of the counties of Williams and McKenzie, and shall be entitled to one senator and five representatives.

(42) The forty-second district shall consist of the county of Pierce, and shall be entitled to one senator and one representative.

(43) The forty-third district shall consist of the county of Renville, and shall be entitled to one senator and one representative.

(44) The forty-fourth district shall consist of the county of Mountrail, and be entitled to one senator and one representative.

(45) The forty-fifth district shall consist of that portion of Morton county situated and being in townships 130, 131 and 132, of ranges 88, 89 and 90; townships 133 and 134, of ranges 87, 88, 89 and 90; townships 135 and 136, of ranges 86, 87, 8, 89 and 90; townships 137, 138, 139 and 140, of ranges 84, 85, 86, 87, 88, 89 and 90, and shall be entitled to one senator and two representatives.

(46) The forty-sixth district shall consist of the counties of McLean and Stevenson, and shall be entitled to one senator and three representatives.

(47) The fortieth district consisting of the townships of Hope, Freemont, Olga, Loam, Hay, Harvcy, Manilla, Easby, Alma, East Alma, Montrose, Osford, village of Milton and Osnabrock village, in the county of Cavalier is hereby renumbered and shall hereafter be known as the forty-seventh district and shall until the end of 1914, be entitled to one senator and one representatives, and the term of the senator elected for the district so renumbered shall continue until the end of 1914, and with the expiration of 1914, the said forty-seventh district shall cease to exist and the territory comprised in this district shall be added to and become a part of the eighteenth legislative district, which will then include all of the county of Cavalier.

And when so amended recommend the same do pass.

T. N. PUTNAM,  
Chairman.

Mr. Ployhar moved

That House Bill No. 25 be printed as amended before further action is taken.

Which motion prevailed.

Mr. Nestos moved

That the Report of the committee report on House Bill No. 25 be made a special order for 3 o'clock tomorrow.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS.

House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82; nays 0; absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akesson	Hawkinson	Olgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boyd	Hoge	Pendray
Burnett	Homnes	Ployhar
Burns	Hill, of Bottineau	Putnam
Carey	Hill, of Cass	Reeve
Christenson	Hyland	Robinson
Collins	Johns	Sauer
Davidson	Johnson	Scott
Davis	Kane	Scheer
Dean	Knutson	Sorlie
DeNault	Kuhl	Stern
Doyle, of Foster	Kyllo	Stranahan
Doyle, of McIntosh	Lageson	Streeter
Edwards	Law	Tande
Englund	Lee	Thompson
Fassett	Moen of Benson	Tollefson
Fox	Moen of Cavalier	Tostenson
France	Morrison	Tuttle
Fried	Narum	Ulsaker
Fritz	Nelson of Richland	Walters
Gardiner	Nelson of Walsh	Wambem
Geiger	Nestos	Whitmer
Gorder	Norheim	Williams
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	O'Connor of Pembina
Benson	Fraine	Olgard of Nelson



Messrs.—	Messrs.—	Messrs.—
Boerner	Jordal	Price
Bond	Knox	Ray
Brusletten	Martin	Roquette
Cunningham	McClellan	Sgutt
DeLance	Moritz	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Hanson moved

That the vote by which House Bill No. 299 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 335.

A bill for an act to amend Section 4494 of the Revised Codes of North Dakota of 1905, relating to county mutual companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 75; nays 4; absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Harty	Olsgard of Richland
Bjornson	Hedalen	O'Shea
Boerner	Heinemeyer	Paulson
Boyd	Hersrud	Peart
Burnett	Hoge	Putnam
Burns	Homnes	Reeve
Christenson	Hill, of Bottineau	Robinson
Collins	Hill, of Cass	Sauer
Davidson	Hyland	Scott
Davis	Johns	Scheer
Dean	Johnson	Stern
DeNault	Kane	Stranahan
Doyle, of Foster	Knutson	Streeter
Doyle, of McIntosh	Kuhl	Tande
Edwards	Kylo	Thompson
Englund	Lageson	Tollefson
Fassett	Law	Tostenson
Fox	Lee	Tuttle
France	Morrison	Ulsaker
Fried	Nelson, of Richland	Walters
Fritz	Nelson, of Walsh	Whitmer
Gardiner	Nestos	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Moen, of Benson	Sorlie	Wambem
Narum		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fraine	Olsgard of Nelson
Benson	Hawkinson	Pendray
Bond	Jordal	Ployhar
Brusletten	Knox	Price
Carey	Martin	Ray
Cunningham	McClellan	Roquette
Dosseth	Moen, of Cavalier	Sgutt
DeLance	Moritz	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Gorder moved

That the vote by which House Bill No. 335 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81; nays 1; absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hersrud	Pearl
Bond	Hoge	Pendray
Boyd	Homnes	Putnam
Burnett	Hill, of Bottineau	Reeve
Burns	Hill, of Cass	Robinson
Christenson	Hyland	Sauer
Collins	Johns	Scott
Davidson	Johnson	Scheer
Dean	Kane	Sgutt
DeLance	Knutson	Sorlie
DeNault	Kylo	Stern

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	Moen of Benson	Thompson
Fassett	Moen of Cavalier	Tollefson
Fox	Morrison	Tostenson
France	Narum	Tuttle
Fried	Nelson of Richland	Ulsaker
Fritz	Nelson of Walsh	Walters
Gardiner	Nestos	Wambem
Geiger	Norheim	Whitmer

Mr. Kuhl voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aurhus	Fraine	Olsgard of Nelson
Benson	Hawkinson	Ployhar
Brusletten	Jordal	Price
Carey	Knox	Ray
Cunningham	Martin	Roquette
Davis	McClellan	Williams
Dosseth	Moritz	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Christenson moved

That the vote by which House Bill No. 31 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 75.

A bill for an act to amend and re-enact Sections 1031, 1033, 1034, 1035 and 1036 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 62; nays 21; absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Heinemeyer	O'Connor of Gd. Forks
Boerner	Hersrud	O'Connor of Pembina
Bond	Hoge	Olsgard of Richland
Boyd	Homes	O Shea
Burnot	Hill, of Bottineau	Faulson
Carey	Hill, of Cass	Peart

Messrs.—	Messrs.—	Messrs.—
Davidson	Johns	Putnam
Dean	Johnson	Ray
Doyle, of McIntosh	Kane	Reeve
Edwards	Kuhl	Robinson
Englund	Lageson	Sauer
Fassett	Law	Scott
Fox	Lee	Scheer
France	Moen, of Benson	Stutt
Fritz	Moen, of Cavalier	Streeter
Gardiner	Morrison	Thompson
Geiger	Narum	Tostenson
Gorder	Nelson, of Richland	Tuttle
Hanson	Nelson, of Walsh	Whitmer
Harty	Nestos	Williams
Hawkinson	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Cunningham	Stern
Akesson	DeNault	Stranahan
Anderson, of Ramsey	Fried	Tande
Andrus	Hedalen	Tollefson
Bjornson	Knuts on	Ulsaker
Burns	Kyllo	Walters
Christenson	Pendray	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fraine	Olsgard, of Nelson
Brusletten	Hyland	Ployhar
Collins	Jordal	Price
Davis	Knox	Roquette
DeLance	Martin	Sorlie
Dosseth	McClellan	Mr. Speaker
Doyle, of Foster	Moritz	

So the bill passed and the title was agreed to.

Mr. Kuhl moved

That the vote by which House Bil No. 75 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

House Bill No. 275.

A bill for an act entitled, "An act to regulate and provide for admission of live stock into the state of North Dakota from all other states and territories and foreign countries; and providing penalties for violation thereof."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays, 0; absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Harty	Olgard of Richland
Andrus	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hersrud	Peart
Bond	Hoge	Pendray
Boyd	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Burns	Hill, of Cass	Reeve
Carey	Hyland	Robinson
Christenson	Johns	Sauer
Collins	Johnson	Scott
Cunningham	Kane	Scheer
Davidson	Knutson	Sgutt
Davis	Kuhl	Sorlie
Dean	Kyilo	Stern
DeLance	Lageson	Stranahan
DeNault	Law	Streeter
Doyle, of Foster	Lee	Tande
Doyle, of McIntosh	Moen, of Benson	Thompson
Edwards	Moen, of Cavalier	Tollefson
Englund	Morrison	Tostenon
Fassett	Moritz	Tuttle
Fox	Narum	Ulsaker
Fried	Nelson, of Richland	Walters
Fritz	Nelson, of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hawkinson	Ployhar
Benson	Jordal	Price
Brusletten	Knox	Roquette
Dosseth	Martin	Williams
France	McClellan	Mr. Speaker
Fraine	Olgard, of Nelson	

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 275 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 130.

A bill for an act to amend Section 9366 of the Revised Codes of North Dakota, as amended by Chapter 191 of the Laws of 1907, and Chapter 187 of the Laws of 1909, defining intoxicating liquors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66; nays 13; absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Moen of Cavalier
Anderson, of Griggs	Gorder	Moritz
Anderson, of Ramsey	Hanson	Narum
Boyd	Harty	Nelson of Richland
Burnett	Hawkinson	Nelson of Walsh -
Carey	Hedalen	Nestos
Christenson	Hersrud	O'Connor of Gd. Forks
Collins	Hoge	O'Connor of Pembina
Cunningham	Homnes	Olgard of Richland
Davidson	Hill, of Bottineau	O'Shea
Davis	Hill, of Cass	Paulson
Dean	Hyland	Peart
DeNault	Johns	Pendray
Doyle, of Foster	Johnson	Putnam
Doyle, of McIntosh	Kane	Sauer
Edwards	Knutson	Scott
Englund	Kuhl	Sorlie
Fassett	Kyllo	Tande
France	Lageson	Tostenson
Fried	Law	Ulsaker
Fritz	Lee	Wambem
Gardiner	Moen of Benson	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Ray	Streeter
Boerner	Reeve	Tollefson
Burns	Stern	Tuttle
Fox	Stranahan	Whitmer
Morrison		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	Heinemeyer	Price
Andrus	Jordal	Robinson
Benson	Knox	Roquette
Bond	Martin	Scheer
Brusletten	McClellan	Sgutt
DeLance	Norheim	Thompson
Dosseth	Olgard of Nelso	Walters
Fraine	Ployhar	Mr. Speaker

So the bill passed and the title was agreed to.

House Bill No. 204.

A bill for an act entitled, an act requiring railway companies to furnish sites for flour and feed mills on their

right of way and fixing the manner in which sites may be obtained.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80; nays 3; absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Richland
Anderson, of Ramsey	Hawkinson	O'Shea
Andrus	Hedalen	Paulson
Bjornson	Hersrud	Pearl
Boerner	Homnes	Pendray
Boyd	Hill, of Bottineau	Ray
Burnett	Hill, of Cass	Reeve
Burns	Hyland	Robinson
Carey	Johns	Sauer
Christenson	Johnson	Scott
Collins	Jordal	Scheer
Cunningham	Kane	Sgutt
Davidson	Knutson	Sorlie
Davis	Kylo	Stern
Dean	Lageson	Stranahan
DeNault	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Moen of Cavalier	Tollefson
Fassett	Morrison	Tostenson
Fox	Moritz	Tuttle
France	Narum	Ulsaker
Fried	Nelson of Richland	Wambem
Fritz	Nelson of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Hoge	Putnam

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Heinemeyer	Ployhar
Bond	Knox	Price
Brusletten	Kuhl	Roquette
DeLance	Martin	Thompson
Dosseth	McClellan	Walters
Englund	Moen of Benson	Mr. Speaker
Fraine	Olsgard of Nelson	

So the bill passed and the title was agreed to.

Mr. O'Connor, of Grand Forks, moved

That the vote by which House Bill No. 204 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objections the House returned to the ninth and tenth orders of business.

#### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Streeter introduced

House Bill No. 444.

A bill for an act to require the shipper of emigrant movables and live stock to deposit with the agent of the transportation company, paid tax receipts for the fiscal year in which such shipment is offered for transportation.

Which was read the first and second times and

Referred to the committee on railroads.

Mr. Fried introduced

House Bill No. 445.

A bill for an act to amend and re-enact Section 1189 of the Revised Codes of North Dakota for 1905.

Which was read the first and second times, and

Referred to the committee on public health.

There being no objections the House returned to the seventh order of business.

#### MOTIONS AND RESOLUTIONS.

Mr. Norheim introduced the following concurrent resolution and moved its adoption:

Whereas, there is now filed away in the office of the State Treasurer of the State of North Dakota, unnegotiated bonds to the amount of \$185,000, the issuance of which was authorized by the Legislative Assembly of North Dakota in the year 1901, to be made by the board of trustees of the State Penitentiary, said bonds described as follows:



Numbers	Series	Date	Amount	Rate
61 to 70 inclusive	1st	May 1, 1901	\$ 10,000	4 per cent
86 to 105 inclusive	1st	July 1, 1901	20,000	5 per cent
86 to 105 inclusive	1st	July 1, 1901	20,000	5 per cent
1 to 105 inclusive	2nd	May 1, 1901	105,000	5 per cent
76 to 105 inclusive	2nd	May 1, 1901	30,000	4 per cent

The issuance of above described bonds being authorized for the purpose of retiring \$75,000 of certificates of indebtedness due November 1, 1902, and obtaining funds for the operation of the twine and cordage factories of the State Penitentiary at Bismarck, North Dakota.

And whereas, the bonds have not been floated and do not now represent any monetary value in the state treasurer's office.

And whereas, there is a possibility of a serious fraud being perpetrated upon the public by an accidental loss of said bonds in such a way that same may be negotiated to innocent parties.

And, whereas the state treasurer is anxious that said bonds should be cancelled;

Now, Therefore, Be It Resolved by the House of Representatives, the Senate concurring therein, that the State Board of Auditors be and the same is hereby authorized and instructed to cancel and destroy the above described and enumerated bonds.

Which motion prevailed, and

The resolution was adopted.

### THIRD READING OF HOUSE BILLS.

House Bill No. 307.

A bill for an act to amend Section 4277 of the Revised Codes of North Dakota for the year 1905.

Was read the third time.

The question being on the final passage of the bill.

Th roll was called and there were ayes 83; nays 0; absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	O'Connor of Pembina
Anderson, of Griggs	Hawkinson	Olsgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Andrus	Heinemeyer	Paulson
Boerner	Hersrud	Peart
Boya	Hoge	Pendray
Burnett	Homnes	Putnam
Burns	Hill, of Bottineau	Ray
Carey	Hill, of Cass	Reeve
Christenson	Hyland	Robinson
Collins	Johns	Sauer
Cunningham	Johnson	Scott
Davidson	Jordal	Scheer

Messrs.—	Messrs.—	Messrs.—
Davis	Knutson	Sgutt
Dean	Kyllo	Sorlie
DeNault	Lagezon	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Englund	Moen, of Benson	Tande
Fassett	Moen, of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fried	Narum	Walters
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Gelger	Nestos	Williams
Gorder	Norheim	

### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fraine	Ployhar
Bjornson	Kane	Price
Bond	Knox	Roquette
Brusletten	Kuhl	Thompson
DeLance	Martin	Tollefson
Dosseth	McClellan	Mr. Speaker
Edwards	Olsgard of Nelson	

So the bill passed and the title was agreed to.

### House Bill No. 93.

A concurrent resolution to amend Section 154 of the Constitution of the state of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79; nays 3; absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nestos
Akesson	Hanson	Norheim
Anderson, of Ramsey	Hawkinson	O'Connor of Gd. Forks
Anirus	Hedalen	O'Connor of Pembina
Bjornson	Heinemeyer	Olsgard of Richland
Boerner	Hersrud	O'Shea
Boyd	Hoge	Paulson
Burnett	Homnes	Peart
Burns	Hill, of Bottineau	Pendray
Carey	Hill, of Cass	Putnam
Christensor	Hyland	Reeve
Collins	Johns	Robinson

Messrs.—	Messrs.—	Messrs.—
Cunningham	John on	Sauer
Davidson	Jordal	Scheer
Davis	Kane	Sgutt
Dean	Knutson	Sorlie
DeNault	Kylo	Stern
Doyle, of McIntosh	Lageson	Stranahan
Edwards	Law	Streeter
Englund	Moen, of Benson	Tollefson
Fassett	Moen, of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fried	Narum	Walters
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Williams
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Scott	Tande

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Harty	Ployhar
Bond	Knox	Price
Brusletton	Kuhl	Ray
DeLance	Lee	Roquette
Dosseth	Martin	Thompson
Doyle, of Foster	McClellan	Whitmer
Fraine	Olgard of Nelson	Mr. Speaker

So the bill passed and the title was agreed to.

House Bill No. 345.

A bill for an act to harmonize Sections 8089 and 7117 of the 1905 Code, by amending Section 8089 of the act providing for the settlement of the estates of decedents.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80; nays 0; absent and not voting 23.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Pembina
Akesson	Hawkinson	Olgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Andrus	Hersrud	Pearl
Boerner	Hoge	Pendray
Boyd	Homnes	Putnam

Messrs.—	Messrs.—	Messrs.—
Burnett	Hill, of Bottineau	Ray
Carey	Hill, of Cass	Reeve
Christenson	Hyland	Robinson
Collins	Johns	Scott
Cunningham	Johnson	Scheer
Davidson	Jordal	Sgutt
Davis	Kane	Sorlie
Dean	Knutson	Stern
DeNault	Kylo	Stranahan
Doyle, of McIntosh	Lageson	Streeter
Edwards	Law	Tande
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fried	Narum	Walters
Fritz	Nelson of Richland	Wambem
Gardiner	Nelson of Walsh	Whitmer
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fraine	Olsgard of Nelson
Bjornson	Harty	Ployhar
Bond	Knox	Price
Brusletten	Kuhl	Roquette
Burns	Lee	Sauer
DeLance	Martin	Thompson
Dosseth	McClellan	Mr. Speaker
Doyle, of Foster	Nestos	

So the bill passed and the title was agreed to.

House Bill No. 183.

A bill for an act to amend Section 5187 of the Revised Codes of 1905, relating to order of succession.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81; nays 1; absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Richland
Akesson	Harty	O'Shea
Anderson, of Griggs	Hedalen	Paulson
Anderson, of Ramsey	Heinemeyer	Peart
Andrus	Hersrud	Pendray
Bjornson	Hoge	Putnam
Boerner	Homnes	Ray

Messrs.—	Messrs.—	Messrs.—
Boyd	Hill, of Bottineau	Reeve
Burnett	Hill, of Cass	Robinson
Carey	Hyland	Sauer
Christenson	Johns	Scott
Collins	Johnson	Scheer
Cunningham	Kane	Sgutt
Davidson	Knutson	Sorlie
Davis	Lageson	Stern
Dean	Law	Stranahan
DeNault	Moen, of Benson	Streeter
Doyle, of McIntosh	Moen, of Cavalier	Tande
Edwards	Morrison	Thompson
Englund	Moritz	Tollefsen
Fassett	Narum	Tostenson
Fox	Nelson, of Richland	Tuttle
France	Nelson, of Walsh	Ulsaker
Fried	Norheim	Walters
Fritz	O'Connor of Gd. Forks	Wambem
Gardiner	O'Connor of Pembina	Whittr
Geiger	Olsgard, of Nelson	Williams

Mr. Hawkinson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fraine	Martin
Bond	Gorder	McClellan
Brusletten	Jordal	Nestos
Burns	Knox	Ployhar
DeLance	Kuhl	Price
Dosseth	Kyllo	Roquette
Doyle, of Foster	Lee	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Boyd moved

That the vote by which House Bill No. 183 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 291.

A bill for an act to amend Chapter 93 of the Session Laws of 1909, relating to compensation of election officers and rental of polling places.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84; nays 0; absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Pembina
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hawkinson	Olsgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
An'rus	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Boyd	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Carey	Hill, of Cass	Reeve
Christenson	Hyland	Robinson
Collins	Johns	Scott
Cunningham	Johnson	Scheer
Davidson	Kane	Sgutt
Davis	Knutson	Sorlie
Dean	Kyllo	Stern
DeNault	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Doyle, of McIntosh	Moen of Benson	Tande
Edwards	Moen of Cavalier	Thompson
Englund	Morrison	Tollefson
Fassett	Moritz	Tostenon
Fox	Narum	Tuttle
France	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Walters
Fritz	Nestos	Wambem
Gardiner	Norheim	Whitmer
Geiger	O'Connor of Gd. Ferks	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Gorder	McClellan
Bond	Jordal	Ployhar
Brusletten	Knox	Price
Burns	Kuhl	Roquette
DeLance	Lee	Sauer
Dosseth	Martin	Mr. Speaker
Fraine		

So the bill passed and the title was agreed to.

Mr. Ulsaker moved

That the vote by which House Bill No. 291 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82; nays 0; absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Olsgard of Nelson
Akesson	Hawkinson	Olsgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Andrus	Hersrud	Peart
Bjornson	Hoge	Pendray
Boerner	Homnes	Putnam
Boyd	Hill, of Cass	Ray
Burnett	Hyland	Reeve
Carey	Johns	Robinson
Christenson	Johnson	Sauer
Collins	Kane	Scott
Cunningham	Knutson	Scheer
Davidson	Kyllo	Sgutt
Davis	Lageson	Sorlie
Dean	Law	Stern
DeNault	Moen of Benson	Stranahan
Doyle, of Foster	Moen of Cavalier	Streeter
Doyle, of McIntosh	Morrison	Tande
Edwards	Moritz	Thompson
Englund	Narum	Tollefson
Fassett	Nelson of Richland	Tostenson
Fried	Nelson of Walsh	Ulsaker
Fritz	Nestos	Walters
Gardiner	Norheim	Wambem
Geiger	O'Connor of Gd. Forks	Whitmer
Gorder	O'Connor of Pembina	Williams
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	France	Martin
Bond	Fraine	McClellan
Brusletten	Hill, of Bottineau	Ployhar
Burns	Jordal	Price
DeLance	Knox	Roquette
Dosseth	Kuhl	Tuttle
Fox	Lee	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Lageson moved

That the vote by which House Bill No. 273 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objection the House returned to the ninth and tenth order of business.

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**INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.**

Mr. Olsgard of Nelson, introduced

House Bill No. 446.

A bill for an act to amend Section 2218 of the Revised Codes of 1905, relating to the methods of inspection of oil.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Williams introduced

House Bill No. 447.

A bill for an act creating a commission to have charge of installing and maintaining an exhibit of the products and resources of the state of North Dakota at the Panama-Pacific International Exposition, and appropriating money to pay the expenses thereof.

Which was read the first and second times, and

Referred to the committee on state affairs.

**THIRD READING OF HOUSE BILLS.**

House Bill No. 401.

A bill for an act to amend and re-enact Section 2979 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

Was read the third time.

Mr. Doyle of McIntosh asked unanimous consent to amend the bill.

There being no objections Mr. Doyle of McIntosh offered the following amendment and moved its adoption:

In line 15 after the word "vote," insert "of resident property owners."

Which motion prevailed.

Mr. Doyle of McIntosh moved

That the rules be suspended and House Bill No. 401 be considered engrossed and placed upon its final passage.



Which motion prevailed.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 84; nays 0; absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	O'Connor of Pembina
Aasheim	Hawkinson	Olgard of Nelson
Anderson, of Griggs	Hedalen	Olgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Andrus	Hersruu	Paulson
Bjornson	Hoge	Peart
Boerner	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Burnett	Hill, of Cass	Putnam
Carey	Hyland	Ray
Christenson	Johns	Reeve
Collins	Johnson	Robinson
Cunningham	Jordal	Sauer
Davidson	Kane	Scott
Dean	Knutson	Scheer
DeNault	Kyllo	Sgutt
Doyle, of Foster	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Edwards	Moen, of Benson	Streeter
Englund	Moen, of Cavalier	Tande
Fassett	Morrison	Thompson
Fox	Moritz	Tollefson
Fried	Narum	Tostenson
Fritz	Nelson, of Richland	Ulsaker
Gardner	Nelson, of Walsh	Wambem
Geiger	Nestos	Walters
Gorder	Norheim	Whitmer
Hanson	O'Connr of Gd. Forks	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	France	McClellan
Bond	Fraine	Price
Brusletten	Knox	Roquette
Burns	Kuhl	Sorlie
Davis	Lee	Tuttle
DeLance	Martin	Mr. Speaker
Dosseth		

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 401 passed, be reconsidered and the motion to reconsider be laid on the table.  
Which motion prevailed.

Mr. Nestos moved that the House take a recess until 1:30 o'clock P. M.

Which motion prevailed, and

The House took a recess.

E. H. GRIFFIN.  
Chief Clerk.

#### AFTER RECESS.

The House reassembled at 1:30 p. m., pursuant to recess taken.

The Speaker in the chair.

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

Also

House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Also,

House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Also

House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Also

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Also,

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

And the Speaker signed the same in the presence of the House.

House Bill No. 230.

A bill for an act to amend Chapter 120 of the Session Laws of 1909.

Was read the third time.

Mr. Sorlie moved

That action be deferred until the authors of the bill on the chairman of the judiciary committee explain the same.

Which motion prevailed.

House Bill No. 347.

A bill for an act to amend and re-enact Section 498 of the Revised Codes of North Dakota for the year 1905, relating to admission to the bar.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes, no nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Bjornson  
Boerner  
Bond  
Boyd

Messrs.—

Geiger  
Gorder  
Hanson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Hill, of Bottineau  
Hill, of Cass

Messrs.—

O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Putnam  
Ray

Messrs.—	Messrs.—	Messrs.—
Burnett	Hyland	Reeve
Burns	Johns	Robinson
Carey	Johnson	Scott
Christenson	Kane	Scheer
Collins	Knox	Sgutt
Cunningham	Knutson	Sorlie
Davis	Kylo	Stern
Dean	Lageson	Stranahan
DeLance	Law	Streeter
DeNault	Lee	Tandø
Doyle, of Foster	Martin	Tollefson
Doyle, of McIntosh	Moen of Benson	Tostenson
Edwards	Moen of Cavalier	Tuttle
Englund	Morrison	Ulsaker
Fassett	Moritz	Walters
France	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Mr. Speaker
Gardiner	O'Connor of Gd. Falls	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hawkinson	Ployhar
Erusletten	Homnes	Price
Davidson	Jordal	Roquette
Dosseth	Kuhl	Sauer
Fox	McClellan	Thompson
Fraine	Nestos	Williams
Harty	Norheim	

So the bill passed and the title was agreed to.

Mr. Doyle of Foster moved

That action on House Bills No. 279, 315 and 316 be deferred and placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 288.

A bill for an act to amend Section 9319 of the Revised Codes of North Dakota for 1905, relating to the abuse of domestic animals and providing punishment therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 86 ayes, no nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Pembina
Akesson	Harty	Olsgard of Richland

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Heinemeyer	Olsgard of Nelson
Anderson, of Ramsey	Hersrud	O'Shea
Andrus	Hoge	Paulson
Bjornson	Hill, of Bottineau	Peart
Poerner	Hill, of Cass	Pendray
Bond	Hyland	Putnam
Boyd	Johns	Ray
Burnett	Johnson	Reeve
Burns	Jordal	Robinson
Carey	Kane	Scott
Christenson	Knox	Scheer
Collins	Knutson	Sorlie
Cunningham	Kylo	Stern
Davis	Lageson	Stranahan
Dean	Law	Streeter
DeNault	Lee	Tande
Doyle, of Foster	Martin	Thompson
Doyle, of McIntosh	Moen of Benson	Tollefson
Edwards	Moen of Cavalier	Tostenson
Englund	Morrison	Tuttle
Fassett	Moritz	Ulsaker
France	Narum	Walters
Fried	Nelson of Richland	Wambem
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Whitmer
Geiger	Norheim	Mr. Speaker
Gorder	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fraine	Ployhar
Brusletten	Hawkinson	Price
Davidson	Hedalen	Roquette
DeLance	Homnes	Sauer
Dosseth	Kuhl	Sgutt
Fox	McClellan	

So the bill passed and the title was agreed to.

House Bill No. 343.

A bill for an act to repeal Article 21 of Chapter 32, entitled, townsites located on public lands, of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 85 ayes, no nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Norheim
Akesson	Hansen	O'Connor of Gd. Forks

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Heinemeyer	Olsgard of Richland
Andrus	Hersrud	O'Shea
Bjornson	Hoge	Paulson
Boerner	Homnes	Peart
Bond	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeve
Carey	Johnson	Scott
Christenson	Jordal	Scheer
Collins	Kane	Sorlie
Cunningham	Knox	Stern
Davis	Knutson	Stranahan
Dean	Lageson	Streeter
DeNault	Law	Tande
Doyle, of Foster	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	Moen of Benson	Tostenson
Englund	Moen of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters
France	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardner	Nestos	Mr. Speaker
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hawkinson	Ployhar
Brusletten	Hedalen	Price
Davidson	Kuhl	Robinson
DeLance	Kyllo	Roquette
Dosseth	McClellan	Sauer
Fraine	Olsgard of Nelson	Sgutt

So the bill passed and the title was agreed to.

There being no objections, the House returned to the 9th order of business.

### INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

The committee on elections and election privileges introduced

House Bill No. 448.

A bill for an act to provide for the direct election of delegates to the national convention of the different political parties, and for the expression of the popular choice for nominees for president and vice president and for the direct

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election of national committeemen for different political parties.

Which was read the first and second times, and

Referred to the committee of the whole.

The committee on elections and election privileges introduced

House Bill No. 449.

A bill for an act to amend and re-enact Section 3061 of the Revised Codes of the state of North Dakota for the year 1905.

Which was read the first and second times, and

Referred to the committee of the whole.

Mr. Akesson moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 23, 1911.

The House assembled at 2 o'clock p. m., pursuant to adjournment.

The speaker presiding.

Prayer by the Rev. Thos. A. McCurdy of Mandan.

Roll call.

All members present except Messrs. Dosseth and Roquette, who were excused.

## REFERENCE OF THE JOURNAL.

The committee on revision and correction of the Journal made the following report:

Mr. Speaker:

Your committee on revision and correction of the Journal of the 51st day, have carefully examined the same and recommend that the same be corrected as follows:

On page 2, after line 10, insert: "Mr. Hyland moved that the report of the committee be adopted.

"Which motion prevailed, and the report of the committee was adopted."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved  
That the report be adopted.



Which motion prevailed, and  
The report of the committee was adopted.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 23, 1911.

Mr. Speaker:

I have the honor to return herewith  
House Bill No. 100.

A bill for an act to regulate the practice of medicine and  
surgery in the State of North Dakota.

Which the Senate has amended as follows:

In line 2 of section 11 of the printed bill, after the word "examiner" insert the following: "shall keep a record of all its proceedings, together with the evidence offered in the matter of revoking or refusing licenses hereunder."

In line 26, after section 11 of the printed bill, insert the following: "An appeal from the final decision of such board shall lie to the District Court of the county in which such decision was made, within sixty days after notice to the party aggrieved. The record on appeal shall consist of the entire proceedings of such board, together with the evidence offered. Such appeal shall be governed by the Code of Civil Procedure so far as applicable."

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. O'Connor of Grand Forks, moved

That the rules be suspended and that the House do now  
concur in the Senate amendments to House Bill No. 100.

Which motion prevailed, and  
The amendments were concurred in.

Mr. O'Connor of Grand Forks, moved

That the rules be suspended and House Bill No. 100 be  
considered engrossed and placed upon its final passage as  
amended by the Senate.

Which motion prevailed.

House Bill No. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate.

The roll was called and there were 96 ayes, no nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Harty	Olsgard of Nelson
Andrus	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	O'Shea
Boerner	Heinemeyer	Paulson
Bond	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Bottineau	Putnam
Burns	Hill, of Cass	Ray
Carey	Hyland	Reeve
Christenson	Johns	Robinson
Collins	Johnson	Sauer
Cunningham	Kane	Scott
Davidson	Knox	Scheer
Davis	Knutson	Sgutt
Dean	Kuhl	Sorlie
DeLance	Kyllo	Stern
DeNault	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Martin	Thompson
Englund	McClellan	Tollefson
Fassett	Moen, of Benson	Tostenson
Fox	Moen, of Cavalier	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Walters
Fried	Nelson, of Richland	Wambem
Fritz	Nelson, of Walsh	Whitmer
Gardner	Nestos	Williams
Geiger	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Jordal	Price
Benson	Morrison	Roquette
Dosseth		

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

To the House of Representatives, State of North Dakota:

We, the undersigned citizens of Ramsey county, N. D., respectfully petition your honorable body to pass Senate Bill No. 269 relating to "game reserve" at Devils Lake, N. D.

WILLIAM FULGER AND 33 OTHERS.

To the Honorable Robert Norheim, State Representative 41st District,  
Bismarck, North Dakota.

We, the undersigned, object to the repeal of the mechanics' lien law. At the present time the people need all the credit they can get. Many people are now living in homes built on credit, made possible by our lien laws, who would not otherwise receive credit. We ask that you use your vote and influence in preventing its repeal.

(Signed) M. IVERSON AND 27 OTHERS.

We, the undersigned citizens of North Dakota, respectfully ask the members of the North Dakota Legislature to work and vote against any bill or measure requiring men who sell family and veterinary medicines or other products from wagons to us to pay a greater license or tax than they are now paying.

We hereby register our protest against the attempts of certain dealers to drive out the wagons by legislation, thus trotting competition, taking from us a legitimate source of supply and forming a monopoly for themselves.

We resent any attempt to dictate to us from whom we shall buy and demand the right to exercise our own judgment in our purchases.

A. M. HART AND 113 OTHERS.

Colgate, N. D., Feb. 22, 1911.

Hon. S. J. Tande, Bismarck, N. D.

We protest against the proposed repeal of the mechanic's lien law. Labor or materials furnished for buildings increases the value of the land and parties furnishing same are entitled to protection to the extent of the increase.

W. W. POPE AND 12 OTHERS.

## REPORTS OF STANDING COMMITTEES.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

Also

House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Also

House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 324.

A bill for an act to amend Section 6931 of the Revised Codes of 1905, relative to the time of granting injunctions.

Also,

House Bill No. 35.

A bill for an act to amend Section 1571 of the 1905 Revised Codes of North Dakota.

Also,

House Bill No. 177.

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway commissioners to appoint agents at terminal points of Duluth and Minneapolis, for the benefit of shippers of grain of this state, and providing for the compensation and appropriating funds for the purpose of carrying out the provisions of this act.

And find the same correctly re-engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on engrossment have examined  
House Bill No. 237.

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum, recall of public officers and future amendments to the constitution.

And find the same correctly engrossed.

S. J. DOYLE,  
Chairman.

Mr. Doyle moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on manufactures made the following report:

Mr. Speaker:

Your committee on manufactures to whom was referred  
House Bill No. 402.

A bill for an act to prohibit the manufacture, use and sale of blank cartridges, fire arms, certain fire crackers and certain other explosives.

Have had the same under consideration and recommend that the same do pass.

W. B. DE NAULT,  
Chairman.

Mr. Hommes moved  
That House Bill No. 402 be re-referred to the committee on manufactures.

Which motion prevailed, and  
The bill was so referred.

The committee on ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred  
Senate Bill No. 236.

A bill for an act to amend and re-enact Section 2240,  
Article 45, Chapter 24, of the Revised Codes of North Da-  
kota for the year 1905, relating to the duties of county au-  
ditors and prescribing how records of fees shall be kept.

Have had the same under consideration and recommend  
that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on ways and means to whom was referred  
House Bill No. 370.

A bill for an act to amend Section 2582 of the Revised  
Codes of the state of North Dakota for 1905, relating to  
deputy clerks of the district courts.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Dean moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

## House Bill 39.

A bill for an act to provide a system of free public schools for the state of North Dakota and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, and section 1038 of the Revised Codes of 1905, with any and all amendments thereto, and also Chapters 49, 98, 100, 103, 124, 153, and 201 of the Session Laws of 1909.

Have had the same under consideration and recommend that the same be amended as follows:

In section 6, line 2, after the word "superintendents" insert the words "and boards of education in special or independent school districts."

In section 7, line 4, after the word "meeting," insert the words "and it shall be their duty to attend such meetings."

In section 14, line 7, after the word "he," strike out the word "may," and insert in lieu thereof the word "shall."

In section 18, line 4, after the word "hold" strike out the words "a first," and insert in lieu thereof the words "at least a second."

In section 18, line 6, after the word "in," strike out the word "the" and insert in lieu thereof the word "this."

In section 23, line 1, after the word "he," strike out the word "may," and insert in lieu thereof the word "shall."

Strike out all of section 28, and insert in lieu thereof:

"Section 28. Office, Postage and Stationery.) He may provide for himself a suitable office for the transaction of official business when not pro-

vided therewith by the county commissioners, and such commissioners shall audit and pay his reasonable accounts for the use and furniture of such office. They shall also furnish him with all necessaryr books, stationery and postage."

In section 33 strike out the whole section and insert in lieu thereof:

"Section 33. Deputies, How Appointed, Salary.) In counties having fifty or more schools, the county superintendent may appoint an office deputy, for whose acts as such he shall be responsible, which deputy shall be entitled to a salary equal to fifty per cent of the county superintendent's salary, provided that in counties having 150 or more schools, the county superintendent shall be allowed one deputy for each 100 schools or major fraction thereof, under the supervision of said superintendent. Such deputies shall be for the purpose of assisting the county superintendent in visiting schools and in the general supervision of the educational work of the county. They shall possess the qualifications of the county superintendent of schools specified in section 18 of this chapter, and shall each receive a salary of two hundred (200) dollars per annum in excess of that paid to the office deputy."

In section 34, strike out all the section after the word "thereto," in line 5. and insert in lieu thereof, "he shall receive ten cents per mile for the distance actually and necessarily traveled by him or his field deputy in the discharge of his duties within the county and in attendance at meetings of county superintendents called by the superintendent of public instruction as provided by law. He shall at the end of every three months make and furnish to the county commissioners an itemized statement subscribed and sworn to of the distance so traveled in the discharge of his duties, which shall be audited and ordered paid by the Board of County Commissioners."

In section 38, line 8, after the word "least," strike out the word "eight," and insert in lieu thereof the word "twelve."

In section 43, line 3, after the word "district" insert the words "or consolidate two or more districts already organized."

Between sections 43 and 44 insert:

"Section 43½. Boundaries to be Re-arranged and Established. How.) The county commissioners and county superintendent of schools of each county which at the taking effect of this act is organized for school purposes under the district system, shall meet on the second Monday in July, A. D. 1911, at the place where the meetings of such commissioners are usually held, and shall re-arrange and establish the boundaries of the several school districts of the county, as follows:

1. Each school district now organized, which has less than ten persons of school age residing therein, may be annexed to and form a part of such adjacent district as shall be most convenient for such persons of school age, if in the judgment of such commissioners and superintendent, such annexation can be made without detriment to the school or to the pupils residing in such district.

2. Such commissioners and superintendent shall make such changes generally in the boundary line of the school districts of the county, and may organize school districts, as in their judgment will be for the best interests of the schools of the county."

Strike out all of section 44 and insert in lieu thereof:

"Section 44. New Common School Districts, How Organized.) The board of county commissioners and county superintendent may organize a new school district from portions of school districts already organized, if in their judgment the organization of a new district is desirable and necessary, upon being petitioned so to do by at least a majority of the school voters residing in the districts, whose boundaries will be affected by the organization of a new district, and by at least three-fourths of the residents of the territory to be included in the new district. No school district shall be organized under the provisions of this section which shall



have less than \$20,000 assessed valuation and shall have residing therein less than twelve children of school age; provided, that when the districts from portions of which such new district is sought to be organized, lie in two or more adjoining counties, such new district shall be organized by the concurrent action of the boards of county commissioners and county superintendents of such counties; provided further, that action on such organization shall be taken only at the July meeting of the county commissioners when petitioned by a majority of the voters residing in each of the districts to be affected."

In section 45, line 3, after the word "districts" insert the words, "or to change the boundaries of districts already organized."

In section 47, line 4, after the word "organization" insert the words, "and also all school districts, whether duly and legally organized under the provisions of statute or not, which have heretofore attached or attempted to attach territory outside of the limits thereof and adjacent to such district, and now included in the territory comprising or exercising the powers of such school district."

Strike out all of section 48 and insert in lieu thereof the following:

"Section 48. Officers to be Elected.) On the first Tuesday in June of each year there shall be elected one school director for the term of three years and on the first Tuesday in June of each even numbered year a school treasurer for the term of two years. Such officers shall hold their respective offices from the second Tuesday in July following their election for the number of years respectively for which they were elected, and until their successors are elected and qualified. At the first election for the organization of a new school district there shall be elected at large for such school district three directors, one to serve until the first annual election, one to serve until the second annual election thereafter, and one to serve until the third annual election thereafter, and a school treasurer to serve until the annual election in the next even numbered year and until his successor is elected and qualified."

In section 50, line 7, after the word "director," insert the words "district treasurer."

In section 56, line 2, after the word "director" insert the words "or district treasurer."

Strike out all of section 62 and insert in lieu thereof:

"Section 62. Treasurer's Bond, How Approved. Vacancy, How Filled.) The school treasurer shall on or before the second Tuesday in July following his election, and before entering upon his duties, give a bond to the school district conditioned for the honest and faithful discharge of his duties and that he will render a true account of all funds and property that shall come into his hands and pay and deliver the same according to law. Such bonds shall be in such sum as may be fixed by the board, but not less than double the sum to come into his hands in any one year as nearly as may be ascertained, which bond shall be signed by two or more sufficient sureties to be approved by the school board. In case the school board neglects or refuses to approve the bond of such treasurer and the sureties thereon, such treasurer may present the same to the county superintendent and serve notice thereof upon the board and due proof of such notice being made to the county superintendent, he shall, unless good cause for delay appears, proceed to hear and determine the sufficiency of the bond and the sureties thereon, and may approve or disapprove the same as the facts warrant. In case of a failure to elect a successor to any school treasurer at the expiration of his term of office, the said treasurer holds over and he shall be required to give a new bond within ten days after notice by the board. In case of a failure so to do, a vacancy shall be deemed to exist in said office and shall be filled as provided by law. In case a vacancy occurs in the office of the school treasurer, it shall be the duty of the county treasurer of the county wherein such school district is located, upon being notified by the county superintendent

ent or clerk of such school district that such vacancy exists, to perform the duties of treasurer of such school district until the vacancy is duly filled."

Strike out all of section 63 and insert in lieu thereof:

"Section 63. When Additional Bonds Required.) Whenever the amount in the hands of the treasurer or subject to his order exceeds two-thirds of the penal sum of his bond, or when in the judgment of the board or of the county superintendent the security on such bond is impaired, the board or county superintendent shall require an additional bond. If the treasurer fails for twenty days to give such additional bond, the office shall be declared vacant and the vacancy shall be filled as provided by this chapter."

