

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 II.

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1911

OFFICERS AND MEMBERS  
OF THE  
HOUSE OF REPRESENTATIVES OF  
NORTH DAKOTA

FOR THE  
TWELFTH LEGISLATIVE ASSEMBLY

1911

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6	Jas. Collins	Grand Forks	Grand Forks
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9	W. J. Price	Cass	Fargo
	E. H. Sranahan	Cass	Fargo
	Alex Stern	Cass	Fargo
10	J. B. Akesson	Cass	Grandin
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	E. M. Nelson	Richland	Fairmount
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	E. C. Andrus	Ransom	Elliott
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	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	McVillie
18	S. J. A. Boyd	Cavalier	Hannah
	A. Moritz	Cavalier	Dresden
19	Wesley Fasset	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
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	R. H. Walters	Stutsman	Melville
	John B. Fried	Stutsman	Jamestown
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	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. Bond .....	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
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	F. L. Roquette .....	Stark .....	Dickinson
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	Nels Olgard .....	Richland .....	Kindred
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	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

FIFTY SECOND DAY AFTER RECESS AND  
FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 24, 1911.

The House re-assembled at 10 o'clock a. m., pursuant to recess taken.

GENERAL ORDERS.

Mr. Nestos moved

That the House do now 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. Burnett 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. 4.

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

And recommend that the same be indefinitely postponed.

Also,

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."

And recommend the same be indefinitely postponed.

W. J. BURNETT,  
Chairman.

Mr. Burnett moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Nestos moved

That the House do now 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. 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.

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 recommend the same do pass.

Also,

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.

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."

In the title after the figures "1905" strike out the balance of the title and insert in lieu thereof "Relating to election and appointment of township officers and their term of office."

Section 1, line 3, before the words "Township Officers," insert "Section 3062."

And when so amended recommend the same do pass.

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.

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.

In the heading strike out the words "Senator Cashel," and insert the words "Messrs. Cashel and Burnett."

In the title after the word "Drainage," strike out the period and add: "Protest. Right of Way. Compensation."

And when so amended recommend the same do pass.

Also,

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.

And recommend 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.

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.

Also

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.

And recommend that the same be amended as follows:

Section 1, printed bill, line 6, strike out all after word "concurrent." Also strike out all of lines 7 and 8.

And when so amended recommend the same do pass.

Also

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.

And recommend 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.

Also

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.

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.

Also,

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.

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.

Also,

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:

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 do pass.

Also

House Bill No. 169.

A bill for an act to pay road tax in money.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same be referred to the committee on state affairs.

Also,

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.

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.

Also,

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.

Also,

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.

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.

Also,

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."

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.

And recommend that the same do pass.

R. A. NESTOS,  
Chairman.

Mr. Doyle of Foster asked that the report of the committee be divided and action on House Bill No. 211 taken separate.

Mr. Nestos moved

That the report of the committee of the whole be adopted except as to House Bill No. 211.

Which motion prevailed, and

The report of the committee was adopted except as to House Bill No. 211.

Mr. Johns moved

That House Bill No. 211 be indefinitely postponed.

Which motion prevailed, and

The further consideration of House Bill No. 211 was indefinitely postponed.

Mr. Dean moved  
That the house do now adjourn.  
Which motion prevailed.  
And the House adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 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.

## 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 after recess, and 52nd day, have carefully examined the same and recommend that the same be corrected as follows:

On page 122, in last line of page, change the word "Nesos" to "Nestos."

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 24, 1911.

Mr. Speaker:

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

*Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring:*

That the members of the Senate and House committees appointed under a joint resolution of the Senate and the House to visit certain of the state institutions, as shown by said concurrent resolution, be allowed the expenses of their trips as follows:

That members of the committee visiting the Agricultural College at Fargo be each allowed ten dollars per day for two days for necessary expenses, and their railroad fare paid out by each of them; and

That members of the committee visiting the State University at Grand Forks and the State School for the Deaf at Devils Lake be each allowed ten dollars per day for four days for their necessary expenses, and their actual railroad fare paid out by each of them; and

That the members of the committee visiting the Mayville Normal School and the State Science School at Wahpeton be each allowed ten dollars per day for four days for their necessary expenses, and for the railroad fare actually paid out by each of them; and

That the members of the committee visiting the School for the Blind at Bathgate and the School for the Feeble-Minded at Grafton be each allowed ten dollars per day for four days for their necessary expenses, and for their actual railroad fare paid out by each of them; and

That the members of the committee visiting the Industrial School at Ellendale be each allowed ten dollars per day for three days for their necessary expenses, and also actual railroad fare paid out by each of them; and

That the members visiting the University Sub-station at Hebron be each allowed ten dollars per day for three days for necessary expenses and their actual railroad fare paid out by each of them; and

That the House members visiting the Hospital for the Insane at Jamestown and the Valley City Normal School be each allowed ten dollars per day for three days for their necessary expenses, and in addition thereto the railroad fare actually paid out by them, and that the Senate members of the committee visiting the Hospital for the Insane at Jamestown and the Valley City Normal School prior thereto be each allowed ten dollars per day for two days for their necessary expenses, and their actual railroad fare paid out by them; and

Since one House member was upon the committee that visited the Agricultural College at Fargo and also upon the committee that visited the State Science School at Wahpeton; therefore,

That such member be only allowed ten dollars per day for four days as his necessary expenses for the entire trip, as well as for his actual railroad fare paid out by him; and

That vouchers be signed by the proper officers of the respective houses and paid as other expenses of this legislative assembly.

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:

Whereas, the Constitution of the State of North Dakota located at the city of Lisbon "A Soldiers' Home or such other educational or charitable institution as the legislative assembly may determine" with a grant of forty thousand acres of land; and

WHEREAS, Pursuant thereto, there was established at said city of Lisbon a soldiers' home, which has been in operation for nearly twenty years, and so efficiently and economically managed, that while furnishing the maximum of comfort, convenience and good cheer to those veterans who are making their several homes therein, a surplus of revenue or income beyond its expense of maintenance is annually arising from the income of its land grant or permanent fund; and

WHEREAS, There has been brought prominently before this legislative assembly the question of the care, maintenance and education of orphaned, destitute and abandoned children, who have become or may become wards of the state, and it is apparent that with the increase of population said question will assume greater importance and magnitude, and that ere long the state will be called upon to consider the question of maintaining a home for such children; and

WHEREAS, The natural beauty and advantages of the location of the Soldiers' Home, its adequate farm lands and grounds, its economy and efficiency of management, and the constantly increasing fund at its disposal, would warrant the consideration of the question of combining both institutions should such a home be created;

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

That the governor and the board of trustees of the Soldiers' Home be and they are hereby requested to investigate the advisability and feasibility of establishing a children's home at the location of the Soldiers' Home, under the same management and participating in the same source of income or maintenance; and to report to the Thirteenth Legislative Assembly their findings and conclusions, and to recommend such legislation, if any, as they might deem necessary or proper.

That copies of this resolution be engrossed and signed by the secretary of the Senate and the chief clerk of the House, and transmitted to the governor and to each member of said board.

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 amended the House concurrent resolution regarding the election of United States senators, to read as follows:

A MEMORIAL BY THE COMMITTEE ON STATE AFFAIRS.

*Be It Resolved by the Legislative Assembly of the State of North Dakota, the House and Senate Concurring:*

That this memorial be directed to the Congress of the United States, calling upon Congress to submit to the state of the Union for ratification, an amendment to the federal constitution of the United States, providing for the election of United States senators by direct vote of the electors of the various state; and

*Be It Further Resolved,* That this memorial be enrolled and transmitted to the President of the United States Senate and to the Speaker of the House of Representatives of the United States.

And passed the resolution as amended.

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 regarding penitentiary bonds.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

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

WHEREAS, It has been the custom to appoint separate committees of the several legislative assemblies to visit various state institutions and to report to the said legislative assemblies the needs of such institutions; and

WHEREAS, The time taken to visit such institutions has made necessary an adjournment of the legislative assembly, causing the expenditure of large sums of money unnecessarily, or the absence of many members from their duties in law-making; and

WHEREAS, The appointment of a single committee to visit all of the state institutions would result in a better comparative knowledge of the respective needs of the various state institutions;

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

That a committee of three members from the Senate, elected in the year 1910, be appointed by the president of the Senate to visit all of the state institutions between the first day of November, 1912, and the first day of January, 1913, and to make report to the Thirteenth Legislative Assembly the conditions and needs of all of said state institutions.

The members so appointed shall be allowed for their expenses the sum of ten dollars per day for the time actually and necessarily employed in visiting and examining said institutions, and five cents per mile for each mile necessarily traveled in visiting said institutions.

The expenses incurred under this concurrent resolution are hereby authorized and a sufficient amount is hereby appropriated from the general fund of the state for their payment upon the filing of itemized vouchers with the State Auditing Board.

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. 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 the Senate has amended as follows:

In line 1 of printed bill, after figures "179" insert "as amended by Article 4 of the Constitution of North Dakota." Also in next paragraph, line 3, after the word "property" insert "including franchises." On page 2, line 1, after figures "179" insert "as amended by Article 4 of the Constitution of North Dakota." In line 10, on page 3, after "by" insert "such state board or commission as may be provided by law." Also strike out "article" in line 16, of page 3, and "four (4) of the amendments to the Constitution is hereby repealed," in line 17.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

## PRESENTATION OF PETITIONS AND COMMUNICATIONS.

Ross, N. D., February 23, 1911.

A. J. DeLance, care House of Representatives, Bismarck, N. D.

We, the undersigned, hereby strenuously object to the repeal of the mechanics' lien laws, Senate Bill No. 67, for the following reasons: In our judgment the repeal of a law of this kind would work a serious hardship on the business men and one the laboring class, as well as one the farmers. We hereby earnestly urge that you oppose not only by vote, but by effort, the repeal of the measure.

J. W. McKEE AND 150 OTHERS.

Rugby, N. D., February 22, 1911.

Hon. Martin Benson, Bismarck, N. D.

We protest against the proposed repeal of the mechanics' lien law. Labor or materials furnished buildings increase the value of the land. Parties furnishing same are entitled to protection to the extent of the increase. Many farmers are enabled to build, under the protection of this law who could not obtain the materials otherwise.

WM. C. HOSTBJOR AND 20 OTHERS.

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 of 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 vested 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.

OLE GRAFF AND 48 OTHERS.

To the Members of the House of Representatives, 48th Legislative District:

We, the undersigned residents of Mercer county, North Dakota, respectfully urge our representatives to use their influence again the passage and adoption of Senate Bill No. 67, relating to mechanics' liens, now before the House. We understand that the object of this bill is to take away the present right of lien for materials furnished. This, we believe, would be a detriment to the building up and improvement of this section of the state, and it would also work an injustice to contractors and builders, as well as those who handle and deal in building material, in that it gives no security for payment of the purchase price of materials furnished. In our opinion, this would result in denying credit to many worthy settlers who are not in position to give security for their purchases in any other manner.

JNO. BOHM AND 25 OTHERS.

Wheelock, N. D., February 14, 1911.

Hon. Robert Norheim, Bismarck, N. D.:

The undersigned citizens of Wheelock and vicinity earnestly urge you to oppose the passage of Senate Bill No. 67, as its passage will work a serious curtailment of credit now open and necessary to a large portion of this community.

IVER GROTHE AND 19 OTHERS.

Tioga, N. D., February 15, 1911.

Hon. Robert Norheim, Bismarck:

Undersigned business men of your district believe if Senate Bill No. 67 becomes law will work hardship, not only to material men and contractors, but especially to new settlers and homesteaders of this district, by depriving them of practically their only basis of credit. Hence earnestly ask you to use your influence and vote to defeat this bill.

JOHN CHRISTENSON AND 10 OTHERS.

Tioga, N. D., February 10, 1911.

Hon. Robt. Norheim and Hon. Geo. Homnes, Representatives:

We, the undersigned voters and residents, ask your support toward the repeal of that portion of the lien law which applies to lumber and building materials.

Further, that some of us have signed a petition circulated by an agent of the Line Lumber Company against its repeal, upon the misleading representation that it was the labor lien law that was being repealed.

Further, we do not believe it right or just that any business whatsoever should be protected unless all classes receive the same consideration.

DAVID KAY AND 38 OTHERS.

Taylor, N. D., February 21, 1911.

To the Hon. Olef Tolefson, Members of House of Representatives,  
Bismarck, N. D.:

We are informed that there was a bill introduced in the Senate by Mr. Hookway, known as Senate Bill No. 67, asking for the repeal of our present mechanics' lien law. We who are interested in the development of the state, especially the western part, know that if it had not been for the liberality of credit extended by material men, the development of the state would have been badly curtailed. This liberality of credit cannot be extended if the material men cannot have some kind of security, and in many cases parties are not in a position to furnish chattel security, and in many instances they are not in a position to give real estate security, as their land is bought on contract or is government land.

We who have signed this petition below beg of you to use all honorable means to see that this Senate bill does not become a law.

F. T. HUTCHINSON AND 28 OTHERS.

We, the undersigned citizens of Hannaford, N. D., respectfully ask you to vote and work for the repeal of the mechanics' lien law as introduced in Senate Bill No. 67.

CHAS. JACKSON AND 14 OTHERS.

Hatton, N. D., February 23, 1911.

Hon. O. J. Sorlie, care House of Representatives, Bismarck, N. D.

We protest against the proposed repeal of the mechanics' lien law. Labor or material for building purposes increases the value of real estate and parties furnishing same are entitled to protection to the extent of increase.

H. E. STENSLAND AND 30 OTHERS.

### REPORTS OF STANDING COMMITTEES.

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.

Also

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 374.

A bill for an act to amend Section 3231 of the Revised Codes of 1905, relating to fences.

Also

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also

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.



Also

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.

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 military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred

Concurrent resolution protesting against the reciprocity treaty with Canada, and asking for annexation.

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.

Have had the same under consideration and recommend that the same be adopted.

JAMES HILL,

Mr. Sorlie 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

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.

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

Senate Bill No. 246.

A bill for an act to prohibit the carrying and use of fire-arms by children and minors.

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 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. 304.

A bill for an act to provide for a uniform method for computing dockage on different kinds of grain.

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

C. E. KNOX,  
Chairman.

Also

Mr. Speaker:

A minority of your committee on ware house and grain grading to whom was referred

House Bill No. 304.

A bill for an act to provide for a uniform method for computing dockage on different kinds of grain.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. P. TUTTLE,  
C. E. KNOX.

Mr. Knox moved

That the minority report of the committee be adopted.

Mr. De Nault moved

That the majority report of the committee be adopted.  
Which motion was lost.

The question being upon the adoption of the minority report.

The same prevailed, and

House Bill No. 304 was indefinitely postponed.

The committee on labor made the following report:

Mr. Speaker:

Your committee on labor to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

On line 1 of the printed bill, after section 1, strike out "chapter 17, article 7," and insert in lieu thereof "amendment."

In line 4 of the printed bill, after section 1, insert "section 4602."

In line 20, after the word "provided" insert the word "further."

In line 1, section 3, after figure 3, insert "section 4603."

And when so amended recommend the same do pass.

WESLEY FASSET,  
Chairman.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred 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.

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 warehouse and grain grading made the following report:

Mr. Speaker:

Your committee on warehouse and grain grading to whom was referred

The following concurrent resolution, have amended the same to read as follows:

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, 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;

*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.

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.

And when so amended recommend the same be concurred in.

C. E. KNOX,  
Chairman.

Mr. Stern moved

That the resolution be concurred in as amended.

Which motion prevailed, and

The resolution was concurred in as amended.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

#### 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.

Have had the same under consideration and recommend that the same be adopted.

E. H. STRANAHAN,  
Chairman.

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

Also

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

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.

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.

Also

Mr. Speaker:

Your committee on highways, bridges and ferries, to whom was referred

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.

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 elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

House Bill No. 386.

A concurrent resolution amending the Constitution of the state of North Dakota, relative to the elective franchise.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. E. DAVIDSON,  
Acting Chairman.

Mr. Davidson 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. 364.

A bill for an act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Have had the same under consideration and recommend that the same be amended as follows:

In section 2 of engrossed bill, line 3, strike out the word and figures "section 560" and insert in lieu thereof "section 650." After the figures 650, same line, insert the following: "Returns, How and Where Made. Compensation of Officers.)"

In section 1, line 3, after the words and figures "section 620" insert the following: "Ballots, How Delivered. Official Stamps and Official Envelopes.)"

And when so amended recommend the same do pass.

C. E. DAVIDSON,  
Acting Chairman.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads 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 amended as follows:

By striking out all of the bill, except figures "255" and the name "Martin," and insert the following:

For an Act to Amend and Re-enact Section 2519 of the Revised Codes of North Dakota for the year 1905, relating to Coroner's Inquest.

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

Section 1. Amendment.) That section 2519 of the Revised Codes of North Dakota is hereby amended so as to read as follows:

Section 2519. (To Hold Inquest.) The coroner shall hold an inquest upon the bodies of such persons only as are supposed to have died by unlawful means, or who may have died as a consequence of injuries sustained while in the employ of any railroad company, or while engaged in any perilous occupations, or who may have met with death or injury as a result of any accident upon any railroad, whether such person was a passenger, employee, trespasser or otherwise, at the time of such accident, except as otherwise specially provided. When such coroner has notice of the death of a person supposed to have died by unlawful means, or from injuries received as herein provided, found or being in his county, he is required to issue his warrant to the sheriff or any constable of the county, requiring him to summon forthwith three electors having the qualifications of jurors of the county to appear before the coroner at the time and place named in the warrant, or when the services of constable or sheriff cannot be procured, then the coroner may summon such electors from the bystanders.

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. 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.

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 corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

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.

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. 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.

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. 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.

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. 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.

Have had the same under consideration and recommend that the same be amended as follows: .

Strike out all after the enacting clause and insert in lieu thereof the following:

Section 1. Sheriff's Salary.) The salary of the sheriff shall be regulated by the population in his county, according to the last preceding official state or federal census, as follows: Provided that no sheriff shall receive more than fifteen hundred dollars for his personal services in any one year in counties having a population of less than five thousand; sixteen hundred dollars in counties having a population of five thousand and not exceeding seven thousand; seventeen hundred and fifty dollars in counties having a population of seven thousand and not exceeding nine thousand; nineteen hundred dollars in counties having a population of nine thousand and not exceeding eleven thousand; two thousand dollars in counties having a population of eleven thousand and not exceeding thirteen thousand; twenty-one hundred dollars in counties having a population of thirteen thousand and not exceeding fifteen thousand; twenty-two hundred dollars in counties having a population of fifteen thousand and not exceeding seventeen thousand; twenty-three hundred dollars in counties having a population of seventeen thousand and not exceeding nineteen thousand; twenty-four hundred dollars in counties having a population of nineteen thousand and not exceeding twenty-three thousand; twenty-five hundred dollars in counties having a population of twenty-three thousand and not exceeding twenty-four thousand; twenty-six hundred dollars in counties having a population of twenty-four thousand and not exceeding twenty-five thousand; twenty-seven hundred dollars in counties having a population of twenty-five thousand and not exceeding twenty-six thousand; twenty-eight hundred dollars in counties having a population of twenty-six thousand and not exceeding twenty-seven thousand; twenty-nine hundred dollars in counties having a population of twenty-seven thousand and not exceeding twenty-eight thousand; three thousand dollars in counties having a population of twenty-eight thousand and not exceeding twenty-nine thousand; thirty-one hundred dollars in counties having a population of twenty-nine thousand and not exceeding thirty thousand; thirty-two hundred dollars in counties having a population of thirty thousand and not exceeding thirty-one thousand; thirty-three hundred dollars in counties having a population of thirty-one thousand and not exceeding thirty-two thousand; thirty-four hundred dollars in counties having a population exceeding thirty-two thousand and not exceeding thirty-three thousand; thirty-five hundred dollars in counties exceeding thirty-three thousand; provided, that no sheriff within the state of North Dakota shall receive for his personal services more than thirty-five hundred dollars in any one year. Provided further, that in all counties having a population less than twenty-five thousand the county commissioners may raise the sheriff's salary not to exceed five per cent of the salary prescribed in this section, if the commissioners in their judgment find the salary prescribed to be inadequate.

Section 2. Mileage.) In addition to the salary prescribed by the preceding section the sheriff or his deputy or deputies shall be allowed ten cents per mile for each and every mile actually and necessarily traveled in the performance of any of their official duties.

Section 3. Livery.) The sheriff or his deputy or deputies shall be allowed as re-imbusement for livery hire necessarily used in the performance of his or their official duties the actual expenses of such livery or automobile hire, which shall in no case exceed five dollars per day; forty miles or major fraction thereof shall be reckoned as one day's drive; twenty miles or less shall be reckoned as one-half day's drive; the same ratio shall apply to all drives extending over forty miles.

Section 4. Deputies.) In all counties having a population of less than

seven thousand the sheriff shall be allowed at least one deputy, and in counties having a population of more than seven thousand the sheriff shall be allowed two deputies at a salary of not less than sixty dollars nor more than one hundred dollars per month, and if, in the judgment of the board of county commissioners of any county, it shall be necessary for the prompt dispatch of business in the sheriff's office they shall by resolution provide for additional deputies and clerks and the time for which they shall be employed and fix the compensation which they shall receive, which shall be paid monthly in the same manner as the salary of the sheriff. Provided, that no deputy shall receive less than sixty dollars nor more than one hundred dollars per month, and such salaries to be fixed by the board of county commissioners.

Section 5. Sheriff May Appoint.) In case of any emergency, the sheriff shall have the authority to appoint and qualify special deputies in such numbers as in his judgment the conditions may require, and each of such special deputies shall receive as compensation for his services the sum of three dollars per day and the same mileage as allowed to regular deputies, to be paid by the county. The sheriff shall have the sole power of appointing and removing them at pleasure. Any sheriff who shall appropriate to his own use any part of the salary allowed any clerk or deputy in his office shall be deemed guilty of a misdemeanor.

Section 6. Fees to be Collected.) In all civil actions the fees shall be collected by the sheriff and shall be paid in advance, and at the expiration of each month he shall turn the fees so collected over to the county treasurer, and make a report to the board of county commissioners showing all fees earned and collected. He shall also keep a complete record of all fees which may be due to his office for services rendered in criminal actions as now prescribed by law, and present his itemized statement for mileage and livery in connection with such criminal actions and file the same with the county auditor at the expiration of each month and receive his warrant for such mileage and livery.

Section 7. Penalties.) At the expiration of each month the sheriff shall make report to the board of county commissioners of his county, verified by affidavit, of all fees collected, and any sheriff who by neglect or otherwise fails to make out such a report shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than ten nor more than one hundred dollars, and any sheriff who by neglect or otherwise fails to collect the fees and turn the same over to the county treasurer, as prescribed in section 6 of this act, or makes a false report to the board of county commissioners, shall be guilty of a felony, and upon conviction thereof shall be punished as now prescribed by law.

Section 8. Repeal.) All acts and parts of acts in conflict with this act are hereby repealed.

And when so amended recommend the same do pass.

GEO. P. HOMNES,  
Chairman.

Mr. Speaker:

A minority of your committee on judiciary to whom was referred

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. M. THOMPSON,  
ALBERT A. DAVIS,  
A. P. HANSON,  
J. A. T. BJORNSON,  
A. E. WILLIAMS.

The committee on public printing made the following report:

Mr. Speaker:

Your committee on public printing to whom was referred 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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

D. R. STREETER,  
Chairman.

Mr. Tuttle 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 House Bill No. 228.

A bill for an act providing for the appointment of a fire marshal, defining his duties and his compensation therefor.

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. 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.

Have had the same under consideration and recommend  
that the same be amended as follows:

In line 2 of the title of the printed bill, after the word "off" where it  
appears the last time in said line, insert "town and," and after the word  
"mutual" in same line, insert the word "insurance."

Also in line 3 of the printed bill, after the figure "4483" insert the fol-  
lowing sub-head: "Management in Board of Directors. Term of Office.)"

And when so amended recommend the same do pass.

A. P. HANSON,  
Chairman.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred  
House Bill No. 363.

A bill for an act defining the boundaries of the Fifth ju-  
dicial district, and fixing the terms of court 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  
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.

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. 398.

A bill for an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11 of section 14, after the word "laws" add the following words: "and for all general and special elections held under the provisions of this act in the city, for city officers and for other purposes, the Board of City Commissioners shall, at least ten days before any election is held, appoint in each precinct established in the city, one inspector and two judges of election."

In line 8 of section 25, strike out the words "January, April, July and October," and insert in lieu thereof the words "September, December, March and June."

In line 5 of section 27, after the word "president" insert the words "to act."

In line 10 of section 37, after the word "officer" change the period to a semi-colon and add the following: "provided, that in no case shall the treasurer's bond be fixed at a less sum than the amount of the estimated tax and special assessments for the current year."

In line 2 of section 37, after the word "city" add the words "or village."

In line 2 of section 42, strike out the word "October" and insert the word "September" in lieu thereof.

In line 5 of section 63, after the word "commissioners" add the following: "whenever the words city commissioners are used in this act they shall be construed to mean and include village commissioners."

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. 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.

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. Homnes moved

That the rules be suspended and the report of the committee on House Bill No. 398 be adopted, and the bill placed on the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted and the bill placed on the calendar for third reading.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:



In line 13 of the printed bill, on page 2, after the word "days" insert the following: "and shall have written or printed thereon the words 'Return Receipt Demanded.'"