After section 63, add:

"Section 63½. Surety Bonds. Premiums, How Paid.) Every person hereafter elected to the office of district treasurer within the state of North Dakota, be and is hereby required to give an official bond in the penal sum to be fixed by the board of directors, which bond shall not be a less penal sum than double the amount of money likely to come into his hands in any one year, and such board may by resolution require that such bond shall be executed by some responsible fidelity or surety company authorized and qualified to do business in the state of North Dakota, and subject to approval as provided by law; provided, further, if a surety bond is given it shall be for a sum fixed by the board of directors. The amount of premiums for such surety or fidelity bond shall be audited by the board of directors and paid out of the general fund of the district."

Also add:

"Section 63¾. School Funds, How Paid Out.) The school treasurer shall keep such account and make such reports as are required of him by law. He shall pay no money out of the funds in his hands except upon the warrant of the school board, signed by the president and countersigned by the clerk. He shall pay all warrants properly drawn and signed when presented, if there is any money in his hands or subject to his order for their payment."

In section 64, line 2, after the word "the" strike out the word "county" and insert in lieu thereof the word "district."

In section 65, line 2, after the word "the" strike out the word "county" and insert in lieu thereof the word "district."

Strike out all of section 66 and insert in lieu thereof:

"Section 66. Oaths and Bonds. Where to be Filed.) All official oaths and bonds of school district officers shall be filed with the district clerk, who shall immediately certify to the county superintendent the fact of such oaths and bonds being filed. Said clerk shall file school treasurer's bond with the county auditor after such bond has been approved by the district school board, as provided in this chapter. In case of the breach of any of the conditions of the treasurer's bond, the board, through its president, and in case of his refusal to do so, the county superintendent, shall cause an action to be commenced and prosecuted thereon in the corporate name of the district, and any money collected for the district shall be paid to the district treasurer, and any money collected for fines shall be paid into the county treasury and be credit to the general school fund of the state.

If the board and county superintendent both fail or refuse to bring such action, any taxpayer in the district may commence and prosecute such action, and the necessary expense thereof shall be paid out of the district treasury, unless otherwise ordered by the court."

After section 66, add:

"Section 66½. Salary of School Treasurer.) The school treasurer shall be paid for his services such sum as shall be fixed by the board, not less than five nor more than twenty-five dollars per annum."

In section 70, lines 9 and 10, after the word "teacher" strike out the words "and the county superintendent of schools."

In section 72, lines 11 and 12, after the word "month" strike out the words "on and after the passage and taking effect of this act."

In section 79, line 7, after the word "be" strike out the words "in accordance with such vote," and insert in lieu thereof the words "then the board shall proceed to carry out the decision of the voters of the district."

In section 79, line 11, after the word "meeting" insert the words "and further, if the question of removing the schoolhouse fails to carry, then the question of removing such schoolhouse cannot again be raised within one year."

In section 79, line 20, after the word "requirements" change period to semi-colon and insert in lieu thereof, "provided, further, that school boards and county superintendents shall secure from a competent carpenter or architect complete specifications and blue prints for plans furnished by the state superintendent of public instruction, or approved plans that may be furnished by said carpenter or architect, at a cost not to exceed twenty-five dollars for a one-room schoolhouse and forty dollars for a two-room schoolhouse. A copy of such plans and specifications shall be filed in the office of county superintendent."

In section 89, line 3, after the word "all" insert the word "unmarried."

In section 95, line 4, strike out all words after the word "section."

In section 104, line 7, strike out the word "county" and insert in lieu thereof the word "district."

In section 104, line 10, after the word "the" insert the word "district."

In section 106, line 1, after the word "by" strike out the word "county" and insert in lieu thereof the word "district."

In section 106, line 3, after the word "the" strike out the word "county" and insert in lieu thereof the word "district."

In section 107, line 8, add the words, "and, further, the county superintendent shall not authorize the payment of money apportioned to any district unless the bond and oath of the treasurer of such district has been duly approved and filed as provided by law."

In section 109, line 6, after the word "then" strike out the word "seven" and insert in lieu thereof the word "six."

In section 110, line 13, after the word "notify" strike out the words "such district clerk," and insert in lieu thereof the words, "each district treasurer."

In section 110, strike out the rest of said section after the word "district," in line 15, and insert in lieu thereof the words "the county treasurer shall deliver to the several school treasurers, upon the order of the county auditor, the amounts apportioned to their respective districts, taking a receipt therefor."

Strike out all of section 111 and insert in lieu thereof:

"Section 111. Treasurer's Accounts. Annual Settlement.) The district treasurer shall open new accounts with each fund at the beginning of each school year, and the balance of each fund shall be brought down and become a part of the first entry in opening the account for the new year. On the second Tuesday in July, the school board shall make settlement with the district treasurer, and shall carefully examine his books, accounts and vouchers and shall ascertain if the amount of all warrants, bonds and coupons paid and redeemed or paid in part, together with the cash in his hands or under his control, is equal to the amount of cash on hand at the beginning of the school year, together with all money received by him from all sources for school purposes during the year. The district treasurer shall deliver to the board at such annual meeting, all warrants, bonds and coupons paid and redeemed by him during the school year and held by him as vouchers, taking the receipt of the board therefor, and such vouchers shall forthwith be filed with the district clerk. He shall at that meeting make his annual report in triplicate, one copy to be preserved in the treasurer's office, one to be filed with the clerk of the school board and one to be transmitted to the county superintendent of schools, and

the board shall cause to be published an itemized statement of the receipts and expenditure of the preceding year in a newspaper of the county nearest said school district; provided, that if said board or treasurer shall have failed to publish said statement by the first of September following the presentation of the treasurer's annual report, then it shall be the duty of the county superintendent of schools to cause the publication of the same in a newspaper of the county, said publication to be paid for by the school district. The treasurer's report shall show the following:

RECEIPTS.

The balance at the close of the year.  
 The amount received into the state tuition fund.  
 The amount received into the special fund.  
 The amount received into the county tuition fund.  
 The amount received into the sinking fund.

EXPENDITURES.

The amount paid for school houses, sites and furniture.  
 The amount paid for apparatus and fixtures.  
 The amount paid for teachers' wages.  
 The amount paid for services and expenses of school officers.  
 The amount paid for redemption of bonds.  
 The amount paid for interest on bonds.  
 The amount paid for incidental expenses.  
 The cash on hand at the close of the school year.

Such report shall include such other items as may be required by the district board, or the superintendent of public instruction, and shall be upon and in conformity with the blanks furnished him for that purpose."

Strike out all of section 112 and insert in lieu thereof the following:

"Section 112. When County Treasurer to Pay Funds to District Treasurer.) The treasurer of each district shall apply to the county auditor for an order, and the county treasurer shall pay over to him on such order all of the school money collected for such district and all school money apportioned to such district by the county superintendent of and the county auditor shall issue such order; provided, such district treasurer has qualified and filed his oath and bond as required by law. It shall be the duty of the county treasurer, when payment is made to any school treasurer of any funds herein provided for, immediately to notify the clerk of the school board of the payment of the same."

Strike out all of section 113.

Strike out all of section 114 and insert in lieu thereof the following:

"Section 114. County Treasurer to Keep Accounts With School Corporations.) Each county treasurer shall keep a regular account with each school corporation, in which he shall charge himself with all taxes collected by levy of the district school board and all sums apportioned to the district by the county superintendent or other authority and all sums received from the district, and he shall credit himself with all payments made to the treasurer of the district, distinguishing between the items paid by apportionment, those from county taxes and those from other sources. He shall also credit himself with all payments for redemption or indorsement of warrants in the collection of taxes and shall deliver to the district treasurer a duplicate tax receipt for the amount of each warrant so indorsed or redeemed, together with all warrants so redeemed at the time of making other regular payments to the district treasurer. To these credits, to balance the accounts, he shall add all items for legal fees, for collection and other duties."

Strike out all of section 116 and insert in lieu thereof the following:

"Section 116. School Taxes. How and When Collected.) It shall be the duty of the county treasurer to collect the taxes for school purposes at the same time and in the same manner that the county and state taxes

are collected, and full power is hereby given him to sell property for school taxes the same as is provided by law for the collection of other taxes. Whenever an error occurs in any school corporation's tax list, the district board or board of education in special or independent districts or districts organized under special laws may correct such errors and refund such taxes improperly collected. All penalties and interest collected on delinquent school taxes shall be applied to the proper fund to which such delinquent taxes belong."

In section 124, line 5, after the word "city" strike out the word "or" and insert a comma in lieu thereof. After the word "incorporated," same section, same line, insert the words "or platted."

In section 124, line 6, strike out the words "having a population of over 150 inhabitants."

In section 135, line 2, after the word "any" strike out the words "city, town or village," and insert in lieu thereof "special school district." In the same line, after the word "organized" strike out the word "for."

In section 135, line 3, strike out the words "school purposes."

In section 135, line 6, after the word "such" strike out the words "city, town or village for school purposes," and insert in lieu thereof the words "special school district."

In section 135, line 28, after the word "commissioners" strike out the word "shall" and insert in lieu thereof the word "may."

In section 135, line 32, after the word "territory" insert the words "after notice and hearing."

In section 149, line 3, after the word "thereof" insert the following: "provided, however, should the said special school district have within its boundaries and be comprised partly of territory without the limits of said city, town or village, then the special school district shall elect, at its regular elections, a treasurer in the manner provided by law for the election of school district treasurer."

In section 170, line 60, after the word "state" strike out the words "and to persons who are actual residents thereof."

In section 170, line 63, strike out all of said line and insert in lieu thereof the words, "to exceed forty per cent of the appraised valuation of such lands."

In section 180, line 2, after the word "least" strike out the word "twenty" and insert in lieu thereof the word "fourteen."

Strike out all of section 183 after sub-title, and insert in lieu thereof the following:

"Such board shall consist of one member from each ward in the city, and when the city is divided into an even number of wards, then such city shall elect one member of such board at large, and when such city is divided into an odd number of wards, such city shall elect two members of such board at large. Such members shall hold their office for the term of three years and until their successors are elected and qualified. Provided, that at the first election in independent districts hereafter organized members from even numbered wards shall be elected for a term of one year; and members from odd numbered wards for a term of two years, and members at large shall be elected for a term of three years. Provided, further, that in such cities as have heretofore been organized as independent school districts, the term of office for which the members of such independent school districts were elected shall not be changed; but at the first election of members at large they shall be elected for a term of three years, and the members from even numbered wards shall be elected for the term of one year; and at the first election of members from odd numbered wards, they shall be elected for the term of three years and thereafter the term of office of all of said members shall be three years. A majority of said board shall constitute a quorum for the transaction of business."

In section 186, line 16, after the word "first" change the word "Monday" to "Tuesday."

In section 191, line 11, after the word "fuel" add a comma and insert the words "to pay janitors."

In section 196, line 4, after the word "schools" insert the following words: "including the purchase of school sites and the construction and furnishing of schoolhouses."

After section 199 add the following:

"Section 199½. Investment of Sinking Funds. School Districts.) All moneys raised for the purpose of creating a sinking fund for the final redemption of all bonds issued under Article 71 of Chapter 9 of the Civil Code of the state shall be invested annually by the board of education of any independent school district in this state, as follows, viz.:

1. In the bonds of this state or of the United States.
2. An independent school district board may designate one or more national or state banks in the county where such independent school district is situated, as a depository for such sinking fund, and in such case the school board shall advertise for at least fourteen days in some newspaper printed within the limits of said independent school district, if there be one, if not, in the county where said school district is situated, for sealed proposals for the deposit of the sinking fund of such school district, reserving the right to reject any and all bids, and satisfying itself of the responsibility of all banks proposing to act as depositories. Before any bank shall be designated as such depository, it shall present to the board a sealed proposal stating in writing what rate of interest will be paid for the deposit of such sinking funds, and shall submit to the board for its approval a bond payable to the independent school district conditioned for the safe keeping and repayment of any funds deposited in such bank, which bond shall be signed by not less than three freeholders of this state as sureties, or some surety bond company qualified to do business in this state, and such bond to be in the sum required by the school board and in no case to be less than double the probable amount of the funds to be deposited in such bank. The approval of such bond shall be endorsed thereon by the board and deposited with the county auditor, and any bank whose bond shall have been so approved shall thereupon be designated by the school board as a depository for the sinking fund, and shall continue as such until such time as the board shall direct the withdrawal of such funds, or until such funds are needed for the payment or the purchase of bonds as provided in this act. When the sinking fund of any independent school district is deposited by the treasurer of the board of education of said school district in the name of the school district in such depository, such treasurer and his sureties shall be exempt from all liability thereon by reason of loss of any such funds from the failure, bankruptcy or any other act of any such bank, to the extent only of such funds in the hands of such bank or banks at the time of such failure or bankruptcy. Such depository shall furnish to the clerk of the board of education of such independent school district prior to the fifth day of July of each year, a verified statement of the school district account with such depository for the year ending June 30, which statement shall show a credit to such deposit account of all sums of interest accruing on the sinking fund deposited.

3. The board of education of any independent school district may buy and cancel the bonds of such district and pay for the same with the moneys in the sinking fund created to pay such bonds."

In section 216, line 1, after the word "director" insert the words "or treasurer."

In section 216, line 2, after the word "director" insert the words "or treasurer."

In section 222, line 5, after the word "shall" strike out the words "be credited" and insert in lieu thereof the words "be paid over."

In section 222, line 7, after the word "districts" insert the words "lying outside of the district."

In section 222, line 8, after the word "be" strike out the words "credited to the school district" and insert in lieu thereof the words "paid to the treasurer of the school district."

In section 228, line 35, after the word "aforesaid" insert the words "and new depositories are designated and qualified."

In section 228, line 38, strike out the word "county" and insert in lieu thereof the word "district."

In section 229, line 4, after the word "said" strike out the word "county" and insert in lieu thereof the word "district."

In section 232, line 7, after the word "building" strike out the words "and furnishing."

In section 234, line 10, after the word "Lake" insert the words "for the entire school year, unless excused by the superintendent or principal of such school."

In section 234, line 11, after the word "Bathgate" insert the words "for the entire school year, unless excused by the superintendent or principal of such school."

In section 234, line 20, after the word "by" strike out the words "such board," and insert in lieu thereof the words, "the county superintendent of schools, subject to the appeal to the superintendent of public instruction."

In section 234, line 21, after the word "by" strike out the words "such board," and insert in lieu thereof the words, "the county superintendent of schools or superintendent of public instruction."

In section 234, line 42, after the word "deaf" insert the word "blind."

In section 234, line 46, after the word "months" insert the words "which may be taken in one or more years."

In section 237, line 3, after the word "school" insert the words "or the county superintendent of schools for children that are deaf, blind or feeble-minded."

In section 238, line 2, after the word "corporation" strike out the word "shall" and insert in lieu thereof the word "may."

In section 241, line 5, after the word "fuel" insert a comma and the words "the procuring of insurance."

After section 241 insert the following:

"Section 241a. Penalty for Unlawful Drawings of School Money.) Any person who draws money from the county treasury, who is not at the time a duly qualified treasurer of the school corporation for which he draws the money and authorized to act as such, shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not less than twenty-five dollars.

Section 241b. Use of School Funds. When Embezzlement.) Each treasurer who shall loan any portion of the money in his hands belonging to any school district, whether for consideration or not, or who shall expend any portion thereof for his own or any other person's private use, is guilty of embezzlement, and no such treasurer shall pay over or deliver the school money in his hands to any officer or person or to any committee to be expended by him or them; but all public funds shall be paid out only by the proper treasurer, as hereinbefore provided.

Section 241c. Action to Recover Money When Treasurer Fails to Pay Over.) If any person shall refuse or neglect to pay over any money in his hands as treasurer of a school district to his successor in office, his successor must, without delay, bring action upon the official bond of such treasurer for the recovery of such money.

Section 241d. Penalty When Indorsement of Unpaid Warrants is Not Made.) Any violation of a district treasurer of the provisions of this chapter requiring indorsement of warrants not paid for want of funds, and the payment thereof in the order of presentation and indorse-

ment, is a misdemeanor punishable by a fine not exceeding one hundred dollars."

In section 244, line 7, after the comma after word "for" insert the words "for a period of ten days."

In section 251, line 16, strike out all after the word "grade" and insert in lieu thereof "and may be renewable by the county superintendent of schools under rules prescribed by the board of examiners."

In section 252, line 15, strike out the word "shall" and insert in lieu thereof the word "may."

In section 252, line 15, after the word "renewable" strike out the words "in the discretion of the board" and insert in lieu thereof the words "by the county superintendent of schools under rules prescribed by the board of examiners."

In section 254, line 3, after the word "education" insert the words, "and who have had at least eighteen months' experience in teaching."

Strike out all of sections 269, 270, 271, 272.

On page 148 of the printed bill, after the line "Article 18. Duties of Teachers," insert the following:

"Section 272½. Duties and Powers of City and Village Superintendents.) The superintendents of schools in all districts employing such officer shall, subject to the final authority of the board, supervise the administration of the course of study, visit schools, examine classes and have general supervision of the professional work of the school, including the holding of teachers' meetings and the classification of teachers. The superintendent, from time to time, shall make reports to the board of education embodying recommendations relative to the employment of teachers and janitors, adoption of text books, changes in the course of study, enforcement of discipline, and general school matters; and shall also make such other reports and perform such other duties as the board of education may direct and delegate."

In section 285, line 5, after the word "schools" insert the words "district teachers' meetings, and annual school officers' meetings."

In section 288, line 7, after the word "and" where it appears the first time, insert the words "the county superintendent shall certify to."

Strike out all of section 293 after the word "school" in line 7.

In section 296, line 11, after the word "the" strike out the rest of the section and insert in lieu thereof the words "county tuition fund."

Re-number the sections consecutively.

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred



House Bill No. 293.

A bill for an act providing for the extension of the state street car line from the capitol down 9th street to a point at or near Broadway in the city of Bismarck—thence to the state penitentiary; and providing for its equipment and making an appropriation therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.

Mr. Williams moved  
That House Bill No. 293 be referred to the committee of the whole House.

Which motion prevailed.  
And the bill was so referred.

In support of the motion to refer, Mr. Williams presented the following communication:

Hon. E. A. Williams, House of Representatives,  
Bismarck, North Dakota.

Dear Sir: In compliance with your request for an approximate estimate of the cost of extending the capitol street car line from the state capitol to the penitentiary, via Ninth street, and to equip with one extra car, and the saving to be made by the state in the construction of this extension, I beg to submit the following:

260 tons of 56 lb. rails at \$35.00 .....	\$ 9,100.00
Angle iron, spikes, bolts, bonds, brackets, turn-buckles, etc. ....	1,700.00
7,800 ties at 75c .....	5,850.00
350 poles at \$5.50 .....	1,925.00
10,000 lb. trolley cable .....	1,800.00
1 car .....	3,500.00
Labor in track laying, etc., exclusive of convict labor.....	300.00
Total cost .....	\$ 24,175.00

The saving to be made by the state in the construction of the extension of the capitol street car line from the state capitol to the penitentiary, via Ninth street and Broadway:

First. It is proposed to move the electric generators from the power house at the capitol to the penitentiary, and to generate all the electric power for the operating of the street car and the lighting of the capitol at the state penitentiary. All the work of developing this power will then be done by convict labor, at no expense to the state. The boilers now in use at the power house at the state capitol will be used for heating the capitol building. The saving in labor alone by the utilization of convict labor for the development of this power will be \$2,400 annually.

Second. The total amount of coal used at the capitol power house during the year 1910 was twenty-five hundred and ninety-two tons. This coal is now all delivered by team from the Soo station at a cost of fifty cents per ton, amounting to \$1,296. The penitentiary now furnishes a pair of horses for the conveyance of convicts from the penitentiary to the capitol building daily, which convicts are used about the capitol grounds and building. With the extension of the street car line to the penitentiary the convicts could then be brought on the car, thus doing away with the use of this team, which could be figured at \$600.00 annually, thus making a total saving of \$4,296, which capitalized at five per cent would amount to \$85,920, which amount the state could afford to pay, if necessary, for the construction of this line.

Third. The increased cost for power which might be necessary in the operation of the extra length of line would be more than compensated for by the increased revenue to be derived from the increased passenger traffic.

Respectfully submitted,

T. R. ATKINSON,  
State Engineer.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 23, 1911.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Also,

House Bill No. 133.

A bill for an act to amend Section 2763 of the Revised Codes of the State of North Dakota for the year 1905, providing for the vacation of streets and alleys, establishing the procedure and providing for an appeal.

Also,

House Bill No. 79.

A bill for an act to amend and re-enact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Also,

House Bill No. 96.

A bill for an act creating a state board of dental examiners; to regulate the practice of dentistry in the state of North Dakota; to provide for licensing dentists; and to provide penalties for the violation of this Act.

Also,

House Bill No. 181.

A bill for an act entitled, an act to amend Section 2 of Chapter 204 of the laws of 1909, entitled, "An act to amend Sections 811, 829, 882 and 883 of the Revised Codes of 1905, pertaining to education."

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 72.

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for 1905, as amended by Chapter 199 of the Session Laws of North Dakota for 1909, relating to the redemption of real estate.

Also

Senate Bill No. 167.

A bill for an act to provide for the non-forfeiture of premiums on policies of life insurance.

As requested by the House.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker

I have the honor to transmit herewith

Senate Bill No. 95.

A bill for an act regulating the conditions and provisions to be contained in policies of health or accident insurance issued in this state.

Also,

Senate Bill No. 299.

A bill for an act providing for the making of necessary repairs upon the capitol building and making an appropriation therefor.

Also,

Senate Bill No. 234.

A bill for an act to authorize and empower the state auditing board to audit, approve and order paid, bills contracted by the capitol commission under Chapter 166 of the Session Laws of 1905, and making an appropriation therefor.

Also,

Senate Bill No. 256.

A bill for an act to amend Section 1833 of the Revised Codes of North Dakota for the year 1905, relating to additional assessments for drains.

Also

Senate Bill No. 18.

A bill for the regulation and control of fraternal benefit societies.

Also,

Senate Bill No. 262.

A bill for an act to establish a revolving fund out of the net profits derived from the operation of the twine plant at the state penitentiary, and to provide for the disposal thereof.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to transmit herewith the following concurrent resolution:

Memorializing Congress to Provide for the Physical Valuation of Railroads.

WHEREAS, The physical valuation of railroads has been repeatedly urged by the Interstate Commerce Commission as essential for the efficient regulation of rates; and

WHEREAS, The Republican party in its platform has affirmed its belief in the necessity for such a valuation;

*Be it Therefore Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That the Congress of the United States be requested to enact a law providing for the physical valuation of all railroad property to form a basis for fixing the rates and charges for service by railroads, and

*Be it Further Resolved:*

That the Secretary of State is hereby directed to forward a copy of this resolution to the President of the Senate, the Speaker of the House of Representatives, and to each member of Congress from the state of North Dakota.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary,

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 176.

A bill for an act providing for the appointment of county superintendents of highways and deputy superintendents in organized counties, who shall have charge and supervision of the construction, improvement and maintenance of roads within said counties, providing for road institutes, prescribing the duties of the state engineer in connection therewith.

Also,

Senate Bill No. 154.

A bill for an act authorizing and directing the secretary of the state of North Dakota to loan the plates of the North Dakota supreme court reports covering volumes one to

nineteen, inclusive, and for prescribing the manner and conditions on which the said loan is to be made.

And the Speaker signed the same in the presence of the House.

### REPORTS OF STANDING COMMITTEES.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to the printed bill, on line 7 of section 8, strike out word "annually."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 337.

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Have had the same under consideration and recommend that the same be amended as follows:

On line 3 of section 1, printed bill, after word "of" cut out the word "thirty" and insert in lieu thereof the word "fifteen."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

There being no objections, the House passed to the 12th order of business.

CONSIDERATION OF MESSAGE FROM THE  
SENATE.

Mr. Burnett moved

That the House do now concur in the Senate concurrent resolution fixing the rates and charges for service by railroads.

Which motion prevailed, and

The resolution was concurred in.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 234.

A bill for an act to provide funds to reimburse the counties whose treasurers paid reward for arrest and conviction of violaters of the prohibition law, according to Section 9395, of the Revised Codes of 1905, which section provides for a reward of fifty (\$50) dollars for each conviction, to be paid by the county treasurer upon the order of the court in which the conviction was made, and for which payment the county treasurer shall be allowed to withhold taxes due the state any such amounts as he may have paid.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to the printed bill:

On line 3 of section 1, after word "hundred" add the word "fifty" and change the figures in parenthesis to "\$1,850."

On line 15, strike out word "fifty" and insert in lieu thereof the words "one hundred." Make figures in parenthesis immediately after "\$100" instead of "\$50." In this claim from Pembina county, strike out "J. Smith" and insert in lieu thereof the names "F. Derby and Wm. Claughton."

On line 29, strike out words "two hundred fifty" and insert in lieu thereof "three hundred." Make figures in parenthesis "\$300."

In line 31 cut out and after "Mongstad" and at end of line add words "and Lewis Lee."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 210.

A bill for an act to encourage elementary education in  
North Dakota and appropriate money therefor.

Have had the same under consideration and recommend  
that the same be amended as follows:

Referring to the printed bill, on line 13 of section 6, after the word "of" strike out words "not less than \$1,800 nor more than \$2,500," and insert in lieu thereof "\$2,000."

On line 5 of section 12, strike out words "twenty thousand" and insert in lieu thereof "six thousand," and make figures after word "dollars" to conform.

On lines 6 and 7 make amount "six thousand dollars," with figures to conform in parenthesis.

In line 8 make amount "three thousand dollars" and make figures in parenthesis to conform.

After word "annually" in line 9 of same section, add the following words: "for the inspector's salary as hereinbefore provided the sum of two thousand dollars (\$2,000) annually and for the actual and necessary traveling expenses of said inspector the sum of five hundred dollars (\$500) annually."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 300.

A bill for an act providing for the erection of a stand-  
pipe near the capitol building, the sinking of one or more  
wells, the improvement of the capitol grounds, the purchase  
of a pump and necessary machinery to operate same and  
making an appropriation therefor.

Have had the same under consideration and recommend  
that the same be amended as follows:

Referring to printed bill, on line 5 of section 2, strike out after the word "exceed" "\$10,000" and insert in lieu thereof the amount of "\$7,500." Also immediately after this amount strike out the word "dollars."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.



Also

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 274.

A bill for an act to run a survey or surveys from the Mouse river to Devils lake for the purpose of determining the feasibility of draining the surplus flood waters of the Mouse river into Devils lake; and making an appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 52.

A bill for an act to appropriate money for the buildings, live stock, machinery and other equipment for the Hettinger sub-experiment station.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 5 of section 1 strike out "\$1,500" and insert "\$1,300."

In line 6 of section 1, after the word "machinery" insert "and harnesses." Strike out in same line "800" and insert in lieu thereof "300."

In line 7 of section 1, strike out words "machine shed" and in lieu thereof insert words "an addition to seed house for machine shed," and in same line strike out "800" and insert in lieu thereof "200."

Strike out all of line 8.

In line 9, strike out "300" and insert in lieu thereof "150."

In line 11, strike out "1,000" and insert in lieu thereof "400."

Make total "\$2,350."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 276.

A bill for an act to provide for making needed improvements for the North Dakota Blind Asylum at Bathgate; and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to the printed bill, in line 4 of section 1, strike out "\$1,800" and insert in lieu thereof "\$800."

In line 5 of section 1, strike out "150 and insert in lieu thereof "75."

Strike out all of lines 6 and 7.

Make total "\$1,075."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 191.

A bill for an act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the State School of Science at Wahpeton.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to the printed bill, in line 6 of section 1, strike out words "one hundred and two thousand seven hundred" and insert in lieu thereof the words "fifteen thousand nine hundred fifty."

In line 8 of section 1, strike out "1,800" and insert in lieu thereof "800."

In line 9 of section 1, strike out "1,000" and insert in lieu thereof "200."

Strike out lines 13, 15 and 16.

In line 14, strike out "14,950" and insert in lieu thereof "10,000."

Make total amount "\$15,950" instead of "\$102,700."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 109.

A bill for an act appropriating money to provide needed equipment, permanent improvements, repairs, employes' wages, officers' salaries, messengers, railway fares and express charges in the transportation of fish, for the North Dakota state fish hatchery at Fish Lake in Rolette county, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 4 of section 1, after word "of" strike out words "nineteen hundred and fifty" and insert in lieu thereof the words "seventeen hundred."

Strike out all of line 10, section 1.

Make total "\$1,700" instead of "\$1,950."

In line 13 of section 2, strike out word "five" and insert in lieu thereof the word "two."

In line 14 of section 2, strike out the word "annually."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 182.

A bill for an act making appropriations for the current and contingent expenses of the State Reform school of North Dakota, and for making permanent improvements thereto.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, strike out all of line 12. Make total "\$8,500" instead of "\$10,500."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 354.

A bill for an act to amend section 2607 of the Revised Codes of North Dakota, 1905, relating to coroner fees.

Have had the same under consideration and recommend that the same be amended as follows:

In section 1, line 24 of the printed bill, strike out the word "ten" and insert in lieu thereof the word "twenty." Strike out the numeral "(\$10.00)" and insert in lieu thereof "(\$20.00)."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the rules be suspended and the report of the committee adopted and the bill placed on the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 348.

A bill for an act to amend Section 2 of Chapter 126, Laws of 1909, defining the duties of the register of deeds, relating to foreclosure of mortgages on real property by advertisement, and prescribing a penalty for violating the same.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 362.

A concurrent resolution, for an amendment to the Constitution of the state of North Dakota, relating to the compensation for services of legislative members.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 305.

A bill for an act to amend Section 3013 of the Revised Codes of 1905, relating to bridge funds to be turned over to cities of certain classes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Fried moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

House Bill No. 373.

A bill for an act prohibiting prize fighting, boxing and sparring exhibitions, repealing Section 9089 of the Revised

Codes of 1905, and providing penalty for the violation of this act.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 339.

A bill for an act to license motor and other vehicles, defining the road regulations of such vehicles, to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Sections 2169, 2170, 2171 and 2172 of the Revised Codes of 1905, and repealing Sections 2173 and 2174 of the Revised Codes of 1905 as amended in Chapter 42 of the Session Laws of 1909.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred  
Senate Bill No. 172.

A bill for an act to amend Section 2170 of the Revised Codes of North Dakota for 1905, providing automobiles and motor cycles must have bell, horn or whistle.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Mr. Hill of Bottineau, moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate Bill No. 201.

A bill for an act to prohibit certain designated officers from advising, counseling, or suggesting to persons upon whom process is served, the name of attorneys and prescribing a penalty for violation.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate Bill No. 148.

A bill for an act to amend Section 12 of Chapter 182, the same being Senate Bill No. 128 of the Session Laws for 1907, relating to the qualifications for registration of pharmacists.

Have had the same under consideration and recommend that the same do pass.

W. J. PRICE,  
Chairman.

Mr. Price moved

That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

### MOTIONS AND RESOLUTIONS.

Mr. Bjornson moved

That the vote by which House Bill No. 214 was indefinitely postponed, be reconsidered.

Which motion prevailed.

Mr. Nestos moved

That the bill be re-referred to the committee on appropriation.

Which motion prevailed, and  
House Bill No. 214 was so referred.

Mr. Englund moved

That the rules be suspended and the vote by which Senate Bill No. 72 was indefinitely postponed, be reconsidered.

Which motion was lost.

Mr. Hawkinson introduced the following concurrent resolution:

WHEREAS, One C. E. Forrest, who has been employed as assistant journal clerk of the house during the session, has rendered efficient service; and

WHEREAS, The other journal clerks of the House and the assistant journal clerk of the Senate receive a salary of \$5 per day and the said C. E. Forrest receives a salary of \$4 per day;

*Therefore, Be it Resolved by the House of Representatives, the Senate Concurring:*

That the said C. E. Forrest be paid one dollar per day additional from the beginning of his services in the House.

Mr. Martin moved

That the resolution be adopted.

Which motion was lost.

Mr. Englund asked unanimous consent to withdraw House Bill No. 356.

There being no objections, House Bill No. 356 was withdrawn.

Mr. Williams moved

That the vote by which Senate Bill No. 167 was indefinitely postponed, be reconsidered.



Which motion was lost.

Mr. Burns introduced the following resolution:

WHEREAS, The two bill room clerks of the House of Representatives are the only clerks in the House who are receiving four dollars \$(4.00) per day; and

WHEREAS, The bill room clerks of the House of Representatives are compelled to work longer hours of the day than most of the other employees of the House and their expenses are just as great as other employees;

*Now, Therefore, Be it Resolved:*

That the two bill room clerks who are now working in the bill room of the House be and are hereby allowed a salary of five dollars (\$5.00) per day from and since the commencement of this session.

Mr. Sorlie moved

That the resolution be indefinitely postponed.

Which motion prevailed.

And the resolution was indefinitely postponed.

The Speaker called Mr. Price to the chair.

### THIRD READING OF HOUSE BILLS

House Bill No. 223.

A bill for an act to amend Section 2613 of the Revised Codes of 1905, relating to the compensation and office hours of county commissioners.

Was read the third time.

Mr. Sorlie moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

The Speaker in the chair.

The question being on the final passage of the bill.

The roll was called and there were 72 ayes, 23 nays, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Pembina
Akesson	Harty	O'Shea
Anderson, of Griggs	Hedalen	Peart
Anderson, of Ramsey	Heinemeyer	Ployhar

Messrs.—	Messrs.—	Messrs.—
Andrus	Hersrud	Price
Benson	Hoge	Putnam
Bjornson	Homnes	Ray
Boerner	Hill, of Cass	Reeve
Boyd	Hyland	Robinson
Burns	Johns	Sauer
Christenson	Jordal	Scott
Collins	Kane	Sgutt
Cunningham	Knox	Stern
Davidson	Knutson	Stranahan
Dean	Kyllo	Streeter
DeLance	Law	Tande
Doyle, of Foster	Lee	Thompson
Edwards	Martin	Tollefson
Englund	Moen of Benson	Tuttle
Fassett	Moen of Cavalier	Ulsaker
Fox	Morrison	Walters
France	Nestos	Whitmer
Fraine	Norheim	Williams
Geiger	O'Connor of Gd. For	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Hill, of Bottineau	Olsgard of Richland
Burnett	Johnson	Paulson
Carey	Lageson	Pendray
DeNault	McClellan	Scheer
Fried	Narum	Sorlie
Fritz	Nelson of Richland	<del>Tostenson</del>
Gardiner	Nelson of Walsh	Wambem
Hanson	Olsgard of Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Doyle, of McIntosh	Moritz
Davis	Hawkinson	Roquette
Dosseth	<b>Kuhl</b>	

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 223 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 23, 1911.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 134.

A bill for an act to amend Sections 4324 and 4343 of the Revised Codes of 1905, relative to the powers and duties of the board of railroad commissioners.

Which the Senate has amended as follows:

Line 55, section 2 of printed bill, between the words "railroads" and "to" insert the following: "to cause such notice of such meeting to be given each common carrier affected thereby by mailing a notice thereof addressed to the managing officer thereof at the address given in the last report of such common carrier to the secretary of state, or to such address as may have been given to and filed with said commission, at least thirty days before the date of said hearing, and."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

#### MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

GOVERNOR'S OFFICE,  
BISMARCK, NORTH DAKOTA.

February 23, 1911.

*To the House of Representatives:*

I have the honor to inform you that I have this day approved and filed with the Secretary of State:

House Bill No. 76.

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Also,

House Bill No. 254.

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

Very respectfully,

JOHN BURKE,  
Governor,

GOVERNOR'S OFFICE,

BISMARCK, NORTH DAKOTA,

February 21, 1911.

*To the House of Representatives:*

I have the honor to inform you that I have this day approved and filed with the Secretary of State:

House Bill No. 173.

A bill for an act to amend and re-enact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Very respectfully,

JOHN BURKE,  
Governor,

GOVERNOR'S OFFICE,

BISMARCK, NORTH DAKOTA,

February 20, 1911.

*To the House of Representatives:*

I have the honor to inform you that I have this day approved and filed with the Secretary of State:

House Bill No. 22.

A bill for an act to amend Section 46, Chapter 128, Laws of North Dakota, for the year 1909, relating to the taking of fish.

Also,

House Bill No. 55.

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state reports as required by and under section 4186, Revised Codes of 1905.

Also,

House Bill No. 68.

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Also,

House Bill No. 82.

A bill for an act to amend section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Also,

House Bill No. 114.

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Also,

House Bill No. 168.

A bill for an act providing for the appointment of a commission to draft a revision of the Probate Code of the state of North Dakota, and appropriating money therefor.

Very respectfully,

JOHN BURKE,  
Governor,

Mr. Moen of Cavalier, moved

That the rules be suspended and that the House do now concur in the senate amendments to House Bill No. 134.

Which motion prevailed.

And the amendments were concurred in.

Mr. Moen of Cavalier moved

That the rules be suspended and House Bill No. 134 be considered engrossed and placed upon its final passage as amended by the Senate.

Which motion prevailed.

House Bill No. 134.

A bill for an act to amend Sections 4324 and 4343 of the Revised Codes of 1905, relative to the powers and duties of the board of railroad commissioners.

Was read the third time.

The question being on the final passage of the bill as amended by the senate,

The roll was called and there were 93 ayes, no nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	O'Connor of Pembina
Anderson, of Griggs	Hawkinson	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland
Andrus	Heinemeyer	O'Shea
Benson	Hersrud	Peart
Bjornson	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Kane	Sauer
Cunningham	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sgutt
DeNault	Kyllo	Sorlie
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Thompson
Fassett	McClellan	Tollefson
Fox	Moen, of Benson	- ostenson
France	Moen, of Cavalier	Tuttle
Fraine	Morrison	Ulsaker
Fried	Narum	Walters
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Dosseth	Paulson
Bond	Jordal	Roquette
Davidson	Moritz	Stern
Davis		

Messers. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

House Bill No. 245.

A bill for an act specifying that certain county offices shall be kept open for business during business hours of business days.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 70 ayes, 17 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Morrison
Akesson	Fritz	Narum
Anderson, of Griggs	Gardiner	Nelson of Richland
Anderson, of Ramsey	Geiger	Nelson of Walsh
Benson	Gorder	Nestos
Bjornson	Hanson	Norheim
Bond	Hedalen	O'Connor of Gd. Forks
Boyd	Heinemeyer	Olgard of Nelson
Brusletten	Hersrud	Olgard of Richland
Burnett	Hoge	O'Shea
Burns	Homnes	Paulson
Carey	Hill, of Bottineau	Pendray
Christenson	Johns	Putnam
Collins	Johnson	Robinson
Davidson	Kane	Sauer
Dean	Kuhl	.. Scott
DeLance	Lageson	Sorlie
DeNault	Law	Tande
Doyle, of McIntosh	Lee	Tollefson
Edwards	Martin	Tostenson
Englund	McClellan	Ulsaker
Fassett	Moen of Benson	Whitmer
Fox	Moen of Cavalier	Williams
France		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Frane	Kyllo	Stranahan
Harty	Peart	Thompson

Messrs.—	Messrs.—	Messrs.—
Hawkinson	Price	Tuttle
Hill, of Cass	Ray	Wambem
Hyland	Scheer	Mr. Speaker
Knutson	Stern	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Reeve
Boerner	Knox	Roquette
Cunningham	Moritz	Sgutt
Davis	O'Connor of Pembina	Streeter
Dosseth	Ployhar	Walters
Doyle, of Foster		

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Mr. DeNault moved

That the vote by which House Bill No. 245 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### SPECIAL ORDER.

Mr. Fraine moved

That the special order set for 3 o'clock p. m. today be made a special order for 4 o'clock p. m. tomorrow.

Which motion prevailed.

There being no objections,

The House returned to the sixth order of business.

#### REPORT OF SPECIAL COMMITTEE.

Mr. Speaker:

Your committee appointed to investigate charges preferred against John F. Cowan beg leave to report that Mr. Dosseth, a member of the committee, is sick and unable to attend to his duties. We therefore request that additional time for submitting report be granted.

We will make an earnest effort to make our report on the 24th of February, 1911.

A. P. JORDAL,  
Chairman Special Committee.

Mr. Nestos moved



That the report be adopted and the extension of time be granted.

Which motion prevailed.

And the report of the committee adopted and the extension of time granted.

House Bill No. 351.

A bill for an act to amend and re-enact section 164 of the Revised Codes of North Dakota for 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 87 ayes, no nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	Olgard of Nelson
Anderson, of Griggs	Harty	Olgard of Richland
Anderson, of Ramsey	Hawkinson	O'Shea
Benson	Hedalen	Paulson
Bjornson	Heinemeyer	Pearl
Bond	Hersrud	Pendray
Boyd	Hoge	Price
Brusletten	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Burns	Hill, of Cass	Reeve
Carey	Hyland	Robinson
Christenson	Johns	Sauer
Collins	Johnson	Scheer
Davidson	Knox	Sgutt
Dean	Knutson	Sorlie
DeLance	Kuhl	Stern
DeNault	Kyllo	Stranahan
Doyle, of Foster	Lageson	Streeter
Doyle, of McIntosh	Law	Thompson
Edwards	Lee	Tollefson
Englund	McClellan	Tostenson
Fassett	Moen, of Benson	Tuttle
Fox	Morrison	Ulsaker
France	Narum	Walters
Fraine	Nelson, of Richland	Wambem
Fritz	Nelson, of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Jordal	Moritz
Boerner	Kane	Ployhar
Cunningham	Martin	Roquette

Messrs.—  
Davis  
Dosseth  
Fried

Messrs.—  
O'Connor of Pembina  
Moen, of Cavalier

Messrs.—  
Scott  
Tande

Messrs. Dosseth and Roquette being excused.

Mr. Homnes moved

That the title be amended as follows:

After the figures 1905 add the following words: "relating to salary of state land commissioner."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

Mr. Price moved

That the vote by which House Bill No. 351 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Doyle of Foster moved

That House Bill No. 136 be placed at the foot of the calendar.

Which motion prevailed.

Mr. Fraine moved

That House Bill No. 230 be placed upon its final passage.

Which motion prevailed.

House Bill No. 230.

A bill for an act to amend Chapter 120 of the Session Laws of 1909.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 88 ayes, no nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Aashelm  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Benson  
Boyd  
Brusletten  
Burratt

Messrs.—  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau

Messrs.—  
Olgard of Nelson  
Olgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price

Messrs.—	Messrs.—	Messrs.—
Burns	Hill, of Cass	Putnam
Carey	Hyland	Ray
Christenson	Johns	Reeve
Collins	Johnson	Robinson
Davidson	Kane	Sauer
Dean	Knox	Scott
DeLance	Knutson	Scheer
DeNault	Kyllo	Sgutt
Doyle, of Foster	Lageson	Sorlie
Doyle, of McIntosh	Law	Stern
Edwards	Lee	Stranahan
Englund	McClellan	Streeter
Fassett	Moen, of Benson	Tande
Fox	Moen, of Cavalier	Thompson
France	Morrison	Tostenson
Fraine	Narum	Tuttle
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Walters
Gardner	Nestos	Wambem
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Davis	Moritz
Bjornson	Dosseth	O'Connor of Pembina
Boerner	Jordal	Roquette
Bond	Kuhl	Tollefson
Cunningham	Martin	Whitmer

Messrs. Dosseth and Roquette being excused.