In line 19 of page 2, after the word "delivered" insert the following: "or where a jury is called forthwith."

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. 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.

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. 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.

Have had the same under consideration and recommend that the same be referred to the committee on state affairs to be considered with other bills of like subject matter.

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. 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.

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.

#### REPORT OF SPECIAL COMMITTEES.

Mr. Speaker:

We, a majority of your special committee appointed to  
investigate the charges against the Hon. John F. Cowan,  
beg leave to submit the following report:

We called before us witnesses to testify to their knowl-  
edge of the charges made, and in all examined forty-three  
witnesses, each witness before testifying was first duly  
sworn to testify the truth, the whole truth and nothing but  
the truth relative to the charges preferred; and after con-  
sidering the evidence submitted to us we recommend that  
further action upon the said charges and each of them  
be indefinitely postponed.

Dated this 24th day of February, 1911.

O. P. JORDAL,  
A. W. CUNNINGHAM,  
E. C. ANDRUS,  
AUG. MORITZ,  
VICTOR R. BOERNER,  
O. C. DOSSETH,

Signature made by O. P. Jordal.

O. P. Jordal:

I am in favor of recommending the Cowan impeachment resolution for indefinite postponement.

I came to this decision as soon as the evidence for prosecution was in, which was the reason that I was opposed to taking evidence for defense.

O. C. DOSSETH.

Mr. Speaker:

I, a minority of your special committee appointed to investigate the charges preferred against Hon. John F. Cowan, beg leave to submit the following report:

We called witnesses before us to testify to their knowledge of the charges preferred, and in all examined forty-three witnesses for the prosecution, each witness before testifying, was first duly sworn to testify the truth, the whole truth and nothing but the truth, relative to the charges made, and after considering the evidence submitted to us recommend that articles of impeachment be prepared and that Hon. John F. Cowan be held for trial by the Senate.

Dated this 24th day of February, 1911.

J. J. O'CONNOR,

Mr. Cunningham moved

That the majority report of the committee be adopted.

Mr. Davis moved

That the report of the committee be made a special order for 2:30 o'clock tomorrow.

Mr. Thompson moved

The previous question.

The question being shall the main question be now put.

Which motion was lost.

Mr. Morrison moved

The previous question.

The question being shall the main question be put.

The same prevailed.

The question being on the motion to make the report a special order for 2:30 o'clock p. m., tomorrow.

Which motion was lost.

The question being on the motion to adopt the majority report of the committee.

Roll call demanded.

The roll was called and there were 55 ayes, 45 nays, 3 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Ployhar
Anderson, of Ramsey	Hoge	Ray
Andrus	Johns	Reeve
Benson	Jordal	Sauer
Boerner	Kane	Sgutt
Bond	Knutson	Scheer
Boyd	Lageson	Scott
Burns	Lee	Sorlie
Collins	Martin	Stern
Cunningham	McClellan	Stranahan
Dean	Moen of Benson	Streeter
DeLance	Morrison	Tande
Edwards	Moritz	Thompson
Englund	Narum	Tollefson
Fox	Nelson of Walsh	Tuttle
France	O'Shea	Walters
Fraine	Paulson	Whitmer
Fritz	Pendray	Williams
Gardiner		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Nelson of Richland
Anderson, of Griggs	Harty	Nestos
Bjornson	Hawkinson	Norheim
Brusletten	Hedalen	O'Connor of Gd. Forks
Burnett	Heinemeyer	O'Connor of Pembina
Carey	Hersrud	Olsgard of Nelson
Christenson	Homnes	Olsgard of Richland
Davidson	Hill, of Bottineau	Peart
Davis	Hill, of Cass	Price
DeNault	Hyland	Putnam
Doyle, of Foster	Knox	Robinson
Doyle, of McIntosh	Kuhl	Tostenson
Fassett	Kyllo	Ulsaker
Fried	Law	Wambem
Gorder	Moen of Cavalier	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Johnson	Roquette

Which motion prevailed, and

The majority report of the committee was adopted.

Mr. Thompson moved

That the vote by which the majority report of the committee was adopted be reconsidered and the motion to reconsider be laid on the table.

Mr. Homnes moved

That the motion to reconsider be made a special order for 3 o'clock p. m. tomorrow.

Which motion was lost.

Mr. Hyland moved

That the motion to reconsider be made a special order for 7:30 o'clock p. m. this evening.

Which motion was lost.

Mr. DeNault moved

That the House take a recess until 7:30 o'clock p. m. this evening.

Which motion prevailed, and

The House took a recess.

The House reassembled at 7:30 o'clock p. m. pursuant to recess taken.

The question being on the motion that the vote by which the majority report of the committee was adopted be reconsidered and the motion to reconsider be laid on the table.

Mr. Streeter moved the previous question.

The question being, shall the main question be now put,

The same prevailed.

The question being on the motion that the vote by which the majority report of the committee was adopted be reconsidered and the motion to reconsider be laid on the table.

Roll call demanded.

The roll was called and there were 54 ayes, 43 nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aashelm  
Anderson, of Ramsey  
Andrus  
Benson  
Boerner  
Bond  
Boyd  
Burns  
Collins  
Cunningham  
Dean

Messrs.—

Geiger  
Hoge  
Johns  
Johnson  
Jordal  
Kane  
Knutson  
Kuhl  
Lee  
Martin  
McClellan

Messrs.—

Ployhar  
Ray  
Reeve  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter

Messrs.—	Messrs.—	Messrs.—
DeLance	Moen, of Benson	Tande
Edwards	Morrison	Thompson
Englund	Morritz	Tollefsch
Fox	Narum	Tuttle
France	O'Shea	Walters
Fritz	Paulson	Whitmer
Gardiner	Pendray	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	Nelson, of Walsh
Anderson, of Griggs	Hanson	Norheim
Bjornson	Harty	O'Connor of Gd. Forks
Brusletten	Hedalen	O'Connor of Pembina
Burnett	Hersrud	Olgard of Nelson
Carey	Hornes	Olgard of Richland
Christenson	Hill, of Bottineau	Peart
Davidson	Hill, of Cass	Price
Davis	Hyland	Putnam
DeNault	Kyllo	Robinson
Doyle, of Foster	Lageson	Tostenson
Doyle, of McIntosh	Law	• Ulsaker
Fassett	Moen, of Cavalier	Wambem
Fraine	Nelson, of Richland	Mr. Speaker
Fried		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Heinemeyer	Nestos
Hawkinson	Knox	Roquette

Which motion prevailed,

And the motion to reconsider was laid on the table.

### MOTIONS AND RESOLUTIONS.

Mr. Brusletten moved

That the vote by which House Bill No. 59 was indefinitely postponed, be reconsidered.

Which motion was lost.

Mr. Sorlie moved

That the vote by which Senate Bill No. 167 was indefinitely postponed, be reconsidered.

Which motion was lost.

Mr. Price moved

That the House recall Senate Bill No. 224 from the Senate.

Which motion was lost.

Mr. Kane introduced the following resolution:

WHEREAS, There is an amendment to the postoffice appropriation bill now before Congress, increasing the postage rate on advertising pages of periodicals other than newspapers from one cent a pound to four cents a pound; and

WHEREAS, This amendment is worded so as to leave to the discretion of one man the classification of periodicals, thus putting the power of life and death over many of the country's periodicals into the hands of the postmaster general, whoever he may be, thereby paving the way for a dangerous censorship of the press;

*Therefore, Be it Resolved by the House of Representatives of the Legislative Assembly of the State of North Dakota, the Senate Concurring:*

That we send a telegram letter to each of our three representatives in Congress, protesting against the passage of the periodical postage rate amendment to the postoffice appropriation bill, unless it shall be changed so as to:

First. Not to interfere with the continuance to the people of literature at present reasonable cost.

Second. To provide for the classification of periodicals and newspapers by law rather than by one man's discretion.

Third. To safeguard the right of free expression of opinion against the censorship of any single official.

Mr. Price moved

That the resolution be referred to the committee on public printing.

Which motion prevailed.

And the resolution was so referred.

Mr. Hyland moved

That the vote by which Senate Bill No. 51 was indefinitely postponed, be reconsidered.

Which motion was lost.

Mr. Fritz asked unanimous consent to withdraw House Bill No. 83.

There being no objections, House Bill No. 83 was withdrawn.

Mr. Nestos moved

That House Bill No. 25 be made a special order for 3 o'clock p. m., tomorrow.

Which motion prevailed.

There being no objections, the House returned to the 5th order of business.

## REPORTS OF STANDING COMMITTEES.

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. 185.

A bill for an act providing for the establishing of savings banks and defining the powers and restrictions of the same.

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.

Also,

Mr. Speaker:

Your committee on banks and banking to whom was referred

Senate Bill N. 210.

A bill for an act to amend sections 4638, 4641, and 4664 of the Revised Codes of 1905, 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.

Have had the same under consideration and recommend that the same be amended as follows:

On page 13, section 5, line 3 of the printed bill, strike out the word "twenty" and substitute the word "twenty-nine."

And when so amended recommend the same do pass.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved



That the rules be suspended and the report of the committee adopted and the bill placed upon the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted and the bill placed on the calendar for third reading.

### THIRD READING OF HOUSE BILLS.

Mr. Olsgard of Nelson moved

That the rules be suspended and House Bill No. 155 be considered engrossed and taken from general orders and placed upon its third reading and final passage.

Which motion prevailed.

Mr. Ployhar moved

That House Bill No. 155 be re-referred to the committee on appropriations.

Which motion prevailed, and

The bill was so referred.

Mr. Doyle of Foster, moved

That the sergeant at arms invite the ladies to retire while the House considered House Bills 279, 315, 316 and 136.

Which motion prevailed.

The Speaker called Mr. Fraine to the chair.

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.

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	Fritz	Norheim
Akesson	Gardine.	O'Connor of Pembina
Anderson, of Griggs	Geiger	Olgard of Nelson
Anderson, of Ramsey	Gorder	Olgard of Richland
Andrus	Hansen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Carey	Hyland	Sauer
Christenson	Johns	Scott
Davidson	Kane	Scheer
Dean	Knutson	Sgutt
DeLance	Kuhl	Sorlie
DeNault	Law	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	Moen of Benson	Thompson
Edwards	Moen of Cavalier	Tollefson
Englund	Morrison	Tostenson
Fassett	Moritz	Ulsaker
Fox	Narum	Walters
France	Nelson of Richland	Wambem
Fraine	Nelson of Walsh	Williams
Fried	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Johnson	Peart
Burns	Jordal	Reeve
Collins	Knox	Robinson
Cunningham	Kyllo	Roquette
Davis	Lageson	Streeter
Dosseth	Martin	Tande
Harty	McClellan	Tuttle
Hawkinson	O'Connor of Gd. Forks	Whitmer
Hedalen		

So the bill passed and the title was agreed to.

Mr. De Nault moved

That the vote by which House Bill No. 279 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 59 ayes, 15 nays, 29 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Nestos
Anderson, of Griggs	Fried	O'Connor of Gd. Forks
Andrus	Fritz	O'Connor of Pembina
Benson	Gardiner	Olsgard of Richland
Bjornson	Geiger	Olsgard of Nelson
Bond	Hanson	Paulson
Boyd	Heinemeyer	Peart
Brusletten	Hersrud	Pendray
Burnett	Hoge	Ployhar
Carey	Hill, of Cass	Price
Christenson	Hyland	Putnam
Davidson	Johns	Ray
Dean	Kane	Sauer
DeNault	Law	Scott
Doyle, of Foster	Lee	Sgutt
Doyle, of McIntosh	Moen of Benson	Sorlie
Edwards	Moen of Cavalier	Stern
Englund	Morrison	Stranahan
Fassett	Moritz	Mr. Speaker
Fox	Nelson of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Kyllo	Tollefson
Gorder	Narum	Tostenson
Homnes	Nelson of Richland	Ulsaker
Hill, of Bottineau	Norheim	Walters
Johnson	Scheer	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hawkinson	Reeve
Boerner	Hedalen	Robinson
Burns	Jordal	Roquette
Colkins	Knox	Streeter
Cunningham	Knutson	Tande
Davis	Kuhl	Thompsonson
DeLance	Lageson	Tuttle
Dosseth	Martin	Whitmer
France	McClellan	Williams
Harty	O'Shea	

So the bill passed and the title was agreed to.

The Speaker in the chair.

## 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.

Was read the third time.

Mr. Burnett 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 52 ayes, 22 nays, 29 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nelson of Wain
Anderson, of Griggs	Gorder	Olgard of Nelson
Andrus	Hanson	Olgard of Richland
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Bond	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Poyhar
Brusletten	Johns	Price
Carey	Johnson	Putnam
Christenson	Jordal	Sorlie
Davidson	Knutson	Stern
DeNault	Law	Stranahan
Doyle, of Foster	Moen of Cavalier	Ulsaker
Fassett	Morrison	Walters
Fox	Moritz	Wambem
Fraine	Narum	Williams
Fried	Nelson of Richland	Mr. Speaker
Gardiner		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Homnes	O'Connor of Pembina
Anderson, of Ramsey	Kane	Ray
Burnett	Kylo	Sauer
Dean	Lee	Scott
Doyle, of McIntosh	Moen of Benson	Scheer
Edwards	Nestos	Tollefson
Englund	Norheim	Tostenson
Hoge		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Hawkinson	Reeve
Burns	Hedalen	Robinson
Collins	Hyland	Roquette
Cunningham	Knox	Sgutt
Davis	Kuhl	Streeter
DeLance	Lageson	Tandø
Dosseth	Martin	Thompson
France	McClellan	Tuttle
Fritz	O'Connor of Gd. Forks	Whitmer
Harty	O'Shea	

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 316 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 64 ayes, 8 nays, 31 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gardiner	Moritz
Anderson, of Griggs	Geiger	Narum
Anderson, of Ramsey	Gorder	Nelson, of Richland
Andrus	Hanson	Nelson, of Walsh
Benson	Hersrud	Nestos
Bjornson	Hoge	Norheim
Bond	Homnes	O'Connor of Pembina
Boyd	Hill, of Bottineau	Olsgard of Richland
Brusletten	Hill, of Cass	Olsgard of Nelson
Burnett	Hyland	Paulson
Carey	Johns	Pendray
Christenson	Johnson	Peart
Davidson	Jordal	Price
Dean	Kane	Putnam
DeNault	Knutson	Sauer
Doyle, of McIntosh	Kyilo	Scott

Messrs.—	Messrs.—	Messrs.—
Edward's	Law	Sorlie
Englund	Lee	Tostenson
Fassett	Moen, of Benson	Ulsaker
Fox	Moen, of Cavalier	Wambem
Fraine	Morrison	Williams
Fried		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Scheer	Stranahan
Ployhar	Sgutt	Mr. Speaker
Ray	Stern	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Hawkinson	Reeve
Burns	Hedalen	Robinson
Collins	Heinemeyer	Roquette
Cunningham	Knox	Streeter
Davis	Kuhl	Tande
DeLance	Lageson	Thompson
Dosseth	Martin	Tollefson
Doyle, of Foster	McCuellan	Tuttle
France	O'Connr of Gd. Forks	Walters
Fritz	O'Shea	Whitmer
Harty		

So the bill passed and the title was agreed to.

Mr. Hill of Cass, moved

That the vote by which House Bill No. 136 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:

Hubert Harrington, Emil Anderson, P. Porterfield, C. Anheier, H. Klinzman, D. C. Cullen, H. F. Emery, of Cass county.

John S. Johnson.

Charles Negant.

L. D. Richardson of Fargo.

Ben Aniker.

Ben Courier.

C. T. Staley.

Mr. Burnett moved

That the House take a recess until 10 o'clock a. m., tomorrow.

Mr. Frain moved

That the House do now adjourn.  
Which motion was lost.  
The question being on the motion to take a recess until  
10 o'clock a. m., tomorrow.  
The same prevailed, and  
The House took a recess.

E. H. GRIFFIN,  
Chief Clerk.

FIFTY-THIRD DAY AFTER RECESS, AND  
FIFTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 25, 1911.

The House assembled at 10 o'clock a. m., pursuant to recess taken.

Mr. Nestos 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. Hedalen 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. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

And recommend 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.

Also,

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.

And recommend the same be amended as follows:

On line 3 of section 1, printed bill, after the word "of" cut out the word "thirty" and insert in lieu thereof the word "fifteen."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 60.

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.

And recommend 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 provided 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 necessary 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 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 credited 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 depositaries 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 indorsement, 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.

Also,

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.

And recommend the same be amended as follows:

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.

Also,

House Bill No. 43.

A bill for an act appropriating money for the purpose of building and equipping a chemistry building and laborator-

ies for the North Dakota Agricultural college at Fargo, North Dakota.

And recommend 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.

Also,

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.

And recommend 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.

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And when so amended recommend the same do pass.

Also,

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.

And recommend 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.

Also,

## 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.

And recommend 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.

Also,

## 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.

And recommend 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.

Also,

## 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.

And recommend 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.

Also,

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.

And recommend 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.

Also,

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.

And recommend 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 the 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.

Also,

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.

And recommend 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.

Also,

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.

And recommend 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 hundred 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.

Also,

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.

And recommend 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 "twentyseven thousand."

And when so amended recommend the same do pass.

Also,

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.

And recommend 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.

Also,

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.

And recommend 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.

Also,

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.

And recommend 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.

Also,

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.



And recommend 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.

Also,

House Bill No. 86.

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.

And recommend 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.

Also,

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.

And recommend 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 "forty thousand (\$40,000.00)."

And when so amended recommend the same do pass.

N. F. HEDALEN,  
Chairman.

Mr. Nestos moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## THIRD READING OF HOUSE BILLS.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 68 ayes, 1 nay, 34 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Nestos
Akesson	Heinemeyer	Norheim
Anderson, of Griggs	Hersrud	O'Connor of Gd. Forks
Anderson, of Ramsey	Hoge	O'Connor of Pembina
Andrus	Homnes	Olgard of Nelson
Bjornson	Hill, of Bottineau	O'Shea
Boyd	Hyland	Paulson
Burns	Johns	Ray
Carey	Johnson	Sauer
Christenson	Jordal	Scott
Cunningham	Kane	Scheer
Davidson	Knutson	Stern
Dean	Kuhl	Stranahan
DeNault	Kyllo	Thompson
Englund	Lageson	Tollefson
Fassett	Law	Tostenson
Fox	Lee	Tuttle
Fried	McClellan	Ulsaker
Fritz	Moen of Benson	Wambem
Gardiner	Moen of Cavalier	Whitmer
Geiger	Narum	Williams
Hanson	Nelson of Richland	Mr. Speaker
Harty	Nelson of Walsh	

Mr. Walters voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	France	Pendray
Boerner	Fraine	Ployhar
Bond	Gorder	Price
Brusletten	Hawkinson	Putnam
Burnett	Hill, of Cass	Reeve
Collins	Knox	Robinson
Davis	Martin	Roquette
DeLance	Morrison	Sgutt
Dosseth	Moritz	Sorlie
Doyle, of Foster	Olgard of Richland	Streeter
Doyle, of McIntosh	Peart	Tande
Edwards		

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 74 ayes, 1 nay, 28 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hoge	Olsgard of Nelson
Anderson, of Griggs	Homnes	Olsgard of Richland
Anderson, of Ramsey	Hill, of Bottineau	O'Shea
Andrus	Hill, of Cass	Paulson
Bjornson	Hyland	Pearl
Bond	Jordal	Pendray
Boyd	Kane	Price
Carey	Knox	Ray
Christenson	Knutson	Reeve
Cunningham	Kuhl	Sauer
Davidson	Kyllo	Scott
Dean	Lageson	Scheer
DeNault	Law	Sgutt
Edwards	Lee	Stern
Englund	McClellan	Stranahan
Fassett	Moen of Benson	Tollefson
Fox	Moen of Cavalier	Tostenson
Fried	Morrison	Tuttle
Fritz	Moritz	Ulsaker
Gardiner	Narum	Walters
Geiger	Nelson of Walsh	Wambem
Harty	Nestos	Whitmer
Hedalen	Norheim	Williams
Heinemeyer	O'Connor of Gd. Forks	Mr. Speaker
Hersrud	O'Connor of Pembina	

Mr. Nelson of Richland, voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	Doyle, of Foster	Martin
Benson	Doyle, of McIntosh	Ployhar
Boerner	France	Putnam
Brusletten	Fraine	Robinson
Burnett	Gorder	Roquette
Burns	Hanson	Sorlie
Collins	Hawkinson	Streeter

Messrs.—  
 Davis  
 DeLance  
 Dosseth

Messrs.—  
 Johns  
 Johnson

Messrs.—  
 Tande  
 Thompson

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 60 ayes, 12 nays, 31 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
 Anderson, of Griggs  
 Anderson, of Ramsey  
 Andrus  
 Benson  
 Bjornson  
 Bond  
 Boyd  
 Carey  
 Cunningham  
 Davidson  
 Dean  
 DeNault  
 Englund  
 Fassett  
 France  
 Fried  
 Fritz  
 Hanson  
 Harty

Messrs.—

Hedalen  
 Hersrud  
 Hoge  
 Homnes  
 Hill, of Bottineau  
 Hyland  
 Jordal  
 Kane  
 Knox  
 Knutson  
 Kuhl  
 Kyilo  
 Lageson  
 Law  
 Lee  
 McClellan  
 Moen, of Benson  
 Moen, of Cavalier  
 Morrison  
 Moritz

Messrs.—

Narum  
 Nelson, of Richland  
 Nelson, of Walsh  
 Nestos  
 Norheim  
 O'Connor of Gd. Forks  
 O'Connor of Pembina  
 Olsgard of Richland  
 O'Shea  
 Sauer  
 Scott  
 Scheer  
 Sorlie  
 Stranahan  
 Tostenon  
 Tuttle  
 Walters  
 Whitmer  
 Williams  
 Mr. Speaker

Those who voted in the negative were:

Messrs.—

Christenson  
 Edwards  
 Gardiner  
 Geiger

Messrs.—

Hill, of Cass  
 Paulson  
 Peart  
 Pendray

Messrs.—

Stern  
 Tollefson  
 Ulsaker  
 Wambem

Absent and not voting:

Messrs.—

Akesson  
 Boerner

Messrs.—

Fox  
 Fraine

Messrs.—

Price  
 Putnam

## Messrs.—

Brusletten  
Burnett  
Burns  
Collins  
Davis  
DeLance  
Dossseth  
Doyle, of Foster  
Doyle, of McIntosh

## Messrs.—

Gorder  
Hawkinson  
Heinemeyer  
Johns  
Johnson  
Martin  
Olsgard, of Nelson  
Ployhar

## Messrs.—

Ray  
Reeve  
Robinson  
Roquette  
Sgutt  
Streeter  
Tande  
Thompson

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which House Bill No. 274 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 79 ayes, no nays, 21 absent and not voting.

Those who voted in the affirmative were:

## Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Bond  
Boyd  
Carey  
Christenson  
Cunningham  
Davidson  
Davis  
Dean  
DeNault  
Edwards  
Englund  
Fassett  
Fox  
France  
Fraine  
Fried  
Fritz  
Gardiner

## Messrs.—

Harty  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
McClellan  
Moen, of Benson  
Moen, of Cavalier  
Morrison  
Moritz  
Narum  
Nelson, of Richland

## Messrs.—

Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard, of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Reeva  
Sauer  
Scott  
Scheer  
Sortie  
Stern  
Stranahan  
Tollefson  
Tostenson  
Tuttle  
Ulsaker  
Walters  
Wambem  
Whitmer  
Williams

Messrs.—  
Geiger  
Hanson

Messrs.—  
Nelson, of Walsh

Messrs.—  
Mr. Speaker

Absent and not voting:

Messrs.—  
Boerner  
Brusletten  
Burnett  
Burns  
Collins  
DeLance  
Dossseth  
Doyle, of Foster

Messrs.—  
Doyle, of McIntosh  
Gorder  
Hawkinson  
Johns  
Johnson  
Martin  
Ployhar  
Price

Messrs.—  
Putnam  
Ray  
Robinson  
Roquette  
Sgutt  
Streeter  
Tande  
Thompson

So the bill passed and the title was agreed to.

Mr. Tuttle moved

That the vote by which House Bill No. 354 passed, be reconsidered and the motion to reconsider be laid on the table.  
Which motion prevailed.

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 third time.

Mr. Boyd moved

That the bill be re-referred to the committee on state affairs.

Which motion prevailed.

And the bill was so re-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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 66 ayes, 16 nays, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Martin
Akesson	Gardiner	McClellan
Anderson, of Griggs	Geiger	Moen, of Benson
Anderson, of Ramsey	Hanson	Narum
Andrus	Harty	Nelson, of Richland
Benson	Hedalen	Norheim
Bjornson	Heinemeyer	O'Connor of Gd. Forks
Bond	Hersrud	O'Connor of Pembina
Boyd	Hoge	Olsgard of Nelson
Burns	Homnes	Olsgard of Richland
Carey	Hill, of Bottineau	O'Shea
Christenson	Hill, of Cass	Peart
Cunningham	Hyland	Reeve
Davilson	Johnson	Sauer
Davis	Jordal	Scott
Dean	Kane	Scheer
DeNault	Knox	Stern
Edwards	Knutson	Stranahan
Englund	Kylo	Tande
Fassett	Lageson	Whitmer
Fox	Law	Williams
France	Lee	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Fraine	Paulson	Tostenson
Fried	Pendray	Tuttle
Moen, of Cavalier	Ray	Ulsaker
Morrison	Robinson	Walters
Moritz	Tollefson	Wambem
Nelson, of Walsh		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Doyle, of McIntosh	Price
Brusletten	Gorder	Putnam
Burnett	Hawkinson	Roquette
Collins	Johns	Sgutt
DeLance	Kuhl	Sorlie
Dosseth	Nestos	Streeter
Doyle, of Foster	Ployhar	Thompson

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which House Bill No. 362 passed, be reconsidered and the motion to reconsider be laid on the table.  
Which motion prevailed.

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 third time.

Mr. Sauer moved

That the bill be indefinitely postponed.

Which motion was lost.

Mr. Fraine asked unanimous consent to amend the bill.

There being no objections, Mr. Fraine offered the following amendment and moved its adoption:

Section 1, line 6, drop the comma after the word "match" and strike out the word "exhibition" in line 9. Strike out word "exhibition" in line 11. Strike out word "exhibitor" in line 13. Strike out word "exhibition" in line 16.

Which motion prevailed.

Mr. Fraine moved

That the rules be suspended and House Bill No. 373 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 73 ayes, 6 nays, 24 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bond  
Boyd  
Carey  
Christenson  
Cunningham  
Davidson  
Davis  
Dean  
DeNault  
Edwards  
Englund  
Fassett  
Fox  
France  
Fraine

Messrs.—

Harty  
Hedalen  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johnson  
Jordal  
Kane  
Knox  
Knutson  
Kyllo  
Lageson  
Law  
Lee  
Martin  
Moen, of Benson  
Moen, of Cavalier  
Morrison

Messrs.—

Nelson, of Walsh  
Nestos  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Reeve  
Seheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Tollefson  
Tostenson  
Tuttle  
Ulsaker  
Walters  
Whitmer



Messrs.—	Messrs.—	Messrs.—
Fried	Moritz	Wamben
Gardiner	Narum	Williams
Gelger	Nelson, of Richland	Mr. Spear
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Ray	Sauer
Fritz	Robinson	Scott

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Doyle, of McIntosh	Olsgard, of Nelson
Brusletten	Gorder	Ployhar
Burnett	Hawkinson	Price
Burns	Heinemeyer	Putnam
Collins	Johns	Roquette
DeLance	Kuhl	Streeter
Dosseth	McClellan	Tande
Doyle, of Foster	Norheim	Thompson

So the bill passed and the title was agreed to.

Mr. Aasheim moved

That the vote by which House Bill No. 373 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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.

Was read the third time.

Mr. Stranahan moved

That action on the bill be deferred and placed at the foot of the calendar.

Which motion prevailed.

Mr. Williams moved

That the rules be suspended and House Bill No. 398 be considered engrossed and placed upon its third reading and final passage, as amended.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 71 ayes, no nays, 32 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hornes	Olgard of Nelson
Anderson, of Griggs	Hill, of Bottineau	Olgard of Richland
Anderson, of Ramsey	Hill, of Cass	O'Shea
Andrus	Hyland	Paulson
Benson	Johnson	Pearl
Boyd	Kane	Pendray
Burns	Knox	Ray
Carey	Knutson	Reeve
Christenson	Kyllo	Robinson
Cunningham	Lageson	Sauer
Davidson	Law	Scheer
Davis	Lee	Stutt
Dean	McClellan	Sorlie
DeNault	Moen, of Benson	Stern
Edwards	Moen, of Cavalier	Stranahan
Englund	Morrison	Thompson
Fox	Moritz	Tostenson
France	Narum	Tollefson
Fraine	Nelson, of Richland	Tuttle
Fried	Nelson, of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Forks	Mr. Speaker
Hoge	O'Connor of Pembina	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fassett	Martin
Bjornson	Gorder	Ployhar
Boerner	Hanson	Price
Bond	Harty	Putnam
Brusletten	Hawkinson	Roquette
Burnett	Hedalen	Scott
Collins	Heinemeyer	Streeter
DeLance	Hersrud	Tande
Dossseth	Johns	Ulsaker
Doyle, of Foster	Jordal	Walters
Doyle, of McIntosh	Kuhl	

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which House Bill No. 398 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Davidson moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FIFTY-FOURTH DAY.

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HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 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. Brusletten, Collins, De Nault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande, who were excused.

The Speaker called Mr. Price to the chair.

## MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 26, 1911.

Mr. Speaker:

I have the honor to return herewith

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 90.

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.

Also,

Senate Bill No. 187.

A bill for an act to encourage elementary education in North Dakota, and appropriate money therefor.

Also,

Senate Bill No. 238.

A bill for an act authorizing the board of university and school lands to make examination of all state and school lands to determine the extent, depth and 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.

Also,

Senate Bill No. 186.

A bill for an act to amend and re-enact 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.

Also,

Senate Bill No. 332.

A bill for an act to amend section 7530, Revised Code of 1905, relating to adjustment of cross judgment in actions to determine conflicting claims to real property.

Also,

Senate Bill No. 245.

A bill for an act to amend and re-enact 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.

Also,

Senate Bill No. 312.

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.

Also

Senate Bill No. 333.

A bill for an act to amend Section 4173 of the Revised Codes of 1905, relating to articles of incorporation.

Also,

Senate Bill No. 334.

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.

Also,

Senate Bill No. 271.

A bill for an act for the organization of villages in territory embracing more than one county.

Was read the first and second times, and

Also,

Senate Bill No. 326.

A bill for an act to amend Section 1350, Revised Codes of 1905, relating to the laying out, altering or discontinuing roads.

Also,

Senate Bill No. 218.

A bill for an act to amend and re-enact Section 7047 of the Revised Codes of North Dakota for the year 1905, relating to references and trials by referees.

Also,

Senate Bill No. 338.

A bill for an act providing for the publication of the names of candidates before the primary.

Also,

Senate Bill No. 310.

A bill for an act to amend and re-enact Section 733 of the Revised Codes of 1905 relating to the registration of voters.

Also,

Senate Bill No. 339.

A bill for an act to prescribe legal rates for the publication of political announcements.

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:

WHEREAS, North Dakota being almost exclusively agricultural in its natural resources, which, however, are but slightly developed and imperfectly understood; and

WHEREAS, The present and future prosperity of all the citizens of the state must depend upon the intelligence and skill with which the farming vocation is developed; and

WHEREAS, The policy of the state should be to encourage in the largest possible way such improvements as are possible to be made in agricultural science by means of education and experimentation; and

WHEREAS, Demands are being made for still further extending the work of agricultural education and experimentation;

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

That a commission be appointed, consisting of the President of the Agricultural College and two citizens of the state, one of whom shall be a practical farmer and one a practical business man, to be chosen by the Governor, whose duty it shall be, after studying similar enterprises in other states and provinces, to develop a comprehensive plan for unifying and extending the work of agricultural education and experimentation throughout the state and to submit such plan for the consideration of the Thirteenth Legislative Assembly.

Which the senate has adopted, 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 52nd day after recess and 53th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 7, on line 23, strike out the words "to the committee of the whole" and insert the words "do pass."

On page 33, on line 5, take out letter "R" and insert the letter "A" before the word "Thompson."

On page 48, on line 10, change word "Burnette" to "Burnett." Also on page 50, on line 51, change word "Burnette" to "Burnett."

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 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 of this state or modifying the same to the end that before and 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 vested 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.

W. E. LAUDER AND 60 OTHERS.

Wyndmere, N. D., February 23, 1911.

Chas. W. Carey, Bismarck, N. D.

Dear Sir: The undersigned dealers in building material and contractors of the village of Wyndmere, N. D., wish to call your attention to Senate Bill No. 67, by Hookway, and to protest against passage of same. Can you see your way to help defeat this bill?

WM. H. MORRILL AND 6 OTHERS.

## REPORTS OF STANDING COMMITTEES.

The committee on enrolled and engrossed bills made the following report:

Mr. Speaker:

Your committee on enrolled and engrossed bills have examined

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.

Also,

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.

Also,

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.

Also,

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.

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. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

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. 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. 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. 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. 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. 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 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 municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

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.

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

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.

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. 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.

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 Speaker in the chair.

Also,

Mr. Speaker:

Your committee on municipal corporations to whom was referred

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.

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 counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 389.

A bill for an act prohibiting trespass on the lands or tenements of another, providing the punishment therefor.

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.

Also,

Mr. Speaker

Your committee on counties and county boundaries to whom was referred

House Bill No. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

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. 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.

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. 374.

A bill for an act to amend Section 3231 of the Revised Codes of 1905, relating to fences.

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. 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.

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.

Also, .

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

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.

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

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.

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



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.

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:

A majority of your committee on state affairs to whom was referred

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.

Also

Mr. Speaker:

A minority of your committee on state affairs to whom was referred

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.

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

W. E. MARTIN,  
RICHARD PENDRAY,  
A. L. PEART.

Mr. Price moved

That the majority report of the committee be adopted.

Mr. Hawkinson moved

That the bill be referred to the committee of the whole.

Mr. Thompson 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 bill to the committee of the whole,

The same was lost.

The question being on the motion to adopt the majority report of the committee.

Roll call demanded.

The roll was called and there were 62 ayes, 32 nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Akesson  
Aasheim  
Andrus  
Benson  
Boerner  
Bond  
Boyd

Messrs.—

Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Johns  
Johnson

Messrs.—

Olgard of Nelson  
Olgard of Richland  
O'Shea  
Ployhar  
Price  
Putnam  
Ray

Messrs.—	Messrs.—	Messrs.—
Burns	Jordal	Reeve
Carey	Knox	Robinson
Davis	Lageson	Scheer
Dean	Law	Sgutt
DeLance	McClellan	Stern
Dosseth	Moen, of Cavalier	Stranahan
Doyle, of Foster	Morrison	Thompson
Edwards	Moritz	Tuttle
Fox	Narum	Walters
France	Nelson, of Richland	Wambem
Fraine	Nestos	Whitmer
Fried	Norheim	Williams
Hanson	O'Connor of Gd. Forks	Mr. Speaker
Heinemeyer	O'Connor of Pembina	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	Nelson, of Walsh
Anderson, of Ramsey	Harty	Paulson
Bjornson	Hawkinson	Peart
Burnett	Hedalen	Roquette
Christenson	Kane	Sauer
Cunningham	Knutson	Scott
Davidson	Kuhl	Sorlie
Englund	Kyllo	Tollefson
Fassett	Lee	Tostenson
Fritz	Martin	Ulsaker
Gardlaer	Moen, of Benson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Doyle, of McIntosh	Pendray
Collins	Gorder	Streeter
DeNault	Hyland	Tande

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

Which motion prevailed.

Mr. Price moved

That the vote by which the majority report of the committee was adopted be reconsidered and the motion to reconsider be laid on the table.

The same prevailed.

And the further consideration of Senate Bill No. 67 was indefinitely postponed.

The chief clerk announced that the Speaker was about to sign:

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. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

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. 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. 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. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

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. 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.

And the Speaker signed the same in the presence of the House.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred 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.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the words "Section 1" the words "Certain Persons Prohibited to Marry.)"

By inserting after the words "Section 2" the words "Clergymen and Others Forbidden to Perform Ceremony in Certain Cases.)"

By inserting after the words "Section 3" the word "Penalty.)"

By inserting after the words "Section 4" the word "Repeal.)"

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 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 public health to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the words "Section 1" the words "Duty of Physician, Midwife or Other Attendant.)"

By inserting after the words "Section 2" the word "Same.)"

By inserting after the words "Section 3" the words "Same. Exception.)"

By inserting after the words "Section 4" the words "Duty of Health Officer.)"

By inserting after the words "Section 5" the word "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 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 public health to whom was referred 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

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the words "Section 1" the words "Duty of State Superintendent of Health.)"

By inserting after the words "Section 2" the words "Disbursements, How Authenticated.)"

By inserting after the words "Section 3" the word "Appropriation.)"

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 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 public health to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

By inserting after the words "Section 1" the word "Amendment."

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 committee be adopted and the bill be placed on the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted.

The committee on public health made the following report:

Mr. Speaker:

A majority of your committee on public health, to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

By adding the words "or cigarette papers" after the word "cigarette" in the title, and by adding the words "or cigarette papers" after the word "cigarette" at the end of section 1.

And when so amended recommend the same do pass.

J. H. FRAINE,  
Chairman.

Also

Mr. Speaker:

A minority of your committee on public health, to whom was referred

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.

Have had the same under consideration and recommend that the same be indefinitely postponed, for the reason that laws of the state now provide for protection to minors, and your minority believes that unless a habit is effectively shown to be inimical to the health or welfare of individuals or the community, legislative interference is unwise and undesirable.

J. H. FRAINE,

Mr. Fraine moved

That the minority report of the committee be adopted.  
Which motion was lost.

Mr. Tuttle moved

That the majority report of the committee be adopted.  
Which motion prevailed, and  
The majority report of the committee was adopted.

Also

Mr. Speaker:

Your committee on public health to whom was referred  
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.



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 agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred  
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.

Have had the same under consideration and recommend that the same be amended as follows:

Section 3, line 19 of engrossed bill, after the word "September" strike out the word "first" and insert in lieu thereof the word "fifteenth."

Section 2, line 24, after the word "the" and before the word "promptly" strike out the word "same" and insert the word "application."

Section 3, line 15, strike out the first word in the line "money" and insert in lieu thereof the word "premium."

Section 11, line 18, after the words "in full" insert "as allowed by the adjusters."

And when so amended recommend the same do pass.

GEO. H. LAW,  
Chairman.

The committee on game and fish made the following report:

Mr. Speaker:

Your committee on game and fish to whom was referred  
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.

Have had the same under consideration and recommend that the same be amended as follows:

In first line of the title, after the figure "44" add the following figures, "23, 36." In line 2 of the title of the printed bill, after the figure "1909" insert the following: "and adding new sections thereto."

In line 6 of section 1 of the printed bill, strike out after the word "governor" the balance of line 6, all of line 7, all of line 8, all of line 9 to the word "thereafter" on line 10, and insert in lieu thereof the following: "one member of such board shall be appointed for a term of one year commencing on the first day of April, 1911, and one member of such board shall be appointed for a term of two years commencing on the first day of April, 1911, and one member of such board shall be appointed for a term of three years commencing on the first day of April, 1911."

In line 11, section 1 of the printed bill, strike out the word "four" and insert in lieu thereof the word "three."

In line 16, section 1 of the printed bill, after the word "secretary" insert the following: "who shall receive as compensation for his services not to exceed the sum of one hundred dollars per month for keeping and maintaining the secretary's office."

In line 25, section 2 of the printed bill, strike out after the word "for" the balance of section and insert in lieu thereof the following: "carrying out the provisions of this section as said board may deem most expedient."

In line 3, section 5 of the printed bill, after the word "commissioner" insert the following: "How Appointed. Powers and Duties Of.)"

Also in line 3, same page and section, strike out after the word "the" the word "board" and insert in lieu thereof the word "governor."

In line 3, section 5 of the printed bill, after the word "shall" insert the following: "on or before the first day of April, 1911."

In line 4, section 5 of the printed bill, after the word "commissioner" insert the following: "who shall serve for a term of two years or until his successor has been appointed."

In line 5, section 5 of the printed bill, strike out after the word "therefore" the word "to" and all of line 6, and insert in lieu thereof the following: "the sum of."

In line 10, section 4 of the printed bill, after the word "direction" insert the following: "He shall not be engaged in or have any other business that will in any way require any of his time or interfere with his duties as such chief game warden. It shall be his duty to devote all of his time to the practical and actual work of enforcing the provisions of this act in seasons requiring the actual work of deputy wardens in the field. He shall devote all his time to field work, advise, instruct and supervise the work of all deputies under him."

In line 14, section 4 of the printed bill, after the word "faithful" insert the following: "performance of his duties and the."

In line 3, section 6 of the printed bill, strike out the word "three" and insert in lieu thereof the word "four."

In line 4, section 6 of the printed bill, strike out the period after the word "district," the word "In" following to be written "in," and after

the word "warden" on the same line, strike out the comma and insert in lieu thereof a period.

Line 6, section 6 of the printed bill, strike out the word "four" and insert in lieu thereof the word "five."

Strike out in section 6 all of line 7 and the words in line 8 preceding the word "such" and insert in lieu thereof the following: "which months shall be designated by the Game and Fish Board of Control. Provided, however; the Board of Control may, and they are hereby authorized to appoint one of the above mentioned regular deputy game wardens in each district to serve for a period of one year, if in their judgment such action is necessary and for the better protection of the game of the state. Provided further, the chief game warden in each district may appoint one or more resident county game wardens in each county in their respective districts, who shall serve for such a time and in such a manner as the chief game warden may direct. They shall serve as such resident county game wardens without compensation, except as provided in section 24, Chapter 128, Session Laws of 1909."

In line 11, section 6, after the word "duties" insert the following: "provided, the board may designate and they are hereby expressly authorized to fix the amount of compensation such regular deputy game wardens shall receive from time to time, but in no case shall such compensation exceed the sum of one hundred dollars per month and expenses, as provided in this section."

In line 14, section 6 of the printed bill, strike out the word "month" and insert in lieu thereof the word "week." Also on the same line, strike out after the word "the" the following words: "secretary of the board of control," and insert in lieu thereof the following: "chief game warden."

In line 17, same section, strike out the word "month" and insert in lieu thereof the word "week."

In line 21, section 6 of the printed bill, strike out after the word "provided" the words "by law" and insert in lieu thereof the following: "as provided in section 14 of this act."

In line 10 of section 7 of the printed bill, strike out after the word "state" the following words: "district game and fish wardens" and insert in lieu thereof the following: "chief game wardens and fish commissioner."

In line 13, section 10 of the printed bill, strike out the word "turtle-dove." Also on line 14, same section, strike out the words "ruffed grouse."

Line 17, section 10 of the printed bill, strike out after the word "following" the balance of line 17, all of line 18, all of line 19 and all of line 20.

Line 22 of section 10 of the printed bill strike out the word "swan."

In line 26 of section 14 of the printed bill, strike out the word "or" after the words "red horse" and insert after the word "carp" the words "or pickerel."

In line 32 of section 14 of the printed bill, strike out the period and insert in lieu a comma and the following words: "and for the distribution of the products of said fish hatchery."

Section 16. Amendment.) Section 36 is hereby amended so as to read as follows:

Section 36. Deer, Season for Killing.) No person shall hunt, catch, take, kill, ship, convey or cause to be shipped or transported by common carrier to any person either within or without the state, or purchase, expose for sale, have in possession with intent to sell to any person, or have in possession or under control at any time any deer or any part thereof, including the hides and horns, except as herein provided; provided that two deer with antlers may be killed between November 10th and November 30th (both inclusive) of the same year by any one person; provided further, that it shall be unlawful to hunt or kill any deer in the manner commonly known as driving in parties consisting of more than four persons. But no person shall kill or have in possession during said time more than

two such deer or parts thereof; and provided further, that any person who is lawfully in possession of such deer or any part thereof may ship or cause to be shipped in the manner provided for by this chapter, but not otherwise. Any person violating any provision of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each deer and cost of prosecution, or by imprisonment in the county jail for not less than twenty days or more than thirty days, or by both such fine and imprisonment, in the discretion of the court, for each and every deer killed or destroyed contrary to the provisions of this act.

Section 14. Claims Against the Game and Fish Fund Verified How.) No bill, claim, account or demand against the game and fish fund shall be audited, allowed or paid until a full itemized statement in writing shall be filed with the secretary of the board. And where charges are made for money expended in attending meetings of the board or for money expended in the performance of official duties, all items of one dollar or more shall be covered by a sub-voucher signed by the party to whom the money was paid. The sub-voucher shall show the date, at what price, and for what the money was paid. The sub-voucher shall be forwarded with the statement, and said statement shall be verified by the oath of the party making it. All statements, bills or claims filed with the secretary, when duly certified to by the president of said board, shall be mailed to the state auditor. The state auditing board shall audit such claims and draw warrants upon the state treasurer for the amounts so allowed, to be paid out of the game and fish fund.

Section 15. Angler's Fishing License.) Every person is prohibited from taking from the public waters of this state wherein the state or government have planted or stocked with fish any species of fish protected by this act unless they shall have first procured and have on their person a license therefor from any county auditor of this state. Which said license shall not be transferable. County auditors shall issue such angler's license upon the payment of a license fee of one dollars; provided, however, that the head of a family holding the license entitles all his family to the rights of fishing, and children under the age of sixteen years shall not be required to have a license under this act.

On or before October fifteenth of each year county auditors shall return to the secretary of the game and fish board of control all unused angler's license blanks and remit to the state treasurer all money received from the sale of such licenses, excepting ten cents for each license issued, which he shall retain as his fee. The state treasurer shall credit the money so received to the state game and fish fund.

Section 17. Amendment.) Section 23 is hereby amended to read as follows:

Section 23. Disposition of Other Moneys.) All moneys collected by the board upon licenses issued by it, by the sale of game seized and sold, and from all other sources, except fines, shall be paid into the general fund of the state of North Dakota, to be credited to the Game and Fish Commission Fund, to be used for the purpose of enforcing the provisions of this act; provided, that any surplus money accumulated to the credit of the Game and Fish Commission Fund may be used for the propagation of fish and game birds and for other purposes at the discretion of the board.

Line 1, section 14 of the printed bill, strike out the figure "14" and insert in lieu thereof the figure "18."

Section 15, line 1, of the printed bill, strike out the figures "15" and insert in lieu thereof the figure "19."

And when so amended, recommend the same do pass.

N. O. JOHNSON,  
Chairman.

Mr. Johnson moved

That the rules be suspended and the report of the committee be 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 elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

In the sample ballot, on page 5 of the printed bill, above the legislative squares, strike out the word "one" and insert in lieu thereof a blank line.

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the rules be suspended and the report of the committee be 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 elections and election privileges to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

In line 14, on page 1 of the printed bill, strike out the word and figure "thirty. (30)" and insert in lieu thereof the word and figure "twenty-five (25)."

In line 42, on page 3, strike out the word "five" and insert in lieu thereof the word "fifteen."

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the rules be suspended and the report of the committee be adopted and the bill placed on the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Doyle of Foster moved

That the House have three hundred additional copies of Senate Bill No. 106 printed.

Which motion prevailed.

The Speaker announced a recess of five minutes.

The House re-assembled pursuant to recess taken.

The chief clerk announced that the Speaker was about to sign:

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. 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. 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. 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.

And the Speaker signed the same in the presence of the House.

### SPECIAL ORDER.

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.

Mr. Nestos moved

That the following amendment to the amendment recommended by the committee to House Bill No. 235 be adopted:

On page 12 of Journal, in the fifth line of paragraph 18, strike out the words "Mount Carmel," and then in paragraph 47, after the word "Osford" insert the words "Mount Carmel." Also in paragraph 45, in the second line, insert after the word "ranges" the figure "87." Also in the 30th district, third line, insert the word "and" between "85" and "86."

Strike out the word and figures "87" where it appears twice in the same line, and also in the center of the fourth line strike out the word and figures "and 87" and insert the word "and" between figures "85" and "86."

Which motion prevailed.

Mr. Ployhar moved

That House Bill No. 25 be referred to a committee of five members appointed by the Speaker to report the same to the House by Monday, February 27th.

Which motion prevailed.

The Speaker appointed as such committee Messrs. Nestos, Bjornson, Ployhar, Martin and Dean.

Mr. Anderson of Ramsey moved

That Senate Bill No. 235 be referred to the committee of the whole House.

Which motion prevailed, and

The bill was so referred.

Mr. Ployhar moved

That House Bill No. 433 be withdrawn from the committee on judiciary and referred to the committee on state affairs.

Which motion prevailed, and

The bill was so referred.

### MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

GOVERNOR'S OFFICE,

BISMARCK, NORTH DAKOTA,

February 24, 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. 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.

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.

Very respectfully,

JOHN BURKE,  
Governor.

## 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 as amended by the Senate,

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	Harty	Nestos
Akesson	Hawkinson	Norheim
Anderson, of Griggs	Hedalen	O'Connor of Gd. Forks
Anderson, of Ramsey	Heinemeyer	O'Connor of Pembina
Andrus	Hersrud	Olgard of Nelson
Benson	Hoge	Olgard of Richland
Bjornson	Homnes	O Shea
Boerner	Hill, of Bottineau	Paulson

Messrs.—	Messrs.—	Messrs.—
Bond	Hill, of Cass	Peart
Boyd	Hyland	Price
Burnett	Johns	Ray
Burns	Johnson	Reeve
Carey	Jordal	Robinson
Christenson	Kane	Roquette
Cunningham	Knox	Sauer
Davidson	Knutsen	Scott
Dean	Kuhl	Scheer
DeLance	Kyllo	Sorlie
Dosseth	Lageson	Stern
Edwards	Law	Stranahan
Englund	Lee	Thompson
Fassett	Martin	Tollefson
Fox	Moen, of Benson	Tostenson
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
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Doyle, of McIntosh	Putnam
Collins	Gorder	Sgutt
Davis	McClellan	Streeter
DeNault	Pendray	Tande
Doyle, of Foster	Ployhar	Walters

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

House Bill No. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

The question being on the final passage of the bill as amended by the Senate,

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.—
Aashelm	Harty	Nestos
Akesson	Hawkinson	Norheim
Anderson, of Griggs	Hedalen	O'Connor of Gd. Forks
Anderson, of Ramsey	Heinemeyer	O'Connor of Pembina
Andrus	Hersrud	Olsгарu of Nelson
Benson	Hoge	Olsгарd of Richland

Messrs.—	Messrs.—	Messrs.—
Bjornson	Homnes	O'Shea
Boerner	Hill, of Bottineau	Paulson
Bond	Hill, of Cass	Peart
Boyd	Hyland	Price
Burnett	Johns	Putnam
Burns	Johnson	Ray
Carey	Jordal	Reeve
Christenson	Kane	Robinson
Cunningham	Knox	Roquette
Davidson	Knutson	Sauer
Dean	Kuhl	Scheer
DeLance	Kylo	Sgutt
Dosseth	Lageson	Sorlie
Edwards	Law	Stern
Englund	Lee	Stranahan
Fassett	Martin	Tollefson
Fox	Moen of Benson	Tostenson
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
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Doyle, of McIntosh	Scott
Collins	Gorder	Streeter
Davis	McClellan	Tande
DeNault	Pendray	Thompson
Doyle, of Foster	Ployhar	Walters

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.  
So the bill passed and the title was agreed to.