Mr. Fraine moved

That the title be amended as follows:

After the figures 1909, add the following words: "Relating to sheriff's fees."

Which motion prevailed.

So the bill passed and the title as amended was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 230 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 324.

A bill for an act to amend Section 6931 of the Revised Codes of 1905, relative to the time of granting injunctions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes, 2 nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akesson	Hawkinson	Olgard of Nelson
Anderson, of Griggs	Hedalen	Olgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Benson	Hersrud	Paulson
Bjornson	Hoge	Peart
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Kane	Sauer
Dean	Knox	Scott
DeLance	Knutson	Scheer
DeNault	Kylo	Sgutt
Edwards	Lageson	Sorlie
Englund	Law	Stern
Fassett	Lee	Stranahan
Fox	McClellan	Streeter
France	Moen, of Benson	Tande
Fraine	Moen, of Cavalier	Tollefson
Fried	Morrison	Tostenson
Fritz	Narum	Tuttle
Gardiner	Nelson, of Richland	Ulsaker
Geiger	Nelson, of Walsh	Wambem
Gorder	Nestos	Mr. Speaker
Hanson	Norheim	

Messrs. Davidson and Doyle of McIntosh voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of Foster	Pendray
Boerner	Jordal	Roquette
Bond	Kuhl	Thompson
Cunningham	Martin	Walters
Davis	Moritz	Whitmer
Dosseth	O'Connor of Pembina	Williams

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

House Bill No. 352.

A bill for an act providing for a bailiff of the supreme court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes, no nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Hanson	Norheim
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Griggs	Hedalen	Olgard of Nelson
Anderson, of Ramsey	Heinemeyer	Olgard of Richland
Benson	Hersrud	Paulson
Bjornson	Hoge	Peart
Boyd	Homnes	Pendray
Brusletten	Hill, of Bottineau	Ployhar
Burnett	Hyland	Ray
Burns	Johns	Reeve
Carey	Johnson	Robinson
Christenson	Kane	Sauer
Collins	Knox	Scott
Davidson	Knutson	Sorlie
Dean	Kuhl	Stern
Doyle, of Foster	Kyllo	Stranahan
Doyle, of McIntosh	Lageson	Streeter
Edwards	Law	Tande
Englund	Lee	Thompson
Fassett	Martin	Tollefson
Fox	McClellan	Tostenson
France	Moen, of Benson	Tuttle
Fraine	Moen, of Cavalier	Ulsaker
Fried	Morrison	Walters
Fritz	Narum	Wambem
Gardiner	Nelson, of Richland	Williams
Geiger	Nelson, of Walsh	Mr. Speaker
Gorder	Nestos	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Price
Boerner	Harty	Putnam
Bond	Hill, of Cass	Roquette
Cunningham	Jordal	Scheer
Davis	Moritz	Sgutt
DeLance	O'Connor of Pembina	Whitmer
DeNault	O'Shea	

Messers. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 352 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE  
SENATE.

Mr. Burnett moved

That the House do now concur in the Senate amendments to House Bill No. 36.

Which motion prevailed, and

The amendments were concurred in.

Mr. Burnett moved

That the rules be suspended and House Bill No. 36 be considered engrossed and placed upon its final passage as amended by the senate.

Which motion prevailed.

House Bill No. 36.

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

Was read the third time.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 84 ayes, no nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Benson  
Bjornson  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Davidson  
Dean  
DeNault  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
France  
Fraine

Messrs.—

Hanson  
Hawkinson  
Hedalen  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hyland  
Johns  
Johnson  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
Martin  
McClellan  
Moen, of Benson  
Moen, of Cavalier  
Morrison

Messrs.—

Olsgard of Nelson  
Olsgard of Richland  
Paulson  
Peart  
Pendray  
Ployhar  
Putnam  
Ray  
Reeve  
Robinson  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tollefson  
Tostenson  
Tuttle

Messrs.—	Messrs.—	Messrs.—
Fried	Narum	Ulsaker
Fritz	Nelson, of Richland	Walters
Gardinet	Nelson, of Walsh	Wambem
Gelger	Nestos	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fox	Norheim
Boerner	Harty	O'Connor of Pembina
Bond	Heinemeyer	O'Shea
Cunningham	Hill, of Cass	Price
Davis	Jordal	Roquette
DeLance	Moritz	Whitmer
Dosseth		

Messers. Dosseth and Roquette being excused.  
So the bill passed and the title was agreed to.

Mr. Burnett moved

That the vote by which House Bill No. 36 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie moved

That the House do now concur in the Senate amendments to the title of House Bill No. 64.

Which motion prevailed, and

The amendments were concurred in.

Mr. France moved

That the House do now concur in the Senate amendments to House Bill No. 44.

Which motion prevailed, and

The the amendments were concurred in.

Mr. Davidson moved

That the House do now concur in the Senate amendments to House Bill No 242.

Which motion prevailed, and

The amendments were concurred in.

Mr. Fraine moved

That the House do now concur in the Senate amendments to the title of House Bill No. 153.

Which motion prevailed, and

The amendments were concurred in.

Mr. Sorlie moved

That the House do now concur in the Senate Concurrent Resolution relating to the Hill speech on reciprocity.

Which motion prevailed, and

The resolution was concurred in.

Mr. Johns moved

That the House do now concur in the Senate Concurrent Resolution relating to the natural resources of the state.

Which motion was lost.

The Speaker referred the concurrent resolution to the committee on state affairs.

Mr. Nestos moved

That the Senate Concurrent Resolution relating to reciprocity treaty be referred to the committee on warehouses and grain grading.

Which motion prevailed.

And the resolution was so referred.

There being no objections,

The House returned to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 106.

A bill for an act to appropriate the sum of thirty thousand dollars annually, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.



Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 205.

A bill for an act appropriating money for the construction and equipment of a dairy laboratory building and dairy cattle barn at the North Dakota Agricultural college at Fargo.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 61.

A bill for an act making an appropriation for the establishing of the Harvey Agricultural experiment station and for conducting agricultural experiments thereat.

Have had the same under consideration and recommend that the same be amended as follows:

Amend House Bill No. 61 by striking out the words "ten thousand" in line 2 of section 1, and insert in lieu thereof the words "twenty-five hundred." In line 3, after the word "dollars" insert the word "annually."

By striking out all after the word "for" in line 3 of section 1, and insert the following: "the purpose of providing for an agricultural expert to be employed at the city of Harvey in Wells county for the purpose of giving expert advice to the farmers of said county in matters relating to general farming and farm management. Said expert shall also, if desired, be required to teach agriculture in the high school of Harvey for a period of not less than four months each winter, and also, if desired, aid in the organization of agricultural clubs or societies in said city of Harvey and in Wells county. Provided, however, that said agricultural expert shall be a regular graduate of an agricultural college and shall be appointed by and shall act under the direction and superintendence of the directors of the government experiment station at Fargo. Provided, further, that the annual salary of said expert shall be eighteen hundred dollars, and his annual expenses shall not exceed the sum of seven hun-

dred dollars, which expenses shall be paid upon the itemized voucher of the president of the agricultural college, duly certified and filed with the state auditor."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 286.

A bill for an act to provide for the completion of a school building and making necessary improvements at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in section 1, line 3, after word "of" cut out words "twenty-eight thousand six hundred sixteen" and insert in lieu thereof the words "twenty-seven thousand."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 119.

A bill for an act making an appropriation for the improvement, betterment, conservation and preservation of the Rock Island Military Wood reservation in Ramsey county, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 2, section 1, after word "of" strike out "two thousand" and insert in lieu thereof "one thousand five hundred."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 141.

A bill for an act establishing a fruit and plant breeding  
station in North Dakota.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 85.

A bill for an act to provide an appropriation for the  
current and contingent expenses of the state hospital for  
the insane of North Dakota, at Jamestown.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 184.

A bill for an act making appropriation for establishing  
an agricultural sub-station on the reform school grounds  
near Mandan in Morton county.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 59.

A bill for an act to appropriate a sum of money for the maintenance and conservation of the state park at Fort Abercrombie.

Have had the same under consideration and recommend that the sam be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 127.

A bill for an act making appropriation for the Mayville State Normal school located at Mayville, North Dakota, for hospital, green house, fuel bin, library, museums, boiler, grounds, lecture course, manual training and domestic science, and improvements on ventilating system, and for reimbursement of money transferred from local and interest and income funds.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 3 of section 1, after the word "of" cut out words "thirty-seven thousand eight hundred and ninety-nine" and in line 4 strike out "dollars and thirty-one cents," and insert in lieu thereof "thirty-five thousand eight hundred ninety-nine dollars and thirty-one cents" and in parenthesis make figures to conform.

Strike out all of line 11. In line 18, make total \$35,899.31.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 123.

A bill for an act making an appropriation for a storehouse on the Rock Island Military Wood reservation near Devils Lake, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, line 1, section 1, after word "of" strike out words "seven thousand" and insert in lieu thereof "six thousand."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 43.

A bill for an act appropriating money for the purpose of building and equipping a chemistry building and laboratories for the North Dakota Agricultural college at Fargo, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 5 of section 1, strike out "\$85,000" and insert in lieu thereof "\$65,000."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 7.

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory, and for the equipment and furnishing of same; for the installation of a boiler and smoke stack for the heating plant, and for the purchase of additional land for the use of the government experiment station at Fargo.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 5, section 1, strike out "\$50,000" and insert in lieu thereof "\$40,000."  
Strike out lines 6 and 7.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No 66.

A bill for an Act to provide additional maintenance for the Government Experiment Station and North Dakota Agricultural College at Fargo.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 3 of section 1, strike out "fifty thousand (\$50,000.00)," and insert in lieu thereof "thirty thousand (\$30,000.00)."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 145.

A bill for an act to provide for making permanent improvements at the State Normal school at Valley City, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, line 7 of section 1, strike out "\$75,000" and insert in lieu thereof "\$50,000." Strike out lines 8 and 9. In line 12, strike out the words "and preparation" and insert under the figures "1,000." Strike out all of line 13. In line 14, strike out "5,000" and insert in lieu thereof "3,000." In line 15, strike out "2,000" and insert in lieu thereof "1,000." In line 19 strike out "\$190,000" and insert in lieu thereof "\$105,000."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 146.

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory, and for the equipment and furnishing of same; for the installation of a boiler and smoke-stack for the heating plant and for the purchase of additional land for the use of the government experiment station at Fargo.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 122.

A bill for an act to provide furniture for the new dormitory, and to complete and make adequate the heating plant of the State Normal school at Valley City, and making appropriation therefor.

Have had the same under consideration and recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved  
That the report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 81.

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the state university of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to the printed bill, strike out lines 5 and 6. Line 7, strike out "\$25,400" and insert in lieu thereof "27,600." Line 16, strike out "7,000" and insert in lieu thereof "5,000." Line 17, strike out "5,000" and insert in lieu thereof "2,500." Line 18, strike out "5,000" and insert in lieu thereof "3,500." In line 24, strike out "5,000" and insert in lieu thereof "3,000." In line 25, strike out "\$213,000" and insert in lieu thereof "\$147,200."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

A majority of your committee on appropriations, to whom was referred

House Bill No. 86.

A bill for an act to provide an appropriation for the erection of new buildings and for other necessary improve-



ments at the state hospital for the insane of North Dakota, at Jamestown.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 6, section 1, after word "of" strike out "two hundred five," and in line 7 strike out "thousand seven hundred," and insert in lieu thereof "one hundred fourteen thousand." Strike out all of line 9. In line 10, section 1, strike out "15,000" and insert in lieu thereof "7,500." Strike out lines 11 and 12. In line 13, strike out "12,000" and insert in lieu thereof "7,000." In line 16, strike out "2,500" and insert in lieu thereof "1,000." In line 17, strike out "1,000" and insert in lieu thereof "300." In line 19, strike out "\$205,700" and insert in lieu thereof "\$114,000."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on appropriations, to whom was referred

House Bill No. 86.

Abill for an act to provide an appropriation for the erection of new buildings and for other necessary improvements at the state hospital for the insane of North Dakota, at Jamestown.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the printed bill, strike out the figures "\$95,000" and insert in lieu thereof the figures "\$90,000."

In line 10 of the printed bill, strike out the figures "\$15,000" and insert in lieu thereof the figures "\$5,000," and strike out the words "and silos."

Strike out all of lines 11 and 12 of the printed bill.

In line 13 of the printed bill, strike out the figures "12,000" and insert in lieu thereof the figures "5,000."

Strike out all of lines 16 and 17 of the printed bill.

In line 19 of the printed bill, strike out the figures "\$205,700" and insert in lieu thereof the figures "\$168,200."

And when so amended recommend the same do pass.

W. B. DE NAULT,

Mr. Ployhar moved

That the majority report of the committee on House Bill No. 86 be adopted.

Mr. DeNault moved

That the minority report of the committee on House Bill No. 86 be adopted.

The question being on the original motion,

The same prevailed, and

The majority report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on appropriations to whom was referred House Bill No. 218.

A bill for an act making an appropriation for the normal school at the city of Minot to meet the expenditure for the erection of buildings, and permanent improvements necessary in connection therewith, and for furnishings, equipment and maintenance.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 9 of section 1, strike out "6,000" and insert in lieu thereof "4,500." In line 10, strike out "3,500" and insert in lieu thereof "3,000." Strike out all of lines 11 and 12. In line 13, strike out "2,500" and insert in lieu thereof "1,500." In line 16, strike out "3,500" and insert in lieu thereof "3,000." In line 18, strike out "10,000" and insert in lieu thereof "12,000." In line 19, strike out "40,000" and insert in lieu thereof "19,000." In line 21, after the word "grounds" add "and cement walks," and strike out "2,500" and insert in lieu thereof "1,000." In line 23, strike out "\$252,500.00" and insert in lieu thereof "\$226,500.00."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

House Bill No. 78.

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Also,

House Bill No. 158.

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Also,

House Bill No. 178.

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

Also,

House Bill No. 27.

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Also,

House Bill No. 56.

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.

Also

House Bill No. 67.

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Were delivered to the governor for his approval at the hour of 4 o'clock p. m. February 23, 1911.

ALBERT A. DAVIS,  
Chairman.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 23, 1911.

Mr. Speaker:

I have the honor to return herewith,

House Bill No. 33.

A bill for an act to amend Section 2445 of Chapter 28, of the Revised Codes of 1905, relating to the monthly statement by depository.

Also,

House Bill No. 212.

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of the school and public lands and reserving to the state the coal in them.

Also

House Bill No. 227.

A bill for an act to amend and re-enact Section 7475 of the Revised Codes of 1905, State of North Dakota, relating to costs and disbursements on the foreclosure of a real estate mortgage by advertisement.

Which the Senate has indefinitely postponed.

Very respectfully,

**J. W. FOLEY,**  
Secretary.

There being no objections,

The House passed to the fourteenth order of business.

### THIRD READING OF SENATE BILLS.

The Speaker called Mr. Hanson to the chair.

Senate Bill No. 50.

A bill for an act to amend and re-enact Section 1576 of the Revised Codes of North Dakota of 1905, relating to the sale of real property for delinquent taxes and reducing the rate of interest on the purchase price of the lands so sold for delinquent taxes.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 70 ayes, 13 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nestos
Akesson	Gorder	O'Connor of Gd. Forks
Anderson, of Griggs	Hanson	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	O'Shea
Benson	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Bond	Hersrud	Pendray
Boyd	Homnes	Price
Brusletten	Hyland	Ray
Burns	Johns	Reeve
Carey	Johnson	Robinson
Christenson	Kane	Sauer
Collins	Knox	Scott
Davidson	Kyllo	Sgutt
Dean	Lageson	Stern
DeLance	Law	Stranahan
Edwards	Lee	Streeter
Englund	Moen, of Benson	Thompson
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Wambem
France	Narum	Whitmer
Fraine	Nelson, of Richland	Williams
Fried	Nelson, of Walsh	Mr. Speaker
Gardiner		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeNault	Hill, of Bottineau	Putnam
Doyle, of Foster	Kuhl	Scheer
Fritz	McClellan	Tollefson
Harty	Norheim	Tostenson
Hoge		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hill, of Cass	Ployhar
Boerner	Jordal	Roquette
Burnett	Knutson	Sorlie
Cunningham	Martin	Tande
Davis	Moritz	Ulsaker
Dosseth	O'Connor of Pembina	Walters
Doyle, of McIntosh	Olsgard of Richland	

Messers. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 50 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 56.

A bill for an act to enable cities in this state that may adopt or have adopted the commission form of government as provided in Chapter 45 of the Laws of 1907, to recall incompetent or dishonest elective officers by vote of the people; also providing for the initiative and referendum in city matters, defining the form of the petition required in the law and prescribing the manner in which a city which may adopt or has adopted the commission plan may return to the former system.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 72 ayes, 4 nays, 27 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Nelson, of Walsh
Anderson, of Griggs	Harty	Nestos
Anderson, of Ramsey	Hawkinson	Norheim
Bjornson	Hedalen	O'Connor of Gd. Forks
Bond	Heinemeyer	Olsgard of Nelson
Boyd	Hersrud	O'Shea
Brusletten	Hoge	Paulson
Burnett	Homner	Peart
Carey	Hill, of Bottineau	Price
Christenson	Hill, of Cass	Putnam
Collins	Hyland	Reeve
Davilson	Johns	Robinson
Dean	Johnson	Sauer
DeLance	Knox	Scott
DeNault	Kuhl	Scheer
Doyle, of Foster	Kylo	Sgutt
Edwards	Knutson	Stern
Englund	Lageson	Stranahan
Fassett	Law	Streeter
France	Lee	Tande
Fraine	Moen, of Benson	Thompson
Fried	Moen, of Cavalier	Tostenson
Geiger	Morrison	Tuttle
Gorder	Narum	Wambem

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burns	Fritz	Williams
Fox		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Jordal	Ployhar
Andrus	Kane	Ray
Benson	Martin	Roquette
Boerner	McClellan	Sorlie
Cunningham	Moritz	Tollefson
Davis	Nelson, of Richland	Ulsaker
Dosseth	O'Connor of Pembina	Walters
Doyle, of McIntosh	Olsgard of Richland	Whitmer
Gardiner	Pendray	Mr. Speaker

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 56 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 160.

A bill for an act to amend Section 3213, Revised Codes of North Dakota, relating to township boards.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 73 ayes, 11 nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	O'Shea
Akesson	Hoge	Paulson
Anderson, of Griggs	Homnes	Peart
Bjornson	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Putnam
Brusletten	Johns	Reeve
Burnett	Johnson	Robinson
Burns	Knox	Sauer
Collins	Knutson	Scott
Davidson	Kuhl	Scheer
DeLance	Law	Sgutt
DeNault	Lee	Stern
Doyle, of Foster	Martin	Stranahan
Edwards	Moen, of Benson	Streeter
Fassett	Moen, of Cavalier	Tande
France	Morrison	Thompson
Fraine	Narum	Tollefson
Fried	Nelson, of Richland	Tostenson

Messrs.—	Messrs.—	Messrs.—
Gardiner	Nelson, of Walsh	Tuttle
Gorder	Nestos	Ulsaker
Hanson	Norheim	Wambem
Harty	O'Connor of Gd. Forks	Williams
Hawkinson	Olsgard of Nelson	Mr. Speaker
Heinemeyer		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fritz	Lageson
Carey	Geiger	Olsgard of Richland
Christenson	Hedalen	Pendray
Dean	Kyllo	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Englund	O'Connor of Pembina
Benson	Fox	Ray
Boerner	Jordal	Roquette
Cunningham	Kane	Sorlie
Davis	McClellan	Walters
Dosseth	Moritz	Whitmer
Doyle, of McIntosh		

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which Senate Bill No. 160 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 23, 1911.

Mr. Speaker:

I have the honor to request the return of House Bill No. 212.

Very respectfully,

J. W. FOLEY,  
Secretary,



Senate Bill No. 51.

A bill for an act amending and re-enacting Section 2613 of the Revised Codes of 1905, relating to the compensation of county commissioners.

Was read the third time.

Mr. Christenson moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of Senate Bill No. 51 was indefinitely postponed.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 23, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 41.

A bill for an act appropriating money for the purpose of building and equipping a chemistry building and laboratories for the North Dakota Agricultural college at Fargo, North Dakota.

Also

Senate Bill No. 227.

A bill for an act making it unlawful for corporations having banking powers to invest more than thirty per cent of its capital stock and surplus in banking house, furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Codes for the year 1905.

Also

Senate Bill No. 210.

A bill for an act to amend Sections 4635, 4638, 4641, 4642, 4664 and 4668, relating to state banking corporations; creat-

ing a separate banking department; and providing for placing banking and other financial corporations within the jurisdiction and control of the same.

Which the Senate has passed, and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 158.

A bill for an act making appropriations for the current and contingent expenses of the State Reform school of North Dakota, and for making permanent improvements thereto.

Also

Senate Bill No. 189.

A bill for an act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Also

Senate Bill No. 82.

A bill for an act to provide an appropriation for the erection of new buildings and other necessary improvements at the state hospital for the insane of North Dakota, at Jamestown.

Also

Senate Bill No. 12.

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory and for the equipment and furnishing of same; for the installation of a boiler and smokestack for the heating plant and for the purchase of additional land for the use of the government experiment station at Fargo.

Also

Senate Bill No. 13.

A bill for an act to provide additional maintenance for the government experiment station and North Dakota agricultural college at Fargo.

Also

Senate Bill No. 89.

A bill for an act to amend Section 4 of Chapter 172 of the Laws of 1901, entitled, an act to create a State Farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes, as the same was amended by Chapter 11 of the laws of 1903, and Chapter 23 of the Laws of 1905.

Also

Senate Bill No. 106.

A bill for an act to amend Sections 1985 and 1986 of the Revised Codes, relating to cruelty to animals, and to provide for the organization and operation of societies for the purpose of inculcating humane principles and the prevention of cruelty especially to animals and children.

Also

Senate Bill No. 24.

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the State university and School of Mines of North Dakota.

Also

Senate Bill No. 145.

A bill for an act making an appropriation for the experimental station of the School of Mines and the Mining substation at Hebron, Morton county.

Also

Senate Bill No. 37.

A bill for an act to provide an appropriation for the current and contingent expenses, and for permanent improvement for the institution for feeble minded at Grafton.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary,

### THIRD READING OF SENATE BILLS.

Senate Bill No. 15.

A bill for an act making Good Friday a legal holiday.  
Was read the third time.

Mr. Kuhl moved

The previous question.

The question being, shall the main question be now put,  
Which motion prevailed.

The question being on the final passage of the bill.

The roll was called and there were 38 ayes, 48 nays, 17  
absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Richland
Akesson	Harty	Nestos
Anderson, of Griggs	Heinemeyer	Norheim
Anderson, of Ramsey	Hersrud	O'Connor of Gd. Forks
Boyd	Hoge	Oisgard of Richland
Brusletten	Homnes	Pendray
Collins	Hyland	Ray
Davis	Johnson	Robinson
Dean	Kuhl	Scheer
DeNault	Lee	Tostenson
Doyle, of Foster	Moen, of Benson	Ulsaker
Doyle, of McIntosh	Moen, of Cavalier	Wambem
Fried	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Hill, of Bottineau	Price
Bjornson	Hill, of Cass	Putnam
Bond	Johns	Reeve
Burnett	Kane	Sauer
Carey	Knox	Scott
Christenson	Knutson	Scutt
Davidson	Kylo	Sorlie
Edwards	Lageson	Stern
Fassett	Law	Stranahan
Fox	McClellan	Streeter
France	Morrison	Tande

Messrs.—	Messrs.—	Messrs.—
Fritz	Nelson, of Walsh	Thompson
Gardiner	Olsgard, of Nelson	Tollefson
Geiger	O'Shea	Tuttle
Hanson	Paulson	Whitmer
Hedalen	Peart	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Englund	O'Connor of Pembina
Boerner	Fraine	Ployhar
Burns	Hawkinson	Roquette
Cunningham	Jordal	Walters
DeLance	Martin	Mr. Speake
Dosseth	Moritz	

Messrs. Dosseth and Roquette being excused.

So the bill was lost.

Mr. Sgutt moved

That the vote by which Senate Bill No. 15 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 87.

A bill for an act to amend Section 2767 of the Revised Codes of North Dakota for 1905, relating to the letting of contracts for sidewalks in cities.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 84 ayes, no nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Norheim
Akesson	Hanson	O'Connor of Gd. Forks
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boyd	Hoge	Peart
Brusletten	Homnes	Pendray
Burnett	Hill, of Bottineau	Price
Carey	Hill, of Cass	Putnam
Christenson	Hyland	Ray
Collins	Johns	Reeve
Davidson	Johnson	Robinson
Davis	Kane	Sauer

Messrs.—	Messrs.—	Messrs.—
Dean	Knox	Scott
DeLance	Knutson	Scheer
DeNault	Kuhl	Sorlie
Doyle, of Foster	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Streeter
Englund	Martin	Tande
Fassett	McClellan	Tollefson
Fox	Moen, of Benson	Tostenson
France	Moen, of Cavalier	Tuttle
Fried	Morrison	Ulsaker
Fritz	Narum	Wambem
Gardiner	Nelson, of Richland	Whitmer
Geiger	Nelson, of Walsh	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hawkinson	Ployhar
Boerner	Jordal	Roquette
Bond	Kylo	Sgutt
Burns	Moritz	Thompson
Cunningham	Nestos	Walters
Dosseth	O'Connor of Pembina	Mr. Speaker
Fraine		

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which Senate Bill No. 87 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 122.

A bill for an act requiring natural gas to be confined, and prescribing penalty for the violation thereof.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 84 ayes, no nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hedalen	Olsgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea

Messrs.—	Messrs.—	Messrs.—
Benson	Hersrud	Paulson
Bjornson	Hoge	Peart
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Kane	Sauer
Davidson	Knox	Scheer
Davis	Knutson	Sgutt
Dean	Kuhl	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Doyle, of McIntosh	Martin	Streeter
Edwards	McClellan	Tande
Fassett	Moen, of Benson	Thompson
Fox	Moen, of Cavalier	Tollefson
France	Morrison	Tostenson
Fried	Narum	Tuttle
Fritz	Nelson, of Richland	Ulsaker
Gardiner	Nelson, of Walsh	Wambem
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fraine	O'Connor of Pembina
Boerner	Hawkinson	Ployhar
Burns	Jordal	Roquette
Cunningham	Kyllo	Scott
Dosseth	Lee	Walters
Doyle, of Foster	Moritz	Whitmer
Englund		

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 98.

A bill for an act creating and defining the Twelfth judicial district within the state of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 86 ayes, 2 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Shea
Akesson	Heinemeyer	Paulson

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hersrud	Pearl
Anderson, of Ramsey	Hoge	Pendray
Benson	Homnes	Ployhar
Bjornson	Hill, of Bottineau	Price
Bond	Hill, of Cass	Putnam
Boyd	Hyland	Ray
Brusletten	Johns	Reeve
Burnett	Johnson	Robinson
Burns	Kane	Sauer
Carey	Knox	Scott
Collins	Knutson	Scheer
Davilson	Kuhl	Stutt
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	Martin	Streeter
Englund	McClellan	Tande
Fassett	Moen, of Benson	Thompson
France	Moen, of Cavalier	Tollefson
Fried	Morrison	Tostenson
Fritz	Narum	Tuttle
Gardiner	Nelson, of Richland	Ulsaker
Geiger	Nestos	Wambem
Gorder	Norheim	Whitmer
Hanson	O'Connor of Gd. Forks	Williams
Harty	Olsgard of Nelson	Mr. Speaker
Hawkinson	Olsgard of Richland	

Messrs. DeNault and Fox voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Moritz
Boerner	Edwards	Nelson, of Walsh
Christenson	Fraine	O'Connor of Pembina
Cunniingham	Jordal	Roquette
Davis	Law	Walters

Messrs. Dosseth and Roquette being excused.

So the bill passed and the title was agreed to.

Senate Bill No. 135.

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erection, leasing, purchasing and operating terminal elevators in the states of Minnesota and Wisconsin, or either.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 72 ayes, 12 nays, 19 absent and not voting.



Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Norheim
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Griggs	Hedalen	Olgard of Richland
Benson	Heinemeyer	O'Shea
Bond	Hersrud	Paulson
Boyd	Hoge	Peart
Brusletten	Homnes	Pendray
Burnett	Hill, of Bottineau	Ployhar
Burns	Hill, of Cass	Price
Carey	Hyland	Putnam
Christenson	Johns	Ray
Collins	Johnson	Reeve
DeNault	Kane	Robinson
Doyle, of Foster	Knox	Sauer
Doyle, of McIntosh	Knutson	Scott
Edwards	Kuhl	Scheer
Fassett	Kyllo	Sorlie
France	Lageson	Stern
Fried	Law	Stranahan
Fritz	Lee	Streeter
Gardiner	McClellan	Tande
Gciger	Moen, of Cavalier	Tostenson
Gorder	Narum	Ulsaker
Hanson	Nestos	Whitmer

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Moen, of Benson	Tollefson
Dean	Morrison	Tuttle
DeLance	Nelson, of Richland	Wambem
Fox	Olgard, of Nelson	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Englund	O'Connor of Pembina
Boerner	Fraine	Roquette
Bjornson	Jordal	Sgutt
Cunningham	Martin	Thompson
Davidson	Moritz	Walters
Davis	Nelson, of Walsh	Mr. Speaker
Dosseth		

Messrs. Dosseth and Roquette being excused.

So the bill was passed and the title was agreed to.

Mr. Moen of Cavalier moved

That the vote by which Senate Bill No. 135 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Price moved

That the vote by which Senate Bill No. 51 was indefinitely postponed be reconsidered.

Which motion was lost.

Senate Bill No. 169.

A bill for an act indemnifying owners for horses killed or destroyed according to law for being affected with the disease known as glanders.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 87 ayes, no nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	Olgard of Nelson
Anderson, of Griggs	Hawkinson	Olgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Bond	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Reeve
Christenson	Johnson	Robinson
Collins	Kane	Sauer
Davidson	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sgutt
DeNault	Kyllo	Sorlie
Doyle, of Foster	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Streeter
Fassett	Moen of Benson	Tande
Fox	Moen of Cavalier	Tollefson
France	Morrison	Tostenson
Fried	Narum	Tuttle
Fritz	Nelson of Richland	Ulsaker
Gardiner	Nelson of Walsh	Wambem
Gorder	Nestos	Whitmer
Geiger	Norheim	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fraine	O'Connor of Pembina
Boerner	Jordal	Roquette
Cunningham	Martin	Thompson
Davis	McClellan	Walters

Messrs.—  
Dosseth  
Englund

Messrs.—  
Moritz

Messrs.—  
Mr. Speaker

Messrs. Dosseth and Roquette being excused.

So the bill was passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 169 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker in the chair.

Senate Bill No. 175.

A bill for an act to amend Section 417 of the Revised Codes of North Dakota for the year 1905, relating to officers and offices, and the qualifications of officers.

Was read the third time.

Mr. Tuttle moved

That Senate Bill No. 175 be placed at the foot of the calendar.

Which motion prevailed.

## FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 234.

A bill for an act to authorize and empower the state auditing board to audit, approve and order paid, bills contracted by the capitol commission under Chapter 166 of the Session Laws of 1905, and making an appropriation therefor.

Was read the first and second times, and

Referred to the committee on expenditures.

Senate Bill No. 299.

A bill for an act providing for the making of necessary repairs upon the capitol building and making an appropriation therefor.

Was read the first and second times and

Referred to the committee on appropriations.

## Senate Bill No. 95.

A bill for an act regulating the conditions and provisions to be contained in policies of health or accident insurance issued in this state.

Was read the first and second times and

Referred to the committee on insurance.

## Senate Bill No. 256.

A bill for an act to amend Section 1833 of the Revised Codes of North Dakota for the year 1905, relating to additional assessments for drains.

Was read the first and second times, and

Referred to the committee on drainage.

## Senate Bill No. 18.

A bill for the regulation and control of fraternal benefit societies.

Was read the first and second times and

Referred to the committee on insurance.

## Senate Bill No. 204.

A bill for an act to authorize boards of trustees of incorporated villages to regulate and license liveries, dray and express lines, and other vehicles used for the carrying of passengers, messages, or property for hire.

Was read the first and second times, and

Referred to the committee on state affairs.

## Senate Bill No. 257.

A bill for an act entitled, an act regulating the erection of telegraph, telephone, electric light, power and other poles carrying wires conveying electricity in incorporated cities.

Was read the first and second times, and

Referred to the committee on railroads.

## Senate Bill No. 282.

A bill for an act to amend and re-enact Section 2563 of the Revised Codes of the state of North Dakota for the

year 1905, relating to the power of counties to issue bonds for the purpose of purchasing sites and constructing county buildings.

Was read the first and second times, and

Referred to the committee on counties and county boundaries.

Senate Bill No. 228.

A bill for an act to amend and re-enact Section 1599 of the Revised Codes of 1905, relating to the platting of irregular tracts of land.

Was read the first and second times, and

Referred to the committee on municipal corporations.

Senate Bill No. 289.

A bill for an act making it unlawful for any chairman of the board of county commissioners of any county in the state of North Dakota from signing any county warrant or warrants before such warrant or warrants are drawn by the county auditor, and all blanks filled out in full and compared with the bill for which the same was allowed.

Was read the first and second times, and

Referred to the committee on ways and means.

Senate Bill No. 307.

A concurrent resolution for an amendment to the Constitution of the state of North Dakota, relating to the term of office of the judges of the supreme court.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 311.

A bill for an act to amend and re-enact Sections 6240 and 6241 of Chapter 79 of the Revised Codes of North Dakota for 1905, relating to accounts to be filed with clerk of court in mechanic's liens; and clerk's records thereof.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 302.

A bill for an act to forfeit firearms or other weapons to the state when found on the person of any one arrested and convicted of a felony, misdemeanor or other crime.

Was read the first and second times, and

Referred to the committee on military affairs.

Senate Bill No. 277.

A bill for an act relating to trespassing while hunting game.

Was read the first and second times, and

Referred to the committee on game and fish.

Senate Bill No. 260.

A bill for an act to regulate the names of corporations and to prohibit the use of misleading words in the names of corporations organized or authorized to do business in this state.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 290.

A bill for an act to amend and re-enact Section 496 of the Revised Codes of North Dakota, relating to qualifications of applicants for admission to the bar of the state of North Dakota.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 129.

A bill for an act concerning insurance contracts and providing that contracts of insurance made by any company belonging to or member of or in any way connected with any tariff association or such like thing by whatever name called, shall be construed to add twenty-five per cent to the face of the policy or contract of insurance in addition to the actual loss or damage suffered; providing that the jury or court finding certain facts must add the amount of said penalty to the verdict, and providing for a liberal construction of this act.

Was read the first and second times, and

Referred to the committee on insurance.

Senate Bill No. 188.

A bill for an act to license motor and other vehicles, and chauffeurs, defining the road regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Sections 2169, 2170, 2171 and 2172 of the Revised Codes of 1905, and repealing Sections 2173 and 2174 of the Revised Codes of 1905, as amended in Chapter 42 of the Session Laws of 1909.

Was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

Senate Bill No. 253.

A bill for an act transferring funds from the state wolf bounty fund of this state to the general fund of the state.

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 265.

A bill for an act to amend Sections 2772, 2775, 2776, 2777, 2786, Revised Codes of 1905, relating to the creation of improvement districts and the purposes for which special assessments may be levied in this state.

Was read the first and second times and

Referred to the committee on municipal corporations.

Senate Bill No. 159.

A bill for an act to require a re-insurance reserve for mutual life insurance companies.

Was read the first and second times, and

Referred to the committee on insurance.

## Senate Bill No. 213.

A bill for an act to regulate the manner of sale of food products and beverages, and establishing the legal weight for lard or lard substitutes and for bread, and providing a penalty for the violation thereof.

Was read the first and second times, and

Referred to the committee on public health.

## Senate Bill No. 267.

A bill for an act to amend Sections 2, 3, 4, 10, 14 and 28, of Chapter 92 of the Session Laws of the state of North Dakota of 1909, relating to the creation of a bureau of the department of agriculture and labor, to be known as the dairy department, to provide for the appointment of a dairy commissioner and assistant dairy commissioners, fixing their compensation, defining their powers and duties, prescribing rules and regulations for the manufacture and sale of dairy products, prescribing penalties for violations, providing for a license for creameries, cream stations, cheese factories and renovating or process butter factories, throughout the state.

Was read the first and second times and

Referred to the committee on ways and means.

## Senate Bill No. 185.

A bill for an act providing for the establishing of savings banks and defining the powers and restrictions of the same.

Was read the first and second times, and

Referred to the committee on banking.

## Senate Bill No. 89.

A bill for an act to amend Section 4 of Chapter 172 of the Laws of 1901, entitled, an act to create a State Farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes, as the same was amended by Chapter 11 of the laws of 1903, and Chapter 23 of the Laws of 1905.

Was read the first and second times, and

Referred to the committee on appropriations.



## Senate Bill No. 106.

A bill for an act to amend Sections 1985 and 1986 of the Revised Codes, relating to cruelty to animals, and to provide for the organization and operation of societies for the purpose of inculcating humane principles and the prevention of cruelty especially to animals and children.

Was read the first and second times, and

Referred to the committee on appropriations.

## Senate Bill No. 24.

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the State university and School of Mines of North Dakota.

Was read the first and second times and

Referred to the committee on appropriations.

## Senate Bill No. 145.

A bill for an act making an appropriation for the experimental station of the School of Mines and the Mining substation at Hebron, Morton county.

Was read the first and second times, and

Referred to the committee on appropriations.

## Senate Bill No. 37.

A bill for an act to provide an appropriation for the current and contingent expenses, and for permanent improvement for the institution for feeble minded at Grafton.

Was read the first and second times and

Referred to the committee on appropriations.

## Senate Bill No. 158.

A bill for an act making appropriations for the current and contingent expenses of the State Reform school of North Dakota, and for making permanent improvements thereto.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 189.

A bill for an act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 12.

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory and for the equipment and furnishing of same; for the installation of a boiler and smokestack for the heating plant and for the purchase of additional land for the use of the government experiment station at Fargo.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 82.

A bill for an act to provide an appropriation for the erection of new buildings and other necessary improvements at the state hospital for the insane of North Dakota, at Jamestown.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 13.

A bill for an act to provide additional maintenance for the government experiment station and North Dakota agricultural college at Fargo.

Was read the first and second times, and

Referred to the committee on appropriations.

Senate Bill No. 41.

A bill for an act appropriating money for the purpose of building and equipping a chemistry building and laboratories for the North Dakota Agricultural college at Fargo, North Dakota.

Was read the first and second times and

Referred to the committee on appropriations.

## Senate Bill No. 210.

A bill for an act to amend Sections 46c5, 4638, 4641, 4642, 4664 and 4668, relating to state banking corporations; creating a separate banking department; and providing for placing banking and other financial corporations within the jurisdiction and control of the same.

Was read the first and second times, and

Referred to the committee on banking.

## Senate Bill No. 227.

A bill for an act making it unlawful for corporations having banking powers to invest more than thirty per cent of its capital stock and surplus in banking house, furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Codes for the year 1905.

Was read the first and second times, and

Referred to the committee on state affairs.

The privileges of the floor were extended to the following:

W. M. Walters and Olie Wisman of Stutsman county.

William Stern of Cass county.

W. B. Dickson, John Mahan of Langdon.

Hon. H. T. Helgeson of Milton.

M. W. Spaulding of Grand Forks.

John Moran of Charlson.

B. C. Boyd of Trail county.

Ed Morek of Mandan.

Andrew Bonhus of Valley City.

Sam H. Clark of Minot.

Andrew Veitch, M. Norman, of Grand Forks.

Capt. E. C. Geary, jr., of Fargo.

George Guthrie of Cass county.

Phillip Mason, Hon. John Knauf, Pierce Blewett, of Jamestown.

Dr. C. E. Bennett of Aneta.

Mr. Nestos moved

That the House do now take a recess until 10 o'clock a. m. tomorrow.

Which motion prevailed, and  
The House took a recess.

**E. H. GRIFFIN,**  
Chief Clerk.

# INDEX

## RECORD OF BILLS IN THE HOUSE

### HOUSE BILLS

#### House Bill No. 1.—(Doyle of Foster)

A joint resolution ratifying the sixteenth amendment to the constitution of the United States.

Introduction, 67.

Reference, 67.

Reported, 150, 856, 898.

Passed or lost, 177, 757.

Received from senate, 742.

Other action, 161, 164, 173, 176, 178, 453, 757, 872.

#### House Bill No. 2.—(Fried)

A bill for an act to prohibit the introduction of intoxicating liquors, narcotics, or other habit-forming drugs, into any of the buildings or upon the premises of any of the penal or charitable institutions of the state.

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Reference, 67.

Reported, 165, 201, 440.

Passed or lost, 194.

Received from senate, 399.

Other action, 195, 518, 544.

#### House Bill No. 3.—(Davidson)

A bill for an act to repeal Sections 1953, 1954, 1955, 1956, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971 of the Revised Code of 1905, relating to wolf bounty.

Introduction, 67.

Reference, 67.

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#### House Bill No. 4.—(Davidson)

A bill for an act to create a glandered horse indemnity fund.

Introduction, 68.

Reference, 68.

Reported, 483, 1105.

#### House Bill No. 5.—(Davidson)

A bill for an act to appropriate the sum of fifty-five thousand dollars, or as much as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Introduction, 68.

Reference, 68.

Reported, 392.

#### House Bill No. 6.—(Davidson)

A bill for an act entitled an act to regulate and provide admission for live stock into the state of North Dakota from all other states, territories and foreign countries.

Introduction, 68.

Reference, 68.

Other action, 360.

#### House Bill No. 7.—(Price)

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory, and for the equipment and furnishing of same; for the installation of a boiler and smoke stack for the heating plant, and for the purchase of additional land for the use of the government experiment station at Fargo.

Introduction, 68.

Reference, 68.

Reported, 1074, 1168, 1275.

Passed or lost, 1389.

Received from senate, 1676.

#### House Bill No. 8.—(Stern)

A bill for an act amending Section 4458 of the Revised Codes of North Dakota for 1905.

Introduction, 68.

Reference, 68.

Reported, 934.

**House Bill No. 9.—(Burns)**

A bill for an act to amend Section 4037 of the Revised Codes of North Dakota for 1905, relating to issuing of marriage license.

Introduction, 68.