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.

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 affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Nestos
Akesson	Hawkinson	Norheim

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hedalen	O'Connor of Gd. Forks
Anderson, of Ramsey	Heinemeyer	O'Connor of Pembina
Andrus	Hersrud	Olgard of Nelson
Benson	Hoge	Olgard of Richland
Bjornson	Hill, of Bottineau	O'Shea
Boerner	Hill, of Cass	Paulson
Bond	Hyland	Pearl
Boyd	Johns	Ployhar
Burnett	Johnson	Price
Burns	Jordal	Putnam
Carey	Kane	Ray
Christenson	Knox	Reeve
Cunningham	Knutson	Robinson
Davidson	Kuhl	Roquette
Dosseth	Kyllo	Sauer
Doyle, of Foster	Lageson	Scott
Edwards	Law	Scheer
Englund	Lee	Sgutt
Fassett	Martin	Sorlie
France	Moen, of Benson	Tollefson
Fraine	Moen, of Cavalier	Tuttle
Fried	Morrison	Ulsaker
Fritz	Moritz	Wambem
Gardiner	Narum	Whitmer
Geiger	Nelson, of Richland	Williams
Hanson	Nelson, of Walsh	Mr. Speaker

Mr. Tostenson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Doyle, of McIntosh	Stern
Collins	Fox	Stranahan
Davis	Gorder	Streeter
Dean	Homnes	Tande
DeLance	McClellan	Thompson
DeNault	Pendray	Walters

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which House Bill No. 122 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. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

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. 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. 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. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

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. 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. 133.

A bill for an act to amend Section 2763 of the Revised Codes of the State of North Dakota for the year 1905, pro-

viding for the vacation of streets and alleys, establishing the procedure and providing for an appeal.

Were delivered to the governor for his approval at the hour of 3:30 p. m., February 25, 1911.

ALBERT A. DAVIS,  
Chairman.

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.

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 affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Nelson of Walsh
Anderson, of Griggs	Harty	Nestor
Andrus	Hawkinson	Norheim
Benson	Hedalen	O'Connor of Gd. Forks
Bjornson	Heinemeyer	O'Connor of Pembina
Boerner	Hersrud	Olgard of Nelson
Bond	Hoge	Olgard of Richland
Boyd	Hill, of Bottineau	O'Shea
Burnett	Hill, of Cass	Paulson
Carey	Hyland	Ployhar
Christenson	Johns	Price
Cunningham	Johnson	Putnam
Davidson	Jordal	Ray
Davis	Kane	Reeve
Dean	Knox	Robinson
DeLance	Knutson	Roquette
Dosseth	Kuhl	Sauer
Doyle, of Foster	Kyllo	Scott
Edwards	Lageson	Scheer
Englund	Law	Sgutt
Fassett	Lee	Sorlie
Fox	Martin	Tollefson
France	Moen of Benson	Tuttle
Fraine	Moen of Cavaller	Ulsaker
Fried	Morrison	Wambem
Fritz	Moritz	Whitmer
Gardiner	Narum	Williams
Geiger	Nelson of Richland	Mr. Speaker

Mr. Tostenson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Doyle, of McIntosh	Stern
Anderson, of Ramsey	Gorder	Stranahan
Brusletten	Homnes	Streeter
Burns	McClellan	Tande
Collins	Peart	Thompson
DeNault	Pendray	Walters

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande 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. 380 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 79 ayes, 2 nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nelson of Richland
Akesson	Hanson	Nelson of Walsh
Anderson, of Griggs	Harty	Nestos
Anderson, of Ramsey	Hawkinson	Norheim
Andrus	Hedalen	O'Connor of Gd. Forks
Benson	Heinemeyer	O'Connor of Pembina
Bjornson	Hersrud	Olsgard of Nelson
Boerner	Hoge	Olsgard of Richland
Bond	Hill, of Bottineau	O'Shea
Boyd	Hyland	Paulson
Burnett	Johns	Ployhar
Carey	Johnson	Price
Christenson	Jordal	Putnam
Cunningham	Kane	Ray
Davidson	Knox	Reeve
Dean	Knutson	Robinson

Messrs.—	Messrs.—	Messrs.—
DeLance	Kuhl	Scott
Dosseth	Kyllo	Scheer
Doyle, of Foster	Lageson	Sgutt
Englund	Law	Sorlie
Fassett	Lee	Tostenson
Fox	Moen of Benson	Ulsaker
France	Moen of Cavalier	Wambem
Fraine	Morrison	Whitmer
Fried	Moritz	Williams
Fritz	Narum	Mr. Speaker
Gardiner		

Messrs. Roquette and Tollefson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Homnes	Stern
Burns	Hill, of Cass	Stranahan
Collins	Martin	Streeter
Davis	McClellan	Tande
DeNault	Peart	Thompson
Doyle, of McIntosh	Pendray	Tuttle
Edwards	Sauer	Walters
Gorder		

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Englund moved

That the vote by which House Bill No. 385 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 25, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 27.

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.

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

Very respectfully,

J. W. FOLEY,  
Secretary,

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 32 ayes, 48 nays, 23 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Heinemeyer	O'Shea
Bjornson	Hyland	Ployhar
Boerner	Hoge	Price
Bond	Knox	Putnam
Cunningham	Kuhl	Reeve
Davidson	Law	Robinson
DeLance	Narum	Sgutt
Dosseth	Nestos	Whitmer
Doyle, of Foster	Norheim	Williams
Englund	O'Connor of Gd. Forks	Mr. Speaker
Hanson	Olgard of Nelson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Nelson, of Richland
Anderson, of Ramsey	Hedalen	Nelson, of Walsh
Andrus	Hersrud	O'Connor of Pembina
Benson	Homnes	Olgard of Richland
Boyd	Hill, of Bottineau	Paulson
Burnett	Johns	Ray
Carey	John on	Roquette
Christensor.	Kane	Sauer
Fassett	Knutson	Scott
France	Kyllo	Scheer
Fraine	Lageson	Sorlie
Fried	Lee	Tollefson
Fritz	Moen, of Benson	Tostenson
Gardiner	Moen, of Cavaller	Tuttle

Messrs.—	Messrs.—	Messrs.—
Geiger	Morrison	Ulsaker
Harty	Moritz	Wambern

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	Edwards	Pendray
Brusletton	Fox	Stern
Burns	Gorder	Stranahan
Collins	Hill, of Cass	Streeter
Davis	Jordal	Tande
Dean	Martin	Thompson
DeNault	McClellan	Walters
Doyle, of McIntosh	Peart	

Messrs. Brusletton, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill was lost.

Mr. Homnes moved

That the vote by which House Bill No. 361 was lost be reconsidered.

Which motion prevailed.

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.

The question being on the final passage of the bill.

The roll was called and there were 42 ayes, 43 nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hanson	O'Connor of Gd. Forks
Andrus	Hawkinson	O'Connor of Pembina
Bjornson	Heinemeyer	Olgard of Nelson
Boerner	Hoge	O'Shea
Bond	Homnes	Ployhar
Cunningham	Kane	Price
Davidson	Knox	Putnam
Davis	Kuhl	Reeve
DeLance	Law	Robinson
Dosseth	Lee	Sgutt
Doyle, of Foster	Moen, of Benson	Stranahan
Edwards	Narum	Whitmer
Fassett	Nestos	Williams
Fox	Norheim	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Olgard of Richland
Anderson, of Ramsey	Hill, of Bottineau	Ray
Benson	Hill, of Cass	Roquette
Boya	Johns	Sauer
Burnett	Johnson	Scott
Burns	Knutson	Paulson
Carey	Kyllo	Pearl
Christenson	Lageon	Scheer
Dean	Martin	Sorlie
Fraine	Moen, of Cavalier	Stern
Fried	Morrison	Tostenson
Fritz	Moritz	Tuttle
Gardiner	Nelson, of Richland	Ulsaker
Geiger	Nelson, of Walsh	Wambem
Hedalen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	France	Pendray
Brusletten	Gorder	Streeter
Collins	Harty	Tande
DeNault	Hyland	Thompson
Doyle, of McIntosh	Jordal	Tollefson
Englund	McClellan	Walters

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill was lost.

Mr. Fraine moved

That the vote by which House Bill No. 361 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

There being no objections,

The House returned to the seventh order of business.

#### MOTIONS AND RESOLUTIONS.

Mr. Price moved

That House Bill No. 339 be withdrawn.

Which motion prevailed, and

House Bill No. 339 was withdrawn.

Mr. Nestos moved

That the House pass to the twelfth order of business.

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CONSIDERATION OF MESSAGES FROM THE  
SENATE.

Mr. Nestos moved

That the House do now concur in the Senate amendments to House Bill No. 23 and that a conference committee be appointed.

Which motion prevailed.

Mr. Davidson moved

That the House do now concur in the Senate amendments to the House concurrent resolution relating to the election of United States senators by popular vote.

Which motion prevailed, and

The amendments were concurred in.

Mr. Davidson moved

That the Senate concurrent resolution relating to expenses of visiting committees and Senate concurrent resolution relating to the appointment of a joint committee to visit all state institutions be referred to the committee on state affairs.

Which motion prevailed, and

The resolutions were so referred.

Mr. Davidson moved

That the Senate concurrent resolution relating to the Soldiers' Home be referred to the committee on military affairs.

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. 266.

A bill for an act to appropriate money for a root cellar and for the purchase of brood mares for the Edgeley ex-

periment station, located at the city of Edgeley in LaMoure county.

Have had the same under consideration and recommend that the same be amended as follows:

Referring to printed bill, in line 6 of section 1, strike out "\$1,000" and insert in lieu thereof "\$750." Line 7, strike out "1,500" and insert in lieu thereof "1,000." Line 9, strike out "\$2,500" and insert in lieu thereof "\$1,750."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Englund 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. 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 printed bill, in line 5 of section 8, strike out "\$15,000" and insert in lieu thereof "\$5,000." In line 6, strike out "\$3,000" and insert in lieu thereof "\$5,000." Line 7 strike out the word "annually." Between lines 7 and 8 insert the following lines:

For equipment .....	1,000
For purchase of live stock and poultry .....	1,000
For barn .....	500
Total .....	<u>\$17,500</u>

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Davidson moved

That the rules be suspended and the report of the committee be 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 counties and county boundaries made the following report:

Mr. Speaker:

A majority of your committee on counties and county boundaries, to whom was referred

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.

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

BERNT ANDERSON,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on counties and county boundaries, to whom was referred

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

OLE TOLLEFSON,  
J. C. BURNS.

There being no objections,  
The House passed to the fourteenth order of business.

### THIRD READING OF SENATE BILLS.

Mr. Sorlie moved

That the rules be suspended and the House amendments to Senate Bill No. 114 be stricken out and Senate Bill No. 114 be placed upon its third reading and final passage.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

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.—
Aashelm	Hawkinson	O'Connor o. Gd. Forks
Akesson	Hedalen	O'Connor of Pembina
Anderson, of Griggs	Heinemeyer	Olgard of Nelso
Anderson, of Ramsey	Hersrud	Olgard of Richland
Andrus	Hoge	O'Shea
Bjornson	Homnes	Paulson
Boerner	Hill, of Bottineau	Peart
Bond	Hill, of Cass	Price
Boyd	Johns	Putnam
Burnett	Johnson	Ray
Burns	Jordal	Reeve
Carey	Kane	Robinson
Christenson	Knox	Roquette
Davidson	Knutson	Sauer
Dean	Kuhl	Scott
Dosseth	Kylo	Scheer
Doyle, of Foster	Lageson	Sorlie
Englund	Law	Stern
Fassett	Lee	Stranahan
Fox	Martin	Tostenson
France	Moen of Benson	Tollefson
Fraine	Moen of Cavalier	Tuttle
Fried	Morrison	Ulsaker
Fritz	Narum	Wambem
Gardiner	Nelson of Richland	Whitmer
Geiger	Nelson of Walsh	Williams
Hanson	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Edwards	Pendray
Brusletten	Gorder	Ployhar
Collins	Harty	Sgutt
Cunningham	Hyland	Streeter
Davis	McClellan	Tande
DeLance	Moritz	Thompson
DeNault	Norheim	Walters
Doyle, of McIntosh		

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 114 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. 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.

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 the Speaker signed the same in the presence of the House.

### THIRD READING OF SENATE BILLS.

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 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.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus

Messrs.—

Harty  
Hedalen  
Heinmeyer  
Hersrud  
Hoge

Messrs.—

Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
O'Shea



Messrs.—	Messrs.—	Messrs.—
Benson	Homner	Paulson
Bjornson	Hill, of Bottineau	Peart
Boerner	Hill, of Cass	Ployhar
Bond	Hyland	Price
Boyd	Johns	Putnam
Burnett	Johnson	Ray
Burns	Jordal	Reeve
Carey	Kane	Robinson
Christenson	Knox	Roquette
Davidson	Knutson	Sauer
Dean	Kuhl	Scott
DeLance	Kyllo	Scheer
Doyle, of Foster	Lageson	Sgutt
Edwards	Law	Sorlie
Englund	Lee	Stern
Fassett	Martin	Stranahan
Fox	Moen, of Benson	Tollefson
France	Moen, of Cavalier	Tostenson
Fraine	Morrison	Tuttle
Fritz	Narum	Ulsaker
Gardiner	Nelson, of Richland	Wambem
Geiger	Nelson, of Walsh	Williams
Hanson	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Fried	Pendray
Collins	Gorder	Streeter
Cunningham	Hawkinson	Tande
Davis	McClellan	Thompson
DeNault	Moritz	Walters
Dosseth	Olsgard of Richland	Whitmer
Doyle, of McIntosh		

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

The Speaker called Mr. Hyland to the chair.

Senate Bill No. 59.

A bill for an act prohibiting ball games and other sports until 3 o'clock p. m.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 67 ayes, 17 nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Fried	Moritz
Akesson	Fritz	Narum

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	Nelson of Walsh
Anderson, of Ramsey	Hanson	Nestos
Andrus	Hawkinson	O'Connor of Gd. Forks
Benson	Hedalen	O'Connor of Pembina
Bjornson	Hersrud	O'Shea
Bond	Homnes	Paulson
Boyd	Hill, of Cass	Peart
Burnett	Hyland	Ployhar
Burns	Johnson	Price
Carey	Jordal	Putnam
Christenson	Kane	Reevc
Cunningham	Knox	Sauer
Davidson	Knutson	Scott
Dean	Kuhl	Sgutt
DeLance	Kylo	Sorlie
Doyle, of Foster	Lageson	Stern
Edwards	Law	Stranahan
Englund	Lee	Ulsaker
Fassett	Moen of Benson	Wambem
Fox	Moen of Cavalier	Williams
France		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Norheim	Scheer
Gardiner	Olsgard of Nelson	Tollefson
Hoge	Olsgard of Richland	Tostenson
Hill, of Bottineau	Ray	Tuttle
Morrison	Robinson	Whitmer
Nelson of Richland	Roquette	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Gorder	Pendray
Collins	Harty	Streeter
Davis	Heinemeyer	Tande
DeNault	Johns	Thompson
Dosseth	Martin	Walters
Doyle, of McIntosh	McClellan	Mr. Speaker
Fraine		

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 59 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 80 ayes, 3 nays, 20 absent and not voting.

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	Hawkinson	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland
Andrus	Heinemeyer	O'Shea
Benson	Hersrud	Peart
Bjornson	Hoge	Ployhar
Boerner	Homnes	Price
Bond	Hill, of Cass	Putnam
Boyd	Hyland	Ray
Burnett	Johnson	Reeve
Burns	Kane	Robinson
Carey	Knox	Roquette
Christenson	Knutson	Sauer
Cunningham	Kuhl	Scott
Davidson	Kyllo	Scheer
Dean	Lageson	Sgutt
Dosseth	Law	Sorlie
Doyle, of Foster	Lee	Stern
Edwards	Martin	Stranahan
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	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Harty	Hill, of Bottineau	Jordal

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Gorder	Streeter
Collins	Johns	Tande
Davis	McClellan	Thompson
DeLance	Nelson, of Walsh	Walters
DeNault	Norheim	Williams
Doyle, of McIntosh	Paulson	Mr. Speaker
Englund	Pendray	

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 72 ayes, 14 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Gardiner	Narum
Anderson, of Griggs	Geiger	Nelson, of Richland
Anderson, of Ramsey	Hanson	Nelson, of Walsh
Andrus	Harty	O'Connor of Gd. Forks
Benson	Hawkinson	O'Connor of Pembina
Boerner	Hedalen	Olgard of Nelson
Bond	Hersrud	Olgard of Richland
Boyd	Hoge	O'Shea
Burnett	Homnes	Paulson
Carey	Hill, of Bottineau	Peart
Christenson	Hill, of Cass	Ployhar
Cunningham	Hyland	Price
Davidson	Johnson	Putnam
Davis	Jordal	Sauer
Dean	Kane	Scott
DeLance	Knox	Scheer
Dosseth	Knutson	Sorlie
Edwards	Lageson	Stern
Englund	Law	Stranahan
Fassett	Martin	Tuttle
Fox	Moen, of Benson	Ulsaker
France	Moen, of Cavalier	Wambem
Fraine	Morrison	Whitmer
Fried	Moritz	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Kyllo	Roquette
Bjornson	Lee	Sgutt
Burns	Nestos	Tollefson
Fritz	Reeve	Tostenson
Kuhl	Rob'nson	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Heinemeyer	Streeter
Collins	Johns	Tande
DeNault	McClellan	Thompson
Doyle, of Foster	Norheim	Walters
Doyle, of McIntosh	Pendray	Mr. Speaker
Gorder	Ray	

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which Senate Bill No. 63 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

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	Harty	Nelson, of Walsh
Akesson	Hawkinson	Nestos
Anderson, of Griggs	Hedalen	Norheim
Anderson, of Ramsey	Heinemeyer	O'Connor of Gd. Forks
Andrus	Hersrud	O'Connor of Pembina
Benson	Hoge	Olsgard of Nelson
Bjornson	Homnes	Olsgard of Richland
Boerner	Hill, of Bottineau	O'Shea
Boyd	Hill, of Cass	Paulson
Burnett	Hyland	Peart
Carey	Johnson	Ployhar
Christenson	Jordal	Price
Cunningham	Kane	Putnam
Davidson	Knox	Ray
Davis	Knutson	Reeve
Dean	Kuhl	Robinson
Edwards	Kyllo	Sauer
Englund	Lageson	Scott

Messrs.—	Messrs.—	Messrs.—
Fassett	Law	Scheer
Fox	Lee	Sgutt
France	Martin	Sorlie
Fraine	Moen, of Benson	Stern
Fried	Moen, of Cavalier	Stranahan
Fritz	Morrison	Tuttle
Gardiner	Moritz	Ulsaker
Geiger	Narum	Wambert
Hanson	Nelson, of Richland	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Doyle, of McIntosh	Tande
Brusletten	Gorder	Thompson
Burns	Johns	Tollefson
Collins	McClellan	Tostenson
DeLance	Pendray	Walters
DeNault	Roquette	Williams
Dosseth	Streeter	Mr. Speaker
Doyle, of Foster		

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which Senate Bill No. 214 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker in the chair.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 74 ayes, 10 nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Norheim
Anderson, of Griggs	Harty	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	O'Connor of Pembina
Andrus	Heinemeyer	Olgard of Nelson
Benson	Hersrud	Paulson

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hoge	Pearl
Boerner	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Ray
Burnett	Jordal	Reeve
Burns	Kane	Robinson
Carey	Knox	Roquette
Christenson	Knutson	Sauer
Davidson	Kuhl	Scott
Davis	Kylo	Sorlie
Dean	Lageson	Stern
Edwards	Law	Stranahan
Englund	Lee	Tollefson
Fassett	Martin	Tostenson
Fox	Moen of Cavalier	Tuttle
France	Morrison	Walters
Fraine	Moritz	Wambem
Fried	Narum	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker

Those who voted in the negative were:

Akesson	Hornes	O'Shea
Cunningham	Moen of Benson	Putnam
Geiger	Olsgard of Richland	Scheer
Hawkinson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Doyle, of McIntosh	Pendray
Collins	Gorder	Sgutt
DeLance	Johns	Streeter
DeNault	Johnson	Tande
Dosseth	McClellan	Thompson
Doyle, of Foster	Nelson of Richland	Ulsaker

Messrs. Brusletten, Collins, DeNault, Doyle of McIntosh, Gorder, Pendray, Streeter and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Hill of Bottineau moved

That the vote by which Senate Bill No. 75 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Fraine moved

That after the completion of the thirtieth order of business the House take a recess until 10 o'clock a. m. Monday morning.

Which motion prevailed.

There being no objections,

The House returned to the seventh order of business.

### MOTIONS AND RESOLUTIONS.

Mr. Olsgard of Nelson moved

That the House request the return of House Bill No. 75 from the Senate.

Which motion prevailed.

### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 339.

A bill for an act to prescribe legal rates for the publication of political announcements.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Senate Bill No. 27.

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.

Was read the first and second times, and

Referred to the committee on appropriations.

Senate Bill No. 310.

A bill for an act to amend and re-enact Section 733 of the Revised Codes of 1905 relating to the registration of voters.

Was read the first and second times and

Referred to the committee on elections and election privileges.

Senate Bill No. 338.

A bill for an act providing for the publication of the names of candidates before the primary.

Was read the first and second times, and

Referred to the committee on elections and election privileges.



## Senate Bill No. 218.

A bill for an act to amend and re-enact Section 7047 of the Revised Codes of North Dakota for the year 1905, relating to references and trials by referees.

Was read the first and second times and

Referred to the committee on judiciary.

## Senate Bill No. 326.

A bill for an act to amend Section 1350, Revised Codes of 1905, relating to the laying out, altering or discontinuing roads.

Was read the first and second times, and

Referred to the committee on highways, bridges and ferries.

## Senate Bill No. 332.

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.

Was read the first and second times and

Referred to the committee on judiciary.

## Senate Bill No. 186.

A bill for an act to amend and re-enact 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.

Was read the first and second times and

Referred to the committee on temperance.

## Senate Bill No. 238.

A bill for an act authorizing the board of university and school lands to make examination of all state and school lands to determine the extent, depth and 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.

Was read the first and second times and

Referred to the committee on mines and coal lands.

Senate Bill No. 187.

A bill for an act to encourage elementary education in North Dakota, and appropriate money therefor.

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 90.

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.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 271.

A bill for an act for the organization of villages in territory embracing more than one county.

Was read the first and second times, and

Referred to the committee on counties and county boundaries.

Senate Bill No. 334.

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.

Was read the first and second times, and

Referred to the committee on manufactures.

Senate Bill No. 333.

A bill for an act to amend Section 4173 of the Revised Codes of 1905, relating to articles of incorporation.

Was read the first and second times, and

Referred to the committee on manufactures.

Senate Bill No. 312.

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.

Was read the first and second times, and

Referred to the committee on public health.

Senate Bill No. 245.

A bill for an act to amend and re-enact 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.

Was read the first and second times, and

Referred to the committee on state affairs.

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.

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:

F. S. Colwell of Gardner.

C. S. Vie of Blaisdell.

H. H. Kenyon, J. E. Beuhn, of Center.

Pursuant to former motion, the House took a recess until 10 o'clock a. m., Monday morning, February 27th.

E. H. GRIFFIN,  
Chief Clerk.

FIFTY-FOURTH DAY AFTER RECESS AND  
FIFTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 27, 1911.

The House re-assembled at 10 o'clock a. m., pursuant to recess taken.

Mr. Nestos 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. Harty 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. 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.

And recommend that the same be indefinitely postponed.

Also

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.

And recommend that the same be amended as follows:

On line 1 if the printed bill, after section 1, strike out "chapter 17, article 7," and insert in lieu thereof "amendment."

In line 4 of the printed bill, after section 1, insert "section 4602."

In line 20, after the word "provided" insert the word "further."

In line 1, section 3, after figure 3, insert "section 4603."

And when so amended recommend the same do pass.

Also

House Bill No. 364.

A bill for an act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

And recommend that the same be amended as follows:

In section 2 of engrossed bill, line 3, strike out the word and figures "section 560" and insert in lieu thereof "section 650." After the figures 650, same line, insert the following: "Returns, How and Where Made. Compensation of Officers.)"

In section 1, line 3, after the words and figures "section 620" insert the following: "Ballots, How Delivered. Official Stamps and Official Envelopes.)"

And when so amended recommend the same do pass.

Also

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 amended as follows:

By striking out all of the bill, except figures "255" and the name "Martin," and insert the following:

For an Act to Amend and Re-enact Section 2519 of the Revised Codes of North Dakota for the year 1905, relating to Coroner's Inquest.