Reference, 69.

Reported, 123, 519.

Passed or lost, 211.

Received from senate, 498.

Other action, 174, 180, 191, 554, 563, 585.

**House Bill No. 10.—(Dean)**

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who entitled to vote.

Introduction, 69.

Reference, 69.

Reported, 263, 284.

Passed or lost, 301, 302.

Other action, 302, 323, 324.

**House Bill No. 11.—(Nestos)**

A bill for an act to create a permanent non-partisan tax commission, defining its power and duties and making an appropriation for the maintenance thereof.

Introduction, 69.

Reference, 69.

Reported, 320, 406, 441.

Passed or lost, 468, 2154.

Received from senate, 1670, 2153.

Other action, 1894, 1896, 2154, 2158.

**House Bill No. 12.—(Doyle of Foster)**

A bill for an act to prohibit the use of public drinking cups in the state of North Dakota.

Introduction, 69.

Reference, 69.

Reported, 313, 386, 413.

Passed or lost, 459.

Received from senate, 1610.

**House Bill No. 13.—(Anderson of Ramsey)**

A bill for an act to amend Section 470 of the Revised Codes of 1905, relating to terms of court in the Second judicial district.

Introduction, 69.

Reference, 69.

Reported, 203, 233, 239, 440.

Passed or lost, 252.

Received from senate, 399.

Other action, 454, 518, 545.

**House Bill No. 14.—(Walters)**

A bill for an act to amend and reenact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Introduction, 69.

Reference, 69.

Other action, 101.

**House Bill No. 15.—(Martin)**

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Introduction, 69.

Reference, 69.

Reported, 185.

Other action, 621.

**House Bill No. 16.—(DeLance)**

A bill for an act entitled, an act to appropriate the sum of ninety thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Introduction, 70.

Reference, 70.

Reported, 347, 391.

**House Bill No. 17.—(Hogan)**

A bill for an act to amend Section 9373 of the Codes of North Dakota of 1905, relating to punishment for maintaining a common nuisance and abatement thereof.

Introduction, 70.

Reference, 70.

Reported, 164.

**House Bill No. 18.—(Scheer)**

A bill for an act to repeal wolf bounty.

Introduction, 70.

Reference, 70.

Reported, 482.

**House Bill No. 19.—(McClellan)**

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Introduction, 70.

Reference, 70.

Reported, 204.

**House Bill No. 20.—(Moritz)**

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Introduction, 73.

Reference, 73.

Reported, 132.

**House Bill No. 21.—(Hill of Bottineau)**

A bill for an act to prohibit the removing of threshing machines or bundle wagons from one farm to another before cleaning, and providing penalties thereof.

Introduction, 73.

Reference, 73.

Reported, 288, 385, 413.

Passed or lost, 463, 464.

Received from senate, 1411.

**House Bill No. 22.—(Englund)**

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Introduction, 73.

Reference, 73.

Reported, 181, 219, 790, 843.

Passed or lost, 22, 23, 715.

Received from senate, 656.

Other action, 673, 800, 1056.

**House Bill No. 23.—(Nestos)**

A concurrent resolution amending the constitution of the state of North Dakota, relating to uniformity of taxation and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

Introduction, 74.

Reference, 74.

Reported, 184, 215, 219, 1785, 1810.

Passed or lost, 225.

Received from senate, 1120, 1649.

Other action, 1224, 1255, 1410, 1642, 1650, 1781, 1988.

**House Bill No. 24.—(Scheer)**

A bill for an act providing that the experiment station enforce this law; providing for the appointment of county deputies to enforce the pure food and drug law, fixing their duties and qualifications; defining foods and drugs, prohibiting the peddling of foods and drugs in bulk; providing for a permit for peddlers of foods and drugs, and manner and use thereof, and fixing fees to be paid therefor; providing for labeling of parcels and recording sales; making permit holder special agent of North Dakota government agricultural experiment station in the proper use of his permit; defining contraband goods; defining a violation hereof and prescribing a penalty therefor.

Introduction, 74.

Reference, 74.

Reported, 168.

**House Bill No. 25.—(Nestos)**

A bill for an act to re-district the state of North Dakota into senatorial districts and apportion the senators and representatives therein.

Introduction, 74.

Reference, 74, 78.

Reported, 992, 1211, 1314, 1960.

Passed or lost, 1347, 1794.

Received from senate, 1555.

Other action, 1147, 1211, 1793, 1964, 2008.

**House Bill No. 26.—(Sorlie)**

A bill for an act permitting farmers and land owners to drain their land into road ditches and other depressions, when such ditch or depression is wholly upon the owner's land.

Introduction, 75.

•Reference, 75.

Reported, 105, 347, 348, 407, 588, 601.

Passed or lost, 640.

Other action, 157, 416, 590, 641.

**House Bill No. 27.—(Edwards)**

A bill for an act to amend Section 1575, Chapter 20, of the Revised Codes of 1905, relating to the disposition of penalty and interest.

Introduction, 75.

Reference, 75.

Reported, 184, 313, 387, 413, 986, 1079.

Passed or lost, 454.

Received from senate, 920.

Other action, 205, 1014, 1212.

**House Bill No. 28.—(Geigen)**

A bill for an act providing a penalty for obstructing water courses or diverting the water therefrom.

Introduction, 75.

Reference, 75.

Reported, 291, 311, 389, 1398, 1471.

Passed or lost, 417, 418.

Received from senate, 1269.

Other action, 367, 419, 1408, 1988.

**House Bill No. 29.—(Davis)**

A bill for an act to provide for the establishment and maintenance of department of agriculture, manual training and domestic economy in state, high, graded and consolidated schools.

Introduction, 75.

Reference, 75.

Reported, 661, 731, 1492, 2070.

Passed or lost, 1543.

Received from senate, 1925.

Other action, 1543, 2063, 2144.

**House Bill No. 30.—(Ployhar)**

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Introduction, 75.

Reference, 76.

Reported, 825.

**House Bill No. 31.—(Christenson)**

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses and providing a bond therefor.

Introduction, 76.

Reference, 76.

Reported, 312, 386, 413, 683, 845, 931, 1932.

Passed or lost, 460, 998, 1814.

Received from senate, 1715.

Other action, 496, 1814, 1933, 2009.

**House Bill No. 32.—(Christenson)**

A bill for an act to amend Section 1571 of the Revised Codes of 1905, providing when real estate taxes shall become due and delinquent, and for penalty and interest in the event of delinquency thereof.

Introduction, 76.

Reference, 76.

Reported, 185, 215, 219.

Passed or lost, 227.

Received from senate, 739.

Other action, 229.

**House Bill No. 33.—(Edwards)**

A bill for an act to amend Section 2445 of Chapter 28, of the Revised Codes of 1905, relating to the monthly statement by depository.

Introduction, 76.

Reference, 76.

Reported, 123, 201.

Passed or lost, 190.

Received from senate, 1080.



**House Bill No. 34.—(Gardiner)**

A bill for an act repealing Sections 8, 9, 10, 11, 12, 13, 14 and 15 of Chapter 135 of the Session Laws of North Dakota of 1907, and Section 6 of Chapter 141 of the laws of 1909, amending Section 15 of Chapter 135 of the laws of 1907.

Introduction, 76.

Reference, 76.

Reported, 141.

**House Bill No. 35.—(Aasheim)**

A bill for an act to amend Section 1571 of the 1905 Revised Codes of North Dakota, relating to delinquent real estate taxes.

Introduction, 76.

Reference, 76.

Reported, 862, 929, 1024, 1786.

Passed or lost, 977.

Received from senate, 1681.

Other action, 1796, 1822, 1988.

**House Bill No. 36.—(Burnett)**

A bill for an act to amend Section 4305 of the 1905 Revised Codes of North Dakota, relating to the maintenance of station houses.

Introduction, 77.

Reference, 77.

Reported, 222, 257, 261, 1190, 1217.

Passed or lost, 272, 1066.

Received from senate, 921.

Other action, 273, 1066, 1200, 1547.

**House Bill No. 37.—(Martin)**

A bill for an act regulating insurance companies doing business in the state of North Dakota.

Introduction, 77.

Reference, 77.

Other action, 360.

**House Bill No. 38.—(Burnett)**

A bill for an act to repeal Sections 1961 and 1968 of the 1905 Revised Codes of the state of North Dakota, relating to wolf bounty and assessment therefor.

Introduction, 77.

Reference, 77.

Reported, 124.

**House Bill No. 39.—(Olsgard of Nelson)**

A bill for an act to provide a system of free public schools for the state of North Dakota and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, and Section 1038 of the Revised Codes of 1905, with any and all amendments thereto, and also Chapters 49, 98, 100, 103, 124, 153, and 201 of the Session Laws of 1909.

Introduction, 77.

Reference, 78.

Reported 1027.

Other action, 1646.

**House Bill No. 40.—(Hoge)**

A bill for an act authorizing counties to issue bonds or warrants to establish a fund to aid needy farmers residing therein to procure seed grain, regulating its disbursements and fixing penalty for violation thereof.

Introduction, 78.

Reference, 78.

Reported, 858, 939.

Other action, 859.

**House Bill No. 41.—(Boyd)**

A bill for an act to prohibit the granting to or use by any person, of any free pass, frank or special privilege withheld from any other person, and to fix the penalty for violation thereof.

Introduction, 78.

Reference, 78.

Reported, 480.

**House Bill No. 42.—(Sgutt)**

A bill for an act placing the location of new lines of railroad in this state under the jurisdiction of the board of railroad commissioners, and defining the powers and duties of such board in such matters.

Introduction, 78.

Reference, 78.

Reported, 479.

**House Bill No. 43.—(Stern)**

A bill for an act appropriating money for the purpose of building and equipping a chemistry building and laboratories for the North Dakota Agricultural college at Fargo, North Dakota.

Introduction, 84.

Reference, 84.

Reported, 1073, 1167, 1276.

Passed or lost, 1368.

Received from senate, 1676.

**House Bill No. 44.—(France)**

A bill for an act to amend Section 4381 and 4383 of the Revised Codes of the state of North Dakota of 1905, relating to track from elevator to railroad.

Introduction, 84.

Reference, 84.

Reported, 122, 223, 258, 261, 1272.

Passed or lost, 274, 1213.

Received from senate, 927.

Other action, 191, 1067, 1381, 1434, 1988.

**House Bill No. 45.—(Burnett)**

A bill for an act entitled, an act prohibiting railroads, railroad corporations and common carriers from carrying any passengers free or at a less rate than is charged the general public, and providing a penalty therefor, and providing transportation for the board of railroad commissioners and its secretary.

Introduction, 84.

Reference, 84.

Reported, 480.

**House Bill No. 46.—(Dwan)**

A bill for an act to prevent unfair discrimination in the purchase of grain, dairy products or other commodities.

Introduction, 85.

Reference, 85.

Reported, 182, 234, 239.

Passed or lost, 253, 254, 283.

Other action, 255, 725.

**House Bill No. 47.—(Hoge)**

A bill for an act to amend Section 9353 of the Revised Codes of North Dakota of 1905, relating to penalties for the manufacturing and sale of intoxicating liquors.

Introduction, 85.

Reference, 85.

Reported, 166.

**House Bill No. 48.—(Tollefson)**

A bill for an act to amend and reenact Section 2630 of Chapter 29 of the Political Code of the Revised Codes of North Dakota.

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for 1905, relating to compensation of bailiffs of district court.  
Introduction, 85.  
Reference, 85.  
Reported, 167.

**House Bill No. 49.—(Tollefson)**

A bill for an act to amend and reenact Section 2614 of the Revised Codes of North Dakota for 1905, relating to fees allowed jurors.  
Introduction, 85.  
Reference, 85.  
Reported, 356.

**House Bill No. 50.—(Fraine)**

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Introduction, 85.  
Reference, 85.  
Reported, 290, 557, 601, 1787.  
Passed or lost, 628.  
Received from senate, 1725.  
Other action, 1796, 1822, 1988.

**House Bill No. 51.—(O'Connor of Grand Forks)**

A bill for an act to amend Section 1, Chapter 158, of the Session Laws of 1909, relating to the filing of mechanic's liens, the giving of notice of labor, and the furnishing materials to contractors and sub-contractors.  
Introduction, 85.  
Reference, 86.  
Reported, 240.

**House Bill No. 52.—(Johns)**

A bill for an act to appropriate money for the buildings, live stock, machinery and other equipment for the Hettinger sub-experiment station.  
Introduction, 86.  
Reference, 86.  
Reported, 1045, 1169, 1276, 1785, 1810.  
Passed or lost, 1394.  
Received from senate, 1699.  
Other action, 1781.

**House Bill No. 53.—(Johns)**

A bill for an act providing for the management and control of, for making annual reports by the respective superintendents, and appropriating money annually for the support and maintenance of the Agricultural sub-experiment stations located at Dickinson, Williston, Langdon and Hettinger.  
Introduction, 86.  
Reference, 86.  
Reported, 1489.  
Passed or lost, 1534.  
Received from senate, 1969.

**House Bill No. 54.—(Akesson)**

A bill for an act to amend Section 3062 of the Revised Codes of 1905, and to provide for the appointment of overseers of highways.  
Introduction, 86.  
Reference, 86.  
Reported, 865, 1107, 1274, 1807.  
Passed or lost, 1348.  
Received from senate, 1749.  
Other action, 1818, 1872.

**House Bill No. 55.—(Gardiner)**

A bill for an act reinstating and validating the charters of corporations that have been cancelled for failure to make and file with the secretary of state, reports as required by and under Section 4186, Revised Codes of 1905.  
Introduction, 86.  
Reference, 86.  
Reported, 352, 390, 790, 843.  
Passed or lost, 421.  
Received from Senate, 657.  
Other action, 800, 1057.

**House Bill No. 56.—(Hedalen)**

A bill for an act entitled, an act to amend Section 8231 of the Revised Codes of 1905, relating to the disposition of unclaimed shares of estate in county court.  
Introduction, 86.  
Reference, 86.  
Reported, 165, 198, 202, 1023, 1079.  
Passed or lost, 212.  
Received from senate, 921.  
Other action, 1014, 1212.

**House Bill No. 57.—(Pouday)**

A bill for an act to amend Section 5511 of the Revised Codes of 1905, defining usury.  
 Introduction, 87.  
 Reference, 87.  
 Reported, 183.

**House Bill No. 58.—(Tuttle)**

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 Introduction, 87.  
 Reference, 87.  
 Reported, 183.

**House Bill No. 59.—(Brusletten)**

A bill for an act to appropriate a sum of money for the maintenance and conservation of the state park at Fort Abercrombie.  
 Introduction, 87.  
 Reference, 87.  
 Reported, 1072.  
 Other action, 1146.

**House Bill No. 60.—(Kuhl)**

A bill for an act to provide for the filing of mortgages on personal property, and to prevent fraud in the taking of security in same, and to provide a penalty for violation.  
 Introduction, 87.  
 Reference, 87.  
 Reported, 617.

**House Bill No. 61.—(Sgutt)**

A bill for an act making an appropriation for the establishing of the Harvey Agricultural experiment station and for conducting agricultural experiments thereat.  
 Introduction, 87.  
 Reference, 87.  
 Reported, 1069, 1171, 1276.  
 Passed or lost, 1440.  
 Received from senate, 1675.

**House Bill No. 62.—(Tuttle)**

A bill for an act entitled, an act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes.  
 Introduction, 88.  
 Reference, 88.  
 Reported, 1203, 1204, 1244, 1305.  
 Passed or lost, 1481.  
 Received from senate, 1856.

**House Bill No. 63.—(Brusletten)**

A bill for an act to amend Section 4466 of the Revised Codes of 1905, relating to insurance.  
 Introduction, 88.  
 Reference, 88.  
 Reported, 221, 239, 283.  
 Passed or lost, 247, 248.  
 Received from senate, 1610.

**House Bill No. 64.—(Sorlie)**

A bill for an act to amend Section 1380 of the Session Laws of 1907, relating to location and building of bridges.  
 Introduction, 88.  
 Reference, 88.  
 Reported, 221, 239, 283, 1191, 1217.  
 Passed or lost, 249.  
 Received from senate, 926.  
 Other action, 250, 1067, 1200, 1547.

**House Bill No. 65.—(Lageson)**

A bill for an act to repeal Chapter 128 of the Laws of North Dakota of 1909.  
 Introduction, 88.  
 Reference, 88.  
 Reported, 747.

**House Bill No. 66.—(Price)**

A bill for an act to provide additional maintenance for the Government Experiment Station and North Dakota Agricultural College at Fargo.  
 Introduction, 88.  
 Reference, 88.  
 Reported, 1074, 1173, 1276.  
 Passed or lost, 1377.  
 Received from senate, 1675.

**House Bill No. 67.—(Yraine)**

A bill for an act to amend Section 1737 of the Revised Codes of North Dakota of 1905.

Introduction, 99.

Reference, 99.

Reported, 319, 344, 1024, 1079.

Passed or lost, 372.

Received from senate, 920.

Other action, 373, 1014, 1212.

**House Bill No. 68.—(O'Connor of**

Grand Forks)

A bill for an act entitled, an act validating special assessments and taxes made or levied in cities since 1903 and establishing certain rules of evidence relating thereto.

Introduction, 99.

Reference, 99.

Reported, 202, 258, 261, 790, 843.

Passed or lost, 276, 277.

Received from senate, 657.

Other action, 800, 1057.

**House Bill No. 69.—(Kuhl)**

A bill for an act to provide for the ascertaining and giving notice of the title of lands to the heirs of deceased persons and establishing the right of heirship to real property and to provide a method of procedure therefor.

Introduction, 99.

Reference, 99.

Reported, 945, 1113, 1274.

Passed or lost, 1362.

Received from senate, 1856.

**House Bill No. 70.—(DeNault)**

A bill for an act to amend Section 1575 of the Revised Codes of the State of North Dakota for the year 1905, relating to the disposition of the penalty and interest on taxes.

Introduction, 99.

Reference, 99.

Reported, 318, 739.

Other action, 205.

**House Bill No. 71.—(Hoge)**

A concurrent resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Introduction, 99.

Reference, 99.

Other action, 108.

**House Bill No. 72.—(Cunningham)**

A bill for an act to appropriate the sum of sixty-five thousand dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Introduction, 100.

Reference, 100.

Reported, 391, 414, 1863.

Passed or lost, 425, 1781.

Received from senate, 1701.

Other action, 1781, 1866, 1895.

**House Bill No. 73.—(Morrison)**

A bill for an act making an appropriation to meet the deficiency incurred by the State Live Stock Sanitary board in carrying out the purpose of Chapter 169 of the Session Laws of 1907.

Introduction, 100.

Reference, 100.

Reported, 745, 802.

Passed or lost, 892.

Received from senate, 1670.

**House Bill No. 74.—(Anderson of**

Ramsey)

A bill for an act to amend Section 19, Chapter 169 of the Laws of 1907, entitled, an act to establish the Live Stock Sanitary Board of North Dakota and to provide for the suppression and control of dangerous, contagious and infectious diseases of domestic animals.

Introduction, 100.

Reference, 100.

Reported, 1493.

Passed or lost, 1532.

Received from senate, 1968.

Other action, 961.

**House Bill No. 75.—(Olsgard of Nelson)**

A bill for an act to amend and reenact Sections 1031, 1033, 1034, 1035 and 1036 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907.

Introduction, 100.  
Reference, 100.  
Reported, 685, 846, 931, 1837.  
Passed or lost, 999.  
Other action, 1236, 1352.

**House Bill No. 76.—(Price)**

A bill for an act in relation to the legal rates for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the Revised Codes of 1905, relating to the publication of the proceedings of boards of county commissioners, and the legal rates therefor.

Introduction, 100.  
Reference, 100.  
Reported, 220, 257, 284, 856, 898.  
Passed or lost, 299, 300.  
Received from senate, 760.  
Other action, 872, 1055.

**House Bill No. 77.—(Heinemeyer)**

A bill for an act to amend Section 544 of the Revised Codes of 1905, relating to the seals of notaries public.

Introduction, 101.  
Reference, 101.  
Reported, 142.  
Passed or lost, 192.  
Received from senate, 739.  
Other action, 174, 180.

**House Bill No. 78.—(O'Connor of**

Pembina)

A concurrent resolution to amend Article 19, Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Introduction, 101.  
Reference, 101.  
Reported, 443, 473, 1024, 1078.  
Passed or lost, 506.  
Received from senate, 921.  
Other action, 801, 1014, 1213.

**House Bill No. 79.—(Walters)**

A bill for an act to amend and reenact Chapter 217 of the Laws of 1909, being an act to provide for a greater publicity of the finances of the state.

Introduction, 101.  
Reference, 101.  
Reported, 141, 1191, 1217.  
Passed or lost, 193.  
Received from senate, 1038.  
Other action, 175, 180, 1200, 1547.

**House Bill No. 80.—(Kuhl)**

A bill for an act providing for the examination of the financial affairs of school districts.

Introduction, 108.  
Reference, 108.  
Reported, 475.

**House Bill No. 81.—(Collins)**

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the state university of North Dakota.

Introduction, 109.  
Reference, 109.  
Reported, 1076, 1172, 1275, 1787.  
Passed or lost, 1376.  
Received from senate, 1699.  
Other action, 1796, 1822.

**House Bill No. 82.—(Englund)**

A bill for an act to amend Section 4392 of the Revised Codes of the state of North Dakota for the year 1905, relating to the construction of transfer facilities; also providing for the application of a short rate in the absence of "wyes;" and providing for a penalty for the violation thereof.

Introduction, 109.  
Reference, 109.  
Reported, 182, 219, 261, 789, 843.  
Passed or lost, 234, 713.  
Received from senate, 656.  
Other action, 215, 236, 800, 1057.

**House Bill No. 83.—(Fritz)**

A bill for an act to authorize cities, towns and villages to levy and collect taxes for municipal purposes.

Introduction, 109.  
Reference, 109.  
Other action, 1147.

**House Bill No. 84.—(Fritz)**

A bill for an act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

Introduction, 109.  
Reference, 109.  
Reported, 314, 386, 413.  
Passed or lost, 457.  
Received from senate, 1740.

**House Bill No. 85.—(Fried)**

A bill for an act to provide an appropriation for the current and contingent expenses of the state hospital for the insane of North Dakota, at Jamestown.

Introduction, 109.  
Reference, 109.  
Reported, 1071.

**House Bill No. 86.—(DeNault)**

A bill for an act to provide an appropriation for the erection of new buildings and for other necessary improvements at the state hospital for the insane of North Dakota, at Jamestown.

Introduction, 109.  
Reference, 110.  
Reported, 1076, 1077, 1173, 1276.  
Passed or lost, 1457.  
Received from senate, 1972.  
Other action, 1078.

**House Bill No. 87.—(Tuttle)**

A bill for an act to amend Section 8 of Chapter 109 of the Session Laws of 1907.

Introduction, 110.  
Reference, 110.  
Reported, 359.

**House Bill No. 88.—(Geiger)**

A bill for an act to amend Section 35, Chapter 128, of the Session Laws of 1909—House Bill No. 156.

Introduction, 110.  
Reference, 110.  
Reported, 748.  
Other action, 236, 674.

**House Bill No. 89.—(DeNault)**

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for the year 1905, and all acts or parts of acts amendatory thereof, relating to the redemption of real estate.

Introduction, 110.  
Reference, 110.  
Reported, 615.

**House Bill No. 90.—(Stranahan)**

A bill for an act to reimburse members of the legislative assembly for personal expenses incurred while attending the session thereof.

Introduction, 110.  
Reference, 110.  
Reported, 358, 590, 601.  
Passed or lost, 477.

**House Bill No. 91.—(Akesson)**

A bill for an act to provide for fixing the amount to be allowed for labor on highways when performed in payment of road taxes.

Introduction, 110.  
Reference, 110.  
Reported, 486, 647, 681, 936, 1804.  
Passed or lost, 716, 1111, 1357.  
Received from senate, 1736.  
Other action, 872, 1816, 1870.

**House Bill No. 92.—(Johns)**

A bill for an act providing for the election of county, school and judicial officers by a non-partisan, majority vote.

Introduction, 111.  
Reference, 111.  
Reported, 359.  
Other action, 558.

**House Bill No. 93.—(Hoge)**

A concurrent resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to appropriation of fines and forfeitures for the violation of state laws.

Introduction, 111.  
Reference, 111.  
Reported, 315, 693, 848, 930.  
Passed or lost, 1006.  
Received from senate, 1972.  
Other action, 360.

**House Bill No. 94.—(Andrus)**

A bill for an act to amend and re-enact Section 496 of the Revised Codes of North Dakota, relating to qualifications of applicants for admission to the bar of the state of North Dakota.

Introduction, 111.  
Reference, 111.  
Reported, 166.

**House Bill No. 95.—(Ulsaker)**

A bill for an act entitled "An Act to provide for the equitable assessment and Taxation of Real property and mortgage liens thereon."

Introduction, 111.  
Reference, 111.  
Reported, 859, 1106.

**House Bill No. 96.—(Williams)**

A bill for an act creating a state board of dental examiners; to regulate the practice of dentistry in the state of North Dakota; to provide for licensing dentists; and to provide penalties for the violation of this Act.

Introduction, 111.  
Reference, 111.  
Reported, 484, 520, 1272.  
Passed or lost, 547.  
Received from senate, 1039.  
Other action, 112, 1380, 1434, 1989.

**House Bill No. 97.—(Law)**

A bill for an act to amend Section 2869 of the Revised Codes of 1905 providing for the contracting of loans and for the incurring of indebtedness by villages and providing for the creation of a sinking fund for the liquidation of such loans and indebtedness.

Introduction, 111.  
Reference, 112.  
Reported, 349, 407, 441.  
Passed or lost, 466.  
Received from senate, 1969.  
Other action, 466.

**House Bill No. 98.—(Norheim)**

A bill for an act to provide a judicial procedure to determine the identity of the grantees and the shares of each in cases where lands have been or may be patented, granted or conveyed by the United States to the heirs or devisees of a deceased person without naming therein the persons so designated as grantees.

Introduction, 125.  
Reference, 125.  
Reported, 290.

**House Bill No. 99.—(Nestos)**

A bill for an act to amend Section 1575 of the Revised Codes of the State of North Dakota of 1905, relating to taxes.

Introduction, 125.  
Reference, 125.  
Reported, 317.

**House Bill No. 100.—(O'Connor of Grand Forks)**

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

Introduction, 125.  
Reference, 125.  
Reported, 263, 307, 311, 1190, 1217.  
Passed or lost, 367, 368, 1022.  
Received from senate, 1021.  
Other action, 369, 1200, 1547.



**House Bill No. 101.—(Johnson)**

A concurrent resolution for an amendment to the State of North Dakota, relative to the right of trial by jury.  
Introduction, 125.  
Reference, 126.  
Reported, 532.

**House Bill No. 102.—(Norheim)**

A bill for an act to amend Section 9791 of the Revised Codes of 1905, relating to prosecution on information and in what cases.  
Introduction, 126.  
Reference, 126.  
Reported, 165, 201, 1399, 1471.  
Passed or lost, 195, 196.  
Received from senate, 1269.  
Other action, 1408, 1989.

**House Bill No. 103.—(Moritz)**

A bill for an act to create a state text book commission and to provide for the adoption and use of uniform text books throughout the state.  
Introduction, 126.  
Reference, 126.  
Reported, 355, 683, 685, 1294, 1385.

**House Bill No. 104.—(Collins)**

A bill for an act to amend Sections 1, 6, 12, 14 and 16 of Chapter 135 of the Laws of 1907.  
Introduction, 126.  
Reference, 126.  
Reported, 484.

**House Bill No. 105.—(Burns)**

A bill for an act to provide for uniform accounts for state banks.  
Introduction, 126.  
Reference, 126.  
Reported, 285.

**House Bill No. 106.—(Cunningham)**

A bill for an act to appropriate the sum of thirty thousand dollars annually, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.  
Introduction, 126.  
Reference, 126.  
Reported, 1068.  
Other action, 1210.

**House Bill No. 107.—(Price)**

A bill for an act to amend Section 1555 of the Revised Code of North Dakota for the year 1905, relating to the sheriff's list of uncollected personal property taxes, his certificate for the same and creating a fee therefor.  
Introduction, 126.  
Reference, 127.  
Reported, 167, 198, 201, 614.  
Other action, 213.

**House Bill No. 108.—(Price)**

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the office of police magistrate so as to provide for the establishment of municipal courts.  
Introduction, 127.  
Reference, 127.  
Reported, 202.

**House Bill No. 109.—(Johnson)**

A bill for an act appropriating money to provide needed equipment, permanent improvements, repairs, employes' wages, officers' salaries, messengers, railway fares and express charges in the transportation of fish, for the North Dakota state fish hatchery at Fish Lake in Rolette county, North Dakota.  
Introduction, 127.  
Reference, 127.  
Reported, 1047, 1170, 1276, 1785, 1809.  
Passed or lost, 1396.  
Received from senate, 1682.  
Other action, 1780.

**House Bill No. 110.—(Gorder)**

A bill for an act to provide for the distribution of Blue Books among the district schools of the state.  
Introduction, 127.  
Reference, 127.  
Reported, 319, 344, 1785, 1809.  
Passed or lost, 375.  
Received from senate, 1657.  
Other action, 376, 1780.

**House Bill No. 111.—(Andrus)**

A bill for an act entitled, an act fixing the salaries and providing for the payments of the necessary expenses of the judges of the district courts of the State of North Dakota, and the furnishing of proper chambers, including furniture, heat, light, stationery and postage for such judges.

Introduction, 127.

Reference, 127.

Reported, 241.

**House Bill No. 112.—(Law)**

A bill for an act amending Section 2400 of the Revised Codes of 1905, relating to additional powers of the board of county commissioners.

Introduction, 127.

Reference, 128.

Reported, 357, 390, 1805.

Passed or lost, 422.

Received from senate, 1736.

Other action, 1816, 1870.

**House Bill No. 113.—(Law)**

A bill for an act to regulate the width of sleighs, sleds, and cutters used on public highways.

Introduction, 128.

Reference, 128.

Reported, 286.

**House Bill No. 114.—(Peart)**

A bill for an act to prevent the giving away or otherwise disposing of intoxicating liquors as a beverage at public sales and gatherings.

Introduction, 128.

Reference, 128.

Reported, 242, 280, 284, 790, 842.

Passed or lost, 303, 304.

Received from senate, 657.

Other action, 801, 1057.

**House Bill No. 115.—(Knox)**

A bill for an act to amend and reenact Section 981 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

Introduction, 128.

Reference, 128.

Reported, 220, 831.

**House Bill No. 116.—(Thompson)**

A bill for an act to amend Chapter 68 of the Session Laws of the State of North Dakota for the year 1909, prescribing the salary of the state's attorney, assistant and clerk.

Introduction, 134.

Reference, 134.

Reported, 475, 589.

**House Bill No. 117.—(Davis)**

A bill for an act to amend Section 9768 of the Revised Codes of 1905, relating to the examination of witnesses in a preliminary examination before a magistrate.

Introduction, 134.

Reference, 134.

Reported, 241.

**House Bill No. 118.—(Stern)**

A bill for an act to amend subdivisions six (6) and seven (7) of Section five (5) of Chapter one seventy-nine (179) of the Session Laws of 1907, in relation to the powers of the board of park commissioners.

Introduction, 134.

Reference, 134.

Reported, 803, 1108, 1273, 1805.

Passed or lost, 1349.

Received from senate, 1740.

Other action, 1816, 1870.

**House Bill No. 119.—(Hyland)**

A bill for an act making an appropriation for the improvement, betterment, conservation and preservation of the Rock Island Military Wood reservation in Ramsey county, North Dakota.

Introduction, 135.

Reference, 135.

Reported, 1070, 1171, 1277.

Passed or lost, 1372.

Received from senate, 1675, 1879.

Other action, 1864, 1865.

**House Bill No. 120.—(Fritz)**

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Introduction, 135.

Reference, 135.

Reported, 478, 590, 601, 1191, 1217.

Passed or lost, 637, 638.

Received from senate, 1038.

Other action, 1200, 1260.

**House Bill No. 121.—(Williams)**

A bill for an act requiring railways doing business in this state to furnish at all stations in this state where a business of \$15,000 or more a year is done, suitable loading and unloading facilities for traction engines and other heavy machinery, and prescribing for violations thereof.

Introduction, 135.

Reference, 135.

Reported, 181.

**House Bill No. 122.—(Ployhar)**

A bill for an act to provide furniture for the new dormitory, and to complete and make adequate the heating plant of the State Normal school at Valley City, and making appropriation therefor.

Introduction, 135.

Reference, 135.

Reported, 1076, 1124, 1786, 1810.

Passed or lost, 1215.

Received from senate, 1700.

Other action, 1780, 1989.

**House Bill No. 123.—(Fraine)**

A bill for an act making an appropriation for a storehouse on the Rock Island Military Wood reservation near Devils Lake, North Dakota.

Introduction, 135.

Reference, 135.

Reported, 1073, 1172, 1277, 1786, 1809.

Passed or lost, 1374.

Received from senate, 1699.

Other action, 1780.

**House Bill No. 124.—(Pierce)**

A bill for an act relating to the construction of public buildings, prescribing the duties of boards of trustees thereof in the matter of securing plans and specifications, advertising for bids, letting contracts, allowance and payment of estimates, payment of premiums on contractor's bonds, and insurance on unfinished buildings and material on the ground, and protecting architects, contractors, manufacturers and producers resident within the State of North Dakota.

Introduction, 135.

Reference, 136.

Reported, 392, 600, 1786, 1810.

Passed or lost, 629.

Received from senate, 1657.

Other action, 557, 1780, 1989.

**House Bill No. 125.—(Burnett)**

A bill for an act relating to the assessment of lands for the construction of drains and providing for an appeal from the decision of the drainage board, and fixing the compensation of drain commissioners.

Introduction, 136.

Reference, 136.

Reported, 526, 675, 682.

Passed or lost, 720.

Received from senate, 1608.

**House Bill No. 126.—(Williams)**

A bill for an act to amend Section 2594 of the Revised Codes of 1905, of the State of North Dakota.

Introduction, 136.

Reference, 136.

Reported, 311.

**House Bill No. 127.—(Sorlie)**

A bill for an act making appropriation for the Mayville State Normal school located at Mayville, North Dakota, for hospital, green house, fuel bin, library, museums, boiler, grounds, lecture course, manual training and domestic science, and improvements on ventilating system, and for reimbursement of

**House Bill No. 127.—Continued.**

money transferred from local and interest and income funds.  
Introduction, 139.  
Reference, 139.  
Reported, 1072, 1172, 1277.  
Passed or lost, 1373.  
Received from senate, 1670.

**House Bill No. 128.—(Nestos)**

A bill for an act entitled, an act to amend Section 9189 of the Revised Codes of 1905, defining grand and petit larceny.  
Introduction, 142.  
Reference, 142.  
Reported, 346.

**House Bill No. 129.—(Kyllo)**

A concurrent resolution for an amendment to the Constitution, providing for a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance, prescribing rules, regulations and duties of all officers and persons connected therewith, prescribing how taxes for same shall be levied and collected and how expense and indemnity for losses by hail shall be paid.  
Introduction, 142.  
Reference, 143.  
Reported, 871.

**House Bill No. 130.—(DeNault)**

A bill for an act to amend Section 9366 of the Revised Codes of North Dakota, as amended by Chapter 191 of the Laws of 1907, and Chapter 187 of the Laws of 1909, defining inoxicating liquors.  
Introduction, 143.  
Reference, 143.  
Reported, 690, 847, 931, 1807.  
Passed or lost, 1001, 1002.  
Received from senate, 1681.  
Other action 1818, 1872.

**House Bill No. 131.—(O'connor of Grand Forks)**

A bill for an act to provide a fund for the payment of losses of growing crops caused by tornadoes and hailstones.  
Introduction, 143.  
Reference, 143.

**House Bill No. 132.—(Lee)**

A bill for an act to promote the safety of employeas and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state, to equip locomotives with electric headlights.  
Introduction, 143.  
Reference, 143.  
Reported, 292, 385, 413, 522, 648.  
Other action, 463, 648, 665, 666.

**House Bill No. 133.—(DeLance)**

A bill for an act to amend Section 2763 of the Revised Codes of the State of North Dakota for the year 1905, providing for the vacation of streets and alleys, establishing the procedure and providing for an appeal.  
Introduction, 143.  
Reference, 143.  
Reported, 349, 389, 1191, 1217.  
Passed or lost, 420.  
Received from senate, 1038.  
Other action, 1200, 1547.

**House Bill No. 134.—Moen of Cavalier)**

A bill for an act to amend Sections 4324 and 4343 of the Revised Codes of 1905, relative to the powers and duties of the board of railroad commissioners.  
Introduction, 143.  
Reference, 144.  
Reported, 478, 520, 1190, 1217.  
Passed or lost, 541, 1058.  
Received from senate, 1055.  
Other action, 1200, 1547.

**House Bill No. 135.—(Harty)**

A bill for an act amending Section 616 of the Political Code of 1905, relating to the preparation and marking of ballots.  
 Introduction, 144.  
 Reference, 144.  
 Reported, 359, 360, 390, 603, 604.  
 Passed or lost, 728.  
 Other action, 424, 732.

**House Bill No. 136.—(Hill of Cass)**

A bill for an act declaring to be common nuisances bawdy houses, houses of ill fame, of assignation, of prostitution, or any other house, room or place for persons to visit for unlawful sexual intercourse or for any other lewd, obscene, indecent or disorderly purpose; and prescribing remedies and penalties for the prevention of the same.  
 Introduction, 144.  
 Reference, 144.  
 Reported, 822, 915, 932, 1805.  
 Passed or lost, 1153.  
 Received from senate, 1717.  
 Other action, 1062, 1816, 1870.

**House Bill No. 137.—(Homnes)**

A bill for an act to reimburse district judges called to sit in hearing of cases before supreme court when regular members thereof are disqualified.  
 Introduction, 144.  
 Reference, 144.  
 Reported, 240, 280, 284, 1937.  
 Passed or lost, 302, 303.  
 Received from senate, 1701, 1864.  
 Other action, 1854, 1942, 2009.

**House Bill No. 138.—(Fox)**

A bill for an act requiring county auditors in all counties in the State of North Dakota, to deliver to the county treasurer all tax lists, and requiring the treasurer to publish the delinquent personal property tax assessed, and appearing unpaid and not cancelled.  
 Introduction, 144.  
 Reference, 144.  
 Reported, 863.

**House Bill No. 139.—(Burnett)**

A bill for an act defining the powers of county commissioners relating to highways and bridges.  
 Introduction, 145.  
 Reference, 145.  
 Reported, 546, 1505.

**House Bill No. 140.—(Sorlie)**

A bill for an act to amend Sections 4036, 4037, 4039 and 4042 of the Revised Codes of the State of North Dakota for 1905, relating to marriage contract, who may solemnize marriages, marriage licenses, marriage certificates, marriage records and certified copies of marriage records.  
 Introduction, 145.  
 Reference, 145.  
 Reported, 617.

**House Bill No. 141.—(Peart)**

A bill for an act establishing a fruit and plant breeding station in North Dakota.  
 Introduction, 145.  
 Reference, 145.  
 Reported, 1071.

**House Bill No. 142.—(Fox)**

A bill for an act to prevent the setting of fires by threshing engines or other stationary or portable engines, that exhaust through the smoke stack.  
 Introduction, 146.  
 Reference, 146.  
 Reported, 287.

**House Bill No. 143.—(Fox)**

A bill for an act to prevent the setting of fire and to provide that all threshing machines or traction or portable engines shipped into the State of North Dakota shall be provided with the most effective spark arrester.  
 Introduction, 146.  
 Reference, 146.  
 Reported, 286.

**House Bill No. 144.—(Doyle of Foster)**

A bill for an act providing for defraying the expenses incurred by judges of the district courts in attending sessions of the supreme court when called so to do pursuant to Section 100 of the Constitution.

Introduction, 146.

Reference, 146.

Reported, 242.

**House Bill No. 145.—(Ployhar)**

A bill for an act to provide for making permanent improvements at the State Normal school at Valley City, to assist in the maintenance thereof, and for other purposes, and making appropriations therefor.

Introduction, 146.

Reference, 146.

Reported, 1075, 1169, 1277, 1978, 2070.

Passed or lost, 1392, 1978.

Received from senate, 1702.

Other action, 1886, 1978, 1981, 2063, 2136, 2149.

**House Bill No. 146.—(Ulsaker)**

A bill for an act making appropriation to pay balance due on girls' dormitory and domestic science laboratory, and for the equipment and furnishing of same; for the installation of a boiler and smoke stack for the heating plant and for the purchase of additional land for the use of the government experiment station at Fargo.

Introduction, 147.

Reference, 147.

Reported, 1075.

**House Bill No. 147.—(Walters)**

A bill for an act providing for the appointment of a superintendent of roads in organized counties, who shall have charge and supervision of the construction, grading, improving, repairing and draining of roads within said county, and fixing the salary, and providing for the ap-

**House Bill No. 147—Continued.**

pointment of deputies and repealing all laws in conflict therewith, and particularly Sections 1386, 3062, 3110 of the Revised Codes of 1905, insofar as they apply to the appointment or election of road overseers and road supervisors.

Introduction, 147.

Reference, 148.

Other action, 296.

**House Bill No. 148.—(Doyle of Mc-**

Intosh)

A concurrent resolution for an amendment to the Constitution for the initiative and referendum.

Introduction, 148.

Reference, 148.

Other action, 151.

**House Bill No. 149.—(Tollefson)**

A bill for an act to prohibit the hunting, shooting at, killing, or in any way destroying any deer within the boundary limit of the State of North Dakota, before

January 1, 1915.

Introduction, 148.

Reference, 148.

Reported, 747.

**House Bill No. 150.—(Norheim)**

A bill for an act to amend Section 36, Chapter 128 of the Session Laws of 1909, relating to the hunting, shooting, killing and capturing of deer within the limits of the State of North Dakota, and providing for penalty for violation of the provisions of this act.

Introduction, 151.

Reference, 151.

Reported, 1489.

**House Bill No. 151.—(Davis)**

A bill for an act to amend Section 2437 of the Revised Codes of North Dakota for 1905, relating to proposals and acceptance of bonds of county depositaries.

Introduction, 151.

**House Bill No. 151.—Continued.**

Reference, 151.  
 Reported, 474, 589, 600, 1805.  
 Passed or lost, 636.  
 Received from senate, 1736.  
 Other action, 1816, 1870.

**House Bill No. 152.—(Fraine)**

A bill for an act to specify and authorize a state flag.

Introduction, 151.  
 Reference, 151.  
 Reported, 319, 344, 1805.  
 Passed or lost, 374.  
 Received from senate, 1736.  
 Other action, 375, 1816, 1870.

**House Bill No. 153.—(Jordal)**

A bill for an act to amend and reenact Section 1597 of Chapter 219, Laws of 1907, relative to duty of county auditor, and requirements of tax deeds.

Introduction, 151.  
 Reference, 153.  
 Reported, 351, 408, 442, 1191, 1217.  
 Passed or lost, 465.  
 Received from senate, 928.  
 Other action, 1067, 1200, 1547.

**House Bill No. 154.—(Kyllo)**

A bill for an act to amend Section 9363 of the Revised Codes of the State of North Dakota of 1905, as amended by Section 10 of Chapter 183 of the Laws of 1909.

Introduction, 152.  
 Reference, 152.  
 Reported, 937, 1111, 1290, 1464.  
 Passed or lost, 1467.  
 Received from senate, 1971.

**House Bill No. 155.—(Fassett)**

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

Introduction, 152.  
 Reference, 152.  
 Reported, 481, 1042, 1225, 1307, 2006.  
 Passed or lost, 1442, 1823.  
 Received from senate, 1699.  
 Other action, 1149, 1823, 2015, 2135.

**House Bill No. 156.—(Lee)**

A bill for an act relating to the qualifications of all state, county and city elective officers.

Introduction, 152.  
 Reference, 152.  
 Reported, 818.

**House Bill No. 157.—(Moen of Benson)**

A bill for an act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Introduction, 152.  
 Reference, 152.  
 Reported, 1140, 1244, 1305.  
 Passed or lost, 1480.  
 Received from senate, 1970.

**House Bill No. 158.—(Sauer)**

A bill for an act to amend Section 7117 of the Revised Codes of North Dakota, 1905, relating to additional exemptions allowed the head of a family residing in North Dakota.

Introduction, 152.  
 Reference, 152.  
 Reported, 316, 387, 414, 986, 1079.  
 Passed or lost, 455, 456.  
 Received from senate, 921.  
 Other action, 1015, 1213.

**House Bill No. 159.—(Williams.)**

A bill for an act to amend Section 1, Chapter 45, Laws of 1907.

Introduction, 153.  
 Reference, 153.  
 Reported, 1492.

**House Bill No. 160.—(Sgutt)**

A bill for an act to amend Section 8799 of the Revised Codes of the State of North Dakota for the year 1905.

Introduction, 153.  
 Reference, 153.  
 Reported, 527, 675.

**House Bill No. 161.—(Burnett)**

A bill for an act regulating the taxation of mortgages.

Introduction, 153.  
 Reference, 153.  
 Reported, 610.  
 Other action, 360.

**House Bill No. 162.—(Sauer)**

A bill for an act to amend Section 5049 of the Revised Codes of North Dakota, 1905, creating and defining and limiting the homestead of the head of a family residing in this state.

Introduction, 153.

Reference, 153.

Reported, 528.

**House Bill No. 163.—(Lee)**

A bill for an act to amend Chapter 197 of the Session Laws of 1909, relating to delinquent personal property taxes, when they shall become due, and the manner of collection.

Introduction, 153.

Reference, 153.

Reported, 351, 408, 442.

Passed or lost, 464, 613, 728.

**House Bill No. 164.—(Anderson of Ramsey)**

A bill for an act to require public warehouses to clean all grain handled by them before testing the same for grade, and providing a penalty for the violation of this act.

Introduction, 154.

Reference, 154.

Reported, 287.

**House Bill No. 165.—(Nestos)**

A bill for an act to create a bureau of inspection and supervision of public offices, and to establish a uniform system of public accounting, auditing and reporting, under the administration of the state examiner.

Introduction, 157.

Reference, 158.

Reported, 415, 558, 600.

Passed or lost, 630, 631, 632.

Received from senate, 1675.

**House Bill No. 166.—(Hoge)**

A bill for an act to amend Section 1484 of the Political Code, Revised Codes of North Dakota, 1905, and amendments thereto, relating to property exempt from taxation.

Introduction, 158.

Reference, 158.

Reported, 611.

**House Bill No. 167.—(Fraine)**

A bill for an act to amend Section 2586 of the Revised Codes of North Dakota of 1905.

Introduction, 158.

Reference, 158.

Reported, 617.

**House Bill No. 168.—(Homnes)**

A bill for an act providing for the appointment of a commission to draft a revision of the probate code of the State of North Dakota, and appropriating money therefor.

Introduction, 158.

Reference, 158.

Reported, 346, 390, 790, 842.

Passed or lost, 419, 644.

Received from senate, 577.

Other action, 644, 801, 1057.

**House Bill No. 169.—(Scott)**

A bill for an act to pay road tax in money.

Introduction, 158.

Reference, 158.

Reported, 936, 1111.

**House Bill No. 170.—(Hyland)**

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

Introduction, 158.

Reference, 159.

Reported, 609, 728, 803, 1677, 1690

Passed or lost, 880.

Received from senate, 1609.

Other action, 1671, 1989.



**House Bill No. 171.—(Fraine)**

A bill for an act to amend Section 1167 of the Revised Codes of 1905, as amended by Section 2 of Chapter 237, Session Laws of 1907.

Introduction, 159.  
Reference, 159.  
Reported, 222, 240, 441.  
Passed or lost, 251.  
Received from senate, 399.  
Other action, 454, 519, 545.

**House Bill No. 172.—(Moen of Benson)**

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota of 1905, relating to proof of planting trees.

Introduction, 159.  
Reference, 159.  
Reported, 390, 414, 1677, 1690.  
Passed or lost, 424.  
Received from senate, 1609.  
Other action, 1672, 1989.

**House Bill No. 173.—(Hoge)**

A bill for an act to amend and reenact Section 4201 of the Civil Code of the Revised Codes of North Dakota of 1905, relating to by-laws of private corporations.

Introduction, 159.  
Reference, 159.  
Reported, 289, 311, 412, 856, 899.  
Passed or lost, 376, 377, 758, 759.  
Received from senate, 74.  
Other action, 367, 378, 758, 872, 1056.

**House Bill No. 174.—(DeNault)**

A bill for an act to amend and reenact Section 3, Chapter 137 of the Session Laws of 1907.

Introduction, 159.  
Reference, 159.  
Reported, 222, 257, 262, 283, 441.  
Passed or lost, 270.  
Received from senate, 400.  
Other action, 454, 519, 545.

**House Bill No. 175.—(Doyle of McIntosh)**

A concurrent resolution for an amendment to the Constitution, providing for the initiative and referendum.

Introduction, 159.  
Reference, 160.  
Reported, 414, 825.

**House Bill No. 176.—(Fraine)**

A bill for an act to amend Sections 2 and 4 of Chapter 174 of the Session Laws of 1907.

Introduction, 160.  
Reference, 160.  
Reported, 317, 344, 1786.  
Passed or lost, 371, 895, 896.  
Received from senate, 1682.  
Other action, 372, 1821, 1990.

**House Bill No. 177.—(Englund)**

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway commissioners to appoint agents at terminal points of Duluth and Minneapolis, for the benefit of shippers of grain of this state, and providing for the compensation and appropriating funds for the purpose of carrying out the provisions of this act.

Introduction, 169.  
Reference, 169.  
Reported, 857, 930, 1024, 2148.  
Passed or lost, 972, 1875.  
Received from senate, 1474, 2132.  
Other action, 1475, 1611, 1875, 2131, 2132, 2149, 2151.

**House Bill No. 178.—(Committee on Insurance)**

A bill for an act entitled, an act to amend Section 4429 of the Revised Codes of North Dakota of 1905, as amended by Chapter 147 of the Session Laws of 1909, relating to the capital stock of domestic stock insurance companies.

Introduction, 169.  
Reference, 170.  
Reported, 385, 986, 1079.  
Passed or lost, 461, 462.  
Received from senate, 921.  
Other action, 1015, 1213.

**House Bill No. 179.—(Gorder)**

A bill for an act to repeal Chapter 153 of the Session Laws of 1907.  
Introduction, 170.  
Reference, 170.  
Reported, 523, 563.  
Other action, 582.

**House Bill No. 180.—(Stern)**

A bill for an act amending Section 8406, Revised Codes of 1905, providing when an action of forcible detainer is maintainable.  
Introduction, 170.  
Reference, 170.  
Reported, 567, 727, 801, 1807.  
Passed or lost, 877.  
Received from senate, 1753.  
Other action, 1818, 1872.

**House Bill No. 181.—(Tuttle)**

A bill for an act entitled, an act to amend Section 2 of Chapter 204 of the laws of 1909, entitled, "An act to amend Sections 811, 829, 882 and 883 of the Revised Codes of 1905, pertaining to education."  
Introduction, 170.  
Reference, 170.  
Reported, 443, 473, 1272.  
Passed or lost, 505.  
Received from senate, 1039.  
Other action, 1380, 1434.

**House Bill No. 182.—(Burns)**

A bill for an act making appropriations for the current and contingent expenses of the State Reform school of North Dakota, and for making permanent improvements thereto.  
Introduction, 170.  
Reference, 170.  
Reported, 1047, 1170, 1277.  
Passed or lost, 1438.

**House Bill No. 183.—(Boyd)**

A bill for an act to amend Section 5187 of the Revised Codes of 1905, relating to order of succession.  
Introduction, 171.  
Reference, 171.  
Reported, 696, 849, 929, 2069.  
Passed or lost, 1008.  
Received from senate, 1858.  
Other action, 2064, 2144.

**House Bill No. 184.—(Martin)**

A bill for an act making appropriation for establishing an agricultural sub-station on the reform school grounds near Mandan in Morton county.  
Introduction, 171.  
Reference, 171.  
Reported, 1071.

**House Bill No. 185.—(Stern)**

A bill for an act entitled, an act to regulate legal and equitable procedure in courts of record.  
Introduction, 171.  
Reference, 171.  
Reported, 566.

**House Bill No. 186.—(Stern)**

A bill for an act to amend Section 2406, Revised Codes, 1905, relating to the submission of extraordinary county expenditures to the vote of the people, and providing that the board of county commissioners may purchase land adjoining county buildings without submitting the question of such purchase to the vote of the people.  
Introduction, 171.  
Reference, 171.  
Reported, 807.

**House Bill No. 187.—(O'Shea)**

A bill for an act to amend Section 155 of Chapter 4 of the Political Code of the State of North Dakota, and all acts or parts of acts amendatory thereof, providing for the investment of moneys belonging to the permanent funds of the common schools, university, school of mines, reform school, agricultural college, school for the deaf and dumb, normal schools and all other permanent funds derived from the sale of public lands or any other source belonging to the school divisions of the state.  
Introduction, 171.  
Reference, 172.  
Reported, 568.

**House Bill No. 188.—(Moen of Benson)**

A bill for an act to amend Section 521 of the Revised Codes of 1905, relating to the furnishing of a list of jurors to the clerk of the district court.  
 Introduction, 172.  
 Reference, 172.  
 Reported, 618, 651, 810, 1786.  
 Passed or lost, 612, 969.  
 Received from senate, 1725.  
 Other action, 673, 1824, 1990.

**House Bill No. 189.—(Fried)**

A bill for an act amending and reenacting Section 2597 of the Revised Codes of 1905, relating to the fees of the office of the register of deeds.  
 Introduction, 172.  
 Reference, 172.  
 Reported, 442, 473.  
 Passed or lost, 503.  
 Received from senate, 2068.

**House Bill No. 190.—(Fox)**

A bill for an act providing for aid to the poor, consisting of persons convicted of crime who have been placed upon probation subject to the provisions of law, or who have been paroled or whose term of imprisonment has expired, and making an appropriation therefor.  
 Introduction, 172.  
 Reference, 172.  
 Reported, 564, 726, 803, 1805.  
 Passed or lost, 840.  
 Received from senate, 1700.  
 Other action, 1817, 1871.

**House Bill No. 191.—(Brusletten and Nelson)**

A bill for an act to provide an appropriation for the current and contingent expenses and for the permanent improvements for the State School of Science at Wahpeton.  
 Introduction, 173.  
 Reference, 173.  
 Reported, 1046, 1383, 1464.

**House Bill No. 192.—(Streeter)**

A bill for an act to amend Paragraph 2, Section 5187, Revised Codes of 1905, relating to succession of estates.  
 Introduction, 188.  
 Reference, 188.  
 Reported, 696.

**House Bill No. 193.—(Tollefson)**

A bill for an act to amend and reenact Section 2401, Article 10, Chapter 28 of the Revised Codes of 1905, relating to the duties of boards of county commissioners, superintend county fiscal affairs and providing for auditing and checking of officers.  
 Introduction, 188.  
 Reference, 188.  
 Reported, 289, 311, 2006.  
 Passed or lost, 365, 366.  
 Received from senate, 1858.  
 Other action, 2015, 2135.

**House Bill No. 194.—(Cunningham)**

A bill for an act regulating the issue of health certificates for live stock in transit or before shipment out of the state or upon entering the state and making certain acts in violation thereof misdemeanors.  
 Introduction, 188.  
 Reference, 188.  
 Reported, 315, 345, 1399, 1471.  
 Passed or lost, 369, 370.  
 Received from senate, 1269.  
 Other action, 371, 1409, 1990.

**House Bill No. 195.—(Anderson of Ramsey)**

A bill for an act to amend Section 2, Chapter 80, Laws of 1909, relating to practice in county courts.  
 Introduction, 189.  
 Reference, 189.  
 Reported, 528.

**House Bill No. 196.—(Peart)**

A bill for an act to amend Section 2972 of the Political Code of the Revised Codes of North Dakota of 1905.

**House Bill No. 196—Continued.**

Introduction, 189.  
 Reference, 189.  
 Reported, 660, 681, 1806.  
 Passed or lost, 709.  
 Received from senate, 1725.  
 Other action, 1817, 1871.

**House Bill No. 197.—(McClellan)**

A bill for an act to provide information to the resident tax payers of the state in respect to the various publications which are published for free distribution by the agricultural college and prescribing the duties of the agricultural college and of the county auditors in relation thereto.

Introduction, 189.  
 Reference, 189.  
 Reported, 525, 563, 1677, 1690.  
 Passed or lost, 582, 583.  
 Received from senate, 1610.  
 Other action, 1671, 1990.

**House Bill No. 198.—(Doyle of Foster)**

A bill for an act to amend Article 18, Chapter 4, of the Political Code of the Revised Codes of North Dakota of 1905, providing for the inspection of barber shops and the registration of barbers, the appointment of an inspector and examiner and compensation for duties performed.

Introduction, 189.  
 Reference, 189.  
 Reported, 1204.

**House Bill No. 199.—(Kyllo)**

A bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how taxes for same shall be levied and collected, and how expense and indemnity for losses by hail shall be paid.

**House Bill No. 199—Continued.**

Introduction, 206.  
 Reference, 206.  
 Reported, 871, 944.

**House Bill No. 200.—(Roquette)**

A bill for an act to regulate the importation of live stock into this state.

Introduction, 206.  
 Reference, 206.  
 Reported, 688, 941.

**House Bill No. 201.—(Fraine)**

A bill for an act providing that railroad and telephone companies file with county auditors, maps showing exact location of their lines in each assessment district and school district and the mileage of said lines and description of any other property owned in said district, and make reports to state auditor and state board of equalization, and providing penalties for violations of this act.

Introduction, 206.  
 Reference, 206.  
 Reported, 934, 1110, 1274, 2068.  
 Passed or lost, 1354.  
 Received from senate, 1925.  
 Other action, 2063, 2143.

**House Bill No. 202.—(Streeter)**

A bill for an act to appropriate the sum of nine hundred dollars with which to pay the amounts due, under Section 9202, Revised Codes of 1905, for the capture of horse thieves who were afterwards convicted.

Introduction, 207.  
 Reference, 207.  
 Reported, 1493.

**House Bill No. 203.—(O'Connor of Grand Forks)**

A bill for an act to amend Section 4069 of the Revised Codes of 1905, relating to the proof and procedure in cases of divorce.

Introduction, 207.  
 Reference, 207.  
 Reported, 565.

**House Bill No. 204.**—(O'Connor of Grand Forks)

A bill for an act entitled, an act requiring railway companies to furnish sites for flour and feed mills on their right of way and fixing the manner in which sites may be obtained.

Introduction, 207.  
Reference, 207.  
Reported, 692, 847, 929.  
Passed or lost, 1002.

**House Bill No. 205.**—(Hyland)

A bill for an act appropriating money for the construction and equipment of a dairy laboratory building and dairy cattle barn at the North Dakota Agricultural college at Fargo.

Introduction, 207.  
Reference, 207.  
Reported, 1069.

**House Bill No. 206.**—(Whitmer)

A bill for an act establishing a Missouri Slope agricultural fair at Mandan and making appropriation therefor.

Introduction, 208.  
Reference, 208.  
Reported, 569, 600, 1974.  
Passed or lost, 642, 1783.  
Received from senate, 1409.  
Other action, 1782, 1975, 2011.

**House Bill No. 207.**—(Anderson of Ramsey)

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

Introduction, 208.  
Reference, 208.  
Reported, 552, 676, 683, 1678, 1690.  
Passed or lost, 723.  
Received from senate, 1609.  
Other action, 1671, 1990.

**House Bill No. 208.**—(Ployhar)

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

Introduction, 208.  
Reference, 208.  
Other action, 264.

**House Bill No. 209.**—(Edwards)

A bill for an act to amend Chapter 70, Laws of 1909, relating to the investment of county sinking funds.

Introduction, 208.  
Reference, 208.  
Reported, 662, 731, 801, 1806.  
Passed or lost, 889.  
Other action, 1817, 1871.

**House Bill No. 210.**—(Olsgard of Nelson)

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

Introduction, 208.  
Reference, 208.  
Reported, 620, 1044, 1307, 1378, 1806.  
Passed or lost, 1156.  
Received from senate, 1703.  
Other action, 621, 1817, 1871.

**House Bill No. 211.**—(Burnett)

A bill for an act defining the method of assessing, determining the rate of taxation and disposition of taxes, railways, freight line companies, dining car companies, express companies, telegraph companies, telephone companies, or corporations engaged in carrying persons, property or messages in the State of North Dakota.

Introduction, 209.  
Reference, 209.  
Reported, 860, 1106.  
Other action, 1114.

**House Bill No. 212.**—(McClellan)

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of the school and public lands and reserving to the state the coal in them.

Introduction, 209.  
Reference, 209.  
Reported, 658, 681.  
Passed or lost, 706.  
Received from senate, 1080, 1970.

**House Bill, No. 213.—(Stern)**

A bill for an act to regulate the itinerant vending of medicines, nostrums and appliances for the treatment of disease, injury or deformity.

Introduction, 223.  
Reference, 224.  
Reported, 482, 592, 601, 698.  
Other action, 639.

**House Bill No. 214.—(Bjornson)**

A bill for an act to re-district the State of North Dakota into senatorial districts and apportion the senators and representatives therein.

Introduction, 224.  
Reference, 224.  
Reported, 992, 1508.  
Other action, 1052.

**House Bill No. 215.—(Ployhar)**

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.

Introduction, 224.  
Reference, 224.  
Reported, 828, 854, 1937.  
Passed or lost, 885, 956, 1798.  
Received from senate, 1708.  
Other action, 886, 956, 1798, 1809, 1942, 2009.

**House Bill No. 216.—(Ployhar)**

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Introduction, 224.  
Reference, 224.  
Reported, 829, 855.  
Passed or lost, 958, 1859.  
Received from senate, 1709.  
Other action, 886, 958, 1797, 1809, 1810, 1811, 1936.

**House Bill No. 217.—(Knox)**

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

Introduction, 224.

**House Bill No. 217.—Continued.**

Reference, 224.  
Reported, 691, 736, 1398, 1471.  
Passed or lost, 753.  
Received from senate, 1270.  
Other action, 1408, 1990.

**House Bill No. 218.—(Thompson)**

A bill for an act making an appropriation for the normal school at the city of Minot to meet the expenditure for the erection of buildings, and permanent improvements necessary in connection therewith, and for furnishings, equipment and maintenance.

Introduction, 243.  
Reference, 244.  
Reported, 1078, 1168, 1278.  
Passed or lost, 1391.

**House Bill No. 219.—(Kuhl)**

A bill for an act to prevent fraud in taking mortgages on personal property, to extend the time of validity of the same, to provide a penalty for alteration, and to repeal Section 6186 of the Revised Codes of 1905.

Introduction, 244.  
Reference, 244.  
Reported, 620, 729, 736.  
Passed or lost, 755, 756.  
Received from senate, 1972.  
Other action, 814, 957.

**House Bill No. 220.—(Fraine)**

A bill for an act to repeal Sections 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362, 9363, 9364 and 9365 of the Revised Codes of 1905, and Chapter 183 of the Session Laws of 1909, relating to permits to sell intoxicating liquors.

Introduction, 244.  
Reference, 244.  
Reported, 937.

**House Bill No. 221.—(Martin)**

A bill for an act to amend and reenact Section 4303 of the Revised Codes of 1905, and repeal Section 4304 of said code.

Introduction, 244.

**House Bill No. 221—Continued.**

Reference, 244.  
 Reported, 479, 520, 602, 1398, 1471.  
 Passed or lost, 670.  
 Received from senate, 1270.  
 Other action, 543, 1408, 1991.

**House Bill No. 222.—(Homnes)**

A bill for an act to divide the State of North Dakota into three congressional districts, and defining the boundaries thereof.  
 Introduction, 244.  
 Reference, 245.  
 Reported, 1508, 1568.  
 Passed or lost, 1621.  
 Other action, 1569, 1621, 1878.

**House Bill No. 223.—(Streeter)**

A bill for an act to amend Section 2613 of the Revised Codes of 1905, relating to the compensation and office hours of county commissioners.  
 Introduction, 245.  
 Reference, 245.  
 Reported, 806, 914, 932, 2006.  
 Passed or lost, 1053.  
 Received from senate, 1876.  
 Other action, 2016, 2135.

**House Bill No. 224.—(Fox)**

A bill for an act to amend Section 9465 of the Revised Codes of North Dakota of 1905, relative to the killing of beaver.  
 Introduction, 245.  
 Reference, 245.  
 Reported, 1309.

**House Bill No. 225.—(Heinemeyer)**

A bill for an act to amend and re-enact Section 537 of the Revised Codes of North Dakota for 1905, relating to the bonds of notaries public.  
 Introduction, 245.  
 Reference, 245.  
 Reported, 483, 592, 601, 1866.  
 Passed or lost, 639.  
 Received from senate, 1740.  
 Other action, 1817, 1871.

**House Bill No. 226.—(Tostenson)**

A bill for an act to amend Sections 1954, 1955, 1956, 1962, 1963, 1964 and 1965, relating to the bounty on wolves.  
 Introduction, 245.  
 Reference, 245.  
 Reported, 618.

**House Bill No. 227.—(Tostenson)**

A bill for an act to amend and re-enact Section 7475 of the Revised Codes of 1905, State of North Dakota, relating to costs and disbursements on the foreclosure of a real estate mortgage by advertisement.  
 Introduction, 246.  
 Reference, 246.  
 Reported, 566, 727, 801.  
 Passed or lost, 841.  
 Received from senate, 1080.

**House Bill No. 228.—(Price)**

A bill for an act providing for the appointment of a fire marshal, defining his duties and his compensation therefor.  
 Introduction, 246.  
 Reference, 246.  
 Reported, 1137.

**House Bill No. 229.—(Homnes)**

A bill for an act amending Section 476 of the Revised Codes of North Dakota of 1905, relating to boundaries of, and terms of court in the Eighth judicial district.  
 Introduction, 246.  
 Reference, 246.  
 Reported, 939, 1111, 1274, 1807.  
 Passed or lost, 1359.  
 Received from senate, 1717.  
 Other action, 1819, 1873.

**House Bill No. 230.—(Fraine)**

A bill for an act to amend Chapter 120 of the Session Laws of 1909.  
 Introduction, 246.  
 Reference, 246.  
 Reported, 942, 985.  
 Passed or lost, 1062.  
 Received from senate, 1970.  
 Other action, 1015.

**House Bill No. 231.—(Geiger)**

A bill for an act to amend Section 35, Chapter 128 of the Session laws of 1909—House Bill No. 156.  
 Introduction, 246.  
 Reference, 247.  
 Reported, 1491.  
 Passed or lost, 1540.  
 Other action, 1539.

**House Bill No. 232.—(Lee)**

A bill for an act providing for salary for sheriffs and providing for fees collected by sheriffs to be turned into the county treasurer of their respective counties, and prescribing for a penalty for failure to do so.  
 Introduction, 247.  
 Reference, 247.  
 Reported, 1134, 1136, 1242, 1419, 2139.  
 Passed or lost, 1477, 1955.  
 Received from senate, 1923.  
 Other action, 1478, 1950, 1955, 2137, 2150.

**House Bill No. 233.—(Pendray)**

A bill for an act relating to the duties of auctioneers.  
 Introduction, 247.  
 Reference, 247.  
 Reported, 533.

**House Bill No. 234.—(Scheer)**

A bill for an act to provide funds to reimburse the counties whose treasurers paid reward for arrest and conviction of violators of the prohibition law, according to Section 9395, of the Revised Codes of 1905, which section provides for a reward of fifty (\$50) dollars for each conviction, to be paid by the county treasurer upon the order of the court in which the conviction was made, and for which payment the county treasurer shall be allowed to withhold taxes due the state any such amounts as he may have paid.  
 Introduction, 247.  
 Reference, 247.  
 Reported, 1043, 1167, 1278.  
 Passed or lost, 1381.  
 Received from senate, 1674.

**House Bill No. 235.—(Martin)**

A bill for an act to extend payment of taxes for the year 1910, and providing when the same shall become delinquent.  
 Introduction, 264.  
 Reference, 264.  
 Reported, 613.

**House Bill No. 236.—(Tostenson)**

A bill for an act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors.  
 Introduction, 264.  
 Reference, 265.  
 Reported, 825.

**House Bill No. 237.—(Doyle of Foster, and Ployhar)**

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum, recall of public officers and future amendments to the constitution.  
 Introduction, 265.  
 Reference, 265.  
 Reported, 826, 949, 1025, 2069.  
 Passed or lost, 951, 1820.  
 Received from senate, 1660.  
 Other action, 950, 1820, 2064, 2144.

**House Bill No. 238.—(Norheim)**

A bill for an act to amend Section 1484 of the Revised Codes of North Dakota of 1905, relating to exemptions.  
 Introduction, 265.  
 Reference, 265.  
 Reported, 612.

**House Bill No. 239.—(Homnes)**

A bill for an act to amend Section 10433 of the Revised Codes of the State of North Dakota, for the year 1905, relating to the commitment of prisoners to jail from counties having no jail.  
 Introduction, 265.  
 Reference, 265.  
 Reported, 569, 602, 1808.  
 Passed or lost, 627.  
 Received from senate, 1717.  
 Other action, 1819, 1873.



**House Bill No. 240.—(Knox)**

A bill for an act governing checks drawn without funds in bank.  
Introduction, 265.  
Reference, 265.  
Reported, 532.

**House Bill No. 241.—(Hanson)**

A bill for an act to amend Chapter 145, laws of 1907, being, an act to prohibit the issuance of non-participating policies of certain life insurance companies.  
Introduction, 266.  
Reference, 266.  
Reported, 935, 1110, 1273.  
Passed or lost, 1356.  
Received from senate, 1795.

**House Bill No. 242.—(Davidson)**

A bill for an act to amend Section 1968 of the Revised Codes of 1905.  
Introduction, 266.  
Reference, 266.  
Reported, 483, 520, 1273.  
Passed or lost, 543, 1214.  
Received from senate, 927.  
Other action, 1067, 1381, 1435, 1991.

**House Bill No. 243.—(De Nault)**

A bill for an act to amend Section 44, Chapter 128 of the Session Laws of 1909, relating to time when fish may be taken.  
Introduction, 266.  
Reference, 266.  
Reported, 746.

**House Bill No. 244.—(De Nault)**

A bill for an act defining the boundaries of the Fifth judicial district, fixing the terms of court therein, and validating certain judgments.  
Introduction, 266.  
Reference, 266.  
Reported, 831.

**House Bill No. 245.—(De Nault)**

A bill for an act specifying that certain county offices shall be kept open for business during business hours of business days.  
Introduction, 266.  
Reference, 267.  
Reported, 809, 914, 932.  
Passed or lost, 1059.  
Received from senate, 1733.

**House Bill No. 246.—(De Nault)**

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.  
Introduction, 267.  
Reference, 267.  
Reported, 830.

**House Bill No. 247.—(Fox)**

A bill for an act to amend Section 2617 of the Revised Codes of North Dakota, relating to the salary of deputies, how determined.  
Introduction, 268.  
Reference, 268.  
Reported, 534.  
Received from senate, 1856.

**House Bill No. 248.—(Fox)**

A bill for an act to amend Section 2618 of the Revised Codes of North Dakota, of 1905, relating to deputies and clerks allowed, when.  
Introduction, 268.  
Reference, 268.  
Reported, 533.

**House Bill No. 249.—(Andrus)**

A bill for an act prohibiting drinking intoxicating liquors on railroad trains in North Dakota, prescribing penalty for violation thereof and prescribing duties of peace officers.  
Introduction, 269.  
Reference, 269.  
Reported, 522, 674, 681.  
Passed or lost, 717.  
Received from senate, 1856.

**House Bill No. 250.—(Reeve)**

A bill for an act to amend and reenact Section 1348, Article 1, Chapter 19, of the Revised Codes of North Dakota of 1905, pertaining to public highways, defining the lines of public roads, and width of same.

Introduction, 269.

Reference, 269.

Reported, 485.

**House Bill No. 251.—(Doyle of McIntosh)**

A bill for an act to amend and reenact Section 1933 of the Revised Codes of 1905, of the State of North Dakota.

Introduction, 269.

Reference, 269.

Reported, 619.

Other action, 665.

**House Bill No. 252.—(Olsgard of Nelson)**

A bill for an act to divide the State of North Dakota into three (3) congressional districts, and defining the boundaries of each of said congressional districts of the state of North Dakota.

Introduction, 269.

Reference, 269.

Reported, 1507, 1568.

Passed or lost, 1634.

Received from senate, 2155.

Other action, 1569, 1570, 1617, 1619, 1620, 1621, 1633.

**House Bill No. 253.—(Gardiner)**

A bill for an act requiring the owners of contracts creating liens on or reserving title in grain, to notify elevators of such liens or reservations of title.

Introduction, 270.

Reference, 270.

Other action, 451.

**House Bill No. 254.—(Fraine)**

A bill for an act to amend Section 7894 of the Revised Codes of 1905, relating to who shall act when a county judge is disqualified or absent.

Introduction, 270.

Reference, 270.

Reported, 609, 651, 930.

Passed or lost, 671.

Received from senate, 881.

Other action, 957, 1056.

**House Bill No. 255.—(Martin)**

A bill for an act to require coroners to conduct and hold inquests in cases of railroad accidents.

Introduction, 297.

Reference, 297.

Reported, 529, 1132, 1241, 1305.

Passed or lost, 1476.

Received from senate, 1970.

**House Bill No. 256.—(De Nault)**

A bill for an act to divide the State of North Dakota into three congressional districts, and defining the boundaries thereof.

Introduction, 297.

Reference, 297.

Reported, 1509.

**House Bill No. 257.—(Hyland)**

A bill for an act to provide for the better preservation of all plats and plans on file in the register of deeds office in organized counties.

Introduction, 297.

Reference, 297.

Reported, 1226, 1245, 1306, 1937.

Passed or lost, 1561.

Received from senate, 1857.

Other action, 1943, 2010.

**House Bill No. 258.—(Peart)**

A bill for an act to repeal Sections 4602 and 4603 of the Revised Codes of the State of North Dakota, relating to the regulation of the importation of dependent children into North Dakota from other states, and the giving of bonds therefor.

Introduction, 297.

Reference, 297.

Other action, 534.

**House Bill No. 259.—(Davidson)**

A bill for an act providing for the nomination of candidates for office by popular vote at a primary election, and the registration and enrollment of party affiliation.

Introduction, 298.

Reference, 298.

Reported, 1495, 2140.

Passed or lost, 1548, 1954.

Received from senate, 1892.

Other action, 1548, 1953, 1954, 2136, 2149.

**House Bill No. 260.—(Hoge)**

A bill for an act to amend Section 12, Chapter 109, of the laws of 1907, entitled, an act providing for the selection of candidates for election by popular vote, and relating to their nomination and perpetuation of political parties, and relating particularly to percentage of votes required to nominate candidates.

Introduction, 298.

Reference, 298.

Reported, 523, 674, 682, 1932.

Passed or lost, 719, 1788.

Received from senate, 1718.

Other action, 1788, 1933, 2008.

**House Bill No. 261.—(Hoge)**

A bill for an act to repeal Chapter 82 of the laws of 1909, relating to non-partisan judiciary.

Introduction, 298.

Reference, 298.

Reported, 565.

**House Bill No. 262.—(Committee on Railroads)**

A bill for an act to prohibit public officers from asking, accepting or using a free pass, frank or privilege withheld from any other person for the traveling accommodation or transportation of any person or property, or the transmission of any message or communication.

Introduction, 305.

Reference, 305.

Reported, 588, 602.

Passed or lost, 633.

Received from senate, 1608.

**House Bill No. 263.—(Gorder)**

A bill for an act to amend Section 2439 of the Revised Codes of 1905, as amended by Chapter 70 of the 1909 Session Laws, relating to sinking funds and the duty of county commissioners pertaining thereto.

Introduction, 305.

Reference, 305.

Reported, 476, 589, 664.

**House Bill No. 264.—(O'Connor of Grand Forks)**

A bill for an act to amend Section 4112 of the Revised Codes of 1905, relating to the adoption of minor children.

Introduction, 361.

Reference, 361.

Reported, 529, 676, 682, 1806.

Passed or lost, 722.

Received from senate, 1716.

Other action, 1817, 1871.

**House Bill No. 265.—(Fritz)**

A bill for an act providing for the construction and maintenance of wire fences along public highways, and providing for penalties for violations of the provisions of this act.

Introduction, 361.

Reference, 361.

Reported, 743.

**House Bill No. 266.—(Bjornson)**

A bill for an act to appropriate money for a root cellar and for the purchase of brood mares for the Edgeley experiment station, located at the city of Edgeley in LaMoure county.

Introduction, 362.

Reference, 362.

Reported, 1224, 1245, 1306, 1806.

Passed or lost, 1512.

Received from senate, 1703.

Other action, 1817, 1871.

**House Bill No. 267.—(De Nault)**

A bill for an act to amend and reenact Chapter 172 of the laws of the state of North Dakota for 1907, relating to whom may

**House Bill No. 267—Continued.**

solemnize marriages and to marriage license.  
 Introduction, 362.  
 Reference, 362.  
 Reported, 619, 729, 803.  
 Passed or lost, 884.  
 Received from senate, 1747.

**House Bill No. 268.—(Hanson)**

A bill for an act entitled, an act to amend Section 1872 of the Revised Codes of North Dakota of 1905 as amended by Chapter 65 of the Session Laws of 1907, relating to duties of superintendent of county asylum and poor farm.  
 Introduction, 362.  
 Reference, 362.  
 Reported, 1484.

**House Bill No. 269.—(Hedalen)**

A bill for an act entitled, an act to amend and re-enact Sections 1352 and 1353 of Chapter 19 of the Revised Codes of North Dakota for the year 1905, relating to altering, discontinuing and laying out public roads and defining what shall be deemed sufficient notices to all parties concerned.  
 Introduction, 362.  
 Reference, 362.  
 Reported, 652, 730, 802, 1974.  
 Passed or lost, 886, 1811.  
 Received from senate, 1753.  
 Other action, 1811, 1975, 2012.

**House Bill No. 270.—(Stern)**

A bill for an act to amend Article 4 of Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.  
 Introduction, 363.  
 Reference, 363.  
 Reported, 659, 682, 1398, 1472.  
 Passed or lost, 708.  
 Received from senate, 1270.  
 Other action, 1408, 1991.

**House Bill No. 271.—(Hoge)**

A bill for an act to create a state board of control, and provide for the management and control of the soldiers' home, the charitable, reformatory and penal institutions of the state, and to provide for supervisory powers over the state educational institutions, and to make an appropriation therefor, and for the defining of certain offenses and providing penalties therefor.  
 Introduction, 363.  
 Reference, 363.  
 Reported, 698, 833, 899, 902, 903, 1123, 1983.  
 Passed or lost, 905, 952, 1778.  
 Received from senate, 1748.  
 Other action, 839, 906, 1777, 1983, 2012.

**House Bill No. 272.—(Tostenson)**

A bill for an act establishing a state hail insurance department and making the commissioner of agriculture and labor also the commissioner of state hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how premiums shall be paid and collected, and how expense and indemnity for losses by hail shall be paid.  
 Introduction, 363.  
 Reference, 363.  
 Reported, 870, 944.

**House Bill No. 273.—(Lageson)**

A bill for an act to regulate the size and construction of ca-boose cars.  
 Introduction, 364.  
 Reference, 364.  
 Reported, 748, 850, 929, 1678, 1690.  
 Passed or lost, 1010.  
 Received from senate, 1609.  
 Other action, 1672, 1991.

**House Bill No. 274.—(Hyland)**

A bill for an act to run a survey or surveys from the Mouse river to Devils lake for the purpose of determining the feasibility of draining the surplus flood waters of the Mouse river into Devils lake; and making an appropriation therefor.

Introduction, 364.

Reference, 364.

Reported, 863, 1045, 1806.

Passed or lost, 1176.

Received from senate, 1702.

Other action, 1818, 1872.

**House Bill No. 275.—(Davidson)**

A bill for an act entitled, "An act to regulate and provide for admission of live stock into the state of North Dakota from all other states and territories and foreign countries; and providing penalties for violation thereof"

Introduction, 364.

Reference, 364.

Reported, 567, 689, 846, 929, 1960.

Passed or lost, 1000, 1874.

Received from senate, 1607.

Other action, 568, 1611, 1874, 1964, 2007.

**House Bill No. 276.—(O'Connor of Pembina)**

A bill for an act to provide for making needed improvements for the North Dakota Blind Asylum at Bathgate; and making an appropriation therefor.

Introduction, 364.

Reference, 364.

Reported, 1046, 1170, 1278, 1808.

Passed or lost, 1395.

Received from senate, 1682.

Other action, 1819, 1873.

**House Bill No. 277.—(Christenson)**

A bill for an act to prohibit the marriage of insane, epileptic, or feeble-minded persons.

Introduction, 364.

Reference, 365.

Reported, 687, 736.

Passed or lost, 752.

Received from senate, 1926.

**House Bill No. 278.—(Andrus)**

A bill for an act to provide for the payment of the expenses of district judges when acting outside of their judicial districts.

Introduction, 365.

Reference, 365.

Reported, 608, 728, 802, 2007.

Passed or lost, 878.

Received from senate, 1713, 1861.

Other action, 1854, 2015, 2135.

**House Bill No. 279.—(DeNault)**

A bill for an act to make it a felony, and providing a penalty for a guardian, county commissioner, or official or employe in a penal, correctional or eleemosynary institution, to induce a female ward, or pauper under his care, or an inmate of such institution, to have illicit sexual intercourse with him by threatening to withhold the necessities of life, or threatening physical violence.

Introduction, 365.

Reference, 365.

Reported, 662, 942, 985, 1807.

Passed or lost, 1149.

Received from senate, 1724.

Other action, 1016, 1818, 1872.

**House Bill No. 280.—(Robinson and Reeve)**

A bill for an act to divide the state of North Dakota into three congressional districts.

Introduction, 365.

Reference, 365.

Reported, 1509.

**House Bill No. 281.—(Fraine)**

A bill for an act to authorize a popular vote upon the question of calling a delegate convention to amend and revise the Constitution of the state of North Dakota.

Introduction, 400.

Reference, 400.

Reported, 695, 803.

Passed or lost, 838.

**House Bill No. 282. (Kyllo)**

A bill for an act to regulate clearance of obstructions on railroads.

Introduction, 400.  
Reference, 401.  
Reported, 1281, 1384, 1464.  
Passed or lost, 1519.  
Received from senate, 1971.  
Other action, 1517.

**House Bill No. 283.—(Withdrawn)**

Introduction, 1505.

**House Bill No. 284.—(Davis)**

A bill for an act to amend Section 4177 of the Revised Codes of North Dakota of 1905, as amended by Chapter 64 of the Laws of North Dakota of 1909, relating to fees for filing articles of incorporation.

Introduction, 401.  
Reference, 401.  
Reported, 933, 1109, 1273, 1935.  
Passed or lost, 1353, 1791.  
Received from senate, 1666.  
Other action, 1791, 1940, 2010.

**House Bill No. 285.—(Hyland)**

A bill for an act to amend Section 9445 of the Revised Codes of North Dakota for 1905, relating to unlawful obligations in writing.

Introduction, 401.  
Reference, 401.  
Reported, 859, 929, 1114.  
Passed or lost, 974, 1364.  
Other action, 1363.

**House Bill No. 286.—(Hyland)**

A bill for an act to provide for the completion of a school building and making necessary improvements at the school for the deaf and dumb at Devils Lake, North Dakota, and making an appropriation therefor.

Introduction, 401.  
Reference, 401.  
Reported, 1070, 1171, 1275.  
Passed or lost 1441.  
Received from senate, 1675.

**House Bill No. 287.—(Tuttle)**

A bill for an act to amend and reenact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

Introduction, 404.  
Reference, 404.  
Reported, 652.

**House Bill No. 288.—(De Nault)**

A bill for an act to amend Section 9319 of the Revised Codes of North Dakota for 1905, relating to the abuse of domestic animals and providing punishment therefor.

Introduction, 404.  
Reference, 404.  
Reported, 943, 985, 1935.  
Passed or lost, 1016, 1800.  
Received from senate, 1661.  
Other action, 1799, 1940, 2010.

**House Bill No. 289.—(Homnes)**

A bill for an act to divide the state of North Dakota into two congressional districts and defining the boundaries thereof.

Introduction, 404.  
Reference, 404.  
Reported, 1507.

**House Bill No. 290.—(Hawkinson)**

A bill for an act to amend and reenact Chapter 221 of the Session Laws of North Dakota of 1907, entitled, an act providing for the giving of notice by merchants to their creditors before making sale of their entire stock of business.

Introduction, 417.  
Reference, 417.  
Reported, 736.  
Other action, 755.

**House Bill No. 291.—(Ulsaker)**

A bill for an act to amend Chapter 93 of the Session Laws of 1909, relating to compensation of election officers and rental of polling places.

Introduction, 417.  
Reference, 417.  
Reported, 697, 843, 929.  
Passed or lost, 1009.  
Received from senate, 1733.

**House Bill No. 292.—(Hyland)**

A bill for an act to amend Section 7045 of the Revised Codes of 1905, relating to the calling of another judge on account of prejudice or bias.  
Introduction, 417.  
Reference, 417.  
Reported, 608, 702.