Section 1. Amendment.) That section 2519 of the Revised Codes of North Dakota is hereby amended so as to read as follows:

Section 2519. To Hold Inquest upon the bodies of such persons only as are supposed to have died by unlawful means, or who may have died

as a consequence of injuries sustained while in the employ of any railroad company, or while engaged in any perilous occupations, or who may have met with death or injury as a result of any accident upon any railroad, whether such person was a passenger, employee, trespasser or otherwise, at the time of such accident, except as otherwise specially provided. When such coroner has notice of the death of a person supposed to have died by unlawful means, or from injuries received as herein provided, found or being in his county, he is required to issue his warrant to the sheriff or any constable of the county, requiring him to summon forthwith three electors having the qualifications of jurors of the county to appear before the coroner at the time and place named in the warrant, or when the services of constable or sheriff cannot be procured, then the coroner may summon such electors from the bystanders.

And when so amended recommend the same do pass.

Also,

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.

And recommend that the same be amended as follows :

Strike out all after the enacting clause and insert in lieu thereof the following :

Section 1. Sheriff's Salary.) The salary of the sheriff shall be regulated by the population in his county, according to the last preceding official state or federal census, as follows: Provided that no sheriff shall receive more than fifteen hundred dollars for his personal services in any one year in counties having a population of less than five thousand; sixteen hundred dollars in counties having a population of five thousand and not exceeding seven thousand; seventeen hundred and fifty dollars in counties having a population of seven thousand and not exceeding nine thousand; nineteen hundred dollars in counties having a population of nine thousand and not exceeding eleven thousand; two thousand dollars in counties having a population of eleven thousand and not exceeding thirteen thousand; twenty-one hundred dollars in counties having a population of thirteen thousand and not exceeding fifteen thousand; twenty-two hundred dollars in counties having a population of fifteen thousand and not exceeding seventeen thousand; twenty-three hundred dollars in counties having a population of seventeen thousand and not exceeding nineteen thousand; twenty-four hundred dollars in counties having a population of nineteen thousand and not exceeding twenty-three thousand; twenty-five hundred dollars in counties having a population of twenty-three thousand and not exceeding twenty-four thousand; twenty-six hundred dollars in counties having a population of twenty-four thousand and not exceeding twenty-five thousand; twenty-seven hundred dollars in counties having a population of twenty-five thousand and not exceeding twenty-six thousand; twenty-eight hundred dollars in counties having a population of twenty-six thousand and not exceeding twenty-seven thousand; twenty-nine hundred dollars in counties having a population of twenty-seven thousand and not exceeding twenty-eight thousand; three thousand dollars in counties having a population of twenty-eight thousand and not exceeding twenty-nine thousand; thirty-one hundred dollars in counties having a population of twenty-nine thousand and not exceeding thirty thousand; thirty-two hundred dollars in counties having

a population of thirty thousand and not exceeding thirty-one thousand; thirty-three hundred dollars in counties having a population of thirty-one thousand and not exceeding thirty-two thousand; thirty-four hundred dollars in counties having a population exceeding thirty-two thousand and not exceeding thirty-three thousand; thirty-five hundred dollars in counties exceeding thirty-three thousand; provided, that no sheriff within the state of North Dakota shall receive for his personal services more than thirty-five hundred dollars in any one year. Provided further, that in all counties having a population less than twenty-five thousand the county commissioners may raise the sheriff's salary not to exceed five per cent of the salary prescribed in this section, if the commissioners in their judgment find the salary prescribed to be inadequate.

Section 2. Mileage.) In addition to the salary prescribed by the preceding section the sheriff or his deputy or deputies shall be allowed ten cents per mile for each and every mile actually and necessarily traveled in the performance of any of their official duties.

Section 3. Livery.) The sheriff or his deputy or deputies shall be allowed as re-imbusement for livery hire necessarily used in the performance of his or their official duties the actual expenses of such livery or automobile hire, which shall in no case exceed five dollars per day; forty miles or major fraction thereof shall be reckoned as one day's drive; twenty miles or less shall be reckoned as one-half day's drive; the same ratio shall apply to all drives extending over forty miles.

Section 4. Deputies.) In all counties having a population of less than seven thousand the sheriff shall be allowed at least one deputy, and in counties having a population of more than seven thousand the sheriff shall be allowed two deputies at a salary of not less than sixty dollars nor more than one hundred dollars per month, and if, in the judgment of the board of county commissioners of any county, it shall be necessary for the prompt dispatch of business in the sheriff's office they shall by resolution provide for additional deputies and clerks and the time for which they shall be employed and fix the compensation which they shall receive, which shall be paid monthly in the same manner as the salary of the sheriff. Provided, that no deputy shall receive less than sixty dollars nor more than one hundred dollars per month, and such salaries to be fixed by the board of county commissioners.

Section 5. Sheriff May Appoint.) In case of any emergency, the sheriff shall have the authority to appoint and qualify special deputies in such numbers as in his judgment the conditions may require, and each of such special deputies shall receive as compensation for his services the sum of three dollars per day and the same mileage as allowed to regular deputies, to be paid by the county. The sheriff shall have the sole power of appointing and removing them at pleasure. Any sheriff who shall appropriate to his own use any part of the salary allowed any clerk or deputy in his office shall be deemed guilty of a misdemeanor.

Section 6. Fees to be Collected.) In all civil actions the fees shall be collected by the sheriff and shall be paid in advance, and at the expiration of each month he shall turn the fees so collected over to the county treasurer, and make a report to the board of county commissioners showing all fees earned and collected. He shall also keep a complete record of all fees which may be due to his office for services rendered in criminal actions as now prescribed by law, and present his itemized statement for mileage and livery in connection with such criminal actions and file the same with the county auditor at the expiration of each month and receive his warrant for such mileage and livery.

Section 7. Penalties.) At the expiration of each month the sheriff shall make report to the board of county commissioners of his county, verified by affidavit, of all fees collected, and any sheriff who by neglect or otherwise fails to make out such a report shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than ten

nor more than one hundred dollars, and any sheriff who by neglect or otherwise fails to collect the fees and turn the same over to the county treasurer, as prescribed in section 6 of this act, or makes a false report to the board of county commissioners, shall be guilty of a felony, and upon conviction thereof shall be punished as now prescribed by law.

Section 8. Repeal.) All acts and parts of acts in conflict with this act are hereby repealed.

And when so amended recommend the same do pass.

Also

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.

And recommend that the same be amended as follows:

In line 2 of the title of the printed bill, after the word "off" where it appears the last time in said line, insert "town and," and after the word "mutual" in same line, insert the word "insurance."

Also in line 3 of the printed bill, after the figure "4483" insert the following subhead: "Management in Board of Directors. Term of Office.)

And when so amended recommend the same do pass.

Also

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.

And recommend that the same be amended as follows:

In line 13 of the printed bill, on page 2, after the word "days" insert the following: "and shall have written or printed thereon the words 'Return Receipt Demanded.'"

In line 19 if page 2, after the word "delivered" insert the following: "or where a jury is called forthwith."

And when so amended recommend the same do pass.

Also

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.

And recommend that the same be amended as follows:

By adding the words "or cigarette papers" after the word "cigarette" in the title, and by adding the words "or cigarette papers" after the word "cigarette" at the end of section 1.



And when so amended recommend the same do pass.

Also

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.

And recommend that the same be amended as follows:

Referring to printed bill, in line 6, of section 1, strike out "\$1,000" and insert in lieu thereof "\$750." Line 7, strike out "\$1,500" and insert in lieu thereof "1,000." Line 9, strike out "\$2,500" and insert in lieu thereof "\$1,750."

And when so amended recommend the same do pass.

Also

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.

And recommend that the same do pass.

Also

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.

And recommend that the same be amended as follows:

Section 3, line 19 of engrossed bill, after the word "September" strike out the word "first" and insert in lieu thereof the word "fifteenth."

Section 2, line 24, after the word "the" and before the word "promptly" strike out the word "same" and insert the word "application."

Section 3, line 15, strike out the first word in the line "money" and insert in lieu thereof the word "premium."

Section 11, line 18, after the words "in full" insert "as allowed by the adjusters."

And when so amended recommend the same do pass.

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.

And recommend that the same be amended as follows:

In first line of the title, after the figure "44" add the following figures, "23, 36." In line 2 of the title of the printed bill, after the figure "1909" insert the following: "and adding new sections thereto."

In line 6 of section 1 of the printed bill, strike out after the word "governor" the balance of line 6, all of line 7, all of line 8, all of line 9 to the word "thereafter" on line 10, and insert in lieu thereof the following: "one member of such board shall be appointed for a term of one year commencing on the first day of April, 1911, and one member of such board shall be appointed for a term of two years commencing on the first day of April, 1911, and one member of such board shall be appointed for a term of three years commencing on the first day of April, 1911."

In line 11, section 1 of the printed bill, strike out the word "four" and insert in lieu thereof the word "three."

In line 16, section 1 of the printed bill, after the word "secretary" insert the following: "who shall receive as compensation for his services not to exceed the sum of one hundred dollars per month for keeping and maintaining the secretary's office."

In line 25, section 2 of the printed bill, strike out after the word "for" the balance of section and insert in lieu thereof the following: "carrying out the provisions of this section as said board may deem most expedient."

In line 3, section 5 of the printed bill, after the word "commissioner" insert the following: "How Appointed. Powers and Duties Of.)"

Also in line 3, same page and section, strike out after the word "the" the word "board" and insert in lieu thereof the word "governor."

In line 3, section 5 of the printed bill, after the word "shall" insert the following: "on or before the first day of April, 1911."

In line 4, section 5 of the printed bill, after the word "commissioner" insert the following: "who shall serve for a term of two years or until his successor has been appointed."

In line 5, section 5 of the printed bill, strike out after the word "therefore" the word "to" and all of line 6, and insert in lieu thereof the following: "the sum of."

Line 10, section 4 of the printed bill, after the word "direction" insert the following: "He shall not be engaged in or have any other business that will in any way require any of his time or interfere with his duties as such chief game warden. It shall be his duty to devote all of his time to the practical and actual work of enforcing the provisions of this act in seasons requiring the actual work of deputy wardens in the field. He shall devote all his time to field work, advise, instruct and supervise the work of all deputies under him."

In line 14, section 4 of the printed bill, after the word "faithful" insert the following: "performance of his duties and the."

Line 3, section 6 of the printed bill, strike out the word "three" and insert in lieu thereof the word "four."

In line 4, section 6 of the printed bill, strike out the period after the word "district," the word "In" following to be written "in," and after the word "warden" on the same line, strike out the comma and insert in lieu thereof a period.

Line 6, section 6 of the printed bill, strike out the word "four" and insert in lieu thereof the word "five."

Strike out in section 6 all of line 7 and the words in line 8 preceding the word "such" and insert in lieu thereof the following: "which months shall be designated by the Game and Fish Board of Control. Provided, however, the Board of Control may, and they are hereby authorized to appoint one of the above mentioned regular deputy game wardens in each district to serve for a period of one year, if in their judgment such action is necessary and for the better protection of the game of the state. Provided further, the chief game warden in each district may appoint one or more resident county game wardens in each county in their respective districts, who shall serve for such a time and in such a manner as the chief game warden may direct. They shall serve as such resident county game wardens without compensation, except as provided in section 24, Chapter 128, Session Laws of 1909."

In line 11, section 6, after the word "duties" insert the following: "provided, the board may designate and they are hereby expressly authorized to fix the amount of compensation such regular deputy game wardens shall receive from time to time, but in no case shall such compensation exceed the sum of one hundred dollars per month and expenses, as provided in this section."

In line 14, section 6 of the printed bill, strike out the word "month" and insert in lieu thereof the word "week." Also on the same line, strike out after the word "the" the following words: "secretary of the board of control," and insert in lieu thereof the following: "chief game warden."

In line 17, same section, strike out the word "month" and insert in lieu thereof the word "week."

In line 21, section 6 of the printed bill, strike out after the word "provided" the words "by law" and insert in lieu thereof the following: "as provided in section 14 of this act."

In line 10 of section 7 of the printed bill, strike out after the word "state" the following words: "district game and fish wardens" and insert in lieu thereof the following: "chief game wardens and fish commissioner."

In line 13, section 10 of the printed bill, strike out the word "turtle-dove." Also on line 14, same section, strike out the words "ruffed grouse."

Line 17, section 10 of the printed bill, strike out after the word "following" the balance of line 17, all of line 18, all of line 19 and all of line 20.

Line 22 of section 10 of the printed bill strike out the word "swan."

In line 26 of section 14 of the printed bill, strike out the word "or" after the words "red horse" and insert after the word "carp" the words "or pickerel."

In line 32 of section 14 of the printed bill, strike out the period and insert in lieu a comma and the following words: "and for the distribution of the products of said fish hatchery."

Section 16. Amendment.) Section 36 is hereby amended so as to read as follows:

Section 36. Deer, Season for Killing.) No person shall hunt, catch, take, kill, ship, convey or cause to be shipped or transported by common carrier to any person either within or without the state, or purchase, expose for sale, have in possession with intent to sell to any person, or have in possession or under control at any time any deer or any part thereof, including the hides and horns, except as herein provided; provided that two deer with antlers may be killed between November 10th and November

30th (both inclusive) of the same year by any one person; provided further, that it shall be unlawful to hunt or kill any deer in the manner commonly known as driving in parties consisting of more than four persons. But no person shall kill or have in possession during said time more than two such deer or parts thereof; and provided further, that any person who is lawfully in possession of such deer or any part thereof may ship or cause to be shipped in the manner provided for by this chapter, but not otherwise. Any person violating any provision of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than fifty dollars for each deer and cost of prosecution, or by imprisonment in the county jail for not less than twenty days or more than thirty days, or by both such fine and imprisonment, in the discretion of the court, for each and every deer killed or destroyed contrary to the provisions of this act.

Section 14. Claims Against the Game and Fish Fund Verified How.) No bill, claim, account or demand against the game and fish fund shall be audited, allowed or paid until a full itemized statement in writing shall be filed with the secretary of the board. And where charges are made for money expended in attending meetings of the board or for money expended in the performance of official duties, all items of one dollar or more shall be covered by a sub-voucher signed by the party to whom the money was paid. The sub-voucher shall show the date, at what price, and for what the money was paid. The sub-voucher shall be forwarded with the statement, and said statement shall be verified by the oath of the party making it. All statements, bills or claims filed with the secretary, when duly certified to by the president of said board, shall be mailed to the state auditor. The state auditing board shall audit such claims and draw warrants upon the state treasurer for the amounts so allowed, to be paid out of the game and fish fund.

Section 15. Angler's Fishing License.) Every person is prohibited from taking from the public waters of this state wherein the state or government have planted or stocked with fish any species of fish protected by this act unless they shall have first procured and have on their person a license therefor from any county auditor of this state. Which said license shall not be transferable. County auditors shall issue such angler's license upon the payment of a license fee of one dollar; provided, however, that the head of a family holding the license entitles all his family to the rights of fishing, and children under the age of sixteen years shall not be required to have a license under this act.

On or before October fifteenth of each year county auditors shall return to the secretary of the game and fish board of control all unused angler's license blanks and remit to the state treasurer all money received from the sale of such licenses, excepting ten cents for each license issued, which he shall retain as his fee. The state treasurer shall credit the money so received to the state game and fish fund.

Section 17. Amendment.) Section 23 is hereby amended to read as follows:

Section 23. Disposition of Other Moneys.) All moneys collected by the board upon licenses issued by it, by the sale of game seized and sold, and from all other sources, except fines, shall be paid into the general fund of the state of North Dakota, to be credited to the Game and Fish Commission Fund, to be used for the purpose of enforcing the provisions of this act; provided, that any surplus money accumulated to the credit of the Game and Fish Commission Fund may be used for the propagation of fish and game birds and for other purposes at the discretion of the board.

Line 1, section 14 of the printed bill, strike out the figure "14" and insert in lieu thereof the figure "18."

Section 15, line 1, of the printed bill, strike out the figures "15" and insert in lieu thereof the figure "19."

And when so amended, recommend 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.

THIRD READING OF SENATE BILLS.

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 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	Harty	Olsgard of Nelson
Akesson	Hedalen	Olsgard of Richland
Anderson, of Griggs	Heinemeyer	O'Shea
Anderson, of Ramsey	Hersrud	Paulson
Andrus	Hoge	Pearl
Bjornson	Homnes	Ployhar
Boerner	Hill, of Bottineau	Price
Boyd	Hill, of Cass	Putnam
Burnett	Johns	Ray
Burns	Knox	Robinson
Carey	Knutson	Roquette
Christenson	Kuhl	Sauer
Cunningham	Kyllo	Scott
Davidson	Lageson	Scheer
Dean	Law	Sgutt
DeNault	Lee	Stern
Edwards	Martin	Stranahan
Englund	Moen of Benson	Streeter
Fassett	Moen of Cavalier	Tollefson
Fox	Morrison	Tostenson
France	Moritz	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson of Richland	Wambem
Fritz	Nelson of Walsh	Whitmer

Messrs.—	Messrs.—	Messrs.—
Gardner	Nestos	Williams
Geiger	Norheim	Mr. Speaker
Hansen	O'Connor of Pembina	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of McIntosh	O'Connor of Gd. Forks
Bond	Gorder	Pendray
Brusletten	Hawkinson	Reeve
Collins	Hyland	Sorlie
Davis	Johnson	Tande
DeLance	Jordal	Thompson
Dosseth	Kane	Walters
Doyle, of Foster	McClellan	

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray, and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 178 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73; nays 9; absent and not voting 21.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Harty	Olsgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Heinemeyer	Paulson
Andrus	Hersrud	Peart
Benson	Hoge	Ployhar
Bjornson	Homnes	Price
Boerner	Hill, of Cass	Putnam
Bond	Hyland	Reeve
Burnett	Johns	Robinson
Burns	Knutson	Roquette
Carey	Kuhl	Scott
Christenson	Kyllo	Scheer
Cunningham	Lageson	Stutt

Messrs.—	Messrs.—	Messrs.—
Davidson	Law	Sorlie
Dean	Lee	Stern
Edwards	Moen, of Benson	Stranahan
Englund	Moen, of Cavalier	Streeter
Fassett	Narum	Tuttle
France	Nelson, of Richland	Ulsaker
Fraine	Nelson, of Walsh	Wambem
Fried	Nestos	Whitmer
Fritz	Norheim	Mr. Speaker
Gardiner	O'Connor of Gd. Forks	
Geiger	O'Connor of Pembina	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Knox	Sauer
DeNault	Morrison	Tollefson
Hill, of Bottineau	Ray	Tostenson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Fox	McClellay
Collins	Gorder	Moritz
Davis	Hawkinson	Pendray
DeLance	Johnson	Tande
Dosseth	Jordal	Thompson
Doyle, of Foster	Kane	Walters
Doyle, of McIntosh	Martin	Williams

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which Senate Bill No. 48 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill as amended:

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	Heinemeyer	Olsgard of Richland
Anderson, of Griggs	Hersrud	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Andrus	Homnes	Pearl
Benson	Hill, of Bottineau	Ployhar
Bjornson	Hill, of Cass	Price
Boerner	Hyland	Putnam
Bond	Johns	Ray
Boyd	Knox	Robinson
Burnett	Knutson	Roquette
Burns	Kuhl	Sauer
Carey	Kylo	Scott
Christenson	Lageson	Scheer
Cunningham	Law	Sgutt
Dean	Lee	Sorlie
DeNault	Martin	Stern
Doyle, of Foster	Moen of Benson	Stranahan
Edwards	Moen of Cavalier	Streeter
Englund	Morrison	Toilefson
Fassett	Moritz	Tostenson
France	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	O'Connor of Gd. Forks	Williams
Geiger	O'Connor of Pembina	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Fox	McClellan
Collins	Gorder	Norheim
Davidson	Hawkinson	Pendray
Davis	Hedalen	Reeve
DeLance	Johnson	Tande
Dosseth	Jordal	Thompson
Doyle, of McIntosh	Kane	Walters

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Aasheim moved

That the vote by which Senate Bill No. 80 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.



## 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.

The question being on the final passage of the bill.

The roll was called and there were ayes 83; nays 3; absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nestos
Akesson	Hanson	O'Connor of Gd. Fork
Anderson, of Griggs	Harty	O'Connor of Peninsula
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Ployhar
Bond	Homnes	Price
Boyd	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Burns	Hyland	Robinson
Carey	Johns	Roquette
Christenson	Knox	Scott
Cunningham	Knutson	Scheer
Davidson	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeNault	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Edwards	Lee	Tollefson
Englund	Martin	<del>Tostenson</del>
Fassett	Moen of Benson	Tuttle
Fox	Moen of Cavalier	Ulsaker
France	Morrison	Wambem
Fraine	Moritz	Whitmer
Fried	Narum	Williams
Fritz	Nelson of Richland	Mr. Speaker
Gardiner	Nelson of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Peart	Sauer	Stern

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Gorder	Pendray
Collins	Johnson	Reeve
Davis	Jordal	Tande
DeLance	Kane	Thompson

Messrs.—	Messrs.—	Messrs.—
Dosseth	McClellan	Walters
Doyle, of McIntosh	Norheim	

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

Mr. Anderson of Griggs, moved  
That the vote by which Senate Bill No. 175 passed, be reconsidered and the motion to reconsider be laid on the table.  
Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 86 ayes, no nays, 6 absent and not voting.

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
Andrus	Hersrud	Paulson
Benson	Hoge	Peart
Bjornson	Homnes	Price
Boerner	Hill, of Bottineau	Putnam
Bond	Hill, of Cass	Ray
Boyd	Johns	Robinson
Burnett	Jordal	Roquette
Burns	Knox	Sauer
Carey	Knutson	Scott
Christenson	Kuhl	Scheer
Cunningham	Kyllo	Sgutt
Davidson	Lageson	Sorlie
Dean	Law	Stern
DeNault	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Edwards	Moen, of Benson	Thompson
Englund	Moen, of Cavalier	Tollefson
Fassett	Morrison	Tostenson
Fox	Moritz	Tuttle
France	Narum	Ulsaker
Fraine	Nelson, of Richland	Wambem
Fried	Nelson, of Walsh	Whitmer
Fritz	Nestos	Williams

Messrs.—	Messrs.—	Messrs.—
Gardiner	Norheim	Mr. Speaker
Geiger	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Gorder	Pendray
Collins	Heinemeyer	Ployhar
Davis	Hyland	Reeve
DeLance	Johnson	Tande
Dosseth	Kane	Walters
Doyle, of McIntosh	McCiellan	

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

So the bill passed and the title was agreed to.

<sup>F</sup> Senate Bill No. 124.

A bill for an act to amend Section 2594 of the Revised Codes of North Dakota.

Was read the third time.

Mr. Tuttle moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed,

And the further consideration of the bill was indefinitely postponed.

Mr. Nestos moved

That the vote by which Senate Bill No. 124 was indefinitely postponed be reconsidered and the bill be referred to the committee on state affairs.

Mr. DeNault moved

That the motion to reconsider be laid on the table.

Which motion prevailed, and

The question being on the motion to reconsider

The same prevailed and

The bill was so referred.

The speaker appointed as house members as conferees on House Bill No. 23, Messrs Nestos, Burnett and Harty.

## 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 third time.

The question being on the final passage of the bill

The roll was called and there were ayes 87; nays 0; absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nestos
Akesson	Hanson	Norheim
Anderson, of Griggs	Harty	O'Connor of Gd. lorks
Anderson, of Ramsey	Hawkinson	O'Connor of Pembina
Anirus	Hedalen	Olgaru of Nelson
Benson	Hersrud	Olgard of Richland
Bjornson	Hoge	O'Shea
Boerner	Homnes	Paulson
Bond	Hill, of Bottineau	Peart
Boyd	Hill, of Cass	Ployhar
Burnett	Hyland	Price
Burns	Johns	Putnam
Carey	Johnson	Robinson
Christenson	Jordal	Sauer
Cunningham	Knox	Scheer
Davidson	Knutson	Scott
Davis	Kuhl	Sgutt
Dean	Kyllo	Sorlie
DeNault	Lageson	Stern
Dcyle, of Foster	Law	Stranahan
Edwards	Lee	Streetér
Englund	Martin	Thompson
Fassett	Moen of Benson	Tostenson
Fox	Moen of Cavalier	Tuttle
France	Morrison	Ulsaker
Fraine	Moritz	Wambem
Fried	Narum	Whitmer
Fritz	Nelson of Richland	Williams
Gardiner	Nelson of Walsh	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Heinemeyer	Reeve
Collins	Kane	Roquette
DeLance	McClellan	Tande
Dosseth	Pendray	Tollefson
Doyle, of McIntosh	Ray	Walters
Gorder		

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendra and Tande being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89; nays 0; absent and not voting 14.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
 Akesson  
 Anderson, of Griggs  
 Anderson, of Ramsey  
 Andrus  
 Benson  
 Bjornson  
 Boerner  
 Boyd  
 Burnett  
 Burns  
 Carey  
 Christenson  
 Cunningham  
 Davidson  
 Davis  
 Dean  
 DeNault  
 Doyle, of Foster  
 Edwards  
 Englund  
 Fassett  
 Fox  
 France  
 Fraine  
 Fried  
 Fritz  
 Gardiner  
 Geiger  
 Hanson

Messrs.—

Harty  
 Hawkinson  
 Heinemeyer  
 Hersrud  
 Hoge  
 Homnes  
 Hill, of Bottineau  
 Hill, of Cass  
 Hyland  
 Johns  
 Johnson  
 Jordal  
 Knox  
 Knutson  
 Kuhl  
 Kylo  
 Lageson  
 Law  
 Lee  
 Martin  
 Moen, of Benson  
 Moen, of Cavalier  
 Morrison  
 Moritz  
 Narum  
 Nelson, of Richland  
 Nelson, of Walsh  
 Nestos  
 Norheim  
 O'Connor of Gd. Forks

Messrs.—

O'Connor of Pembina  
 Olsgard of Nelson  
 Olsgard of Richland  
 O'Shea  
 Paulson  
 Peart  
 Ployhard  
 Price  
 Putnam  
 Ray  
 Reeve  
 Robinson  
 Roquette  
 Sauer  
 Scott  
 Scheer  
 Sgutt  
 Sorlie  
 Stern  
 Stranahan  
 Streeter  
 Tollefson  
 Tostenson  
 Tuttle  
 Ulsaker  
 Wambem  
 Whitmer  
 Williams  
 Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Doyle, of McIntosh	Pendray
Brusletten	Gorder	Tande
Collins	Hedalen	Thompson
DeLance	Kane	Walters
Dosseth	McClellan	

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were: ayes, 59; nays, 18; absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Homnes	Nestou
Burnett	Hill, of Bottineau	O'Connor of Gd. Forks
Burns	Hill, of Cass	O'Connor of Pembina
Cunningham	Hyland	O'Shea
Davidson	Johns	Peart
Davis	Johnson	Ployhar
Dean	Jordal	Putnam
DeNault	Knox	Reeve
Englund	Knutson	Robinson
Fassett	Kuhl	Roquette
France	Kylo	Sauer
Fraine	Lageson	Scott
Fried	Law	Scheer
Geiger	Lee	Sgutt
Hanson	Martin	Sorlie
Harty	Moen, of Cavalier	Stern
Hawkinson	Moritz	Stranahan
Heinemeyer	Narum	Streeter
Hersrud	Nelson, of Walsh	Williams
Hoge	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Edwards	Paulson
Anderson, of Griggs	Fox	Price
Boerner	Gardiner	Ray
Boyd	Hedalen	Tollefson
Carey	Olsgard of Nelson	Tostenson
Christenson	Olsgard of Richland	Ulsaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Doyle, of Foster	Pendray
Andrus	Doyle, of McIntosh	Tande
Benson	Fritz	Thompson
Bjornson	Gorder	Tuttle
Bond	Kane	Walters
Brusletten	McClellan	Wambem
Collins	Moen, of Benson	Whitmer
DeLance	Morrison	Mr. Speaker
Dosseth	Nelson, of Richland	

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 85; nays 2; absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Pembina
Akesson	Heinemeyer	Olsgard of Nelson
Anderson, of Griggs	Hersrud	Olsgard of Richland
Anderson, of Ramsey	Hoge	O'Shea
Andrus	Homnes	Paulson
Benson	Hill, of Bottineau	Peart
Bjornson	Hill, of Cass	Ployhar
Boerner	Hyland	Price
Bond	Johns	Putnam
Boyd	Johnson	Ray
Burnett	Knox	Reeve

Messrs.—	Messrs.—	Messrs.—
Carey	Knutson	Robinson
Christenson	Kuhl	Roquette
Cunningham	Kylo	Sauer
Davidson	Lageson	Scott
Davis	Law	Scheer
Dean	Lee	Sorlie
DeNault	Martin	Stern
Doyle, of Foster	Moen of Benson	Stranahan
Edwards	Moen of Cavalier	Streeter
Fassett	Morrison	Tollefson
Fox	Moritz	Tostenson
France	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norhelm	Williams
Hanson	O'Connor of Gd. Forks	Mr. Speaker
Harty		

Messrs. Englund and Thompson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Fritz	Pendray
Burns	Gorder	Sgutt
Collins	Hawkinson	Tande
DeLance	Jordal	Walters
Dosseth	Kane	
Doyle, of McIntosh	McClellan	

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

So the bill passed and the title was agreed to.

#### MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

GOVERNOR'S OFFICE,

BISMARCK, NORTH DAKOTA,

February 27, 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. 120.

A bill for an act requiring railroad companies to stop all regular passenger trains at county seats.

Very respectfully,

JOHN BURKE,  
Governor.



## THIRD READING OF SENATE BILLS.

## 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.

The question being on the final passage of the bill as amended.

The roll was called and there were ayes 85; nays none; absent and not voting 18.

Those who voted in the affirmative 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
Benson	Hill, of Bottineau	Price
Bjornson	Hill, of Cass	Putnam
Boerner	Hyland	Ray
Bond	Johns	Reeve
Boyd	Johnson	Robinson
Burnett	Knex	Roquette
Carey	Knutson	Sauer
Christenson	Kuhl	Scott
Cunningham	Kyllo	Scheer
Davidson	Lageson	Sgutt
DeNault	Law	Sorlie
Doyle, of Foster	Lee	Stern
Edwards	Martin	Stranahan
Englund	Moen of Benson	Streeter
Fassett	Moen of Cavalier	Thompson
Fox	Morrison	Tollefson
France	Moritz	Tostenson
Fraine	Narum	Tuttle
Fried	Nelson of Richland	Ulsaker
Fritz	Nelson of Watsa	Wambem
Gardiner	Nestos	Whitmer
Geiger	O'Connor of Gd. Forks	Williams
Hanson	O'Connor of Pembina	Mr. Speaker
Harty		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Dosseth	McClellan
Burns	Doyle, of McIntosh	Norheim

Messrs.—  
Collins  
Davis  
Dean  
DeLance

Messrs.—  
Gorder  
Hawkinson  
Jordal  
Kane

Messrs.—  
Pendray  
Ployhar  
Tande  
Walters

Messrs. Brusletten, Collins, Doyle of McIntosh, Gorder, Pendray and Tande being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the House do now adjourn.

Which motion prevailed, and

The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

FIFTY-SIXTH DAY.

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 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. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray, who were excused.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 27, 1911.

Mr. Speaker:

I have the honor to request the return of Senate Bill No. 63.

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 52nd day after recess, and 53rd day, have carefully examined the same and recommend that the same be corrected as follows:

On page 40 take out the word "Lageson" on line 11 and insert same after line 43.

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 53rd day after recess and 54th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 18 on line 36 change name N. F. Hedalen to read N. T. Hedalen.

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.

The Speaker presented a communication with resolutions from Fargo and Valley City protesting against the proceedings the House had taken in the Cowan investigation.

Mr. Homnes moved

That the resolutions be referred to a committee of five to be appointed by the chair to report as to whether or not the same should be printed in the Journal.

Mr. Williams moved, as an amendment:

That the further consideration of the petitions relating to the Cowan proceedings be laid on the table and not printed in the Journal.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 27, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 328.

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.

Also

Senate Bill No. 32.

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.

Also

Senate Bill No. 134.

A bill for an act making an appropriation for the Williston Experimental station, located at the city of Williston, Williams county.

Also

House 80.

Senate Bill No. 141.

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.

Also

Senate Bill No. 109.

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, 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.

Also

Senate Bill No. 274.

A bill for an act making an appropriation for the Dickinson experiment station located in the city of Dickinson.

Also

Senate Bill No. 259.

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.

Also

Senate Bill No. 137.

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.

Also

Senate Bill No. 369.

(TITLE.)

Also

Senate Bill No. 309.

A bill for an act to provide for the purchase of the paintings of "Mink Woman," "Bear's Necklace" and "Bad Brave."

Also

Senate Bill No. 315.

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.

Also,

Senate Bill No. 305.

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.

Also,

Senate Bill No. 313.

A bill for an act to amend section 2586 of the Revised Codes of North Dakota for 1905, relating to salaries of judges of the county court.

Also

Senate Bill No. 202.

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 the expenses connected therewith.

Also,

Senate Bill No. 287.

A bill for an act prescribing the duties of the county auditor upon receipt of tax levies certified to him.

Also

Senate Bill No. 318.

A bill for an act to amend and re-enact Section 738 of the Revised Codes of 1905, relating to votes cast by persons not registered.

Also

Senate Bill No. 211.

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.

Also

Senate Bill No. 304.

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.

Also,

Senate Bill No. 301.

A bill for an act to amend and re-enact Section 237 of the Revised Codes of the state of North Dakota for the year 1905.

Also

Senate Bill No. 268.

A bill for an act to amend Section 28 of Chapter 92, of the Session Laws of North Dakota for 1909.

Also

Senate Bill No. 139.

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.

Also

Senate Bill No. 298.

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.

Also



Senate Bill No. 44.

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.

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. 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.

Also,

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. 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. 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. 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. 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. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

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.

Which the Senate has passed unchanged

Very respectfully,

J. W. FOLEY,  
Secretary.

The Chief Clerk announced that the Speaker was about to sign

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. 160.

A bill for an act to amend Section 3213, Revised Codes of North Dakota, relating to township boards.

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 the Speaker signed the same in the presence of the House.

Mr. Hedalen moved

That a letter he received from the Agricultural college be read.

Which motion prevailed, and

The letter was read.

Larimore, N. D., Feb. 25, 1911.

J. M. Hanley, Speaker House of Representatives, Bismarck, N. D.:

Believing that better results in improving agriculture can be obtained by the passage of House Bill 29 than has ever been accomplished through any bill ever before the legislature carrying as small an appropriation, we urge its passage by the legislature.

LARIMORE COMMERCIAL CLUB,

O. H. PHILLIPS, President.

The Speaker called Mr. Price to the chair.

## REPORTS OF STANDING COMMITTEES.

The committee on public printing made the following report:

Mr. Speaker:

Your committee on public printing to whom was referred the following concurrent resolution:

WHEREAS, There is an amendment to the postoffice appropriation bill now before Congress, increasing the postage rate on advertising pages of periodicals other than newspapers from one cent a pound to four cents a pound; and

WHEREAS, This amendment is worded so as to leave to the discretion of one man the classification of periodicals, thus putting the power of life and death over many of the country's periodicals into the hands of

the postmaster general, whoever he may be, thereby paving the way for a dangerous censorship of the press;

*Therefore, Be it Resolved by the House of Representatives of the Legislative Assembly of the State of North Dakota, the Senate Concurring:*

That we send a telegram letter to each of our three representatives in Congress, protesting against the passage of the periodical postage rate amendment to the postoffice appropriation bill, unless it shall be changed so as to:

First. Not to interfere with the continuance to the people of literature at present reasonable cost.

Second. To provide for the classification of periodicals and newspapers by law rather than by one man's discretion.

Third. To safeguard the right of free expression of opinion against the censorship of any single official.

Have had the same under consideration and recommend that the same be adopted.

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 enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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. 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. 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. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

And find the same correctly enrolled.

ALBERT 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. 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.

Also,

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.

Also,

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.

Also,

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 Legis-

lative Assembly of 1909, being chapter 13 of the Revised Codes of 1905, entitled State Library.

Also

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.

Also,

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.

Also,

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.

Also,

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.

Also,

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also

House Bill No. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

Also

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.

Also

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 in-

stallation 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.

Also

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.

Also

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.

Also

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.

Also

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.

Also

House Bill No. 86.

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.

Also,

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.

Also,

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also,

## 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.

Also,

## 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.

Also,

## 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.

Also,

## House Bill No. 374.

A bill for an act to amend Section 3231 of the Revised Codes of 1905, relating to fences.

Also,

## 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.

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. 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.

Have had the same under consideration and the author requests that it go to the committee of the whole House.

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. 371.

An Act to Promote the Safety of Employes and Tavelers 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.

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. 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.

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. 429.

A bill for an act to require all railroad companies to employ two brakemen on each passenger train.

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. 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.

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. 282.

A bill for an act to regulate clearance of obstructions on railroads.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Also,

Mr. Speaker:

A minority of your committee on railroads to whom was referred

House Bill No. 282.

A bill for an act to regulate clearance of obstructions on railroads.

Have had the same under consideration and recommend that the same be amended as follows:

In the title after the word "Regulate" insert the words "the size of engines, motors and cars, also".

In line 1, section 1, strike out the words "Be it enacted" and insert in lieu thereof the words "To whom apply".

In line 2, section 1, after the word "any" insert the word "railroad." Strike out the entire of section 2.

House 81.

In section 3 of the printed bill strike out the figure "3" and insert in lieu thereof the figure "2" and the words "When to take effect, size of engine, motors and cars and what exempt."

In line 3 of section 3 of the printed bill after the word "any" insert the words "engine, motor or".

In line 9 of section 3 after the word "empty" insert the following words "without extending the clearance as provided for in section 3 of this act in the same proportion".

In line 1 of section 4 of the printed bill strike out the figure "4" and insert in lieu thereof the figure "3" and insert the words "clearance required."

In line 1 of section 5 of the printed bill strike out the figure "5" and insert the figure "4" and the words "report of obstructions, how made".

In line 8 of section 5 of the printed bill after the word "sections" strike out the figures "3 and 4" and insert the figures "2 and 3".

In line 1 of section 6 of the printed bill after the word "section" strike out the figure "6" and insert the figure "5" and the words "distance between tracks."

In line 1 of section 7 of the printed bill after the word "section" strike out the figure "7" and insert the figure "6" and the words "obstructions to be removed."

In line 1 of section 8 of the printed bill after the word "section" strike out the figure "8" and insert the figure "7" and the word "penalty."

In line 1 of section 9 of the printed bill after the word "section" strike out the figure "9" and insert the figure "8" and the words "Contributory negligence cannot be charged."

In line 12 of section 9 of the printed bills after the word "section" strike out the figure "5" and insert the figure "4".

In line 17 of section 9 of the printed bill after the word "section" strike out the figure "4" and insert the figure "3".

And when so amended recommend the same do pass.

W. E. MARTIN,  
J. A. ENGLUND,  
JOHN J. LEE,  
N. T. HEDALEN.

Mr. Sorlie moved

That the majority report of the committee be adopted.

Mr. DeNault moved

That the minority report of the committee be adopted.

The question being on the motion to adopt the majority report.

The same was lost.

The question being on the motion to adopt the minority report of the committee.

The same prevailed, and

The minority report was adopted.

The committee on municipal corporations made the following report:

Mr. Speaker:

The committee on municipal corporations to whom was referred

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.

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 state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred the following message 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 the 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 commission to gain an intelligent idea of the requirements for a building and proper exhibit from you 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 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.

Have had the same under consideration and recommend that a commission be chosen in accordance with the suggestions of the message and an appropriation made to defray the expenses of said commission.

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. 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.

Have had the same under consideration and recommend that the same be amended as follows:

In the first line of the title after the number "6241" insert "as amended by Chapter 167 of the Session Laws of 1907."

In the second line of section 2 of the printed bill, after the word "1905" insert "as amended by Chapter 167 of the Session Laws of 1907."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Bond 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 Speaker in the chair.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred 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.

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 SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 27, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 296.

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 or utility to such cities and the inhabitants thereof.

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  
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.

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. 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.

Have had the same under consideration and recommend that the same be amended as follows:

In the second line of the title after the word "Dakota" insert the words "as amended by Chapter 154 of the Session Laws of 1909."

In line 18 of the printed bill insert "Section 2. Repeal".

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 be 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 be amended as follows:

In line 10 of the printed bill strike out "\$2.00" and insert in lieu thereof "\$1.50".

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 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:

Page 2, second line of the printed bill add the following: "Making chattel mortgage abstract, for the first entry, \$1.00, and for each additional entry \$.10 (ten cents)."

Page 2, eighth line, insert after the word "a" the following: "Satisfaction of mortgage on real estate."

Add "Section 2. Repeal.) All acts or parts of acts in conflict with this act are hereby repealed."

Add "Section 3. Emergency.) Whereas, an emergency exists in that the present law is not construed by all Registers of Deeds alike, therefore this Act shall take effect and be in full 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 of the committee be 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. 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.

Have had the same under consideration and recommend that the same be amended as follows:

Line 38, page 3 of the printed bill, strike out the numerals "1310" and insert in lieu thereof "2."

Strike out all of line 75 and insert in lieu thereof "Provided, that in counties having two or more agricultural fair associations who have complied with the provisions of this act such state or county aid shall be divided equally between such associations."

In line 40 strike out the word "three" and insert "two."

In line 54 strike out the word "three" and insert "two."

In line 76 strike out the words "Section 1310 B" and insert the words "Section 3."

In line 82 strike out the words "Section 1310 C" and insert the words "Section 4."

Beginning with line 38 strike out the numbers down to line 76 and renumber the Section 1 to 38 inclusive.

Line 76 strike out the numerals to line 81 inclusive and renumber 1 to 6 inclusive.

Line 82, strike out the numerals 82 to 85 inclusive and renumber 1 to 4 inclusive.

Amend the Title, first line after the words "Section 1310" strike out "and adding new sections."

Second line strike out the words "and state," and after the word "fairs" insert "Providing for State Aid."

In the third line after the word "making" insert "and".

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

Mr. Hoge moved

That the rules be suspended and the report of the committee be 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. 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.

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. 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:

Strike out the words "fifteen dollars" and insert in lieu thereof the words "five dollars."

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 be 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. 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.

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. 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.

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. 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.

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 elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 310.

A bill for an act to amend and re-enact Section 733 of the Revised Codes of 1905 relating to the registration of voters.

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. 339.

A bill for an act to prescribe legal rates for the publication of political announcements.

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. 338.

A bill for an act providing for the publication of the names of candidates before the primary.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of section 3 of the printed bill, after the word "clerk" and before the word "and" insert the following: "And inspector of elections in unorganized townships."

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the rules be suspended and the report of the committee be 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 highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

## Senate Bill No. 326.

A bill for an act to amend Section 1350, Revised Codes of 1905, relating to the laying out, altering or discontinuing roads.

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 education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

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.

Have had the same under consideration and recommend that the same be referred to the committee of the whole without recommendation.

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. 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 of the whole without recommendation.

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.

The committee on judiciary made the following report:

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. 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.

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. 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.

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. 307.

A concurrent resolution for an amendment to the Con-  
stitution of the state of North Dakota, relating to the term  
of office of the judges of the supreme court.

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

GEO. P. HOMNES,  
Chairman.

Mr. Martin moved

That the further consideration of Senate Bill No. 307  
be indefinitely postponed.

Which motion prevailed.

Mr. Homnes moved

That the vote by which Senate Bill No. 307 was indefinite-  
ly postponed be reconsidered.

Which motion prevailed.

The roll was called and there were 43 ayes, 52 nays, 8  
absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Olsgard of Richland
Akesson	Hedalen	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Andrus	Johnson	Ployhar
Benson	Kyllo	Ray
Boyd	Lageson	Reeve
Burnett	Martin	Roquette
Burns	McClellan	Scott
Carey	Moen, of Cavalier	Scollie
Christenson	Morrison	Tostenson
Dean	Moritz	Tuttle
France	Nelson, of Richland	Ulsaker
Fraine	Nelson, of Walsh	Wambem
Gardiner	Olsgard of Nelson	Whitmer
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Heinemeyer	O'Connor of Gd. Forks
Bjornson	Hersrud	O'Connor of Pembina

Messrs.—

Boerner  
Bond  
Cunningham  
Davidson  
Davis  
DeLance  
DeNault  
Doyle, of Foster  
Englund  
Fassett  
Fox  
Fried  
Fritz  
Gorder  
Hanson  
Harty

Messrs.—

Homnes  
Hill, of Bottineau  
Hill, of Cass  
Johns  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Law  
Lee  
Moen, of Benson  
Narum  
Nestos  
Norheim

Messrs.—

Peart  
Putnam  
Robinson  
Sauer  
Scheer  
Sgutt  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tollefson  
Walters  
Williams  
Mr. Speaker

Absent and not voting:

Messrs.—

Brusletten  
Collins  
Doyle, of McIntosh

Messrs.—

Dosseth  
Edwards  
Hyland

Messrs.—

Pendray  
Price

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

Which motion was lost.

Mr. Homnes moved

That the majority report be adopted.

Which motion prevailed, and

The majority report of the committee was adopted.

Also

Mr. Speaker:

Your committee on judiciary to whom was referred

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.

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. 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 beginning and duration thereof.

Have had the same under consideration and recommend  
that the same be referred to the committee of the whole  
House to be taken up as soon as the Senate has acted upon  
the House bill providing for the division of the Fifth judi-  
cial district.

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. 314.

A bill for an act entitled, an act to amend Section 4928 of  
the Revised Codes of 1905, pertaining to acquisition of  
property.

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 elections and election privileges made  
the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the engrossed bill, between the figure "13" and the word "of" insert "of Chapter 109."

In line 1 of Section 1 of the engrossed bill, between the figure "13" and the word "of" insert "of Chapter 109".

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the rules be suspended and the report of the committee be 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 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. DeNault moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Mr. Speaker:

Your committee on manufactures to whom was referred  
Senate Bill No. 333.

A bill for an act to amend Section 4173 of the Revised  
Codes of 1905, relating to articles of incorporation.

Have had the same under consideration and recommend  
that the same be re-referred to the committee on judiciary.

W. B. DE NAULT,  
Chairman.

Mr. DeNault moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Mr. Speaker:

Your committee on manufactures to whom was referred  
Senate Bill No. 334.

A bill for an act to amend Chapter 63, Laws of 1909, be-  
ing Section 4210, Revised Codes of 1905, as amended by  
said chapter, relating to indebtedness of corporations.

Have had the same under consideration and recommend  
that the same be re-referred to the committee on judiciary.

W. B. DE NAULT,  
Chairman.

Mr. DeNault 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. 159.

A bill for an act to require a re-insurance reserve for  
mutual life insurance companies.



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  
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.

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  
Senate Bill No. 18.

A bill for the regulation and control of fraternal benefit societies.

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

A. P. HANSON,  
Chairman.

Mr. Hoge moved

That Senate Bill No. 18 be referred to the committee of the whole.

Which motion was lost.

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. 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.

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 ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

Line 58 of the printed bill strike out all after the word "land."  
Strike out all of line 59 before the word "shall."

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. 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.

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. 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.

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. 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.

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. 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.

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 engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

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.

Also

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.

Also

House Bill No. 255.

A bill for an act to require coroners to conduct and hold inquests in cases of railroad accidents.

Also

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.

Also,

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.

Also,

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.

Also,

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.

Also,

House Bill No. 364.

A bill for an act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Also,

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.

Also,

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.

Also

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.

Also

House Bill No. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

Also,

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

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 game and fish made the following report:

Mr. Speaker:

Your committee on game and fish to whom was referred

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.

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.

Also,

Mr. Speaker:

Your committee on game and fish to whom was referred  
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.

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  
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.

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. 327.

A bill for an act relating to trespassing while hunting  
game.



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  
Senate Bill No. 277.

A bill for an act relating to trespassing while hunting  
game.

Have had the same under consideration and recommend  
that the same be amended as follows:

In line — Section 1 of the printed bill strike out the words "alongside  
of" and insert in lieu thereof the following words: "On each side of his  
land adjoining."

And when so amended recommend the same do pass.

N. O. JOHNSON,  
Chairman.

Also

Mr. Speaker:

Your committee on game and fish to whom was referred  
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.

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.

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. 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.

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. 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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the title after the word "thickness" in line 5 of the title.

Amend Section 1 by adding at the end thereof the following words: "Provided that the provisions hereof shall not apply to state and school lands."

Strike out everything after the words "Section 2" and insert in lieu thereof the following: "Section 2. Every deed and transfer of real property in this state that recites a reservation to the grantor of the coal deposits in said property, but which does not contain an accurate description of such deposits as required in section 1 of this act, shall be construed to transfer to the grantee named in such deed, all right, title and interest to such property and all deposits of coal or other minerals imbedded therein, notwithstanding such attempted reservation."

Strike out all of section 3.

Change section 4 to section 3.

And when so amended recommend the same do pass.

R. A. NESTOS,  
Chairman.

The committee on rules made the following report:

Mr. Speaker:

Your committee on rules to whom was referred

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.

Also

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.

Have had the same under consideration and recommend that the same be re-referred to a woman's suffrage committee of five members to be appointed by the Speaker.

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 as a committee to consider House Bills No. 377 and 341 Messrs. Thompson, Fraine, Sorlie, Walters and Burns.

### REPORTS OF SELECT COMMITTEES.

#### REPORT OF SPECIAL HOUSE COMMITTEE ON INITIATIVE AND REFERENDUM BILLS.

The special committee on initiative and referendum bills made the following report:

Mr. Speaker:

Your special committee on initiative and referendum bill to whom was referred

Senate Bill No. 84, as reprinted.

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 and reference of laws.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, page 1 of the printed bill, strike out the words "to be" and insert in lieu thereof the word "and".

In line 4, after the comma after the word "assembly," insert the words "the same be".

In line 15, page 2, strike out the words "by the initiative petition"; and after the word "enact" in the same line and same page, insert the words "and approve."

In line 16, after the comma after the word "polls" strike out the balance of the line.

In line 20 after the word "reject" insert the words "and annul". In same line strike out the word "part" and insert in lieu thereof the word "act".

In line 21, after the comma after the word "assembly," strike out the balance of said line and all of line 22, and the words "or safety, and" in line 23.

In line 26 change the comma to a period and strike out the balance of the line, and strike out all of line 27 and 28 to and including period.

In line 29 strike out the words "for enactment into laws."