**House Bill No. 293.—(Williams)**

A bill for an act providing for the extension of the state street car line from the capitol down 9th street to a point at or near Broadway in the city of Bismarck—thence to the state penitentiary; and providing for its equipment and making an appropriation therefor.  
Introduction, 436.  
Reference, 437.  
Reported, 1037, 1387, 1464, 2069.  
Passed or lost, 1525, 1881.  
Received from senate, 1700.  
Other action, 1037, 1824, 1825, 1878, 1880, 2064, 2143.

**House Bill No. 294.—(Tollefson)**

A bill for an act requiring a locomotive fireman to have three years experience before being promoted to the rank of locomotive engineer.  
Introduction, 447.  
Reference, 447.  
Reported, 657.

**House Bill No. 295.—(Price)**

A bill for an act providing for the erection of an addition to power house upon the agricultural college grounds in which shall be given instructions in carpentry, plumbing, bricklaying and kindred trades, and to install therein necessary equipment, providing for the maintenance of the same, and making an appropriation therefor.  
Introduction, 447.  
Reference, 447.  
Reported, 1498.  
Passed or lost, 1545.  
Received from senate, 1714.  
Other action, 1545.

**House Bill No. 296.—(Boyd)**

A bill for an act to regulate the practice and procedure on preliminary hearings before committing magistrates, and amending Sections 9768 of the 1905 codes.  
Introduction, 447.  
Reference, 447.  
Reported, 607.

**House Bill No. 297.—(Fraine)**

A bill for an act to amend Section 1168 of the Revised Codes of 1905, as amended by Section 3 of Chapter 237 of the Session Laws of 1907.  
Introduction, 447.  
Reference, 447.  
Reported, 663, 682, 1790, 1937.  
Passed or lost, 710.  
Received from senate, 1667.  
Other action, 1789, 1943, 2010.

**House Bill No. 298.—(Johnson)**

A bill for an act to amend Sections 516, 524, 9797, 9803, 9810, 9818 and 9841 of the Revised Codes of 1905, relating to a grand jury, adding new sections and repealing Sections 9798, 9801, 9833 and 9840.  
Introduction, 448.  
Reference, 448.  
Reported, 832.

**House Bill No. 299.—(Hanson)**

A bill for an act authorizing county mutual insurance companies to borrow money.  
Introduction, 448.  
Reference, 448.  
Reported, 869, 928, 1787.  
Passed or lost, 996.  
Received from senate, 1681.  
Other action, 1796, 1822, 1991.

**House Bill No. 300.—(Fox)**

A bill for an act providing for the erection of a standpipe near the capitol building, the sinking of one or more wells, the improvement of the capitol grounds, the purchase of a pump and necessary machinery to operate same

**House Bill No. 300—Continued.**

and making an appropriation therefor.  
 Introduction, 448.  
 Reference, 448.  
 Reported, 1044, 1169, 1275, 1974.  
 Passed or lost, 1393, 1883.  
 Received from senate, 1702.  
 Other action, 1882, 1975, 2012.

**House Bill No. 301.—(Hyland)**

A bill for an act making it a misdemeanor to falsely or fraudulently defeat payment of any bill for laundrying, washing, cleaning or repairing clothing, and providing a penalty therefor.

Introduction, 448.  
 Reference, 448.  
 Reported, 688.

**House Bill No. 302.—(Fried)**

A bill for an act to provide a method of proving the due cancellation of a contract for deed or any other instrument for the future conveyance of any estate of interest in real property, and clearing the record title of said real property from the effects of such contract after cancellation, and the recording of such proof.

Introduction, 449.  
 Reference, 449.  
 Reported, 695.

**House Bill No. 303.—(Ployhar)**

A bill for an act to amend Section 4302 of the Revised Codes of North Dakota for 1905, as amended by Chapter 202 of the Laws of North Dakota for 1907, relating to stopping of trains at county seats.

Introduction, 449.  
 Reference, 449.  
 Reported, 1280.

**House Bill No. 304.—(De Nault)**

A bill for an act to provide for a uniform method for computing dockage on different kinds of grain.

Introduction, 449.  
 Reference, 449.  
 Reported, 1127.  
 Other action, 1127.

**House Bill No. 305.—(Kyllo)**

A bill for an act to amend Section 3013 of the Revised Codes of 1905, relating to bridge funds to be turned over to cities of certain classes.

Introduction, 449.  
 Reference, 449.  
 Reported, 1049.

**House Bill No. 306.—(Price)**

A bill for an act to prevent the consolidation or pooling of telegraph and telephone companies, prohibiting the issuance of stocks, bonds or other evidences of debt for consolidation purposes, providing for the forfeiture of telegraph and telephone franchises and prescribing penalties for violators.

Introduction, 450.  
 Reference, 450.  
 Reported, 664.

**House Bill No. 307.—(De Nault)**

A bill for an act to amend Section 4277 of the Revised Codes of North Dakota for the year 1905.

Introduction, 498.  
 Reference, 498.  
 Reported, 692, 847, 931, 1678, 1690.  
 Passed or lost, 1005.  
 Received from senate, 1609.  
 Other action, 1672, 1991.

**House Bill No. 308.—(Martin)**

A bill for an act providing for certain deposits to be made by foreign insurance companies doing business in the state of North Dakota.

Introduction, 499.  
 Reference, 499.  
 Reported, 746.

**House Bill No. 309.—(Dean)**

A bill for an act to regulate the sale of hen's eggs.

Introduction, 499.  
 Reference, 499.  
 Reported, 688.



**House Bill No. 310.—(Davis)**

A bill for an act entitled, an act to amend and re-enact Section 2478 of the Revised Codes of North Dakota of the year 1905, relating to taxes.

Introduction, 499.  
Reference, 499.  
Reported, 861, 928.  
Passed or lost, 976.  
Received from senate, 1665.

**House Bill No. 311.—(Benson)**

A bill for an act to amend and re-enact Section 2858 of the Revised Codes of North Dakota for 1905, providing for the election of village trustees.

Introduction, 499.  
Reference, 499.  
Reported, 819.

**House Bill No. 312.—(Homnes)**

A bill for an act to amend and re-enact Section 8089 of the Revised Codes of the state of North Dakota of 1905, providing for the disposition of exempt personal property of decedents.

Introduction, 500.  
Reference, 500.  
Reported, 694.

**House Bill No. 313.—(Committee on Public Health)**

A bill for an act to provide for the establishment, organization, regulation, and management of a state board of health, county boards of health, township boards of health, city boards of health, and village boards of health, and making an appropriation for the expenses of the state board of health.

Introduction, 500.  
Reference, 500.  
Reported, 686, 802.  
Passed or lost, 836.  
Received from senate, 1676.

**House Bill No. 314.—(Tuttle)**

A bill for an act entitled, an act to amend Section 4928 of the Revised Codes of 1905, pertaining to acquisition of property.

Introduction, 500.  
Reference, 500.  
Reported, 1298.

**House Bill No. 315.—(Johns)**

A bill for an act relating to the duties of local boards of health and sanitary regulations of school houses, churches and public halls.

Introduction, 500.  
Reference, 501.  
Reported, 805, 913, 933, 1937.  
Passed or lost, 1150, 1804.  
Received from senate, 1724.  
Other action, 1016, 1803, 1942, 2009.

**House Bill No. 316.—(Johns)**

A bill for an act entitled, an act to prevent procreation of confirmed criminals, idiots, imbeciles and rapists; providing that superintendents and boards of managers of institutions where such persons are confined, shall have the authority and are empowered to appoint a committee of experts, consisting of two physicians, to examine into the mental condition of such inmates.

Introduction, 501.  
Reference, 501.  
Reported, 805, 913, 933.  
Passed or lost, 1152.  
Received from senate, 1666.  
Other action, 1016.

**House Bill No. 317.—(Johns)**

A bill for an act to prevent the spread of contagious diseases and sanitary regulation of coaches, cars and steam boats in this state.

Introduction, 501.  
Reference, 501.  
Reported, 806, 855, 1678, 1690.  
Passed or lost, 893.  
Received from senate, 1609.  
Other action, 1672, 1991.

**House Bill No. 318.—(Knox)**

A bill for an act amending Section 28 of Chapter 80 of the laws of 1909, relating to the taxation of costs in county courts having increased jurisdiction.

Introduction, 501.  
Reference, 501.  
Reported, 827, 855.  
Passed or lost, 970.  
Received from senate, 1971.

**House Bill No. 319.—(Kyllo)**

A bill for an act to amend Section 1961 of the Revised Codes of the state of North Dakota for 1905.

Introduction, 501.  
Reference, 501.  
Reported, 811.

**House Bill No. 320.—(Heinemeyer)**

A bill for an act to amend Section 7459 of the Revised Codes of North Dakota of 1905, relating to the publication of the notice of foreclosure by advertisement, and prescribing the duty of the party, attorney or agent foreclosing the mortgage.

Introduction, 502.  
Reference, 502.  
Reported, 832.

**House Bill No. 321.—(Scott)**

A bill for an act to prohibit the throwing or depositing of glassware of any kind upon the streets of any village or city or upon public highways, and providing for a penalty for the violation thereof.

Introduction, 502.  
Reference, 502.  
Reported, 809.  
Other action, 621.

**House Bill No. 322.—(Doyle of McIntosh)**

A bill for an act prescribing a form of venue of notary public, taking acknowledgment to an instrument in a county other than the one in which he resides.

Introduction, 502.  
Reference, 502.  
Reported, 941.

**House Bill No. 323.—(Moen)**

A bill for an act to amend Section 41, Chapter 128 of the Laws of the state of North Dakota, 1909, relating to the protection of game.

Introduction, 502.  
Reference, 502.  
Reported, 1308.

**House Bill No. 324.—(Edwards)**

A bill for an act to amend Section 6931 of the Revised Codes of 1905, relative to the time of granting injunctions.

Introduction, 503.  
Reference, 503.  
Reported, 823, 916, 984, 1024, 1808.  
Passed or lost, 1063.  
Received from senate, 1725.  
Other action, 1819, 1873.

**House Bill No. 325.—(Moritz)**

A bill for an act making an appropriation to compensate P. G. Johnson for services as assistant attorney general, especially authorized to enforce the prohibitory law of this state.

Introduction, 503.  
Reference, 503.  
Reported, 1494.

**House Bill No. 326.—(Boyd)**

A bill for an act to provide that the counties of the state may adopt a uniform system of text books.

Introduction 534.  
Reference, 535.  
Reported, 1294, 1385, 1465.  
Passed or lost, 1520.  
Received from senate, 1968.  
Other action, 699.

**House Bill No. 327.—(Anderson of Ramsey)**

A bill for an act relating to trespassing while hunting game.

Introduction, 535.  
Reference, 535.  
Reported, 1308.

**House Bill No. 328.—(Boyd)**

A bill for as act prohibiting the keeping open, or the running or permitting of running of any theatre, show moving picture show, or theatrical performance upon the first day of the week, commonly called the Sabbath, and providing a penalty for violations of the same.

Introduction, 535.  
Reference, 535.  
Reported, 663, 682, 1398, 1471.  
Passed or lost, 712.  
Received from senate, 1269.  
Other action, 1409, 1992.

**House Bill No. 329.—(Wambem)**

A bill for an act to amend Section 2385 of the Revised Codes of 1905.

Introduction, 535.  
Reference, 535.  
Reported, 821, 822.

**House Bill No. 330.—(O'Connor of Grand Forks)**

A bill for an act entitled: An act to amend and re-enact Section 2387 of the Revised Codes of North Dakota of the year 1905, relating to county commissioners and repealing Sections 2388 and 2389.

Introduction, 535.  
Reference, 535.

**House Bill No. 331.—(Thompson)**

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

Introduction, 536.  
Reference, 536.  
Reported, 1194, 1275, 1808.  
Passed or lost, 1365.  
Received from senate, 1716.  
Other action, 1819, 1873.

**House Bill No. 332.—(Nestos)**

A bill for an act prohibiting the placing of screens or other obstructions across the windows and doors of pool halls and providing a penalty therefor.

Introduction, 536.  
Reference, 536.  
Reported, 660, 731, 802, 1678, 1690.  
Passed or lost, 888.  
Received from senate, 1609.  
Other action, 1672, 1992.

**House Bill No. 333.—(Olsgard of Nelson)**

A bill for an act to define and regulate the extension and restriction of the corporate limits of cities, towns and villages.

Introduction, 536.  
Reference, 536.  
Reported, 1502.

**House Bill No. 334.—(Fraine)**

A bill for an act to amend Section 5 of Chapter 172 of the Session Laws of 1909, relating to the regulation of practice of osteopathy.

Introduction, 536.  
Reference, 536.  
Reported, 686, 737, 1398, 1471.  
Passed or lost, 751.  
Received from senate, 1270.  
Other action, 1408, 1992.

**House Bill No. 335.—(Gorder)**

A bill for an act to amend Section 4494 of the Revised Codes of North Dakota of 1905, relating to county mutual companies.

Introduction, 536.  
Reference, 537.  
Reported, 869, 928, 1974.  
Passed or lost, 997, 1884.  
Received from senate, 1715.  
Other action, 1884, 1975, 2011.

**House Bill No. 336.—(O'Shea)**

A bill for an act requiring railroad companies to provide scales for the weighing of grain, providing liabilities thereunder, and prescribing a penalty for neglect thereof.

Introduction, 537.  
Reference, 537.  
Reported, 821, 914.  
Other action, 916, 917.

**House Bill No. 337.—(Jordal)**

A bill for an act making an appropriation for carrying into effect provisions of law relating to the duties of the commissioner of agriculture and labor.

Introduction, 537.  
Reference, 537.  
Reported, 1042, 1157, 1275, 2148.  
Passed or lost, 1379.  
Received from senate, 1675, 1987.  
Other action, 1965, 2149, 2152.

**House Bill No. 338.—(Knox)**

A bill for an act to amend and re-enact Section 2249 of the Revised Codes of 1905, relating to what storage receipts shall express.

Introduction, 537.  
Reference, 537.  
Reported, 1485.

**House Bill No. 339.—(Price)**

A bill for an act to license motor and other vehicles, defining the road regulations of such vehicles, to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Sections 2169, 2170, 2171 and 2172 of the Revised Codes of 1905, and repealing Sections 2173 and 2174 of the Revised Codes of 1905 as amended in Chapter 42 of the Session Laws of 1909.

Introduction, 537.  
Reference, 538.  
Reported, 1050, 1124.  
Other action, 1181, 1223.

**House Bill No. 340.—(Sorlie)**

A bill for an act to amend Section 605 of the Revised Codes of North Dakota for 1905, relating to who is entitled to vote.

Introduction, 538.  
Reference, 538.  
Reported, 807, 855, 1787.  
Passed or lost, 967.  
Received from senate, 1657.  
Other action, 1796, 1822, 1992.

**House Bill No. 341.—(Price)**

A bill for an act to submit to the qualified electors of the state the question of extending the right of suffrage to women of lawful age, and otherwise qualified, according to the provisions of Sections 121 and 122 of the constitution of North Dakota.

Introduction, 538.  
Reference, 667.  
Reported, 1311, 1505.  
Other action, 578, 625, 1312, 1506.

**House Bill No. 342.—(Johnson)**

A bill for an act to amend Section 2282 of the Revised Codes of 1905, as amended by Chapter 185 of the Session Laws of 1907, regulating public printing and binding and prescribing the duties of public boards and officials in relation thereto.

**House Bill No. 342.—Continued.**

Introduction, 540.  
Reference, 540.  
Reported, 1137.

**House Bill No. 343.—(Williams)**

A bill for an act to repeal Article 21 of Chapter 32, entitled, town-sites located on public lands, of the Revised Codes of 1905.

Introduction, 540.  
Reference, 540.  
Reported, 943, 984.  
Passed or lost, 1017.  
Received from senate, 1795.

**House Bill No. 344.—(Williams)**

A bill for an act to prohibit the appointment to any state, county or municipal situation, of clerks, bookkeepers, typewriters, shorthand writers or other office amanuensis who are not citizens of the United States (or who have not declared intention to become such) or who are not bona fide residents of North Dakota.

Introduction, 540.  
Reference, 540.  
Reported, 812, 855, 1582.  
Passed or lost, 968.  
Received from senate, 1670.

**House Bill No. 345.—(Tuttle)**

A bill for an act to harmonize Sections 8089 and 7117 of the 1905 Code, by amending Section 8089 of the act providing for the settlement of the estates of decedents.

Introduction, 541.  
Reference, 541.  
Reported, 694, 848, 931.  
Passed or lost, 1007.  
Received from senate, 1971.

**House Bill No. 346.—(Gardiner)**

A bill for an act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such liens or reservation of title.

Introduction, 541.  
Reference, 541.  
Reported, 820.

**House Bill No. 347.—(Homnes)**

A bill for an act to amend and re-enact Section 498 of the Revised Codes of North Dakota for the year 1905, relating to admission to the bar.

Introduction, 578.

Reference, 579.

Reported, 942, 985, 1787.

Passed or lost, 1015.

Received from senate, 1717.

Other action, 1796, 1821, 1992.

**House Bill No. 348.—(Tuttle)**

A bill for an act to amend Section 2 of Chapter 126, Laws of 1909, defining the duties of the register of deeds, relating to foreclosure of mortgages on real property by advertisement, and prescribing a penalty for violating the same.

Introduction, 579.

Reference, 579, 1178.

Reported, 1048, 1123, 1287.

Passed or lost, 1460.

Received from senate, 1929.

Other action, 1178.

**House Bill No. 349.—(Harty)**

A bill for an act to provide for the collection of delinquent personal property taxes, and for reducing the same to judgment.

Introduction, 579.

Reference, 579.

Reported, 988, 1125.

Passed or lost, 1174.

Received from senate, 1972.

**House Bill No. 350.—(Harty)**

A bill for an act to amend Section 1554 of the Revised Codes of North Dakota of 1905, as amended by Chapter 197 of the Laws of 1909, relating to delinquent personal property taxes and the collection of taxes.

Introduction, 579.

Reference, 579.

Reported, 988, 1124, 1982.

Passed or lost, 1175.

Received from senate, 1925.

Other action, 1983, 2011.

**House Bill No. 351.—(Price)**

A bill for an act to amend and re-enact Section 164 of the Revised Codes of North Dakota for 1905.

Introduction, 579.

Reference, 579.

Reported, 811, 914, 933, 1933.

Passed or lost, 1061, 1792.

Received from senate, 1671.

Other action, 1792, 1933, 2009.

**House Bill No. 352.—(Thompson)**

A bill for an act providing for a bailiff of the supreme court.

Introduction, 580.

Reference, 580.

Reported, 824, 916, 933, 1658, 1787.

Passed or lost, 1064, 1065.

Received from senate, 1717.

Other action, 1796, 1821, 1992.

**House Bill No. 353.—(Thompson)**

A bill for an act to amend Sections 1295, 1297 and 1298 of the Revised Codes of North Dakota of 1905, and Section 1296 of the Revised Codes of 1905 as amended by the Legislative Assembly of 1909, being Chapter 13 of the Revised Codes of 1905, entitled State Library.

Introduction, 580.

Reference, 580.

Reported, 940, 1112, 1273, 1787.

Passed or lost, 1360.

Received from senate, 1649.

Other action, 1797, 1822, 1993.

**House Bill No. 354.—(O'Shea)**

A bill for an act to amend Section 2607 of the Revised Codes of North Dakota, 1905, relating to coroner fees.

Introduction, 580.

Reference, 580.

Reported, 1048.

Passed or lost, 1177, 1190.

Received from senate, 1608.

**House Bill No. 355.—(Englund)**

A bill for an act to provide for the reimbursement of owners of cattle destroyed by order of the state live stock sanitary board on account of the disease known as tuberculosis, and pro-

**House Bill No. 355—Continued**

viding for the levy of a tax to create a fund therefor.

Introduction, 580.

Reference, 580.

Reported, 690, 737, 863, 2068.

Passed or lost, 971, 1877.

Received from senate, 1606.

Other action, 837, 1611, 1876, 2063, 2143.

**House Bill No. 356.—(Englund)**

A bill for an act creating and establishing an agricultural experiment station at or near Kenmare, Ward county, providing for its management and making appropriation therefor.

Introduction, 581.

Reference, 581.

Other action, 1052.

**House Bill No. 357.—(Gorder)**

A bill for an act to amend Section 4483 of the Revised Codes of 1905, relating to terms of office of boards of directors of county mutual companies.

Introduction, 581.

Reference, 581.

Reported, 1138, 1244, 1306, 1982.

Received from senate, 1925.

Passed or lost, 1479.

Other action, 1982, 2011.

**House Bill No. 358.—(Sauer)**

A bill for an act to amend Section 6237 of the Revised Codes of 1905, as amended by Chapter 158 of the Laws of 1909, relating to the filing of mechanic's liens, the giving of notice of furnishing materials to contractors and sub-contractors.

Introduction, 581.

Reference, 581.

Reported, 1141, 1487.

**House Bill No. 359.—(Peart)**

A bill for an act to amend and reenact Sections 4602 and 4603, Revised Codes of North Dakota for 1905, being an act to regulate the importation of dependent children from other states.

**House Bill No. 359—Continued.**

Introduction, 581.

Reference, 581.

Reported, 1127, 1241, 1306, 1983.

Passed or lost, 1473.

Received from senate, 1924.

Other action, 1984, 2011.

**House Bill No. 360.—(Tostenson)**

A bill for an act fixing the liability of railway companies for stock killed or injured and for loss of property by fires, and fixing the degree of proof necessary to recover.

Introduction, 622.

Reference, 622.

Reported, 867.

**House Bill No. 361.—(DeLance)**

A bill for an act to amend Section 44 of Chapter 80, Laws of 1909, fixing the compensation of county judges of county courts, having increased jurisdiction.

Introduction, 622.

Reference, 622.

Reported, 1142, 1189, 1830.

Passed or lost, 1221, 1222.

Other action, 1222.

**House Bill No. 362.—(Hedalen)**

A concurrent resolution, for an amendment to the Constitution of the State of North Dakota, relating to the compensation for services of legislative members.

Introduction, 622.

Reference, 622.

Reported, 1049, 1124, 1830.

Passed or lost, 1178.

Received from senate, 1607.

**House Bill No. 363.—(Anderson of Griggs)**

A bill for an act defining the boundaries of the Fifth judicial district, and fixing the terms of court therein.

Introduction, 622.

Reference, 623.

Reported, 1138.

**House Bill No. 364.—(Brusletten)**

A bill for an act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Introduction, 623.

Reference, 623.

Reported, 1131, 1241, 1306.

Passed or lost, 1475.

Received from senate, 1971.

**House Bill No. 365.—(Hedalen)**

A concurrent resolution for amendment to Sections 33 and 55 of the Constitution of the State of North Dakota, relating to the duration of term of office of members of the house of legislature and its regular sessions.

Introduction, 623.

Reference, 623.

Reported, 1421.

**House Bill No. 366.—(De Nault)**

A bill for an act to provide for a commission to prepare and recommend to the 13th legislative assembly a plan for redistricting the judicial districts of the state of North Dakota.

Introduction, 623.

Reference, 623.

Reported, 1139, 1638.

**House Bill No. 367.—(De Nault)**

A bill for an act to legalize all notes and other written evidence of indebtedness, providing for more than seven per cent, but not exceeding twelve per cent per annum interest, and amending Section 5513 of the 1905 Code, relating to penalty for usury.

Introduction, 623.

Reference, 623.

Reported, 932, 1109, 1274, 1808.

Passed or lost, 1351.

Received from senate, 1725.

Other action, 1819, 1873.

**House Bill No. 368.—(Anderson of Griggs)**

A bill for an act creating the Thirteenth judicial district of the State of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Introduction, 624.

Reference, 624.

Reported, 1140.

**House Bill No. 369.—(Stern)**

A bill for an act to amend subdivision 30 of Article 4 of the Political Code of North Dakota, being subdivision 30 of Section numbered 2678 of the Revised Codes of North Dakota for 1905.

Introduction, 624.

Reference, 624.

Reported, 1203, 1306, 1788.

Passed or lost, 1370, 1371, 1754.

Received from senate, 1681.

Other action, 1797, 1821, 1993.

**House Bill No. 370.—(Kane)**

A bill for an act to amend Section 2582 of the Revised Codes of the State of North Dakota for 1905, relating to deputy clerks of the district courts.

Introduction, 624.

Reference, 624.

Reported, 1026.

**House Bill No. 371.—(Englund)**

An act to promote the safety of employes and travelers upon railroads by compelling common carriers engaged in the transportation of passengers or property in this state to install and use the telegraph for the transmission of orders and dispatches for the movement and regulation of trains.

Introduction, 667.

Reference, 667.

Reported, 1279.

**House Bill No. 372.—(Davidson)**

A bill for an act entitled an act to limit candidates election expenses; to define, prevent and punish corrupt and illegal practices in nominations and elections; to secure and protect the purity of the ballot; to provide for furnishing information to the electors and to provide the manner of conducting contest for nominations and elections in certain cases.  
 Introduction, 667.  
 Reference, 668.  
 Reported, 1495.

**House Bill No. 373.—(Aasheim)**

A bill for an act prohibiting prize fighting, boxing and sparring exhibitions, repealing Section 9089 of the Revised Codes of 1905, and providing penalty for the violation of this act.  
 Introduction, 668.  
 Reference, 668.  
 Reported, 1049, 1124.  
 Passed or lost, 1179, 1180.  
 Received from senate, 1607.

**House Bill No. 374.—(Dean)**

A bill for an act to amend Section 3231 of the Revised Codes of 1905, relating to fences.  
 Introduction, 668.  
 Reference, 668.  
 Reported, 1123, 1195, 1278.  
 Passed or lost, 1366.

**House Bill No. 375.—(Reeve)**

A bill for an act providing for the licensing of persons, firms and corporations engaged in the real estate or real estate loan business, and providing for the disposition of the fees derived therefrom.  
 Introduction, 668.  
 Reference, 668.  
 Reported, 1500.  
 Other action, 1550.

**House Bill No. 376.—(Johns)**

A bill for an act to provide for the carrying on of a campaign of education against tuberculosis and making an appropriation therefor.  
 Introduction, 669.  
 Reference, 669.  
 Reported, 1202, 1306.  
 Passed or lost, 1369, 1370.  
 Received from senate, 1670.

**House Bill No. 377.—(Johns)**

A bill for an act to submit to the qualified electors of the state question of extending the right of suffrage to women of lawful age, and otherwise qualified, according to the provisions of Sections 121 and 122 of the Constitution of North Dakota.  
 Introduction, 669.  
 Reference, 669.  
 Reported, 1311, 1509.  
 Other action, 1312.

**House Bill No. 378.—(Hyland)**

A bill for an act to amend and reenact Chapter 196 of the Session Laws of 1909, relating to auditor's notice of tax sale.  
 Introduction, 669.  
 Reference, 669.  
 Reported, 1427, 1512, 1937.  
 Passed or lost, 1516.  
 Received from senate, 1857.  
 Other action, 1942, 2009.

**House Bill No. 379.—(Doyle of McIntosh)**

A bill for an act to amend and reenact Sections 8087 and 8089 of the Revised Codes of the State of North Dakota for the year 1905, relating to the possession of the homestead and allotment of exempt property.  
 Introduction, 669.  
 Reference, 669.  
 Reported, 1134.

**House Bill No. 380.—(Hill of Bottineau)**

A bill for an act to amend Section 1213 of the Revised Codes of 1905, of the State of North Da-



**House Bill No. 380—Continued.**

kota, relating to the board of trustees of the soldiers' home.  
 Introduction, 702.  
 Reference, 703.  
 Reported, 1128, 1189, 2007.  
 Passed or lost, 1218, 1885.  
 Received from senate, 1741.  
 Other action, 1885, 2015, 2135.

**House Bill No. 381.—(Doyle of Foster)**

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the length of the term which the governor shall hold office.  
 Introduction, 703.  
 Reference, 703.  
 Reported, 1431.  
 Other action, 1560.

**House Bill No. 382.—(Doyle of Foster)**

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the election of county officers.  
 Introduction, 703.  
 Reference, 703.  
 Reported, 1432.  
 Other action, 1560.

**House Bill No. 383.—(Doyle of Foster)**

A concurrent resolution proposing an amendment to the Constitution of the State of North Dakota, providing for the length of the term which the different state officers shall be elected.  
 Introduction, 703.  
 Reference, 703.  
 Reported, 1432.  
 Other action, 1560.

**House Bill No. 384.—(Aasheim)**

A bill for an act making it a misdemeanor for any person to lobby within the capitol building for or against any appointment to office, for or against any measure pending before the legislative assembly of the State of North Dakota before first procuring a license and label therefor as authorized by the pro-

**House Bill No. 384—Continued.**

visions of this act, and providing a penalty for the violation thereof.  
 Introduction, 703.  
 Reference, 703.  
 Other action, 1479.

**House Bill No. 385.—(Englund)**

A bill for an act to require railroad companies to provide telephone connections with their offices in towns, cities and villages in this state, where there is a local telephone exchange, and providing penalty for violation thereof.  
 Introduction, 704.  
 Reference, 704.  
 Reported, 1133, 1190, 1974.  
 Passed or lost, 1219.  
 Received from senate, 1857.  
 Other action, 1976, 1984, 2011.

**House Bill No. 386.—(Tostenson)**

A concurrent resolution amending the Constitution of the State of North Dakota, relative to the elective franchise.  
 Introduction, 704.  
 Reference, 704.  
 Reported, 1131.

**House Bill No. 387.—(Narum)**

A bill for an act to amend Section 6788 of the Revised Codes of the State of North Dakota for 1905, relating to the time within which actions must be commenced after the cause of action has accrued.  
 Introduction, 704.  
 Reference, 704.  
 Reported, 1141.

**House Bill No. 388.—(Williams)**

A bill for an act to provide a uniform system for building and maintaining local improvements in cities, and for levying special taxes to pay for the same.  
 Introduction, 704.  
 Reference, 705.  
 Reported, 1499.

**House Bill No. 389.—(Morrison)**

A bill for an act prohibiting trespass on the lands or tenements of another, providing the punishment therefor.

Introduction, 705.  
Reference, 705.  
Reported, 1193.

**House Bill No. 390.—(Fox)**

A bill for an act requiring two or more stationary fire escapes, consisting of iron stairways, to be attached to the outside of each one and every story, above the first story of all school houses in this state having more than one story, designating those whose duty it shall be to have said fire escapes installed, prescribing the time within which said fire escapes shall be installed and prescribing the punishment for a violation thereof.

Introduction, 705.  
Reference, 705.  
Reported, 1503.

**House Bill No. 391.—(France)**

A bill for an act to amend Chapter 109 of the Laws of the State of North Dakota of 1907, being an act providing for the selection of candidates for election by popular vote and relating to their nomination and perpetuation of political parties.

Introduction, 705.  
Reference, 705.  
Other action, 1560.

**House Bill No. 392.—(Hersrud)**

A bill for an act fixing the liability of persons, co-partnerships and corporations engaged in mining, for injury sustained by employes in consequence of the negligence of fellow servant.

Introduction, 705.  
Reference, 706.  
Reported, 1486.

**House Bill No. 393.—(Knutson)**

A bill for an act to prevent unfair discrimination in the purchase of dairy products.

Introduction, 706.  
Reference, 706.  
Reported, 1420, 1456, 1511.  
Passed or lost, 1530.  
Received from senate, 1971.

**House Bill No. 394.—(Homnes)**

A bill for an act providing for the removal from office by the governor of certain officers, and prescribing the conditions for the exercise of such power.

Introduction, 706.  
Reference, 706.  
Reported, 1421.

**House Bill No. 395.—(Olsgard of Nelson)**

A bill for an act to amend Chapter 183, Section 1, of the Laws of 1909, being an amendment of Section 9354 of the Revised Codes of 1905, relating to druggists permit, how obtained.

Introduction, 706.  
Reference, 706.  
Reported, 1430.

**House Bill No. 396.—(Homnes)**

A bill for an act to amend Section 2335 of the Revised Codes of the State of North Dakota of 1905, as amended by Chapter 66 of the Session Laws of 1909, relating to the transcribing of records in newly organized counties.

Introduction, 749.  
Reference, 749.  
Reported, 1501.  
Passed or lost, 1551.  
Received from senate, 1969.

**House Bill No. 397.—(O'Connor of Pembina)**

A bill for an act relating to suspensions by fraternal or other insurance companies for non-payment of premiums.

Introduction, 749.  
Reference, 749.  
Reported, 1488.

**House Bill No. 398.—(Williams)**

A bill for an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Introduction, 750.  
Reference, 750.  
Reported, 1139, 1275, 1935.  
Passed or lost, 1182, 1779.  
Received from senate, 1714.  
Other action, 1140, 1181, 1779, 1941, 2010.

**House Bill No. 399.—(Hyland)**

A bill for an act to amend and reenact Section 2402 of the Revised Codes of North Dakota for the year 1905.

Introduction, 750.  
Reference, 750.  
Reported, 1491.  
Passed or lost, 1541.  
Received from senate, 1969.  
Other action, 1541.

**House Bill No. 400.—(Anderson of Griggs)**

A bill for an act to amend and reenact Section 1310 and adding new sections, relating to county and state aid of county fairs, and making appropriation therefor.

Introduction, 750.  
Reference, 750.  
Reported, 1289, 1465.  
Passed or lost, 1465.  
Received from senate, 1675.

**House Bill No. 401.—(Knox)**

A bill for an act to amend and reenact Section 2979 of the Revised Codes of North Dakota of 1905, relating to increasing the debt limit.

Introduction, 750.  
Reference, 750.  
Reported, 938, 985, 1932.  
Passed or lost, 1012, 1784.  
Received from senate, 1661.  
Other action, 1784, 1933, 2008.

**House Bill No. 402.—(Aasheim)**

A bill for an act to prohibit the manufacture, use and sale of blank cartridges, fire arms, certain fire crackers and certain other explosives.

Introduction, 750.  
Reference, 751, 1025.  
Reported, 1025, 1299, 1418, 1932.  
Passed or lost, 1472.  
Received from senate, 1857.  
Other action, 1025, 1933, 2008.

**House Bill No. 403.—(Stern)**

A bill for an act to provide for the appointment of an assistant labor commissioner; defining duties of commissioner—protect employes; assessors and county auditors reports; statements required; seal of office; hearing by commissioner; printing and distribution of reports; contingent expenses; free employment bureau; hours constituting a day's labor; duty of employers; penalty for not providing; employment of females; hours required posted; penalty for violation of act; workingmen's association; unauthorized use of trade marks; trade marks to be filed; suits to enjoin use of counterfeit trade marks; suits to enjoin unauthorized use of genuine trade marks; to protect trade marks and labels; imitation or wrong use may be enjoined; penalty for wrongful use of trade marks in advertising; appropriation; repeal.

Introduction, 768.  
Reference, 769.  
Reported, 1304.

**House Bill No. 405.—(Englund)**

A bill for an act to amend Section 938 of the Revised Codes of 1905, of the State of North Dakota, as amended by Chapter 223, Section 1, of the Session Laws of 1907, relating to the creation of special school districts in incorporated cities, towns and villages constituting a part of a school district, and

**House Bill No. 405.—Continued.**

to divide the property and indebtedness of such school district.

Introduction, 833.  
Reference, 833.  
Reported, 1192.  
Other action, 836.

**House Bill No. 406.—(Olsgard of Nelson)**

A bill for an act to amend Section 3 of Chapter 161 of the Session Laws of 1909, to regulate the public service of stallions.

Introduction, 833.  
Reference, 834.  
Reported, 1424.

**House Bill No. 407.—(Edwards)**

A bill for an act to provide for county bureaus of immigration, imposing certain additional duties upon the board of county commissioners, amending Sections 2402 and 2403 of the Revised Codes of 1905, providing for the appointment of a secretary and prescribing his duties.

Introduction, 834.  
Reference, 834.  
Reported, 1195.

**House Bill No. 408.—(Fassett)**

Introduction, 834.  
Reference, 834.

**House Bill No. 409.—(Boyd)**

A bill for an act prescribing the duties of a mortgagee and his attorney in relation to the foreclosure of real property mortgages by advertisement, and providing for notice of such foreclosure to subsequent lien holders.

Introduction, 834.  
Reference, 834.  
Reported, 1430.

**House Bill No. 410.—(Fried)**

A bill for an act to amend Sections 2231, 2232, 2233 and 2234 of the Revised Codes of 1905, relating to abstractors of titles.

Introduction, 834.  
Reference, 834.  
Reported, 1290, 1418, 2140.  
Passed or lost, 1463.  
Received from senate, 1857, 2136.  
Other action, 2150.

**House Bill No. 411.—(Williams)**

A bill for an act entitled, an act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1905, relating to cities.

Introduction, 835.  
Reference, 835.  
Reported, 1494.

**House Bill No. 412.—(Knox)**

Introduction, 835.  
Other action, 835.

**House Bill No. 413.—(Collins)**

A bill for an act entitled, an act to amend Section 2389 of the Revised Codes of 1905, relating to county commissioners.

Introduction, 835.  
Reference, 835.  
Reported, 1504.

**House Bill No. 414.—(Johns)**

A bill for an act entitled, an act to prevent infant blindness caused by the preventable disease known as ophthalmia neonatorum.

Introduction, 835.  
Reference, 835.  
Reported, 1202, 1307, 2007.  
Passed or lost, 1368, 1369.  
Received from senate, 1610, 1925.  
Other action, 1749, 1820, 2016, 2134.

**House Bill No. 415.—(De Nault)**

A bill for an act to amend Section 8135 of the Revised Codes of North Dakota for 1905, relating to sales of real estate by executors or administrators.

Introduction, 872.  
Reference, 873.

**House Bill No. 416.—(Richland County Representatives)**

A bill for an act fixing the terms of court in the various counties comprising the Fourth judicial district of this state and the beginning and duration thereof.  
Introduction, 873.  
Reference, 873.  
Reported, 1298, 1456, 1511, 1974.  
Passed or lost, 1529, 1887.  
Received from senate, 1880.  
Other action, 1880, 1886, 1975, 2010.

**House Bill No. 417.—(De Nault)**

A bill for an act to amend Section 8273 of the Revised Codes of North Dakota for 1905, relating to terms of sale of real estate by guardians.  
Introduction, 873.  
Reference, 873.  
Reported, 1134.

**House Bill No. 418.—(Williams)**

A bill for an act to aid assessors in valuing coal deposits reserved to grantors by providing that all deeds and transfers of real property which reserves the coal deposits to the grantor shall contain a full description of the coal deposits, so reserved, its length, width and thickness, and prohibiting the recording by register of deeds of any deed or transfer of real property that reserves to the grantor the coal deposits, unless such description is contained therein, and providing a penalty therefor.  
Introduction, 873.  
Reference, 873.  
Reported, 1310, 1385, 1465, 2069.  
Passed or lost, 1522.  
Received from senate, 1858.  
Other action, 2064, 2143.

**House Bill No. 419.—(Moen of Cavalier)**

A bill for an act to amend Section 10430 of the Revised Codes of North Dakota of 1905, relating to the appointment and obliga-

**House Bill No. 419—Continued.**

tions of jailers, and the manner of fixing compensations to be allowed for jailer's services.  
Introduction, 873.  
Reference, 873.  
Reported, 1289, 1419, 2069.  
Passed or lost, 1461.  
Received from senate, 1858.  
Other action, 2063, 2142.

**House Bill No. 420.—(McClellan)**

A bill for an act to amend Section 2826 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 58 of the Session Laws, for the year 1909, relating to the extension of corporate limits of cities, and to provide a method of procedure for the extension of corporate limits of cities.  
Introduction, 874.  
Reference, 874.  
Reported, 1283, 1419, 1932.  
Passed or lost, 1459.  
Received from senate, 1859.  
Other action, 1934, 2008.

**House Bill No. 421.—(Sgutt)**

A bill for an act entitled, an act to prevent the placing of dependent children in family homes, for pay, by midwives, maternity hospitals and others.  
Introduction, 874.  
Reference, 874.  
Reported, 1291, 1419, 2007.  
Passed or lost, 1469.  
Received from senate, 1857.  
Other action, 2015, 2135.

**House Bill No. 422.—(DeLance)**

A bill for an act to amend and reenact Section 1385, Revised Codes of 1905, limiting the cost of bridges over navigable rivers.  
Introduction, 874.  
Reference, 874.  
Reported, 1490, 1863.  
Passed or lost, 1537.  
Received from senate, 1749.  
Other action, 1866, 1896.



**House Bill No. 434.—(Price)**

A bill for an act entitled, an act for the purpose of governing the construction of public school buildings and providing for the inspection, ventilation and sanitation thereof.  
 Introduction, 964.  
 Reference, 964.  
 Reported, 1560, 2140.  
 Passed or lost, 1562, 1951.  
 Received from senate, 1892.  
 Other action, 1951, 2136, 2150.

**House Bill No. 435.—(Doyle of McIntosh)**

A bill for an act to repeal Section 1933 of the Revised Codes of 1905.  
 Introduction, 964.  
 Reference, 964.  
 Reported, 1487.

**House Bill No. 436.—(Fassett)**

A bill for an act to license and regulate hospitals, sanitariums and other institutions, and for the protection of patients therein.  
 Introduction, 964.  
 Reference, 964.  
 Reported, 1498, 1863.  
 Passed or lost, 1553, 1554.  
 Received from senate, 1748.  
 Other action, 1866, 1895.

**House Bill No. 437.—(Scott)**

A bill for an act to amend Section 8 of Chapter 161 of the Session Laws of 1909.  
 Introduction, 964.  
 Reference, 965.  
 Reported, 1423.

**House Bill No. 438.—(Bjornson)**

A bill for an act to amend and reenact Section 29 of Chapter 182 of the Session Laws of 1907, being an act to regulate the practice of pharmacy and providing penalties for violating the provisions thereof.  
 Introduction, 965.  
 Reference, 965.  
 Reported, 1499.  
 Other action, 1549.

**House Bill No. 439.—(Christenson)**

A bill for an act entitled, an act requiring the payment of road and poll tax in money, and providing for the expenditure thereof under the contract system.  
 Introduction, 965.  
 Reference, 965.  
 Other action, 1479.

**House Bill No. 440.—(DeLance)**

A bill for an act to amend Sections 9354 and 9355 of Chapter 183, Session Laws of the State of North Dakota, 1909, relating to the sale of liquors by druggists.  
 Introduction, 991.  
 Reference, 991.  
 Reported, 1429.

**House Bill No. 441.—(Hoge)**

A bill for an act to amend Section 56 of the constitution of the State of North Dakota relating to the length of sessions of the legislative assembly.  
 Introduction, 991.  
 Reference, 991.  
 Reported, 1486.

**House Bill No. 442.—(Edwards)**

A bill for an act to amend Section 3198 of the Revised Codes of 1905, as amended by Chapter 224, Laws of 1909, relating to the issue of bonds by civil townships.  
 Introduction, 991.  
 Reference, 991.  
 Reported, 1291, 1419, 2007.  
 Passed or lost, 1468, 1958.  
 Received from senate, 1893.  
 Other action, 1958, 2015, 2135.