In line 35, page 3, after the word "than" insert the following: "Four months prior to the election at which they are to be voted on, or not later than twenty." In the same line strike out the word "thirty" and strike out the word "before" and insert in lieu thereof the word "after." In the same line strike out the word "regular" and insert in lieu thereof the word "opening".

In line 39 after the comma after the word "thereof" insert the following: "Or not later than ten days after same are filed." In same line strike out word "and" and commence the word "measures" with capital "m".

In line 43 strike out the words "change or" and "within forty days from the opening."

In line 44 strike out the words "of the" and insert in lieu thereof the words "at that". In the same line after the word "enacted" insert the following: "Or agreed to".

In line 49 strike out the words "within said forty days" and insert in lieu thereof "at that session".

In line 51 strike out all after the word "may".

Strike out all of line 52 and the words "and" and "instead" in line 53, and after the word "measure" in line 53 insert the following: "Or constitutional amendment."

In line 55, after the word "submitted" strike out the word "to" and insert in lieu thereof the word "by".

In line 59, page 4, after the word "deemed" insert the following: "Enacted and".

In line 60, after the word "approved" insert the words "at the polls."

In line 67, after the word "amendment" insert the words "the second time."

In line 74, after the word "act" and before the word "to" insert the following: "Of the legislative assembly".

At the end of line 75 strike out the words "must be".

Strike out all of lines 76, 77 and 78 and the word "and" in line 79.

In line 82 strike out the word "upon" and insert in lieu thereof the word "by".

In line 84 after the comma after the word "state" insert the following: "Whereupon such act, measure, part or parts thereof so ordered shall be suspended until the referendum vote shall determine whether or not the law is sustained or defeated."

In line 88, after the word "of" and before the word "legislative" insert the word "the".

In line 94, after the word "any" and before the word "act" insert the words "duly enacted"; and after the comma after the word "act" insert the words "or emergency law". In same line, after the word "act" and before the word "from" insert the words "or law".

In line 98 strike out the word "vote" and insert in lieu thereof the word "veto".

In line 102, page 6, before the word "elections" at the beginning of said line, insert the word "general".

In line 106 strike out the period after the word "vote" and add the following: "By the state board of canvassers."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.  
W. R. BOND,  
GEO. P. HOMNES,  
BERNT ANDERSON,  
W. J. BURNETT.

Mr. Price moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The special committee on House Bill No. 25 made the following report:

House 83.

Mr. Speaker:

Your special committee 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.

Have had the same under consideration and recommend that the same be amended as follows:

After the words and figures "House Bill No. 25" strike out the balance of the bill and insert

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, Walsh-

ville, 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 Trail, 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, Eric, 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, Storlie, 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 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, Harvey, Manilla, Easby, Alma, East Alma, Montrose, Osford, village of Milton and Osabrock 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 representative, 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.

R. A. NESTOS,  
Chairman.

Mr. Nestos 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.

## REPORT OF SELECT COMMITTEES.

### INVESTIGATION OF STATE TREASURER'S OFFICE.

*To the Legislative Assembly of the State of North Dakota:*

Gentlemen: -The joint committee of the investigation of the State Treasurer's office begs leave to report, that immediately upon its appointment, the committee organized by electing Representative Norheim chairman, and Senator Allen secretary, and commenced its work.

The committee has attempted to make the work as thorough as possible in the limited time at its command. It has been impossible to cover the detail work of the office for the past eight years, but any charges as to irregular methods employed by the office in specific instances have been investigated by the committee and the results of such research are embodied in the report; this has special reference to the conduct of the office for the past two years.

Further, the committee has made as thorough a search as was possible to unearth irregular and questionable methods, in the conduct of the business of the office.

The attitude of the committee has been to receive and investigate any

charges against any incumbent of the office during the period covered by this investigation. The committee will state that rumors of misconduct have been carried to it, some of which have been of such a vague nature that no specific charge could be formulated, others have been found to be without foundation, and some have been shown to exist.

The committee in the report shows:

1. Statement of excess of cash balances carried in state depositories on certain dates in 1905, 1906, 1907, 1908, 1909 and 1910.
2. Statement showing approximately cash balances on hand carried in office during years 1903, 1904, 1905, 1906, 1907, 1908, 1909 and 1910.
3. Report of State Board of Auditors together with complaint prompting same.
4. Account of State Bank of Bowbells.
5. Irregular handing of State Auditor's drafts.
6. Irregular handling of Trust fund deposit by State Farmers' Mutual Hail Insurance Co. of Waseca, Minnesota, diverted.
7. As to certificates of deposit on hand at the beginning of the present term of office.
8. Examination by State Examiner.
9. Twine factory bonds being of no value to the state deposited in the office of the state treasurer, and the cancellation of which was provided for by resolution.

Your committee found it impossible during the limited time at its command to look up the bond of each depository and its amount and the amount for which each depository was designated, and ascertain the daily balances of each bank for each and every day of the eight year period.

On the pages following, we submit statements furnished by the state examiner showing banks carrying excess balances on certain dates for the years of 1905, 1906, 1907, 1908, 1909 and 1910.

The state examined could not find any reports for 1903 and 1904.

**EXCESS BALANCES IN STATE DEPOSITARIES JANUARY 2, 1905,  
AS SHOWN BY REPORT OF SPECIAL EXAMINATION OF  
STATE TREASURER'S OFFICE.**

	Designated For	Balance
Aneta State Bank .....	\$ 2,000.00	\$ 4,041.90
Dickinson, La.ota State .....	5,000.00	5,008.42
Hannah, State Bank of Hannah .....	7,000.00	14,468.53
Langdon, Citizens State .....	20,000.00	36,990.82
Langdon, First National Bank .....	10,000.00	25,621.93
Park River, First National .....	25,000.00	47,912.03
Wales, State Bank .....	2,000.00	6,561.15

**EXCESS DEPOSITS ACCORDING TO BANK BOOKS JULY 5, 1906,**

Number of banks carrying state deposits at that time, about 154.

	Designated For	Balance
Ashley, First State Bank .....	\$ 5,000.00	\$ 8,133.46
Alice, State Bank .....	1,500.00	1,504.50
Aneta, Aneta State Bank .....	5,000.00	5,369.66
Abercrombie, First State Bank .....	3,000.00	3,077.64
Adams, First State Bank .....	5,000.00	5,017.51
Buffalo, First State Bank .....	5,000.00	5,130.49
Bowbells, First State Bank .....	5,000.00	5,020.03
Bismarck, Merchants State Bank .....	10,000.00	10,103.76
Bantry, State Bank .....	4,000.00	4,019.55
Bismarck, First National Bank .....	60,000.00	78,213.26

	Designated.	Balance.
Bismarck, Bismarck Bank .....	5,000.00	5,150.71
Carrington, Foster County State Bank .....	5,000.00	5,217.01
Cogswell, Sargent County State Bank .....	3,000.00	3,098.18
Cando, First National Bank .....	10,000.00	21,396.14
Carrington, First National Bank .....	7,500.00	13,422.11
Calvin, State Bank .....	3,000.00	3,516.28
Cooperstown, First National Bank .....	15,000.00	18,813.73
Cavalier, Merchants & Farmers Bank .....	7,000.00	7,017.50
Dickinson, Dakota National Bank .....	10,000.00	13,205.18
Dazey, Dazey State Bank .....	5,000.00	5,096.16
Devils Lake, First National Bank .....	10,000.00	11,591.33
DeLamere, DeLamere State Bank .....	3,000.00	3,906.95
Enderlin, First State Bank .....	3,000.00	3,021.50
Erie, Erie State Bank .....	2,000.00	2,021.41
Ellendale, Bank of .....	5,000.00	13,068.21
Esmond, Esmond State Bank .....	2,000.00	2,565.40
Fessenden, First National Bank .....	10,000.00	15,925.58
Fargo, First National Bank .....	50,000.00	88,398.29
Fargo, Commercial Bank .....	10,000.00	10,141.86
Forman, First National Bank .....	3,000.00	6,755.29
Forbes, Forbes State Bank .....	3,000.00	3,005.00
Galesburg, Galesburg State Bank .....	3,000.00	3,009.00
Glen Ullin, Glen Ullin State Bank .....	5,000.00	5,020.01
Gladstone, Gladstone State Bank .....	2,000.00	2,012.50
Great Bend, Farmers State Bank .....	3,000.00	3,005.75
Hatton, Farmers & Merchants National Bank .....	5,000.00	5,017.95
Hanna, State Bank .....	5,000.00	7,433.43
Harvey, Bank of .....	5,000.00	5,012.50
Hope, First National Bank .....	10,000.00	13,617.92
Havana, Havana State Bank .....	2,000.00	3,106.24
Hillsboro, First State Bank .....	10,000.00	16,424.46
Jamestown, City National Bank .....	10,000.00	11,326.35
Jamestown, Farmers & Merchants State Bank .....	20,000.00	21,967.68
Kulm, First State Bank .....	5,000.00	14,100.41
Lucca, First State Bank .....	3,000.00	3,014.51
Linton, Linton State Bank .....	5,000.00	10,993.03
Litchville, First State Bank .....	2,000.00	3,105.80
Leona, First State Bank .....	3,000.00	3,009.25
Maddock, Farmers State Bank .....	2,000.00	2,180.36
Michigan City, Nelson Co. State Bank .....	10,000.00	16,930.19
Mandan, First National Bank .....	15,000.00	22,443.93
Mandan, Farmers & Merchants Bank .....	5,000.00	5,027.95
Milnor, Bank of Sargent County .....	6,500.00	10,276.57
Mayville, Goose River Bank .....	5,000.00	5,777.80
Minot, Minot State Bank .....	5,000.00	5,165.37
Minnewaukan, First National Bank .....	10,000.00	28,621.23
McClusky, First State Bank .....	5,000.00	5,015.00
Medina, Medina State Bank .....	2,000.00	2,001.17
Minot, Second National Bank .....	10,000.00	14,135.29
Maxbass, State Bank of .....	3,000.00	5,202.79
Monango, Bank of .....	3,000.00	3,014.02
Mannhaven, Mercer County State Bank .....	2,000.00	2,924.16
New Rockford, Bank of .....	5,000.00	11,697.69
New Salem, State Bank of .....	5,000.00	5,130.53
Napoleon, Stock Growers Bank .....	5,000.00	5,300.09
Oakes, First National Bank .....	10,000.00	10,998.91
Oberon, Bank of .....	2,000.00	2,158.75
Park River, First National Bank .....	25,000.00	30,387.44
Page, First National Bank .....	5,000.00	5,221.15

	Designated	Balance
Perth, Towner County Bank .....	5,000.00	5,079.25
Rugby, First National Bank .....	5,000.00	19,951.03
Rutland, First State Bank .....	3,000.00	3,005.00
Souris, Mouse River Bank .....	5,000.00	2,503.33
Steele, Kidder County State Bank .....	5,000.00	10,069.43
Sentinel Butte, Interstate Bank of .....	5,000.00	10,907.63
Sharon, Sharon State Bank .....	3,000.00	3,097.35
Sarles, First Bank .....	3,000.00	3,518.07
Towner, First National Bank .....	10,000.00	50,278.12
Walhalla, Citizens Bank of .....	5,000.00	6,034.29
Washburn, First National Bank .....	10,000.00	22,705.51
Wolford, State Bank .....	3,000.00	5,018.63
Wyndmere, Bank of .....	3,000.00	3,071.05
Wahpeton, National Bank .....	5,000.00	8,623.21

Banks which do not appear to have been designated, as no minutes appear in minute book.

Christine, Christine State Bank .....	\$	1,562.75
Tower City, First National Bank .....		2,003.50
McHenry, First National Bank .....		2,762.32
Brocker, State Bank .....		2,966.01
Barton, Barton State Bank .....		1.12
Davenport, State Bank .....		2,003.30
Hunter, First National Bank .....		2,003.50
Kindred, Kindred State Bank .....		2,003.33

#### EXCESS DEPOSITS ACCORDING TO BANK BOOKS JAN. 2, 1907.

Number of Banks Carrying State Deposits at that Time, about 162.

	Designated.	Balance.
First State Bank of Ashley .....	\$ 5,000.00	\$ 6,463.07
State Bank of Alice .....	1,500.00	1,527.05
First Bank of Abercrombie .....	3,000.00	3,126.11
First National Bank, Buffalo .....	5,000.00	5,207.90
First National Bank, Bowbells .....	5,000.00	5,071.43
State Bank, Bantry .....	4,000.00	4,080.27
First National Bank, Bismarck .....	60,000.00	150,162.72
Bismarck Bank, Bismarck .....	5,000.00	5,487.90
Sargent County State Bank, Cogswell .....	3,000.00	3,143.03
First State Bank, Crosby .....	3,000.00	3,003.95
First National Bank, Enderlin .....	3,000.00	3,071.50
Erie State Bank, Erie .....	2,000.00	2,052.39
Esmond State Bank .....	2,000.00	2,767.75
First National Bank, Fargo .....	50,000.00	92,971.02
Commercial Bank, Fargo .....	10,000.00	10,295.11
First National Bank, Forman .....	3,000.00	4,894.63
Forkes State Bank .....	3,000.00	3,771.48
Galesburg State Bank .....	3,000.00	3,055.40
Gladstone State Bank .....	2,000.00	2,045.76
Farmers State Bank, Great Bend .....	3,000.00	3,051.09
Farmers & Merchants National Bank, Hatton..	5,000.00	5,096.70
State Bank, Hannah .....	5,000.00	7,528.28
Bank of Harvey .....	5,000.00	5,091.27
First National Bank, Hope .....	10,000.00	10,288.48
Havana State Bank .....	2,000.00	3,153.03
First National Bank, Hillsboro .....	10,000.00	13,145.18
First State Bank, Kulm .....	5,000.00	6,578.07

	Designated	Balance
First State Bank, Lucca .....	3,000.00	3,059.77
Linton State Bank, Linton .....	5,000.00	6,231.29
Citizens State Bank, Langdon .....	10,000.00	17,948.27
First National Bank, Lidgerwood .....	15,000.00	25,289.54
First Bank, Linton .....	5,000.00	5,478.20
First State Bank, Litchville .....	2,000.00	3,148.44
First State Bank, Leonard .....	3,000.00	3,054.69
Farmers State Bank, Maddock .....	2,000.00	2,221.01
Nelson County State Bank, Michigan City....	10,000.00	10,156.46
Farmers & Merchants Bank, Mandan .....	5,000.00	5,103.83
Bank of Sargent County, Milnor .....	6,500.00	7,432.67
First National Bank, Minnewaukon .....	10,000.00	13,661.35
First State Bank, McClusky .....	5,000.00	5,090.70
Medina State Bank, Medina .....	2,000.00	2,031.38
State Bank, Maxbass .....	3,000.00	4,294.68
Bank of Manango .....	3,000.00	3,059.50
Mercer County State Bank, Mannhaven .....	2,000.00	3,083.69
Bank of New Rockford .....	5,000.00	6,367.30
Stock Growers Bank, Napoleon .....	5,000.00	5,273.62
Bank of Oberon .....	2,000.00	2,208.03
First State Bank, Park River .....	25,000.00	28,006.35
Bank of Park River .....	2,000.00	2,236.77
Towner County Bank, Perth .....	5,000.00	5,158.90
First National Bank, Rugby .....	5,000.00	34,036.11
First State Bank, Rutland .....	3,000.00	3,089.65
First National Bank, Rock Lake .....	2,500.00	2,534.96
Kidder County State Bank, Steele .....	5,000.00	8,998.69
Interstate Bank of Billings Co., Sentine Butte	5,000.00	6,970.75
Sharon State Bank, Sharon .....	3,000.00	3,144.10
First Bank, Sarles .....	3,000.00	3,577.07
First National Bank, Towner .....	10,000.00	11,700.19
Bank of Valley City .....	10,000.00	10,210.83
National Bank, Wahpeton .....	10,000.00	.....
City Bank, Walhalla .....	5,000.00	6,107.54
First National Bank, Washburn .....	10,000.00	13,197.82
State Bank, Wolford .....	3,000.00	5,094.39
Bank, Wyndmere .....	3,000.00	3,117.50

Banks which do not appear to have been designated, as no record appears in minute book of State Board of Auditors:

Christine State Bank, Christine .....	\$	1,586.45
Brocket State Bank, Brocket .....		3,010.77
Barton State Bank, Barton .....		10,092.98
First State Bank, Calvin .....		2,014.38
First State Bank, Hope .....		3,055.33
Farmers State Bank, Bantry .....		3,049.27
First National Bank, McHenry .....		2,802.00
First National Bank, Kenmare .....		3,046.08
Farmers & Merchants Bank, New Rockford....		3,030.10
Farmers & Merchants State Bank, Sherwood....		3,047.25
Mouse River Bank, Towner .....		3,061.85
Farmers & Merchants Bank, Turtle Lake .....		2,018.56

EXCESS CASH BALANCES AND WHERE CARRIED ON  
JUNE 30, 1908.

Number of banks carrying balances, 224. Depositories not carrying any deposit, 98.

	Designated.	Deposit.
Anamoose, First State Bank .....	\$ 5,000.00	\$ 5,029.26
Alexander, Alexander State Bank .....	2,000.00	2,859.51
Bismarck, Bismarck Bank .....	18,000.00	20,190.99
Bowman, First National Bank .....	12,500.00	12,890.64
Barton, Barton State Bank .....	10,000.00	10,477.72
Bantry, State Bank .....	5,000.00	5,411.75
Clyde, Clyde State Bank .....	3,000.00	3,005.56
Crosby, First State Bank .....	5,000.00	5,065.64
Cogswell, Sargent County State Bank .....	2,000.00	2,332.53
Carrington, Foster County State Bank .....	10,000.00	10,326.20
Dawson, First State Bank .....	3,000.00	5,112.67
Dunseith, Security State Bank .....	3,000.00	3,018.29
Douglas, Citizens State Bank .....	3,000.00	3,018.54
Esmond, Esmond State Bank .....	2,000.00	2,098.40
Fairdale, Farmers State Bank .....	4,000.00	4,009.67
Fargo, Commercial Bank .....	10,000.00	10,160.43
Forbes, Forbes State Bank .....	3,000.00	3,948.79
Great Bend, Farmers State Bank .....	10,000.00	10,130.25
Garrison, Citizens State Bank .....	3,000.00	3,018.55
Galesburg, Galesburg State Bank .....	1,500.00	1,670.21
Goodrich, First National Bank .....	5,000.00	5,027.97
Hillsboro, First National Bank .....	10,000.00	20,077.01
Hampden, First National Bank .....	2,000.00	2,003.67
LaMoure, Farmers State Bank .....	5,000.00	8,743.85
Langdon, W. J. Moore State Bank .....	2,500.00	2,819.78
Linton, Linton State Bank .....	5,000.00	8,359.41
Lidgerwood, First National Bank .....	30,000.00	30,644.20
Langdon, Citizens State Bank .....	10,000.00	18,427.14
Linton, First Bank .....	5,000.00	10,527.10
Munich, First National Bank .....	5,000.00	9,179.81
Minot, Minot State Bank .....	5,000.00	5,369.94
Napoleon, Stock Growers Bank .....	5,000.00	5,404.90
Oakes, First National Bank .....	5,000.00	5,083.03
Oberon, Bank of Oberon .....	2,000.00	2,315.50
Park River, Bank of .....	2,500.00	2,682.68
Perth, Towner County Bank .....	5,000.00	5,081.15
Rugby, First National Bank .....	10,000.00	22,052.35
Rolla, State Bank .....	2,500.00	2,673.51
Rugby, Citizens State Bank .....	5,000.00	5,492.75
Rugby, Merchants Bank .....	5,000.00	6,564.23
Sentinel Butte, Interstate Bank of Billings Co.	5,000.00	6,020.96
Sherwood, Farmers & Merchants State Bank..	6,500.00	8,231.86
Steele, First National Bank .....	10,000.00	11,516.54
Towner, First National Bank .....	10,000.00	13,152.95
Thoose, Farmers & Merchants State Bank...	3,000.00	3,021.57
Warwick, State Bank .....	3,000.00	3,015.02
Williston, Williams County Bank .....	5,000.00	5,030.55
Wilton, McLean County State Bank .....	2,500.00	2,620.98
Wales, State Bank of .....	3,000.00	3,185.06
Wimbleton, Merchants National Bank .....	15,000.00	22,602.09
York, York State Bank .....	3,000.00	4,027.50

## EXCESS DEPOSITS ACCORDING TO BANK BOOKS, AUG. 1, 1909.

Number of depositaries about 320.

	Designated.	Balance.
First State Bank, Ashley .....	\$ 10,000.00	\$ 9,939.33
Bond, \$20,000; qualify .....	6,000.00	
First State Bank, Abercrombie .....	10,000.00	5,948.61
Bond, \$20,000; qualify .....	6,000.00	
Security State Bank, Adams .....	12,500.00	12,425.88
Bond, \$25,000; qualify .....	10,000.00	
First National Bank, Bottineau .....	15,000.00	15,089.49
Bond, \$30,000.		
Bottineau National Bank .....	10,000.00	10,139.66
Bond, \$20,000.		
Security State Bank, Crosby .....	25,000.00	2,518.21
Bond, \$50,000.		
First State Bank, Coteau .....	5,000.00	6,590.05
Bond, \$10,000.		
First National Bank, Casselton .....	15,000.00	15,059.52
Bond, \$30,000.		
State Bank of Cooperstown .....	20,000.00	20,880.73
Bond, \$40,000.		
Dakota National Bank, Dickinson .....	15,000.00	15,620.51
Bond, \$30,000.		
Ramsey County National Bank, Devils Lake..	10,000.00	10,000.11
Bond, \$10,000.		
Bank of Ellendale .....	5,000.00	5,020.75
Bond, \$10,000.		
First National Bank, Fargo .....	50,000.00	69,909.62
Bond, \$100,000.		
Commercial Bank, Fargo .....	10,000.00	10,029.90
Bond, \$20,000.		
Farmers State Bank, Great Bend .....	10,000.00	9,475.30
Bond, \$20,000; qualify .....	6,600.00	
City State Bank, Goodrich .....	3,000.00	6,041.25
Bond, \$5,000.		
Bond, \$3,000.		
Union National Bank, Grand Forks .....	25,000.00	27,245.86
Bond, \$50,000.		
First National Bank, Hillsboro .....	10,000.00	10,004.10
Bond, \$10,000.		
First National Bank, Harvey .....	5,000.00	5,651.81
Bond, \$10,000.		
Farmers & Merchants National Bank, Hatton..	13,000.00	13,007.99
Bond, \$26,000.		
Hebron State Bank .....	10,000.00	7,487.31
Bond, \$20,000; qualify .....	6,500.00	
City National Bank, Jamestown .....	15,000.00	15,016.33
Bond, \$30,000.		
National Bank of Larimore .....	5,000.00	5,015.59
Bond, \$5,000.		
First National Bank, McHenry .....	3,000.00	3,010.68
Bond, \$3,000.		
First National Bank, Munich .....	5,000.00	10,013.18
Bond, \$10,000, surety.		
First National Bank, Mandan .....	25,000.00	25,289.32
Bond, \$50,000.		
Portal State Bank, Portal .....	5,000.00	5,010.92
Bond, \$5,000.		
Bank of Park River .....	2,500.00	2,512.92

	Designated.	Deposit
Bond, \$2,500.		
First National Bank, Russell .....	5,000.00	9,735.00
Bond, \$5,000, \$5,000.		
First National Bank, Turtle Lake .....	10,000.00	10,028.25
Bond, \$20,000.		
First State Bank, Ventura .....	7,000.00	6,779.75
Bond, \$14,000; qualify .....	6,000.00	
American National Bank, Valley City .....	20,000.00	21,226.34
Bond, \$30,000.		

#### EXCESS DEPOSITS ACCORDING TO BANK BOOKS AUG. 9, 1910.

Out of a Number of About 502 Banks.

	Designated.	Balance.
First State Bank, Coteau .....	\$ 7,500.00	\$ 7,512.01
Portal State Bank .....	5,000.00	5,033.03

The practice of carrying balances in state depositories in excess of amounts for which designated is subject to criticism. However, in clearing large items it is necessary that some be remitted to some bank for that purpose and in such cases the balance in such bank for that purpose and in such cases the balance in such bank may for a few days exceed the amount for which it is designated. We recommend that large items be collected through some of the larger state depositories and without delay be distributed among other depositories. During the past year excess balances in depositories have not been carried for any considerable period of time.

During part of the period covered by your committee's investigation it appears that balances were at times carried in banks not designated as state depositories, and which balances were not protected by bond. In this connection we call attention to the fact that the First National Bank of Rugby, N. D. and the Barton State Bank of Barton, N. D., both failed with excess balances in their hands.

The First National Bank of Rugby, which was designated as a depository for \$10,000.00, failed with a balance due the state of \$16,151.14, and the Barton State Bank, designated for \$10,000.00, failed with a balance due the state of \$10,152.44. Dividends have been received from these two suspended banks reducing the amount due the state from the First National Bank of Rugby to \$9,690.69, and from the Barton State Bank reducing the amount due to the state to \$1,522.87.

On July 5th, 1906, the First National Bank of Rugby designated for \$5,000.00 had nearly \$20,000.00 of state money, and on January 2, 1907, over \$34,000.00, and on June 30, 1908, designated for \$10,000.00 had over \$22,000.00.

On January 2, 1907, the Barton State Bank does not appear to have been designated depository, though it had over \$10,000.00 of state funds.