**House Bill No. 443.—(Hoge)**

A bill for an act to amend Section 2020 of the Revised Codes of 1905, relating to registration fees and compensation of the state board of veterinary examiners.  
 Introduction, 991.  
 Reference, 991.  
 Reported, 1424, 1512, 1961.  
 Passed or lost, 1515, 1888.  
 Received from senate, 1879.  
 Other action, 1880, 1888, 1964, 2008.

**House Bill No. 444.—(Streeter)**

A bill for an act to require the shipper of emigrant movables and live stock to deposit with the agent of the transportation company, paid tax receipts for the fiscal year in which such shipment is offered for transportation.

Introduction, 1004.  
Reference, 1004.  
Reported, 1279, 1456, 1512, 2139.  
Passed or lost, 1528.  
Received from senate, 1970, 1981.  
Other action, 1966, 2137, 2150.

**House Bill No. 445.—(Fried)**

A bill for an act to amend and reenact Section 1189 of the Revised Codes of North Dakota for 1905.

Introduction, 1004.  
Reference, 1004.  
Reported, 1512, 2131.  
Passed or lost, 1514.  
Received from senate, 1981.  
Other action, 1896, 2137, 2150.

**House Bill No. 446.—(Olsgard of Nelson)**

A bill for an act to amend Section 2218 of the Revised Codes of 1905, relating to the methods of inspection of oil.

Introduction, 1012.  
Reference, 1012.  
Reported, 1420, 1503.

**House Bill No. 447.—(Williams)**

A bill for an act creating a commission to have charge of installing and maintaining an exhibit of the products and resources of the State of North Dakota at the Panama-Pacific International Exposition, and appropriating

**House Bill No. 447.—Continued.**

money to pay the expenses thereof.

Introduction, 1012.  
Reference, 1012.  
Reported, 1488.  
Passed or lost, 1535, 1536.  
Other action, 1535.

**House Bill No. 448.—(Committee on**

**Elections and Election Privileges)**

A bill for an act to provide for the direct election of delegates to the national convention of the different political parties, and for the expression of the popular choice for nominees for president and vice president and for the direct election of national committeemen for different political parties.

Introduction, 1018.  
Reference, 1019.  
Reported, 1455, 1512.  
Passed or lost, 1559.  
Received from senate, 1929.  
Other action, 1556.

**House Bill No. 449.—(Committee on**

**Elections and Election Privileges)**

A bill for an act to amend and reenact Section 3061 of the Revised Codes of the State of North Dakota for the year 1905.

Introduction, 1019.  
Reference, 1019.  
Reported, 1240, 1456.

**House Bill No. 450.—(Norheim)**

A bill for an act authorizing the state board of auditors to employ a skilled accountant to assist in the examination of the state treasurer's office; and providing for the compensation of such accountant.

Introduction, 1346.  
Reference, 1346.  
Reported, 1500.  
Passed or lost, 1549.



## SENATE BILLS

**Senate Bill No. 1.—(La Moure)**

An act appropriating an annual sum of money for the use of the government experiment station at Fargo for conducting demonstration farms and for furnishing samples of seed and grain and otherwise cooperating with farmers; for publishing reports and bulletins, for analysis of fertilizers and stock foods, for complying with the provisions of the pure paint, paris green and formaldehyde laws and for making other experiments.

Received, 398.  
 Referred, 402.  
 Reported, 1588.  
 Passed or lost, 1760.  
 Other action, 2059.

**Senate Bill No. 5.—(Bessessen)**

A bill for an amendment to the constitution providing for the initiative and referendum.

Received, 714.  
 Referred, 762.  
 Reported, 948.  
 Passed or lost, 953.  
 Other action, 2134.

**Senate Bill No. 6.—(Simpson)**

A bill for an act to create October 12th of each year a legal holiday to be known as "Columbus Day."

Received, 1543.  
 Referred, 1566.  
 Reported, 1841.

**Senate Bill No. 10.—(Gunderson)**

A bill for an act to amend Sections 1031, 1034, 1035 and 1036 of the Revised Codes of 1960, relating to education.

Received, 521.  
 Referred, 555.  
 Reported, 1427, 1457.  
 Passed or lost, 1736.  
 Other action, 2059.

**Senate Bill No. 12.—(Kennedy)**

A bill for an act making an appropriation to pay the balance due on girls' dormitory and domestic science laboratory and for the equipment and furnishing of same; for the installation of a boiler and smokestack for the heating plant and for the purchase of additional land for the use of the government experiment station at Fargo.

Received, 1086.  
 Referred, 1102.  
 Reported, 1653.  
 Passed or lost, 1931.  
 Other action, 2139.

**Senate Bill No. 13.—(Kennedy)**

A bill for an act to provide additional maintenance for the government experiment station and North Dakota Agricultural College at Fargo.

Received, 1087.  
 Referred, 1102.  
 Reported, 1637.  
 Passed or lost, 1939, 2146.  
 Other action, 1939, 1977, 1978, 2145, 2147, 2156.

**Senate Bill No. 14.—(Pierce)**

A bill for an act to provide a refuge or breeding ground for certain game birds and to protect the same.

Received, 795.  
 Referred, 907.  
 Reported, 1308.

**Senate Bill No. 15.—(Pierce)**

A bill for an act making Good Friday a legal holiday.

Received, 162.  
 Referred, 174, 429.  
 Reported, 285, 443, 589.  
 Passed or lost, 1088.  
 Other action, 429.

**Senate Bill No. 16.—(Overson)**

A bill for an act creating and defining the Eleventh judicial district within the state of North Dakota, providing for the appointment and election of a judge therein and fixing the boundaries thereof, and fixing the terms of court therein.

Received, 231.  
 Referred, 231.  
 Reported, 347.  
 Passed or lost, 513.  
 Other action 513, 627.

**Senate Bill No. 17.—(Overson)**

A bill for an act to amend and reenact Section 468 of the Revised Codes of North Dakota for the year A. D., 1905, as amended by Chapter 159 of the Laws of 1907, relating to judicial districts within the state.

Received, 452.  
 Referred, 508, 772.  
 Reported, 530, 946.  
 Passed or lost, 1602.  
 Other action, 772, 1672.

**Senate Bill No. 18.—(Stevens)**

A bill for the regulation and control of fraternal benefit societies.

Received, 1040.  
 Referred, 1096.  
 Reported, 1301.  
 Passed or lost, 1704.

**Senate Bill No. 19.—(Gronvold)**

A bill for an act to amend Section 7782 of the Revised Codes of 1905, relating to the priority of claims in insolvency proceedings.

Received, 218.  
 Referred, 229.  
 Reported, 565.  
 Passed or lost, 777.  
 Other action, 897.

**Senate Bill No. 20.—(Ellingson)**

A bill for an act prescribing the conditions by which the public examiner, his deputies and employes of the state public examiner's department, the stockholders, officers and employes of any banking association in this state may secure loans from banking associations with which they are in any way connected, and fixing the liability for non-compliance with the provisions of this act.

Received, 238.  
 Referred, 279.  
 Reported, 474.  
 Passed or lost, 769.  
 Other action, 912.

**Senate Bill No. 21.—(Duncan)**

A bill for an act to appropriate the sum of sixty thousand dollars or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Received, 398.  
 Referred, 403.  
 Reported, 1592.

**Senate Bill No. 22.—(Walton)**

An act requiring railroad companies to provide suitable rooms in railroad station waiting rooms, or in places adjacent thereto.

Received, 169.  
 Referred, 173.  
 Reported, 314, 407.  
 Passed or lost, 510.  
 Other action, 582.

**Senate Bill No. 24.—(Stevens)**

A bill for an act to appropriate money for the maintenance and equipment and permanent improvements at the State university and School of Mines of North Dakota.

Received, 1087.  
 Referred 1101.  
 Reported, 1437.  
 Passed or lost, 1733.  
 Other action, 1917.

**Senate Bill No. 25.—(Pierce)**

A bill for an act to authorize boards of trustees of incorporated villages to regulate the use of streets, alleys and public grounds by automobiles, traction engines and other self-propelled vehicles, and to provide for registration and identification of the same, at the expense of the owners or operators thereof.

Received, 267.  
 Referred, 278.  
 Reported, 350.  
 Passed or lost, 434.  
 Other action, 487.

**Senate Bill No. 27.—(Wallin)**

A bill for an act making an appropriation for the normal school at Minot to meet the expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishings, equipment and maintenance.

Received, 1220.  
 Referred, 1236.  
 Reported 1426.  
 Passed or lost, 1684.  
 Other action, 1744.

**Senate Bill No. 29.—(Welch)**

A bill for an act to amend Sections 240 and 241 of the Revised Codes of 1905, and Section 242 of the same code as amended by Chapter 132, Laws of 1907, relating to the State Historical society of North Dakota, and making it an appropriation.

Received, 1413.  
 Referred, 1447  
 Reported, 1652.  
 Passed or lost, 1930.  
 Other action, 2145.

**Senate Bill No. 31.—(Duncan)**

A bill for an act defining and limiting the legal expenses of candidates for nomination and for election to any elective office in the state, and making the viola-

**Senate Bill No. 31—Continued.**

tion unlawful, and prescribing penalties therefor.

Received, 795.  
 Referred, 907.  
 Reported, 1576.  
 Passed or lost, 1741.  
 Other action, 2145.

**Senate Bill No. 32.—(Baker)**

A bill for an act to provide for the completion of a school building and making necessary improvements at the school for the deaf and dumb, at Devils Lake, North Dakota, and making an appropriation therefor.

Received, 1265.  
 Referred, 1452.  
 Reported, 1832, 1986.  
 Passed or lost, 1949, 1986.  
 Other action, 1949, 1968, 1973, 1986, 2138.

**Senate Bill No. 36.—(Cashel)**

A bill for an act amending Section 616 of Article 6, Chapter 8, of the Revised Codes of 1905, titled Elections.

Received, 325.  
 Referred, 384.  
 Reported, 938, 1114.  
 Passed or lost, 1627.  
 Other action, 2059.

**Senate Bill No. 37.—(Cashel)**

A bill for an act amending Section appropriation for the current and contingent expenses, and for permanent improvement for the institution for feeble minded at Grafton.

Received, 1087.  
 Referred, 1101.  
 Reported, 1825.  
 Passed or lost, 1943.  
 Other action, 2017.

**Senate Bill No. 39.—(Duncan)**

A joint resolution providing for the payment of necessary legislative expenses.

Received, 125.  
 Referred, 128.  
 Reported, 132.  
 Passed or lost, 136.  
 Other action, 128, 132, 154.

**Senate Bill No. 40.—(Elkin)**

A bill for an act to confirm title to real estate sold by decedents in their lifetime under contract, conveyed pursuant to Article 8, of Chapter 6, of the Probate Code of North Dakota in estates now closed, and not approved by the county judge.

Received, 160.  
 Referred, 161.  
 Reported, 203.  
 Passed or lost, 232.  
 Other action, 295.

**Senate Bill No. 41.—(Kennedy)**

A bill for an act appropriating money for the purpose of building and equipping a chemistry building and laboratories for the North Dakota Agricultural College at Fargo, North Dakota.

Received, 1085.  
 Referred, 1102.  
 Reported, 1654.  
 Passed or lost, 1938.  
 Other action, 2071.

**Senate Bill No. 44.—(Pierce)**

A bill for an act to amend Section 6237 of the Revised Codes, as amended by Chapter 158, of the Session Laws of 1909, relating to mechanic's liens.

Received, 1269.  
 Referred, 1454.  
 Reported, 1581.  
 Other action, 1744.

**Senate Bill No. 46.—(Plain)**

A bill for an act establishing a hail insurance department and making the commissioner of agriculture and labor also the commissioner of hail insurance; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how premiums, expenses and indemnity for losses by hail shall be paid.

Received, 875.  
 Referred, 908.  
 Reported, 1205, 1245.  
 Passed or lost, 1719.  
 Other action, 2133.

**Senate Bill No. 48.—(Gronvold)**

A bill for an act fixing the rate of interest on the redemption of lands sold on execution or foreclosure.

Received, 452.  
 Referred, 509.  
 Reported, 748.  
 Passed or lost, 1250.  
 Other action, 1406.

**Senate Bill No. 50.—(Wallin)**

A bill for an act to amend and reenact Section 1576 of the Revised Codes of North Dakota of 1905, relating to the sale of interest on the purchase price of the lands so sold for delinquent taxes.

Received, 187.  
 Referred, 197.  
 Reported, 615.  
 Passed or lost, 1080.  
 Other action, 1210.

**Senate Bill No. 51.—(Jacobsen)**

A bill for an act amending and reenacting Section 2613 of the Revised Codes of 1905, relating to the compensation of county commissioners.

Received, 398.  
 Referred, 402.  
 Reported, 616.  
 Other action, 1085, 1147.

**Senate Bill No. 54.—(Welch)**

A bill for an act providing for the attendance of certain persons upon certain schools.

Received, 238.  
 Referred, 279, 541.  
 Reported, 444.  
 Passed or lost, 511.  
 Other action, 1836.

**Senate Bill No. 55.—(LaMoure)**

A bill for an act providing when surety may be released on bond, and prescribing mode procedure.

Received, 521.  
 Referred, 554.  
 Reported, 606.  
 Other action, 961.

**Senate Bill No. 56.—(Bessessen)**

A bill for an act to enable cities in this state that may adopt or have adopted the commission form of government as provided in Chapter 45 of the Laws of 1907, to recall incompetent or dishonest elective officers by vote of the people; also providing for the initiative and referendum in city matters, defining the form of the petition required in the law and prescribing the manner in which a city may adopt or has adopted the commission plan may return to the former system.

Received, 325.

Referred, 383.

Reported, 603, 729.

Passed or lost, 1082.

Other action, 1271.

**Senate Bill No. 57.—(Trimble)**

A bill for an act establishing a county hail insurance department; prescribing rules, regulations and duties of all officers and persons connected therewith; prescribing how taxes for same shall be levied and collected, and how expenses and indemnity for losses by hail shall be paid.

Received, 124.

Referred, 762.

Reported, 1301.

**Senate Bill No. 58.—(Jacobsen)**

A bill for an act amending and reenacting Section 2597 of the Revised Codes of 1905, relating to the fees in the office of the register of deeds.

Received, 267.

Referred, 278.

Reported, 477, 647, 1288.

Passed or lost, 1691.

Other action, 667, 1994.

**Senate Bill No. 59.—(Davis)**

A bill for an act prohibiting ball games and other sports until 3 o'clock p. m.

Received, 187.

Referred, 197.

Reported, 616.

Passed or lost, 1229.

Other action, 1361.

**Senate Bill No. 60.—(Talcott)**

A bill for an act to provide a system of free public schools for the state of North Dakota, and to repeal Sections 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, and Section 1036 of the Revised Codes of 1905, with any and all amendments thereto, and also Chapters 49, 98, 100, 103, 124, 153, and 201, of the Session Laws of 1909.

Received, 1367.

Referred, 1448.

Reported, 1645.

Passed or lost, 1707.

Other action, 1706, 2061.

**Senate Bill No. 63.—(LaMoure)**

A bill for an act to prohibit the importation, manufacture, distribution, transportation, sale, or use of snuff, and providing a penalty therefor.

Received, 415, 1462.  
 Referred, 429.  
 Reported, 485.  
 Passed or lost, 1232.  
 Other action, 1263, 1919, 2152.

**Senate Bill No. 65.—(Welo)**

A bill for an act to authorize cities to levy and collect a tax to pay judgments obtained against such cities.

Received, 218.  
 Referred, 229.  
 Reported, 1193.  
 Passed or lost, 1661.  
 Other action, 1727.

**Senate Bill No. 66.—(Welo)**

A bill for an act to amend and reenact Section 437 of the Revised Codes of the state of North Dakota, for 1905, relating to the qualifications of deputies, clerks and employes of the state, county, and municipal governments, of and within the state of North Dakota, and members of the official boards.

Received, 209.  
 Referred, 231.  
 Reported, 313.  
 Passed or lost, 432.  
 Other action, 487, 1869.

**Senate Bill No. 67.—(Hookway)**

A bill for an act to repeal Sections 6237, 6238, 6239, 6240, 6241, 6242, 6243, 6244, 6245, 6246, 6247, 6248, 6249, 6250, and 6251 of the Revised Codes of the state of North Dakota for A. D., 1905, and Chapter 101, of the Session Laws of 1907, and Chapter 158 of the Session Laws of 1909, relating to mechanic's liens, and the filing of mechanic's ic's liens, the giving of notice to contractors and sub-contractors, and the record and priority of liens and matters appertaining

**Senate Bill No. 67.—Continued.**

to the creation, existance and enforcement of mechanic's liens.

Received, 725  
 Referred, 762.  
 Reported, 1197, 1198.  
 Other action, 763.

**Senate Bill No. 68.—(McDowell)**

A bill for an act making an appropriation to determine the milling value of cereals, the baking and other economic properties, to provide for experiments and for the publication of the information obtained.

Received, 1556.  
 Referred, 1566.  
 Reported, 1645.

**Senate Bill No. 69.—(Martin)**

A bill for an act to amend Section 2592 of the Revised Codes of North Dakota for 1905 as amended by Chapter 70 of the Laws of the state of North Dakota, for 1907, relating to the salary of county auditors.

Received, 416.  
 Referred, 428.  
 Reported, 526, 677, 737, 851.  
 Other action, 1570.

**Senate Bill No. 70.—(Martin)**

A bill for an act regulating and governing contracts relative to the shipment of live stock, and the giving of notice or claim for loss or damage thereto.

Received, 210.  
 Referred, 230.  
 Reported, 291.  
 Passed or lost, 431.  
 Other action, 431, 554.

**Senate Bill No. 71.—(Whitcher)**

A bill for an act amending Section 8519 of the Revised Codes of 1905, relating to reports of justices of the peace.

Received, 210, 340.  
 Referred, 230, 361.  
 Reported, 286, 531.  
 Other action, 324.

**Senate Bill No. 72.—(Wallin)**

A bill for an act to amend Section 1582 of the Revised Codes of North Dakota for 1905 as amended by Chapter 199 of the Session Laws of North Dakota for 1909, relating to the redemption of real estate.

Received, 654, 1039.  
 Referred, 764.  
 Reported, 820.  
 Other action, 961.

**Senate Bill No. 74.—(Steele of Ren-**

**ville)**  
 A bill for an act to amend section 1608 of the Revised Codes of 1905 relating to revenue and taxation.

Received, 321.  
 Referred, 382.  
 Reported, 862.  
 Passed or lost, 1572, 1632.  
 Other action, 1573, 1623, 1689.

**Senate Bill No. 75.—(Thoreson)**

A bill for an act to prevent the spread of noxious weeds.

Received, 452.  
 Referred, 509.  
 Reported, 742.  
 Passed or lost, 1234.  
 Other action, 1362.

**Senate Bill No. 76.—(Jacobson)**

A bill for an act to amend and reenact Sections 6 and 9 of Chapter 174 of the Laws of North Dakota, of 1909, being an act to provide for probations of persons convicted of felonies and misdemeanors.

Received, 210.  
 Referred, 230, 558.  
 Reported, 357, 558, 701, 849, 1812.  
 Passed or lost, 1259, 2061.  
 Other action, 1813, 1815, 2152.

**Senate Bill No. 77.—(Jacobson)**

A bill for an act to amend and reenact Section 3 of Chapter 175 of the Laws of North Dakota, for 1909, being an act to provide indeterminate sentences of persons convicted of certain crimes, providing for a board of ex-

**Senate Bill No. 77—Continued.**

perts empowered to prescribe suitable rules of conduct and treatment, and to determine how and when a person sentenced under this act shall be paroled or released.

Received, 210.  
 Referred, 230, 416.  
 Reported, 356, 408, 701, 850, 1812.  
 Passed or lost, 1261, 2064.  
 Other action, 416, 1813, 1815, 2157.

**Senate Bill No. 78.—(Talcott)**

A bill for an act to amend Section 1484 of the Revised Codes of 1905, relating to property exempt from taxation.

Received, 267.  
 Referred, 278, 436.  
 Reported, 352, 611, 730.  
 Passed or lost, 778.

**Senate Bill No. 79.—(Steele of Ren-**

**ville)**  
 A bill for an act to provide an ap-enact Section 2323 of the Revised Codes for the year 1905, of the state of North Dakota.

Received, 169.  
 Referred, 173, 444.  
 Reported, 288, 531.  
 Passed or lost, 429, 772.  
 Other action, 444, 772, 912.

**Senate Bill No. 80.—(Committee on Cities and Municipal Corporations)**

A bill for an act to amend Section 2869 of the Revised Codes of 1905, as amended by Chapter 265 of the Session Laws of 1907, relating to the contracting of loans for the payment of corporate indebtedness and providing for the levy of taxes to pay final judgments rendered against villages and providing for the manner of collecting the same.

Received, 321.  
 Referred, 382.  
 Reported, 808.  
 Passed or lost, 1251.  
 Other action, 1406.

**Senate Bill No. 81.—(Committee on Cities and Municipal Corporations)**

A bill for an act to amend Section 1564 of the Revised Codes relating to the fees of sheriffs for the collection of delinquent personal property taxes.

Received, 877.  
Referred, 910.  
Reported, 987.

**Senate Bill No. 82.—(Steele of Stutsman)**

A bill for an act to provide an appropriation for the erection of new buildings and other necessary improvements at the state hospital for the insane of North Dakota, at Jamestown.

Received, 1086.  
Referred, 1102.  
Reported, 1647.  
Passed or lost, 1921.  
Other action, 1921, 2070.

**Senate Bill No. 84.—(Plain)**

A concurrent resolution, amending the constitution of the state of North Dakota, relating to the legislative department and providing for direct legislation, the proposing of constitutional amendments, reference of laws and recall of officers.

Received, 715.  
Referred, 763.  
Reported, 949, 1312, 1386.  
Passed or lost, 1734.  
Other action, 2004.

**Senate Bill No. 86.—(Gunderson)**

A bill to provide for a judicial procedure to determine the identity of the grantees and the shares of each in the cases where the lands have been or may be patented, granted or conveyed by the United States to the heirs or devisees of a deceased person without naming therein the persons so designated as grantees.

Received, 654.  
Referred, 765.  
Reported, 829.

**Senate Bill No. 87.—(Elkin)**

A bill for an act to amend Section 2767 of the Revised Codes of North Dakota, for 1905, relating to the letting of contract for sidewalks in cities.

Received, 268.  
Referred, 278, 384.  
Reported, 348, 659.  
Passed or lost, 1089.  
Other action, 384, 1210.

**Senate Bill No. 88.—(Elkin)**

A bill for an act to amend Section 2768 of the Revised Codes of North Dakota for 1905, relating to the repairs of city sidewalks.

Received, 268.  
Referred, 278.  
Reported, 350.  
Passed or lost, 435.  
Other action, 487.

**Senate Bill No. 89.—(Plain)**

A bill for an act to amend Section 4 of Chapter 172 of the Laws of 1901, entitled, an act to create a State Farmers' institute board of directors and prescribing its powers and duties, and making an appropriation for conducting farmers' institutes as the same was amended by Chapter 11 of the Laws of 1903, and Chapter 23, of the Laws of 1905.

Received, 1087.  
Referred, 1100.  
Reported, 1591.  
Passed or lost, 1765.  
Other action, 1916.

**Senate Bill No. 90.—(Grønvald)**

A bill for an act to provide for the ascertaining and giving notice of the title of lands to the heirs of deceased persons and establishing the right of heirship to real property and to provide a method of procedure therefor.

Received, 1185.  
Referred, 1238.  
Reported, 1431.  
Passed or lost, 1730.  
Other action, 2017.



**Senate Bill No. 92.—(Duis)**

A bill for an act relating to children who are now or may hereafter become dependent, neglected or delinquent; to define these terms, and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the persons of such children.

Received, 457.  
Referred, 503.  
Reported, 821.  
Passed or lost, 1256.  
Other action, 1406.

**Senate Bill No. 94.—(Simpson)**

A bill for an act regulating inheritance in case of unlawful killing.

Received, 599.  
Referred, 646.  
Reported, 693.

**Senate Bill No. 95.—(Gunderson)**

A bill for an act regulating the conditions and provisions to be contained in policies of health or accident insurance issued in this state.

Received, 1040.  
Referred, 1096.  
Reported, 1302.  
Passed or lost, 1705.  
Other action, 1865.

**Senate Bill No. 97.—(Kretchmar)**

A bill for an act fixing the salaries and providing for the payment of necessary expenses of the judges of the district courts of the state of North Dakota.

Received, 740.  
Referred, 762.  
Reported, 829.

**Senate Bill No. 98.—(McDonald)**

A bill for an act creating and defining the Twelfth judicial district within the state of North Dakota, providing for the election of a judge therein and fixing the terms of court in said district.

Received, 296.  
Referred, 307.  
Reported, 830.  
Passed or lost, 1091.  
Other action, 1228.

**Senate Bill No. 99.—(Overson)**

A bill for an act to amend and reenact Section 1513 of Revised Codes of North Dakota, as amended by Chapter 41, of the Laws of 1909, relating to the furnishing by the county auditor of assessment books and blanks, lists, of real property, regulating the time of meeting of assessors, and providing for their compensation for attending such meeting.

Received, 295.  
Referred, 306.  
Reported, 571.  
Passed or lost, 779.  
Other action, 897.

**Senate Bill No. 102.—(Martin)**

A concurrent resolution amending the constitution of the state of North Dakota, establishing and locating a state agricultural college at the city of Beach, county of Billings,

Received, 1538, 1922.  
Referred, 1565.  
Reported, 1652.  
Other action, 1894.

**Senate Bill No. 104.—(Duis)**

A bill for an act providing for correcting errors and deficiencies in city plats.

Received, 1527.  
Referred, 1564.  
Reported, 1643.  
Passed or lost, 1917.  
Other action, 2059.

**Senate Bill No. 106.—(Pierce)**

A bill for an act to amend Sections 1895 and 1896 of the Revised Codes, relating to cruelty to animals, and to provide for the organization and operation of societies for the purpose of inculcating humane principles and the prevention of cruelty, especially to animals and children.

Received, 1087.  
Referred, 1101.  
Reported, 1653.  
Passed or lost, 1934.  
Other action, 1345, 1984.

**Senate Bill No. 107.—(Elkin)**

A bill for an act to amend Section No. 2743 of the Revised Codes of North Dakota, for 1905, relating to election districts and precincts.  
 Received, 322.  
 Referred, 382.  
 Reported, 604.  
 Passed or lost, 780.  
 Other action, 912.

**Senate Bill No. 108.—(Elkin)**

A bill for an act to amend Section 2744 of the Revised Codes of North Dakota for 1905, relating to qualified voters and registration in cities.  
 Received, 322.  
 Referred, 383.  
 Reported, 605.  
 Passed or lost, 781.  
 Other action, 897.

**Senate Bill No. 109.—(Elkin)**

A bill for an act making an appropriation for the Mayville State Normal school, located at Mayville, North Dakota, for hospital, green house, fuel bin, library, museum, boiler, grounds, lecture course, manual training and domestic science and improvements on ventilating system, and for reimbursement of money transferred from local and interest and income funds.  
 Received, 1266.  
 Referred, 1452.  
 Reported, 1588.  
 Passed or lost, 1758.  
 Other action, 1994.

**Senate Bill No. 113.—(Welo)**

A bill for an act defining and taxing the occupation of transient merchants, regulating the licensing of persons engaged in such occupation, increasing the state revenue by such taxation, and prescribing penalties for violation of its proceedings.  
 Received, 654.  
 Referred, 765.  
 Reported, 1303.  
 Passed or lost, 1813.  
 Other action, 1711, 1763, 1776, 2070.

**Senate Bill No. 114.—(Gibbens)**

A bill for an act to enlarge the powers and duties of the board of railroad commissioners, creating a public warehouse fund and making an appropriation.  
 Received, 740.  
 Referred, 761.  
 Reported, 868.  
 Passed or lost, 1227.  
 Other action, 1226, 1407.

**Senate Bill No. 120.—(Movius)**

A bill for an act to punish the giving of checks or drafts on any bank or other depository wherein the person so giving such check or draft shall not have sufficient funds or credit for the payment of the same.  
 Received, 599.  
 Referred, 646.  
 Reported, 811.

**Senate Bill No. 122.—(Trimble)**

A bill for an act requiring natural gas to be confined, and prescribing penalty for the violation thereof.  
 Received, 296.  
 Referred, 306.  
 Reported, 487, 647.  
 Passed or lost, 1090.  
 Other action, 1270.

**Senate Bill No. 123.—(Plain)**

A bill for an act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.  
 Received, 322.  
 Referred, 383.  
 Reported, 564.  
 Passed or lost, 775.  
 Other action, 912.

**Senate Bill No. 124.—(Davis)**

A bill for an act to amend Section 2594 of the Revised Codes of North Dakota.  
 Received, 654.  
 Referred, 765, 1255.  
 Reported, 814, 815, 1639.  
 Other action, 1255, 2131.

**Senate Bill No. 126.—(Stevens)**

A bill for an act entitled, an act relative to deposits made in banks or other institutions, authorized to receive deposits under the laws of North Dakota, when such deposits are made in two or more names.

Received, 239.  
Referred, 279, 578.  
Reported, 530, 1294.

**Senate Bill No. 128.—(Overson)**

A bill for an act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this act and repealing all acts or parts of acts in conflict herewith.

Received, 741, 1998.  
Referred, 761.  
Reported, 1201.  
Other action, 1669.

**Senate Bill No. 129.—(Simpson)**

A bill for an act concerning insurance contracts and providing that contracts of insurance made by any company belonging to or member of or in any way connected with any tariff association or such like thing by whatever name called, shall be construed to add twenty-five per cent to the face of the policy or contract of insurance in addition to the actual loss or damage suffered; providing that the jury or court finding certain facts must add the amount of said penalty to the verdict, and providing for a liberal construction of this act.

Received, 922.  
Referred, 1098.  
Reported, 1593.

**Senate Bill No. 130.—(Simpson)**

A bill for an act to amend and reenact Section 4466 of the Revised Codes of North Dakota for the year 1905, relating to the

**Senate Bill No. 130.—Continued.**

annual statements of insurance companies.

Received, 575.  
Referred, 585.  
Reported, 745, 851.  
Passed or lost, 1571.  
Other action, 2059.

**Senate Bill No. 131.—(Welo)**

A bill for an act amending Section 167, 169, 170, 171, 173 and 191 of the Revised Codes of North Dakota for 1905, relating to the appraisal and sale of school lands.

Received, 322.  
Referred, 383.  
Reported, 658, 731.  
Passed or lost, 1231.  
Other action, 1407.

**Senate Bill No. 132.—(Davis)**

A bill for an act appropriating money for the maintenance of the public health laboratory in the medical department of the State University and School of Mines at Grand Forks, and its branches at Bismarck and at Minot, and to repeal Section 1, Chapter 26, Session Laws of 1907.

Received, 741.  
Referred, 761.  
Reported, 1589.  
Passed or lost, 1762.  
Other action, 2060.

**Senate Bill No. 133.—(Wallin)**

A bill for an act amending Section 1584 of the Revised Codes of the state of North Dakota, as amended by Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Received, 654.  
Referred, 765.  
Reported, 1126.

**Senate Bill No. 134.—(Overson)**

A bill for an act making an appropriation for the Williston Experimental Station, located at the city of Williston, Williams county.

Received, 1265.  
 Referred, 1453.  
 Reported, 1648.  
 Passed or lost, 1923.  
 Other action, 2071.

**Senate Bill No. 135.—(Plain)**

A concurrent resolution amending the constitution of the state of North Dakota, empowering the legislative assembly to provide by law for erection, leasing purchasing and operating terminal elevators in the state of Minnesota and Wisconsin, or either.

Received, 296.  
 Referred, 306.  
 Reported, 691.  
 Passed or lost, 1092.  
 Other action, 1211.

**Senate Bill No. 137.—(Davis)**

A bill for an act making an appropriation to compensate F. C. Heffron for services as assistant attorney general, especially authorized to enforce the prohibitory law of this state.

Received, 1266.  
 Referred, 1451, 1645.  
 Reported, 1644, 1828, 1829.  
 Other action, 1829.

**Senate Bill No. 138.—(Plain)**

A concurrent resolution to amend Section 158 of the Constitution of the state of North Dakota, governing the sale of school lands to railroad companies.

Received, 398, 575.  
 Referred, 586.  
 Reported, 1485.  
 Passed or lost, 1738.  
 Other action, 400, 2004.

**Senate Bill No. 139.—(Walton)**

A bill for an act to provide for the maintenance of the State Normal Industrial school located at Ellendale, and for necessary improvements, and providing appropriations therefor.

Received, 1268.  
 Referred, 1449.  
 Reported, 1590.  
 Passed or lost, 1764.  
 Other action, 1917.

**Senate Bill No. 141.—(McLean)**

A bill for an act appropriating money for the erection of a seed house and soil testing room, hog and chicken house and the purchase of brood mares, gasoline engine and other needed repairs at the Langdon sub-experiment station.

Received, 1266.  
 Referred, 1452.  
 Reported, 1833.  
 Passed or lost, 1947.  
 Other action, 2139.

**Senate Bill No. 142.—(Cashel)**

A bill for an act to amend Sections 1821 and 1828 of the Revised Codes of 1905, as amended in Chapter 93 of the Session Laws of 1907, and also to amend Section 1825 of the Revised Codes of 1905, relating to drainage.

Received, 416.  
 Referred, 428.  
 Reported, 864, 1107.  
 Passed or lost, 1626.  
 Other action, 2133.

**Senate Bill No. 145.—(McDonald)**

A bill for an act making an appropriation for the experimental station of the School of Mines and the Mining sub-station at Hebron, Morton county.

Received, 1087.  
 Referred, 1101.  
 Reported, 1590.  
 Passed or lost, 1764.  
 Other action, 1994.

**Senate Bill No. 147.—(Williams)**

A bill for an act to amend Section 4048 of the Revised Codes of 1905, providing for the dissolution of marriage; the effect thereof and the duty of the court to regulate the re-marriage of either or both parties.

Received, 322.  
 Referred, 382.  
 Reported, 610.  
 Passed or lost, 787.  
 Other action, 897.

**Senate Bill No. 148.—(Kennedy)**

A bill for an act to amend Section 12 of Chapter 182, the same being Senate Bill No. 128 of the Session Laws for 1907, relating to the qualifications for registration of pharmacists.

Received, 875.  
 Referred, 909.  
 Reported, 1051.  
 Passed or lost, 1615.  
 Other action, 1727.

**Senate Bill No. 149.—(Duncan)**

A bill for an act to require sheriffs in all counties of the state of North Dakota to issue receipts and to file with the county auditor of their respective counties all duplicate receipts issued for the payment of delinquent taxes collected by them or their deputies during their term of office.

Received, 452.  
 Referred, 509.  
 Reported, 612.  
 Passed or lost, 788.  
 Other action, 911.

**Senate Bill No. 151.—(Duncan)**

A bill for an act to require county commissioners in all counties of the state of North Dakota elected or appointed to the office of county commissioner, to furnish an official bond for the faithful performance of their duties, and providing for the approval of the bond.

Received, 575.  
 Referred, 586.  
 Reported, 1196.  
 Passed or lost, 1673.  
 Other action, 1802.

**Senate Bill No. 153.—(Gibbens)**

A concurrent resolution amending the constitution of the state of North Dakota, providing for the future amendment thereof.

Received, 715.  
 Referred, 763.  
 Reported, 948.  
 Passed or lost, 954.  
 Other action, 1744.

**Senate Bill No. 154.—(Judicial Com-**

A bill for an act authorizing and directing the secretary of the state of North Dakota to loan the plates of the North Dakota supreme court reports covering volumes one to nineteen inclusive, and for prescribing the manner and conditions on which the said loan is to be made.

Received, 322.  
 Referred, 382.  
 Reported, 531.  
 Passed or lost, 774.  
 Other action, 774, 1041.

**Senate Bill No. 155.—(Williams)**

A bill for an act to amend Section 8103 of the Revised Codes of 1905, of the state of North Dakota, relating to endorsement of allowance or rejection of claims by executive or administrators and providing for notices thereof.

Received, 576.  
 Referred, 585.  
 Reported, 606.  
 Passed or lost, 785.  
 Other action, 785, 911.

**Senate Bill No. 156.—(Williams)**

A bill for an act to amend Section 8105 of the Revised Codes of 1905, relating to rejecting claims and providing how suit is instituted.

Received, 577.  
 Referred, 585.  
 Reported, 606.  
 Passed or lost, 784.  
 Other action, 911.

**Senate Bill No. 158.—(McDonald)**

A bill for an act making appropriations for the current and contingent expenses of the State Reform school of North Dakota, and for making permanent improvements thereto.  
 Received, 1086.  
 Referred, 1101.  
 Reported, 1835.  
 Passed or lost, 1946.  
 Other action, 2070.

**Senate Bill No. 159.—(Whitcher)**

A bill for an act to require a re-insurance reserve for mutual life insurance companies.  
 Received, 922.  
 Referred, 1099.  
 Reported, 1300.

**Senate Bill No. 160.—(Carter)**

A bill for an act to amend Section 3213, Revised Codes of North Dakota, relating to township boards.  
 Received, 575.  
 Referred, 586.  
 Reported, 700.  
 Passed or lost, 1083.  
 Other action, 1270.

**Senate Bill No. 161.—(Carter)**

A bill for an act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.  
 Received, 1413.  
 Referred, 1446.  
 Reported, 1593.  
 Passed or lost, 1768.  
 Other action, 1994.

**Senate Bill No. 165.—(Committee on**

**A bill for an act to prohibit the granting to or use by any person of any free pass, frank or special privilege withheld from any other person and fixing the penalty for the violation thereof, except as provided therein and to require the granting of free transportation to the board**

**Senate Bill No. 165.—Continued.**

of railroad commissioners, their experts and their agents.  
 Railroads)  
 Received, 323.  
 Referred, 381.  
 Reported, 797.  
 Passed or lost, 798.  
 Other action, 699, 726, 798, 911.

**Senate Bill No. 166.—(Simpson)**

A bill for an act to amend and reenact Section 6064 of the Revised Codes of North Dakota for the year A. D., 1905, relating to life insurance.  
 Received, 296.  
 Referred, 306.  
 Reported, 870.  
 Other action, 961, 1052, 1146.

**Senate Bill No. 168.—(Cashel)**

A bill for an act amending Section 1968 of the Revised Codes of 1905, known as the state bounty for wolves and coyotes.  
 Received, 399.  
 Referred, 403.  
 Reported, 611.

**Senate Bill No. 169.—(Cashel)**

A bill for an act indemnifying owners for horses killed or destroyed according to law for being affected with the disease known as glanders.  
 Received, 399.  
 Referred, 403.  
 Reported, 692.  
 Passed or lost, 1094.  
 Other action, 1211.

**Senate Bill No. 171.—(Gronvold)**

A bill for an act relating to payment of deposits in trust, in any bank, banking institution or trust company.  
 Received, 599.  
 Referred, 646.  
 Reported, 867.  
 Passed or lost, 1600.

**Senate Bill No. 172.—(Bessessen)**

A bill for an act to amend Section 2170 of the Revised Codes of North Dakota, for 1905, providing automobiles and motorcycles must have bell, horn or whistle.  
 Received, 599.  
 Referred, 646.  
 Reported, 1050.

**Senate Bill No. 174.—(Bessessen)**

A bill for an act relating to desertion and non-support of wife by husband, or of children by either father or mother, and providing punishment therefor; and providing for manner of procedure and evidence required in such cases; and to promote uniformity between the states in reference thereto.  
 Received, 599.  
 Referred, 645.  
 Reported, 827.  
 Passed or lost, 1258.  
 Other action, 1441.

**Senate Bill No. 175.—(Ellingson)**

A bill for an act to amend Section 417 of the Revised Codes of North Dakota for the year 1905, relating to officers and offices, and the qualifications of officers.  
 Received, 576.  
 Referred, 586.  
 Reported, 697.  
 Passed or lost, 1253.  
 Other action, 1095, 1407.

**Senate Bill No. 176.—(Welo)**

A bill for an act providing for the appointment of county superintendents of highways and deputy superintendents in organized counties, who shall have charge and supervision of the construction, improvement and maintenance of the roads within said counties, providing for road institutes, prescribing the duties of the state engineer in connection therewith.  
 Received, 399.  
 Referred, 403.  
 Reported, 524, 525, 676.  
 Passed or lost, 895.  
 Other action, 896, 1041.

**Senate Bill No. 177.—(Steele of Ren-ville.)**

A bill for an act to create a board of immigration and prescribing its powers and duties.  
 ville.  
 Received, 1412.  
 Referred, 1448.  
 Passed or lost, 2137.  
 Other action, 2136.

**Senate Bill No. 178.—(Welo)**

A bill for an act to prohibit county superintendents of schools, deputies, school officers, school official, principals and teachers from receiving commission or fees or reward for or on account of any school books, furniture, or other supplies purchased during the incumbency of such office, and providing for a penalty therefor.  
 Received, 452.  
 Referred, 509.  
 Reported, 743.  
 Passed or lost, 1249.  
 Other action, 1407.

**Senate Bill No. 179.—(Gunderson)**

A bill for an act providing for the regulation and the use of the public drinking cup and public towel.  
 Received, 576.  
 Referred, 587.  
 Reported, 687.

**Senate Bill No. 180.—(Kretchmar)**

A bill for an act to amend and reenact Section 1607 of the Revised Codes of North Dakota for the year 1905.  
 Received, 576.  
 Referred, 587.  
 Reported, 614.  
 Passed or lost, 780.  
 Other action, 780, 792, 898.

**Senate Bill No. 181.—(Kretchmar)**

A bill for an act to provide for the levy and collection of taxes in the villages of the state of North Dakota, and to repeal Sections 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882, and

**Senate Bill No. 181—Continued.**

2883 of the Revised Codes of 1905.  
 Received, 654.  
 Referred, 765.  
 Reported, 1310.  
 Passed or lost, 1718.  
 Other action, 1866.

**Senate Bill No. 182.—(Bessessen)**

A bill for an act to amend Section 12 of Chapter 109 of the Laws of North Dakota for 1907, relating to the percentage of votes required for nomination at primary elections.  
 Received, 343.  
 Referred, 381, 534.  
 Reported, 527, 677.

**Senate Bill No. 183.—(LaMoure)**

A bill for an act repealing Chapter 176, Laws of 1903, being Sections 216, 217, 218, 219, 220, 221, 222, and 223 of the Revised Codes of 1905, relating to the leasing of common school and other public lands for coal mining purposes.  
 Received, 576.  
 Referred, 586.  
 Reported, 1595.

**Senate Bill No. 184.—(Davis)**

A bill for an act fixing the liability of a bank to its depositor for payment of forged and raised checks.  
 Received, 521.  
 Referred, 555.  
 Reported, 819.

**Senate Bill No. 185.**

A bill for an act providing for the establishing of savings banks and defining the powers and restrictions of the same.  
 Received, 922.  
 Referred, 1100.  
 Reported, 1148.  
 Passed or lost, 1628.  
 Other action, 1727.

**Senate Bill No. 186.—(Linde)**

A bill for an act to amend and reenact Section 9371 of Revised Codes of the state of North Dakota for the year 1905, relating to the enforcement of the prohibition law by state's attorneys, providing for a special fund in each county for the fines and penalties and the payment of prosecution expenses.  
 Received, 1185.  
 Referred, 1237.  
 Reported, 1429.  
 Passed or lost, 1729.

**Senate Bill No. 187.—(McDowell)**

A bill for an act to encourage elementary education in North Dakota, and appropriate money therefor.  
 Received, 1185.  
 Referred, 1238, 1346.  
 Reported, 1654.  
 Other action, 1346.

**Senate Bill No. 188.—(Ellingson)**

A bill for an act to license motor and other vehicles, and chauffeurs, defining the road regulations of such vehicles, providing that the funds received from such licenses shall be expended on the maintenance of public highways and making it a misdemeanor to take and remove motor and other vehicles from any warehouse, garage or building without the knowledge and consent of the owner, and repealing Sections 2169, 2170, 2171, and 2112, of the Revised Codes of 1905, and repealing Sections 2173 and 2174 of the Revised Codes of 1905, as amended in Chapter 42 of the Session Laws of 1909.  
 Received, 925.  
 Referred, 1099, 1658.  
 Reported, 1130, 1831.  
 Passed or lost, 1965.  
 Other action, 1617, 1658, 1964.



**Senate Bill No. 189.—(Welch)**

A bill for an act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Received, 1086.  
Referred, 1102.  
Reported, 1589.  
Passed or lost, 1761.  
Other action, 2005.

**Senate Bill No. 194.—(Simpson)**

A bill for an act defining the Tenth judicial district and providing for holding terms of court therein.

Received, 724.  
Referred, 762.  
Reported, 946.  
Passed or lost, 1603.  
Other action, 1672.

**Senate Bill No. 195.—(Putnam)**

A bill for an act regulating the discharge of liens, not dependent upon possession, and to provide for the release of liens, filed of record against real property and personal property, and the giving of an undertaking for the payment thereof.

Received, 521.  
Referred, 555.  
Reported, 947.  
Passed or lost, 1605.  
Other action, 1677.

**Senate Bill No. 196.—(Hookway)**

A bill for an act to amend and reenact Section 8841 of the Revised Codes of North Dakota for the year 1905, relating to kidnapping, defining same, providing punishment therefor, and prescribing punishment of aidor, assistors and abettors therein.

Received, 576.  
Referred, 585.  
Reported, 605.

**Senate Bill No. 197.—(Committee on Education.)**

A bill for an act to amend Article 2, Chapter 10, of the Session Laws of 1909, relating to normal schools.

Received, 576.  
Referred, 587.  
Reported, 727, 744.  
Passed or lost, 965.  
Other action, 965, 1228.

**Senate Bill No. 198.—(Gunderson and Duis)**

A bill for an act to amend and reenact Section 7387 of Article 4 of Chapter 27 of the Revised Codes of North Dakota for the year 1905.

Education)  
Received, 875.  
Referred, 909.  
Reported, 1133.  
Passed or lost, 1625.  
Other action, 1689.

**Senate Bill No. 200.—(Kennedy)**

A bill for an act to amend and reenact Section 10371 and Section 10373 of the Revised Codes of North Dakota, for the year 1905, relating to parole of inmates of the state penitentiary.

Received, 655.  
Referred, 766.  
Reported, 941.

**Senate Bill No. 201.—(Simpson)**

A bill for an act to prohibit certain designated officers from advising, counseling, or suggesting to persons upon whom process is served, the name of attorneys and prescribing a penalty for violation.

Received, 876.  
Referred, 909.  
Reported, 1051.  
Other action, 1613.

**Senate Bill No. 202.—(Trimble)**

A bill for an act making it the duty of the commissioner of agriculture and labor to furnish certain information, and making an appropriation for the payment of

**Senate Bill No. 202—Continued.**

the expenses connected there-  
with.

Received, 1267.  
Referred, 1453.  
Reported, 1647.

**Senate Bill No. 203.—(Gronvold)**

A bill for an act to repeal Section  
1544 of the Revised Codes of the  
state of North Dakota, relating  
to county treasurers and the col-  
lection of taxes.

Received, 655.  
Referred, 766.  
Reported, 861.

**Senate Bill No. 204.—(Duncan)**

A bill for an act to authorize boards  
of trustees of incorporated vil-  
lages to regulate and license  
liveries, dray and express lines,  
and other vehicles used for the  
carrying of passengers, mes-  
sages, or property for hire.

Received, 923.  
Referred, 1096.  
Reported, 1285  
Other action, 1684.

**Senate Bill No. 205.—(Welch)**

A bill for an act to amend Section  
10381 of the Revised Codes of  
1905, as amended by Section 1,  
of Chapter 40, of the Session  
Laws of 1907, relating to the  
manner of disposing of the prod-  
uct of the state binder plant.

Received, 655.  
Referred, 766.  
Reported, 809.  
Passed or lost, 1254.  
Other action, 1407.

**Senate Bill No. 206.—(McDowell)**

A bill for an act to amend Section  
1346 of the Revised Codes of  
North Dakota for 1905, relating  
to highways.

Received, 693.  
Referred, 763.  
Reported, 866.

**Senate Bill No. 208.—(Garden)**

A bill for an act to provide for and  
making of improvements at the  
North Dakota School of Fores-  
try to assist in the maintenance  
thereof, and making appropria-  
tion therefor.

Received, 1422.  
Referred, 1444.  
Reported, 1592.  
Passed or lost, 1767.  
Other action, 2134.

**Senate Bill No. 209.—(Garden)**

A bill for an act entitled, an act  
regulating the business of cor-  
porations issuing bonds, notes,  
or other evidences of indebted-  
ness and providing for the ex-  
amination of such corporations.

Received, 1423.  
Referred, 1444.  
Reported, 1641.  
Passed or lost, 1889.  
Other action, 2004.

**Senate Bill No. 210.—(McDowell)**

A bill for an act to amend Sections  
4635, 4638, 4641, 4642, 4664, and  
4668, relating to state banking  
corporations; creating a separ-  
ate banking department; and  
providing for placing banking  
and other financial corporations  
within the jurisdiction and con-  
trol of the same.

Received, 1085.  
Referred, 1103.  
Reported, 1148, 1985.  
Passed or lost, 1629, 1630, 1996.  
Other action 1630, 1861, 1879, 1986,  
2156.

**Senate Bill No. 211.—(Gunderson)**

A bill for an act to amend Sections  
1, 3, 5, 8 and 13, of Chapter  
161 of the Session Laws of 1909  
entitled, an act to regulate the  
public service of stallions in  
North Dakota; and providing a  
penalty for violation thereof.

Received, 1268.  
Referred, 1451  
Reported, 1583.  
Passed or lost, 1745.  
Other action, 2004.

**Senate Bill No. 212.—(Steele)**

A bill for an act to provide for the refund of any tax upon land which shall have been paid through the error of any county official, or by mistake of the party so paying.

Received, 876.  
 Referred, 910.  
 Reported, 986.  
 Passed or lost, 1604.  
 Other action, 1677.

**Senate Bill No. 213.—(Kennedy)**

A bill for an act to regulate the manner of sale of food products and beverages, and establishing the legal weight for lard or lard substitutes and for bread, and providing a penalty for the violation thereof.

Received, 922.  
 Referred, 1100.  
 Reported, 1580.  
 Passed or lost, 1742.  
 Other action, 1865.

**Senate Bill No. 214.—(Kennedy)**

A bill for an act to amend subdivision 3 of Section 5001 of the Revised Codes of North Dakota of 1905, relative to the recording of instruments in the office of register of deeds.

Received, 521.  
 Referred, 554.  
 Reported, 738.  
 Passed or lost, 1233.  
 Other action, 1362.

**Senate Bill No. 216.—(Overson)**

A bill for an act to amend and reenact Section 8023 of the Revised Codes of North Dakota for 1905, relating to time to apply for letters of administration and providing when the statute of limitation shall run against claims against decedents.

Received, 453.  
 Referred, 509.  
 Reported, 606.  
 Passed or lost, 783.  
 Other action, 898.

**Senate Bill No. 217.—(Overson)**

A bill for an act to amend and reenact Section 9015 of the Revised Codes of North Dakota for 1905, as amended by Chapter 163 of the laws of 1909, validating marriages performed without authority, or where licenses have been issued by a clerk of the county court.

Received, 453.  
 Referred, 510.

**Senate Bill No. 218.—(Overson)**

A bill for an act to amend and reenact Section 7047 of the Revised Codes of North Dakota for the year 1905, relating to references and trials by referees.

Received, 1187.  
 Referred, 1237.  
 Reported, 1835.  
 Passed or lost, 1894.  
 Other action, 2003.

**Senate Bill No. 219.—(Steele of Stuts-**

**man)**  
 A bill for an act making an appropriation to meet the deficiency incurred by William Blake of Stutsman county, North Dakota, in carrying out the work of state humane agent.

Received, 453.  
 Referred, 510.  
 Reported, 813.  
 Passed or lost, 890.  
 Other action, 957.

**Senate Bill No. 220.—(Elkin)**

A bill for an act to divide the state of North Dakota into three (3) congressional districts, and defining the boundaries of each said congressional district of the of North Dakota.

Received, 1624.  
 Referred, 1776.  
 Reported, 1837, 1838.  
 Passed or lost, 1967.  
 Other action, 1839, 1895, 2065, 2129, 2131, 2158.

**Senate Bill No. 221.—(LaMoure)**

A bill for an act to amend and reenact Section 4303 of the Revised Codes of 1905, and repeal Section 4304 of said code.  
 Received, 521.  
 Referred, 554.  
 Reported, 700.  
 Passed or lost, 1228.  
 Other action, 1362.

**Senate Bill No. 222.—(Steele of Ren-**

A bill for an act to amend and reenact Section 2, Section 16 and Section 24 of Chapter 109 of the Session Laws of the year 1907, of the state of North Dakota, relating to primary election.  
 ville)  
 Received, 816.  
 Referred, 906.  
 Reported, 1425, 1426, 1456.

**Senate Bill No. 223.—(Steele of Ren-**

A bill for an act to amend and reenact Section 39 and Section 40 of Chapter 109 of the Session Laws of the year 1907, of the State of North Dakota, relating to primary election.  
 Received, 740.  
 Referred, 761.  
 Reported, 1428.  
 Passed or lost, 1728.  
 Other action, 2060.

**Senate Bill No. 224.—(LaMoure)**

A bill for an act to amend Section 98 of the Revised Codes of North Dakota of 1905.  
 Received, 427.  
 Referred, 429.  
 Reported, 476.  
 Passed or lost, 2072.  
 Other action, 961, 2071, 2152.

**Senate Bill No. 225.—(Linde)**

A bill for an act to amend and reenact Sections 4071, 4073 and 4074 of the Revised Codes of the State of North Dakota for the year 1905, relating to alimony, support and maintenance

**Senate Bill No. 225—Continued.**

of the children of a marriage or of either party thereto in divorce actions.  
 Received, 693.  
 Referred, 763.  
 Reported, 826.  
 Passed or lost, 1257.  
 Other action, 1407.

**Senate Bill No. 226.—(Linde)**

A bill for an act giving the court authority to require the defendant to provide for the temporary support and maintenance of the plaintiff in divorce actions.  
 Received, 876.  
 Referred, 910.  
 Reported, 1295.  
 Passed or lost, 1696.  
 Other action, 1802.

**Senate Bill No. 227.—(Gunderson)**

A bill for an act making it unlawful for corporations having banking powers to invest more than thirty percent of its capital stock and surplus in banking house, furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Codes for the year 1905.  
 Received, 1085.  
 Referred, 1103.  
 Reported, 1594.  
 Passed or lost, 1771.  
 Other action, 2003.

**Senate Bill No. 228.—(Stevens)**

A bill for an act to amend and reenact Section 1599 of the Revised Codes of 1905, relating to the platting of irregular tracts of land.  
 Received, 924.  
 Referred, 1097.  
 Reported, 1193.  
 Passed or lost, 1659.  
 Other action, 1727.

**Senate Bill No. 229.—(Plain)**

A concurrent resolution amending the Constitution of the State of North Dakota, empowering the legislative assembly to provide by law for erecting, leasing, purchasing and operating terminal elevators in the State of North Dakota.

Received, 655.  
 Referred, 766.  
 Reported, 868.  
 Passed or lost, 1601.  
 Other action, 1673.

**Senate Bill No. 233.—(Davis)**

A bill for an act to amend Section 7045 of the Revised Codes of 1905, relating to the calling of another judge on account of prejudice or bias.

Received, 693.  
 Referred, 764.  
 Reported, 828.

**Senate Bill No. 234.—(Duis)**

empower the state auditing  
 A bill for an act to authorize and board to audit, approve and order paid, bills contracted by the capitol commission under Chapter 166 of the Session Laws of 1905, and making an appropriation therefor.

Received, 1040.  
 Referred, 1095.  
 Reported, 1422  
 Other action, 1721.

**Senate Bill No. 235.—(Talcott)**

A bill for an act to amend Sections 3, 4, 5, 6, 7, 8, 12, 15, 28, 35, 42, 43, 44, and 45 of Chapter 128 of the Session Laws of 1909, being an act creating a state game and fish board of control and chief game wardens and state fish commissioner, deputies and wardens, and defining their duties and jurisdiction, for the protection, propagation, preservation, taking, use and transportation of game, fish, wild birds, fur bearing ani-

**Senate Bill No. 235.—Continued.**

mals and certain harmless birds and animals.

Received, 795.  
 Referred, 907.  
 Reported, 1205, 1246, 1999.  
 Passed or lost, 1721, 2002.  
 Other action, 1212, 1859, 1861, 2001, 2158.

**Senate Bill No. 236.—(Martin)**

A bill for an act to amend and reenact Section 2240, Article 45, Chapter 24, of the Revised Codes of North Dakota for the year 1905, relating to the duties of county auditors and prescribing how records of fees shall be kept.

Received, 876.  
 Referred, 909.  
 Reported, 1026.  
 Passed or lost, 1612.  
 Other action, 1689.

**Senate Bill No. 238.—(Welch)**

A bill for an act authorizing the board of university and school lands to make examination of all state and school lands to thickness of any lignite coal veins underlying the surface and to show the soil characteristics and topographical features of such land, and providing an appropriation therefor.

Received, 1185.  
 Referred, 1237.  
 Reported, 1594.  
 Passed or lost, 1770.  
 Other action, 1994.

**Senate Bill No. 241.—(Committee on**

A bill for an act entitled, an act to prevent drinking or offering to others to drink as a beverage, any intoxicating liquors upon passenger trains in the state of North Dakota.

Temperance)  
 Received, 1438.  
 Referred, 1445.  
 Reported, 1643.  
 Passed or lost, 1920.  
 Other action, 1920, 1994.

**Senate Bill No. 242.—(Linde)**

A bill for an act prohibiting and punishing the unauthorized publication or distribution of the secret work of fraternal orders, and any publication claimed or represented to be secret work.  
 Received, 876.  
 Referred, 909.  
 Reported, 1295.

**Senate Bill No. 243.—(Gronvold)**

A bill for an act to amend Section 2084 of the Revised Codes of North Dakota for 1905, relating to proof of planting trees, under the tree bounty law.  
 Received, 876.  
 Referred, 910.  
 Reported, 1827.

**Senate Bill No. 244.—(Linde)**

A bill for an act prohibiting public administrators from acting as attorneys in the estates of decedents.  
 Received, 693.  
 Referred, 764.  
 Reported, 824, 916.  
 Passed or lost, 2018.  
 Other action, 2148.

**Senate Bill No. 245.—(Linde)**

A bill for an act to amend and reenact Sections 1, 2, 3, 4, 7, 8 of Chapter 260 of the Session Laws of the state of North Dakota for the year 1907, to repeal Sections 5 and 6 thereof and to repeal Chapter 258 of the Session Laws of the state of North Dakota for the year 1907, relating to the prohibition of unfair discrimination between different sections, communities or localities, unfair competition and providing penalties for the violation thereof.  
 Received, 1186.  
 Referred, 1239.  
 Reported, 1581.  
 Other action, 1352.

**Senate Bill No. 246.—(Plain)**

A bill for an act to prohibit the carrying and use of firearms by children and minors.  
 Received, 877.  
 Referred, 910.  
 Reported, 1126.  
 Passed or lost, 1616.  
 Other action, 1676.

**Senate Bill No. 247.—(Welo)**

A concurrent resolution amending Section 185 of the constitution of the state of North Dakota, relating to state aid in the construction and improvement of public highways.  
 Received, 740.  
 Referred, 760.  
 Reported, 866.  
 Passed or lost, 1573, 1686.  
 Other action, 1574, 1802.

**Senate Bill No. 248.—(Welo)**

A bill for an act to provide for the better preservation of section corner, quarter section corner, and meander corner monuments on any government line of survey, and to provide a penalty for their destruction or defacement.  
 Received, 693.  
 Referred, 764.  
 Reported, 1196.  
 Passed or lost, 1674.  
 Other action, 1727.

**Senate Bill No. 252.—(Cashel)**

A bill for an act to amend Section 1541 of the Revised Codes of 1905, relating to tax lists made out by county auditors.  
 Received, 877.  
 Referred, 910.  
 Reported, 987.  
 Passed or lost, 1611.  
 Other action, 1689.

**Senate Bill No. 253.—(Cashel)**

A bill for an act transferring funds from the state wolf bounty fund of this state to the general fund of the state.

Received, 926.  
Referred, 1099.  
Reported, 1286.  
Passed or lost, 1685.  
Other action, 1802.

**Senate Bill No. 254.—(Bessessen)**

A bill for an act prohibiting combinations or agreements between two or more fire insurance companies, fixing rates and prescribing penalties therefor.

Received, 1556.  
Referred, 1566.  
Reported, 1638.

**Senate Bill No. 256.—(Stevens)**

A bill for an act to amend Section 1833 of the Revised Codes of North Dakota for the year 1905, relating to additional assessments for drains.

Received, 1040.  
Referred, 1096.  
Reported, 1427.  
Passed or lost, 1726.  
Other action, 1801.

**Senate Bill No. 257.—(Duis)**

A bill for an act entitled an act regulating the erection of telegraph, telephone, electric light, power and other poles carrying wires conveying electricity in incorporated cities.

Received, 923.  
Referred, 1096.  
Reported, 1281.  
Passed or lost, 1682.  
Other action, 1744.

**Senate Bill No. 259.—(Williams)**

A bill for an act making an appropriation to compensate P. J. Johnson for services as assistant attorney general, especially authorized to enforce the prohibitory law of this state.

Received, 1266.  
Referred, 1451, 1644.  
Reported, 1644, 1834.  
Other action, 1977.

**Senate Bill No. 260.—(Walton)**

A bill for an act to regulate the names of corporations and to prohibit the use of misleading words in the names of corporations organized or authorized to do business in this state.

Received, 925.  
Referred, 1098.  
Reported, 1297.

**Senate Bill No. 261.—(Wallin)**

A bill for an act regulating the practice in county court having increased jurisdiction.

Received, 1437.  
Referred, 1446.  
Reported, 1587.  
Passed or lost, 1756.  
Other action, 2153.

**Senate Bill No. 262.—(Thoreson)**

A bill for an act to establish a revolving fund out of the net profits derived from the operation of the twine plant at the state penitentiary, and to provide for the disposal thereof.

Received, 1040.  
Referred, 1239, 1346.  
Reported, 1424.  
Passed or lost, 1722.  
Other action, 1346, 1865.

**Senate Bill No. 264.—(Talcott)**

A bill for an act to amend Section 10430 of the Revised Codes of 1905, of the state of North Dakota, relating to the appointment and obligations of jailers and manner of fixing compensation to be allowed for jail services.

Received, 1527.  
Referred, 1565.  
Reported, 1852.

**Senate Bill No. 265.—(Kennedy)**

A bill for an act to amend Sections 2772, 2775, 2776, 2777, 2786, Revised Codes of 1905, relating to the creation of improvement districts and the purposes for

**Senate Bill No. 265—Continued.**

which special assessments may be levied in this state.

Received, 923.  
Referred, 1099.  
Reported, 1192.  
Passed or lost, 1631.  
Other action, 1866.

**Senate Bill No. 267.—(Duncan)**

A bill for an act to amend Sections 2, 3, 4, 10, 14 and 28, of Chapter 92 of the Session Laws of the state of North Dakota of 1909, relating to the creation of a bureau of the department of agriculture and labor, to be known as the dairy department, to provide for the appointment of a dairy commissioner and assistant dairy commissioners, fixing their compensation, defining their powers and duties, prescribing rules and regulations for the manufacture and sale of dairy products prescribing penalties for violations, providing for a license for creameries, cream stations, cheese factories and renovating process butter factories, throughout the state.

Received, 923.  
Referred, 1100.  
Reported, 1303.  
Passed or lost, 1710.  
Other action, 1801.

**Senate Bill No. 268.—(Duncan)**

A bill for an act to amend Section 28 of Chapter 92, of the Session Laws of North Dakota for 1909.

Received, 1268.  
Referred, 1450.  
Reported, 1648.  
Passed or lost, 1926.  
Other action, 2017.

**Senate Bill No. 269.—(Baker)**

A bill for an act creating a reserve at Devils Lake, North Dakota, and providing for the protection of birds and their nests within such reserve.

Received, 795.  
Referred, 907.  
Reported, 1307.  
Passed or lost, 1712.  
Other action, 1801.

**Senate Bill No. 271.—(Kretchmar)**

A bill for an act for the organization of villages in territory embracing more than one county.

Received, 1186.  
Referred, 1238.  
Reported, 1591.  
Passed or lost, 1766.  
Other action, 2060.

**Senate Bill No. 274.—(Simpson)**

A bill for an act making an appropriation for the Dickinson experiment station located in the city of Dickinson.

Received, 1266.  
Referred, 1452.  
Reported, 1833.  
Passed or lost, 1948.  
Other action, 2138.

**Senate Bill No. 275.—(Elkin)**

A bill for an act authorizing the county commissioners to condemn and purchase right of way for highways whenever the cost of constructing such highway or any part thereof is to be borne by the county.

Received, 796.  
Referred, 908.  
Reported, 1131.  
Passed or lost, 1624.  
Other action, 1677.

**Senate Bill No. 277.—(Baker)**

A bill for an act relating to trespassing while hunting game.

Received, 925.  
Referred, 1098.  
Reported, 1309, 1774.  
Passed or lost, 1774.  
Other action, 2005.

**Senate Bill No. 278.—(Steele of Ren-**

ville)  
A bill for an act to amend and reenact Section 13 of the Session Laws for the year 1907 of the state of North Dakota, relating to primary election.

Received, 817.  
Referred, 908.  
Reported, 1299.  
Passed or lost, 1703.  
Other action, 1993.



**Senate Bill No. 280.—(Steele of Ren-ville)**

A bill for an act to amend and re-enact Section 9 of the Session Laws for the year 1907 of the state of North Dakota, relating to primary election.

Received, 816.  
 Referred, 907.  
 Reported, 1209.  
 Passed or lost, 1678, 1861.  
 Other action, 1861, 2138.

**Senate Bill No. 281.—(Bessessen)**

A concurrent resolution for an amendment to the constitution of the state of North Dakota, providing for the recall of public officers by the people.

Received, 838.  
 Referred, 908.  
 Reported, 1209, 1861.  
 Passed or lost, 1679.  
 Other action, 2017.

**Senate Bill No. 282.—(Linde)**

A bill for an act to amend and re-enact Section 2563 of the Revised Codes of the state of North Dakota for the year 1905, relating to the power of counties to issue bonds for the purpose of purchasing sites and constructing county buildings.

Received, 924.  
 Referred, 1096.  
 Reported, 1197.  
 Passed or lost, 1688.  
 Other action, 1801.

**Senate Bill No. 284.—(Johnson)**

A bill for an act making an appropriation for the purpose of reimbursing members of the railroad commission of North Dakota for money actually and necessarily expended in the conduct of the business of the office and for which bills there has never been funds with which to make payment.

Received, 1539.  
 Referred, 1565.  
 Reported, 1651.  
 Other action, 1929.

**Senate Bill No. 285.—(Davis)**

A bill for an act establishing a temporary educational commission and appropriating one thousand dollars for the expenses thereof.

Received, 1530.  
 Referred, 1564.  
 Reported, 1649.  
 Passed or lost, 1927.  
 Other action, 2071.

**Senate Bill No. 287.—(Welch)**

A bill for an act prescribing the duties of the county auditor upon receipt of tax levies certified to him.

Received, 1267.  
 Referred, 1450.  
 Reported, 1639.  
 Passed or lost, 2016.  
 Other action, 2144.

**Senate Bill No. 289.—(Duncan)**

A bill for an act making it unlawful for any chairman of the board of county commissioners of any county in the state of North Dakota from signing any county warrant or warrants before such warrant or warrants are drawn by the county auditor, and all blanks filed out in full and compared with the bill for which the same was allowed.

Received, 924.  
 Referred, 1097.  
 Reported, 1304.

**Senate Bill No. 290.—(Pierce)**

A bill for an act to amend and re-enact Section 496 of the Revised Codes of North Dakota, relating to qualifications of applicants for admission to the bar of the state of North Dakota.

Received, 925.  
 Referred, 1098.  
 Reported, 1287.  
 Passed or lost, 1688.  
 Other action, 2003.

**Senate Bill No. 293.—(Welo)**

A bill for an act to regulate the practice of naturopathy in the state of North Dakota.

Received, 1623.  
Referred, 1776  
Reported, 2141.  
Other action, 2142.

**Senate Bill No. 295.—(Gibbens)**

A bill for an act providing for the establishment of county agricultural and training schools and their joint maintenance by the state and the county wherein located, and providing for a levy of state tax for the raising of funds to meet the state share of said cost of maintenance.

Received, 1614.  
Referred, 1614.  
Reported, 1831.  
Passed or lost, 1945.

**Senate Bill No. 296.—(Bessessen)**

A bill for an act authorizing cities incorporated under the laws of this state to regulate and fix the rate to be charged by persons firms or corporations furnishing water, light or other public service utility to such cities and the inhabitants thereof.

Received, 1286.  
Referred, 1452.  
Reported, 1643.  
Passed or lost, 1918.  
Other action, 2060.

**Senate Bill No. 298.—(Stevens)**

A bill for an act prescribing the amount of bonds which shall be furnished by the deputy state treasurer and the deputy state auditor for the faithful performance of their duties; appropriating funds with which to pay the premium of such bonds, and limiting the salary of the deputy state treasurer and deputy state auditor.

Received, 1268.  
Referred, 1449.  
Reported, 1841.  
Passed or lost, 2014.  
Other action, 2148.

**Senate Bill No. 299.—(Welch)**

A bill for an act providing for the making of necessary repairs upon the capitol building and making an appropriation therefor.

Received, 1040.  
Referred, 1095.  
Reported, 1588.  
Passed or lost, 1759.  
Other action, 1993.

**Senate Bill No. 301.—(Gunderson)**

A bill for an act to amend and reenact Section 237 of the Revised Codes of the state of North Dakota for the year 1905.

Received, 1268.  
Referred, 1450.  
Reported, 1596.  
Passed or lost, 1772.  
Other action, 1993.

**Senate Bill No. 302.—(Talcott)**

A bill for an act to forfeit firearms or other weapons to the state when found on the person of any one arrested and convicted of a felony, misdemeanor or other crime.

Received, 925  
Referred, 1098.  
Reported, 1534.  
Passed or lost, 1746.  
Other action, 1866.

**Senate Bill No. 303.—(Whitcher)**

A bill for an act to amend Sections 4695 and 4698 of the Revised Codes of North Dakota for 1905, relating to foreign corporations.

Received, 1423.  
Referred, 1444.  
Reported, 1641.  
Passed or lost, 1896.  
Other action, 2134.

**Senate Bill No. 304.—(Talcott)**

A bill for an act requiring a more thorough and comprehensive system of instruction in all common and high schools of this state, and providing a penalty for the violation thereof.

Received, 1268.  
Referred, 1451.  
Reported, 1483.  
Passed or lost, 1737.  
Other action, 1995.

**Senate Bill No. 305.—(Williams)**

A bill for an act to amend and re-enact Section 9363 of the Revised Codes of 1905 as amended by Chapter 183 of the Session Laws of 1909, relating to fees of clerk of a court.  
 Received, 1267.  
 Referred, 1453.  
 Reported, 1585.  
 Passed or lost, 1751.  
 Other action, 1917.

**Senate Bill No. 306.—(Cashel)**

A bill for an act amending Section 9358 of the Revised Codes of 1905, as amended and re-enacted by Section 5 of Chapter 183 of the Laws of 1909, regulating the sale of intoxicating liquors by druggists who are registered pharmacists, and to provide a method of such sales in cases of emergency.  
 Received, 1435.  
 Referred, 1445.  
 Reported, 1582, 1583.  
 Passed or lost, 1663.  
 Other action, 1599, 1663, 1744.

**Senate Bill No. 307.—(Steele of Renville)**

A concurrent resolution for an amendment to the constitution of the state of North Dakota, relating to the term of office of the judges of the supreme court.  
 Received, 924.  
 Referred, 1097.  
 Reported, 1296.  
 Passed or lost, 1697, 1854.  
 Other action, 1296, 2003.

**Senate Bill No. 308.—(Welch)**

A bill for an act to amend Section 474 of the Revised Codes of North Dakota of 1905, relating to the boundaries and terms of court in the Sixth judicial district.  
 Received, 1411.  
 Referred, 1446.  
 Reported, 1828.  
 Passed or lost, 1956.  
 Other action, 1956, 2144.

**Senate Bill No. 309.—(Welch)**

A bill for an act to provide for the purchase of the paintings of "Mink Woman," "Bear's Necklace," and "Bad Brave."  
 Received, 1267.  
 Referred, 1450.  
 Reported, 1457.  
 Passed or lost, 1597.  
 Other action, 1597, 1727.

**Senate Bill No. 310.—(Stevens)**

A bill for an act to amend and re-enact Section 733 of the Revised Codes of 1905, relating to the registration of voters.  
 Received, 1187.  
 Referred, 1236.  
 Reported, 1292.  
 Passed or lost, 1692.  
 Other action, 1801.

**Senate Bill No. 311.—(Duncan)**

A bill for an act to amend and re-enact Sections 6240 and 6241 of Chapter 79 of the Revised Codes of North Dakota for 1905, relating to accounts to be filed with clerk of court in mechanic's liens; and clerk's records thereof.  
 Received, 924.  
 Referred, 1097.  
 Reported, 1285.  
 Other action, 1683.

**Senate Bill No. 312.—(Gronvold)**

A bill for an act to amend and re-enact Section 264 of the Revised Codes of 1905, in relation to the compensation of superintendents of county boards of health.  
 Received, 1100.  
 Referred, 1238.  
 Reported, 1591.

**Senate Bill No. 313.—(Gronvold)**

A bill for an act to amend Section 2586 of the Revised Codes of North Dakota for 1905, relating to the salaries of judges of the county court.  
 Received, 1267.  
 Referred, 1453.  
 Reported, 1585.  
 Passed or lost, 1749, 1752.  
 Other action, 1750, 2004.

**Senate Bill No. 315.—(Linde)**

A bill for an act to amend Section 5642 of the Revised Codes of the state of North Dakota for the year 1905, providing for the termination of liability of common carriers.

Received, 1267.  
Referred, 1454.  
Reported, 1584.

**Senate Bill No. 316.—(Linde)**

A bill for an act to amend Section 2272, Revised Codes of 1905, relating to storage companies.

Received, 1412.  
Referred, 1447.  
Reported, 1593.  
Other action, 1769.

**Senate Bill No. 318.—(Bessessen)**

A bill for an act to amend and reenact Section 738 of the Revised Codes of 1905, relating to votes cast by persons not registered.

Received, 1267.  
Referred, 1451.  
Reported, 1640.  
Passed or lost, 1998.  
Other action, 2148.

**Senate Bill No. 322.—(Talcott)**

A bill for an act to amend Section 4207 of the Revised Codes of North Dakota for 1905, relating to the manner of voting of private corporations.

Received, 1436.  
Referred, 1445.  
Reported, 1642.

**Senate Bill No 323.—(Davis)**

A bill for an act to amend Sections 1295, 1297, and 1298 of the Revised Codes of North Dakota of 1905, and Section 1296 of the Revised Codes of 1905 as amended by the legislative assembly of 1909, being Chapter 13 of the Revised Codes of 1905, entitled state library.

Received, 1356.  
Referred, 1449.  
Reported, 1843.

**Senate Bill No. 324.—(Davis)**

A bill for an act providing for a bailiff of the supreme court.

Received, 1413.  
Referred, 1447.  
Reported, 1843.

**Senate Bill No. 325.—(Carter)**

A bill for an act entitled, an act fixing the terms of court in the various counties comprising the Fourth judicial district of the state and the beginning and duration thereof.

Received, 1545.  
Referred, 1566.  
Reported, 1827.  
Passed or lost, 1944.  
Other action, 2060.

**Senate Bill No. 326.—(Duncan)**

A bill for an act to amend Section 1350, Revised Codes of 1905, relating to the laying out, altering or discontinuing roads.

Received, 1187.  
Referred, 1237.  
Reported, 1293.  
Passed or lost, 1695.  
Other action, 1745.

**Senate Bill No. 328.—(Davis)**

A bill for an act to create a commission to investigate and report to the legislature of this state, on the first day of the legislative session of 1913, a bill to fairly compensate employes for injuries received in the course of employment and defining the duties of said commission, and making appropriation therefor.

Received, 1265.  
Referred, 1453, 1597.  
Reported, 1596, 1832.  
Passed or lost, 1972.  
Other action, 2140.

**Senate Bill No. 331.—(Steele of Renville)**

A bill for an act to amend Section 6796, Revised Codes of 1905, relating to limitations of actions or proceedings to foreclose real estate and mortgages.

**Senate Bill No. 331—Continued.**

Received, 1527.  
 Referred, 1564.  
 Reported, 1828.  
 Passed or lost, 1961.  
 Other action, 2071.

**Senate Bill No. 332.—(Steele of Renville)**

A bill for an act to amend Section 7530, Revised Codes of 1905, relating to adjustment of cross judgment in actions to determine conflicting claims to real property.

Received, 1186.  
 Referred, 1237.  
 Reported, 1431.  
 Passed or lost, 1731.  
 Other action, 1865.

**Senate Bill No. 333.—(Pierce)**

A bill for an act to amend Section 4173 of the Revised Codes of 1905, relating to articles of incorporation.

Received, 1186.  
 Referred, 1238  
 Reported, 1300, 1433.

**Senate Bill No. 334.—(Pierce)**

A bill for an act to amend Chapter 63, Laws of 1909, being Section 4210, Revised Codes of 1905 as amended by said chapter, relating to indebtedness of corporations.

Received, 1186.  
 Referred, 1238.  
 Reported, 1300, 1433.

**Senate Bill No. 336.—(Overson)**

A bill for an act to amend and reenact Section 6187 of the Revised Codes of North Dakota, for 1905.

Received, 1412.  
 Referred, 1447.  
 Reported, 1586.

**Senate Bill No. 338.—(Committee on**

A bill for an act providing for the publication of the names of candidates before the primary.

Elections)  
 Received, 1187.  
 Referred, 1236.  
 Reported, 1293.  
 Passed or lost, 1694.  
 Other action, 2060.

**Senate Bill No. 339.—(Committee on**

A bill for an act to prescribe legal rates for the publication of political announcements.

Received, 1187.  
 Referred, 1236.  
 Reported, 1292.  
 Passed or lost, 1693.  
 Other action, 1744.

**Senate Bill No. 340.—(Committee on Elections and Privileges)**

A bill for an act prohibiting the sale or purchase of political support or political editorials and prescribing a penalty therefor.

Received, 1352.  
 Referred, 1449.  
 Reported, 1640.  
 Passed or lost, 1890.

**Senate Bill No. 341.—(Bessessen)**

A bill for an act to amend Section 4 of Chapter 109 of the Laws of North Dakota for 1907, relating to county and legislative candidates, petition, filing fee, and pledge under the primary election law.

Received, 1412.  
 Referred, 1448.  
 Reported, 1586.

**Senate Bill No. 344.**

A bill for an act relating to mills and millers, providing for tolls for grinding, and prescribing penalties for the violation thereof.

Received, 1438, 1522.  
 Referred, 1446.  
 Other action, 1519.

**Senate Bill No. 347.—(Kennedy)**

A bill for an act making an appropriation for the enforcement of the feeding stuffs, fertilizer, beverage and sanitary inspection laws, and for the making of such investigations as are deemed necessary for the purpose of gaining information, under the laws mentioned, and for the dissemination of information.

Received, 1413.  
Referred, 1447.  
Reported, 1596.  
Passed or lost, 1773.  
Other action, 2004.

**Senate Bill No. 348.—(Kennedy)**

A bill for an act providing for the payment of fees collected by the North Dakota government agricultural experiment station into the state treasury.

Received, 1412.  
Referred, 1448.  
Reported, 1595.  
Passed or lost, 1771.  
Other action, 2140.

**Senate Bill No. 350.—(Putnam)**

A bill for an act creating the Thirteenth judicial district of the state of North Dakota, defining the boundaries thereof, providing for the appointment and election of a judge, and fixing the terms of court therein.

Received, 1527.  
Referred, 1565.  
Reported, 1826.  
Other action, 1956.

**Senate Bill No. 352.—(Duis)**

A bill for an act entitled, an act to amend Section 2389 of the Revised Codes of 1905, relating to county commissioners.

Received, 1438.  
Referred, 1446.  
Other action, 1939.

**Senate Bill No. 353.—(Committee on**

A bill for an act to provide for the expression by the qualified voters of the several political parties of their choice for nomina-

**Senate Bill No. 353—Continued.**

tion by their party for president and vice president of the United States; to provide for and regulate direct primary election for the election of said political party's delegates to their respective national conventions, and for the payment of delegates' necessary expenses, not exceeding \$200 each for the election of party candidates for the office of presidential elector, and for the election of national committeeman.

(Elections)

Received, 1538.  
Referred, 1567.  
Reported, 1826.  
Passed or lost, 1959.  
Other action, 2153.

**Senate Bill No. 354.—(Stevens)**

A bill for an act to amend Section 5584 of the Revised Codes of North Dakota for the year 1905, relating to fees of clerks of district court.

Received, 1527.  
Referred, 1558.  
Reported, 1842.

**Senate Bill No. 355.—(Simpson)**

A bill for an act to amend Chapter 214 of the Session Laws of 1907, relative to assessment of coal mines.

Received, 1438.  
Referred, 1445.  
Reported, 1836.  
Passed or lost, 1976.  
Other action, 2134.

**Senate Bill No. 356.—(Kennedy)**

A bill for an act to amend Article 3, Chapter 75, of the Civil Code of North Dakota, being Section 6186 of the Revised Codes of North Dakota of 1905.

Received, 1412.  
Referred, 1446.  
Reported, 1586.  
Passed or lost, 1755.  
Other action, 1917.

**Senate Bill No. 357.—(Baker)**

A bill for an act to repeal Article 24 of the Revised Codes of North Dakota for 1905, entitled tree planting, said article 24 consisting of Sections 2082, 2083 2084 and 2085; also Chapter 41 of the Session Laws of the state of North Dakota, for 1907, and Chapter 50 of the Session Laws of the state of North Dakota for 1909.

Received, 1422.  
 Referred, 1444.  
 Reported, 1840.  
 Passed or lost, 2005.  
 Other action, 2145.

**Senate Bill No. 361.—(Bessessen)**

A bill for an act defining the crime of assault and battery with intent to do great bodily harm, and prescribing the punishment therefor.

Received, 1525.  
 Referred, 1567.  
 Reported, 1830.  
 Other action, 1964.

**Senate Bill No. 362.—(Allen)**

A bill for an act to amend and reenact Section 10393 of the Revised Codes of 1905, providing that twenty-five (25) per cent. of the profits of the brick yard be set aside as a manufacturing and operating fund for making furniture and school supplies for sale to public institutions of this state.

Received, 1524.  
 Referred, 1567.  
 Reported, 1830.  
 Passed or lost, 1962.  
 Other action, 2071.

**Senate Bill No. 363.—(Gibbens)**

A bill for an act to amend and reenact Section 10393 of the Revised Codes of 1905, providing that twenty-five (25) per cent. of the profits of the brick yard be set aside as a manufacturing and operating fund for making furniture and school supplies

**Senate Bill No. 363.—Continued.**

for sale to public institutions of this state.

Received, 1524.  
 Referred, 1566.  
 Reported, 1839.  
 Passed or lost, 1995.  
 Other action, 2152.

**Senate Bill No. 364.—(Duis)**

A bill for an act to prohibit lobbying and to regulate the employment of legislative counsel and legislative agents by persons or corporations.

Received, 1525.  
 Referred, 1566.  
 Reported, 1840.  
 Passed or lost, 2012.

**Senate Bill No. 366.—(Overson)**

A bill for an act to amend and reenact Section 6 of Chapter 210, of the Laws of North Dakota for the year 1909.

Received, 1525.  
 Referred, 1567.  
 Reported, 1638.  
 Passed or lost, 1941.  
 Other action, 2141.

**Senate Bill No. 367.—(Gunderson)**

A bill for an act defining the crime of fornication and prescribing the punishment therefor.

Received, 1438.  
 Referred, 1445.  
 Reported, 1587.  
 Other action, 1758.  
 Received from house, 1478.  
 Received, 1423.  
 Referred, 1444.  
 Reported, 1587.

**Senate Bill No. 369.—(Linde)**

A bill for an act to amend subdivision 30 of Article 4 of the political code of North Dakota, being subdivision 30 of Section numbered 2678 of the Revised codes of North Dakota for 1905.

Received, 1266.  
 Referred, 1450.  
 Reported, 1585.  
 Passed or lost, 1754.  
 Other action, 1995.

**Senate Bill No. 371.—(Martin)**

A bill for an act making disposition of certain moneys now in the hands of the treasurer of the state of North Dakota, or that may hereafter come into his hands by reason of the act of congress approved May 23, 1908, making an appropriation for the

**Senate Bill No. 371—Continued.**

national forest reserve located in the county of Billings, state of North Dakota.  
Received, 1527.  
Referred, 1565.  
Reported, 1834.  
Passed or lost, 1979.  
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