#### EXCESSIVE CASH BALANCES.

We beg to report that our examination covering the early part of the eight year period with reference to the amount of cash and cash items on hand carried by the state treasurer from day to day has been somewhat hindered for the reason that the system of keeping books was such that it is difficult to trace the different items. For instance for a part of this time we find no collection or remittance register or record of cash items or detailed description of such items. During a part of this time



we find the cash books showing large daily balances of cash on hand for considerable periods of time. As it would be a somewhat lengthy proposition to make a complete examination and report of the actual daily balances on hand for the eight year period we herewith submit the following statement; showing the general average balances for each month for the years 1903 to 1910 inclusive:

1903.

## CASH.

January, \$3,000 to \$200,000, most of the time below \$150,000.  
 February, \$13,000 to \$143,000, most of the time above \$100,000.  
 March, \$143,000 to \$606,000, most of the time above \$150,000.  
 April, \$500,000 to \$654,000, all of the time above \$500,000.  
 May, \$655,000 to \$683,000, most of the time above \$500,000.  
 June, \$427,000 to \$452,000, all of the time above \$400,000.  
 July, \$408,000 to \$421,000, most of the time above \$400,000.  
 August, \$401,000 to \$414,000, most of the time above \$250,000.  
 September, \$251,000 to \$254,000, most of the time above \$225,000.  
 October, \$14,000 to \$122,000, most of the time above \$100,000.  
 November, \$14,000 to \$103,000, most of the time below \$25,000.  
 December, \$1,000 to \$111,000, most of the time below \$50,000.

## CASH (CONTINUED).

1904.

January \$24,000 to \$212,000, considerable of the time from \$100,000 to \$130,000.  
 February, \$212,000 to \$437,000, most of the time below \$100,000.  
 March, \$172,000 to \$462,000, most of the time below \$150,000.  
 April, \$477,000 to \$309,000, most of the time below \$150,000.  
 May, \$309,000 to \$317,000, most of the time below \$200,000.  
 June, \$150,000 to \$180,000, most of the time below \$160,000.  
 July, \$156,000 to \$173,000, most of the time below \$160,000.  
 August, \$143,000 to \$145,000, most of the time below \$130,000.  
 September, \$14,000 to \$16,000, most of the time below \$10,000.  
 October, \$14,000 to \$56,000, most of the time below \$25,000.  
 November, \$4,000 to \$77,000, most of the time below \$25,000.  
 December, \$53,000 to \$86,000, most of the time below \$30,000.

## CASH (CONTINUED).

1905.

January 1st, \$86,000 to January 11th, \$553,000 to high account for a few days only dropping to \$93,000 January 11th.  
 January 12th, \$500 to \$94,000, most of the time below \$10,000.  
 February, \$1,500 to \$86,000, most of the time below \$10,000.  
 March, \$9,000 to \$284,000, most of the time below \$5,000. (The \$284,000 for one day only.)  
 April, \$400 to \$9,000, most of the time below \$3,000.  
 May, \$2,500 to \$6,000, most of the time below \$2,000.  
 June, \$1,100 to \$6,000, most of the time below \$2,000.  
 July, \$4,900 to \$21,000, most of the time below \$10,000.  
 August, \$650 to \$10,000, most of the time below \$2,000. (The \$10,000 for one day only.)  
 September, \$1,200 to \$2,000, most of the time below \$2,000.  
 October, \$1,400 to \$36,000, most of the time below \$2,000. (The \$36,000 for one day only.)  
 November, \$9,000 to \$1,000, most of the time below \$3,000.  
 December, \$1,000 to \$6,000, most of the time below \$3,000.

## CASH (CONTINUED).

1906.

January, \$4,700 to \$15,000, most of the time below \$12,000.

February, \$1,700 to \$404,000, most of the time below \$2,500. (The \$404,000 for three days only.)

March, \$1,100 to \$159,000, most of the time below \$5,000. (The \$159,000 for one day only.)

April, \$3,300 to \$21,000, most of the time below \$3,000.

May, \$1,700 to \$9,000, most of the time below \$3,000.

June, \$6,000 to \$29,000, most of the time below \$6,000. (The \$29,000 for one day only.)

July, \$2,900 to \$108,000, most of the time below \$10,000. (The \$108,000 for one day only.)

August, \$4,000 to \$24,000, most of the time below \$5,000.

September, \$1,700 to \$3,000, most of the time below \$3,000.

October, \$2,600 to \$38,000, most of the time below \$5,000. (The \$38,000 for one day only.)

November, \$2,500 to \$85,000, most of the time below \$5,000. (The \$85,000 for two days only.)

December, \$2,700 to \$33,000, most of the time below \$5,000. (The \$33,000 for one day only.)

## CASH (CONTINUED).

1907.

January, \$683 to \$20,000, most of the time below \$3,000. (The \$20,000 for two days only.)

February, \$3,000 to \$27,000, most of the time below \$6,000. (The \$27,000 for one day only.)

March, \$2,000 to \$24,000, most of the time below \$10,000. (The \$24,000 for three days only.)

April, \$11,000 to \$69,000, most of the time below \$5,000. (The \$69,000 for two days only.)

May, \$3,000 to \$32,000, most of the time below \$8,000. (The \$32,000 for two days only.)

June, \$8,000 to \$14,000, most of the time below \$5,000.

July, \$5,000 to \$17,000, most of the time below \$8,000.

August, \$9,000 to \$19,000, most of the time below \$5,000. (The \$19,000 for one day only.)

September, \$2,700 to \$10,000, most of the time below \$3,000. (The \$10,000 for one day only.)

October, \$2,800 to \$4,300, most of the time below \$3,000.

November, \$4,600 to \$29,000, most of the time below \$3,000. (The \$29,000 for one day only.)

December, \$4,400 to \$120,000, most of the time below \$5,000. (The \$120,000 for about five days.)

## CASH (CONTINUED).

1908.

January, \$6,500 to \$18,000, most of the time below \$12,000.

February, \$3,100 to \$30,000, most of the time below \$25,000.

March, \$23,000 to \$29,000, most of the time below \$28,000.

April, \$30,000 to \$86,000, about one-half of the time below \$55,000.

May, \$4,300 to \$27,000, most of the time above \$20,000.

June, \$26,000 to \$29,000, most of the time above \$25,000.

July, \$29,000 to \$40,000, most of the time above \$25,000.

August, \$25,000 to \$41,000, most of the time above \$25,000.

September, \$27,000 to \$27,000, most of the time above \$25,000.

October, \$39,000 to \$51,000, most of the time above \$25,000.

November, \$23,000 to \$25,000, most of the time below \$25,000.

December, \$36,000 to \$241,000, most of the time below \$40,000. (The \$241,000 for two days only.)

## CASH (CONTINUED).

1909.

January, \$9,000 to \$853,000, most of the time below \$20,000. (The \$853,000 for one day only.)

February, \$900 to \$30,000, most of the time above \$25,000.

March, \$33,000 to \$303,000, most of the time above \$30,000.

April, \$5,000 to \$34,000, most of the time above \$25,000.

May, \$30,000 to \$379,000, most of the time above \$30,000.

June, \$74,000 to \$396,000, most of the time above \$90,000.

July, \$249,000 to \$249,000, most of the time above \$150,000.

August, \$91,000 to \$91,000, most of the time above \$25,000.

September, \$2,100 to \$199,000, most of the time above \$20,000 first one-half, \$150,000 second one-half.

October, \$179,000 to \$191,000, most of the time above \$35,000. (The \$191,000 for one day only.)

November, \$33,000 to \$65,000, most of the time above \$35,000.

December, \$36,000 to \$124,000, most of the time above \$30,000. (The \$124,000 for one day only.)

## CASH (CONTINUED).

1910.

January, \$37,000 to \$54,000, most of the time below \$10,000.

February, \$3,000 to \$551,000, most of the time below \$10,000 first half, \$35,000 second half.

March, \$1,400 to \$358,000, most of the time below \$100,000.

April, \$11,000 to \$188,000, most of the time above \$30,000.

May, 29,000 to \$82,000, most of the time above \$30,000.

June, \$17,000 to \$48,000, most of the time above \$15,000.

July, \$15,000 to \$53,000, most of the time above \$15,000.

August, \$18,000 to \$41,000, most of the time above \$25,000.

September, \$43,000 to \$53,000, most of the time above \$40,000.

October, \$51,000 to \$66,000, most of the time above \$50,000.

November, \$51,000 to \$80,000, most of the time above \$50,000.

December, \$60,000 to \$65,000, most of the time above \$60,000.

In connection with this matter we will say there should be no occasion for carrying large amounts of cash on hand for any considerable number of days. By so doing the state loses interest on the amount so carried and it is readily seen that interest on large cash items as \$50,000 to \$100,000 for just a few days represents a considerable amount of money lost to the state. We recommend that cash items be cleared daily.

## STATE BOARD OF AUDITORS.

Section 231 of the Revised Codes of 1905 provides that the State Board of Auditors, consisting of the Secretary of State, State Auditor and Attorney General, shall without previous notice make at least two examinations of the State Treasurer's office in each year, and make report thereof to the governor.

Your committee find but one such report filed in the office of the governor. This report is dated January 25, 1910, and was filed in the office of the governor April 2nd, 1910. This examination appears to have been made January 10 and 11, 1910. We incorporate copy of same in our report, omitting the tabulated statement of bank balances.

In the minutes of the proceedings of the State Board of Auditors, under date July 29, 1907, we find the following: "It was moved and carried that Alfred Blaisdell act as a committee of one to make early arrangements for a full examination by said board of the office of the state

treasurer, in compliance with section 231, Revised Codes, North Dakota, 1905, and that he notify the state examiner to be present either by himself or deputy at a convenient early date, to be set by said examiner, and said committee to aid and assist in said examination by said board of said office of state treasurer."

Under date of January 2nd, 1909, we find the following: "Mr. Blaisdell stated that he had employed Mr. W. A. Dillon, an expert accountant, to aid him in examining the state treasurer's office and that a report of such examination had been filed with the governor June 3, 1908." Your committee made request at the governor's office to be shown the report mentioned above as having been filed June 3, 1908, and was informed that no such report was on file.

On page 103 of letter press copy book in the office of the secretary of state, covering period from December 15, 1909, until latter part of January, 1910, we find a copy of a letter written by Mr. Alfred Blaisdell, secretary of state, in reply to a letter received from Mr. Holmes. A copy of the letter from Mr. Holmes appears in the report of the State Board of Auditors filed with the governor April 2, 1910, a copy of which is incorporated in the report. Following is a copy of Mr. Blaisdell's reply to Mr. Holmes, and is introduced here as throwing some light on the question as to why examinations of the state treasurer's office have not been more frequently made:

"January 7, 1910.

Mr. D. M. Holmes, General Agent,

United States Fidelity & Guaranty Co., Grand Forks, N. D.

Sir: I am in receipt of your letter of the 9th ultimo relative to the irregularities of State Treasurer Bickford's office, calling my attention to the necessity of an examination of his office pursuant to statute.

I regret to inform you that during my incumbency for the past three years I have repeatedly tried, as the records of my office show, to have these examinations duly made, but I have not been successful. I succeeded in having but one examination made by the Examining Board, of which I am a member, during my first term, but the other two members of the board were not personally present and rendered no assistance—save that the bill for services of the expert book accountant I employed was allowed by that Auditing Board under section 237, R. C. 1905, of which I am not a member, but after much delay, and when said accountant's bill was finally paid it was charged up to my department.

During my present term I have made repeated attempts to have examinations made of the state treasurer's office pursuant to section 231, R. C. 1905, but without any results. I cannot make and have no intentions of making the examinations alone, as I am not an expert accountant. The other two members constituting a majority of the Examining Board, also constitute a majority of the Auditing Board, which has the power of allowing or rejecting bill incurred for services of the necessary accountants who might be employed by me in case I should try to conduct an examination myself. I am very willing to supervise and conduct this examination myself, as I have been in times past, if I can be assured that the employees I engage will be paid by the Auditing Board, of which I am not a member, and have no voice in saying what bills may be paid.

I assure you that I will be glad to take up this matter again with the other members and if the examination should be eventually had, I will submit a request to the governor to furnish you with a copy of the report of same made to him.

I would suggest that you write the governor calling his attention to section 231, R. C. 1905, and requesting his aid in the matter. If the governor will request the secretary of state, state auditor and attorney general to at once make the examination, as required by section 231, and to

make report to him as required by that section, I have no doubt that your efforts for an examination of the state treasurer's office would be greatly facilitated. I am,

Very faithfully yours,

ALFRED BLAISDELL,  
Secretary of State.

(COPY.)

January 25th, 1910.

His Excellency John Burke, Governor,  
Bismarck, N. D.

Sir: Pursuant to the requirements of section 231 of the Revised Code of 1905, we, the State Board of Auditors, hereby make this our report of examination of the State Treasurer's office.

The board attaches herewith the various written complaints made by the Union National Bank of Minot and the United States Fidelity & Guaranty Company.

Attached hereto, you will find a sheet showing a distribution of the state funds in depositaries, as shown by the bank books on January 1, 1910. The balances at that time all appeared to be within the amount for which each depositary was designated, with the exception of the balance with the First National Bank of Mohall and the Citizens State Bank of Goodrich. The banks which were designated as depositaries and have no state funds are: The First National Bank of Bowbells, Farmers & Merchants Bank, Kenmare, and Citizens State Bank, Ryder. At various times during the past year there were banks which had excess deposits. They, however, appeared to be of a temporary nature.

There have been made complaints to the effect that discrimination has been made pertaining to illegal deposits with the First State Bank of Bowbells, and the collection through that bank of certain large state auditor's drafts. In reference to same, will say that it appears from the report that a balance was carried with this bank until August 4th, 1909, at which time it was withdrawn.

We note that the quarterly statement of the treasurer for the period ending June 30th, 1909, shows no deposits of state moneys in the First State Bank of Bowbells, but on the 26th of June preceding there was deposited in said bank the sum of \$5,048.91, but it was withdrawn just before June 30th, when the quarterly period ended, and practically the same amount (\$5,069.91) was again redeposited on July 9th shortly after the quarterly period.

With reference to the collection of large state auditor's drafts, it appears that the state auditor on June 14th, 1909, drew draft No. 9758 for \$225,-347.58 on the treasurer of Ward county. This item was sent for collection and remittance to the First State Bank of Bowbells, which bank forwarded in return nine (9) drafts for approximately \$25,000.00 each, drawn on the Second National Bank of Minot. These were carried by the State Treasurer as cash items and deposited with various depositary banks between the dates of June 18th and 26th. Another instance of this kind appears on June 29th, 1909, when the state treasurer again forwarded for collection two (2) state auditor's drafts, one No. 9,759, dated June 25th, drawn on the treasurer of McHenry county for \$66,121.26, and one No. 9,760, of the same date, drawn on the treasurer of Wells county for \$99,903.82. The First State Bank of Bowbells forwarded in payment seven (7) smaller drafts, drawn on the First National Bank of Fargo and the Second National Bank of Minot. These were carried as cash items and deposited with depositary banks at various dates between July 13th and 26th.

It appears to the board that the objection to these transactions would be that these afloat or outstanding drafts which are carried as cash items would leave large balances for which the state would not be protected by any bond, nor would the state be receiving interest for the time they were carried. It also appears that the First State Bank of Bowbells was not a state depository at the time of these transactions.

We recommend that this practice be discontinued and that these large drafts be collected through some regular designated state depositories, and through the larger state depositories, and then be immediately re-deposited in smaller amounts with the various other depositories.

We attach herewith statement of examination made of the funds of the state treasurer, examined on January 10th and 11th, 1910.

Also find attached list of state depositories showing amount of state moneys deposited in each.

Respectfully submitted,

ALFRED BLAISDELL,  
Secretary of State.

D. K. BRIGHTBILL,  
State Auditor.

ANDREW MILLER,  
Attorney General.

(COPY.)

Union National Bank (Capital \$50,000.00),

Minot, North Dakota, July 24, 1909.

Dear Sir: You will find enclosed copies of correspondence between us and the state treasurer in which we have taken exception to methods used by him in collecting funds from county treasurers.

The specific instance which we have to bring before you is a draft drawn by the state treasurer in favor of the First Bank of Bowbells on the treasurer of Ward county for \$225,000 about the 16th of June, which draft was credited to the account of the First State Bank of Bowbells by the Second National Bank of Minot, its correspondent, to which said draft was sent by the First State Bank of Bowbells for collection and credit.

On the published statement of the First State Bank of Bowbells, as of a date a few days later than the call of the state bank examiner, it does not show apparently this money on deposit. It was handled, we believe, in this way: Drafts were drawn by this bank in favor of other banks throughout the state, particularly those at Bismarck, so that the \$225,000.00 draft was settled for on the books of the bank on the same day. These drafts were not paid at once, but were held by the state treasurer and straggled through later.

Yesterday we had a draft \$228.00, dated June 26, 1909, drawn by the First State Bank of Bowbells on Second National Bank, Minot, in favor of G. L. Bickford, state treasurer, of Bismarck, for \$25,000.00, which was sent to the First National Bank of Minneapolis, and by them to us for collection, and received by us on the 22nd day of July. This is a very nice way for a state treasurer to get his little two per cent interest on daily balances without being entitled to it. We do not know how much more than \$225,000.00 was held by his little bank at Bowbells, but this is only one instance, and if he is following such practices, there is no reason to believe he has not used other counties in the same way, and that for a longer or shorter period of time large amounts of money have been held by the correspondents of the First State of Bowbells, upon which he has received interest.

These transactions, as stated above, have been covered up by issuing drafts in favor of other banks and by holding those drafts for a longer or shorter period of time. If there is any remedy from the injustice worked upon us by this particular transaction, we propose to obtain it, and therefore place the matter before your board for review.

The draft referred to was warrant No. 9758, dated June 14th, 1909, for \$225,347.58, endorsed "pay to the First State Bank of Bowbells, North Dakota, or order, G. L. Bickford, treasurer"; endorsed by this bank to Second National Bank of Minot, and on Ward county.

Yours truly,

S. J. LADUE,  
Cashier.

(COPY.)

The United States Fidelity & Guaranty Co.,

D. M. Holmes.

Baltimore, Md.,  
Grand Forks, N. D., 12-9-1909.

Hon. Alfred Blaisdell, Secretary of State  
Bismarck, N. D.

Dear Sir: As chairman of the state auditing board, as provided by section 231, Revised Codes of 1905, I wish to call your attention to the fact that your board has not complied with this section by making the required semi-annual examination of the state treasurer's office. Certain irregularities exist in connection with Mr. Bickford's methods of handling the business of his office, which are not satisfactory to our company, which is surety on his official bond. One matter in particular is his using the State Bank of Bowbells as a collection agency for making collections from

Feb. 20 .....	20,230.00 .....	4,953.43
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the several counties. This bank is not a legally authorized depository and we do not propose that any bank which is not so designated shall handle any of the state funds. These facts were brought out by a recent examination of the treasurer's office by one of our auditors, at the same time that an examination was made by the deputy state examiner. We desire that your board make an audit of the treasurer's office and that we be furnished with a copy of such report.

We have made several efforts to have Mr. Bickford comply strictly with the provisions of the law regulating his office, but we have been unable so far to get him to conduct the office strictly as required. We do not want to make any trouble, either for the treasurer or any one else, but it will be necessary for us to protect our interests.

Please let me hear from you at as early a date as possible what steps will be taken to correct the existing irregularities.

Yours truly,

D. H. HOLMES,  
General Agent.

## STATE OF NORTH DAKOTA.

Name: First State Bank.  
Address: Bowbells, N. Dak.  
1908—

Acct No. 24.  
Sheet No. 1.

Date.	Total Credits.	Debits.	Balance.
Aug. 10 .....		\$ 5,000.00	\$ 5,000.00
Sept. 22 .....		7.50	5,007.50
Oct. 24 .....		12.51	5,020.01
Nov. 27 .....		12.55	5,032.56
Dec. 17 .....		12.58	5,045.14
1909—			
Jan. 4 .....		13.04	5,058.18
Jan. 5 .....	\$ 5,058.18		
Jan. 11 .....		25,827.43	25,183.43
Jan. 16 .....	630.00		
Feb. 4 .....	14.00		25,183.43
Feb. 22 .....		46.57	5,000.00
Apr. 21 .....		11.25	5,011.25
May 18 .....		12.50	5,023.75
June 16 .....		12.56	5,036.31
June 26 .....		12.60	5,048.91
July 3 .....			
July 9 .....		5,068.91	5,068.91
July 17 .....			
Aug. 4 .....		12.62	12.62

## STATE TREASURER, BISMARCK, N. D.

January 10 and 11, 1910.

Balance in all funds (as per statement) .....	\$ 1,022,572.24
Checks outstanding (as per list) .....	56,414.43
<b>Total</b> .....	<b>\$ 1,148,986.67</b>
Deposited in banks Jan. 1, 1910, as per pass books.....	\$ 1,038,694.03
Deposited from Jan. 1 to Jan. 7 .....	56,168.07
Cash and cash items Jan. 6 .....	54,124.57
<b>Total</b> .....	<b>\$ 1,148,986.67</b>

## PROOF OF CASH.

Cash Jan. 6, 1910 .....	\$ 54,124.57
Cash over on that date .....	2.65
Collection since Jan. 6 .....	25,542.19
Cash on hand Jan. 10 .....	\$ 246.42
Cash items .....	24,390.84
Remittance to be made up .....	5,607.24
Due from auditor (bond interest) .....	19,934.00
Remittance Jan. 7 .....	4,275.65
Remittance, Jan. 8 .....	25,215.26
	<b>\$ 79,669.41</b>
	<b>\$ 79,669.41</b>

Cash items which I was instructed to list—

Warrants (School District No. 63, Morton county).....	\$ 14.00
Warrants (Giller township, Rolette county) .....	22.80
Warrants (City of Williston) .....	210.35



Warrants (City of Williston) .....	99.75
Warrants (Mountrail county) .....	6.45
29 auditors' drafts dated Jan. 3 and 4 .....	16,819.94

BALANCES IN FUNDS JANUARY 6, 1910.

General fund .....	\$ 25,530.61
Asylum bond sinking fund .....	504.02
Bond interest fund .....	21,052.01

One mill tax state institutions—

University .....	5,516.19
Agricultural College .....	3,332.58
Mayville Normal School .....	2,163.67
Valley City Normal School .....	2,491.95
School for Deaf and Dumb .....	1,017.21
School of Forestry .....	335.75
Academy of Science .....	656.56
Industrial School .....	1,148.99
Wolf bounty fund .....	14,262.78
State bond sinking fund .....	58,302.65
Fines, penalties and forfeitures .....	3,263.30

Interest and income, state institutions—

Common school .....	51,146.65
University .....	2,235.50
School of Mines .....	1,287.94
Agricultural College .....	7,059.15
Mayville Normal School .....	1,670.00
Valley City Normal School .....	2,706.19
School for Deaf and Dumb .....	1,393.00
Hospital for insane .....	19,713.60
Soldiers' Home .....	1,717.46
Blind Asylum .....	1,200.10
Industrial School .....	1,467.42
Academy of Science .....	1,432.32
Capitol Building .....	69,321.19
Reform School .....	11,774.33

Permanent Fund, state institutions—

Common schools .....	483,412.26
University .....	3,165.98
School of Mines .....	3,361.47
Agricultural College .....	3,530.73
Mayville Normal School .....	1,283.57
Valley City Normal School .....	3,579.05
School for Deaf and Dumb .....	2,692.55
Hospital for Insane .....	1,132.12
Soldiers' Home .....	3,714.85
Blind Asylum .....	2,067.17
Industrial School .....	667.76
Academy of Science .....	1,731.21
Capitol Building .....	94,245.47
Reform School .....	1,584.48
Twine plant operating fund .....	127,652.10
Twine plant construction fund .....	164.91
Twine plant sinking fund .....	28,560.34
Oil inspection fund .....	15,559.79
Hotel inspection fund .....	586.31

Historical society (special fund) .....	177.65
Total .....	\$1,092,572.24

## DEPOSITS MADE FROM JANUARY 1, 1910, TO JANUARY 7.

Bismarck Bank .....	\$ 17,224.83
First National Bank, Lidgerwood .....	10,000.00
State Bank of Lisbon .....	5,000.00
Dakota National Bank, Dickinson .....	210.01
State Bank of Cooperstown .....	209.73
Kenmare National Bank, Kenmare .....	370.15
City National Bank, Williston .....	401.90
First National Bank, Bismarck .....	7,867.51
First National Bank, Bismarck .....	4,763.17
First State Bank, Russell .....	18.25
First National Bank, Bismarck .....	1,123.50
Commercial State Bank, Carrington .....	1,050.00
First National Bank, Bismarck .....	33.11
First National Bank, Mandan .....	12.00
First National Bank, Fargo .....	99.12
City National Bank, Bismarck .....	96.65
First National Bank, Ellendale .....	170.00
City National Bank, Williston .....	16.67
First National Bank, Bismarck .....	6,751.47
First National Bank, Mandan .....	480.00
State Bank of New Salem .....	270.00
Total .....	\$ 56,168.07

## CHECKS OUTSTANDING UP TO JANUARY 7.

No.	Bank.	Amount.
1739	First National, Bismarck .....	\$ 83.20
2384	First National Bank, Bismarck .....	43.00
2652	Mouse River Valley Bank, Souris .....	1,000.00
2728	First National Bank, Bismarck .....	4.40
2729	First National Bank, Bismarck .....	10.00
2749	Bank of Monango .....	339.37
2754	Bank of Monango .....	54.50
2760	Bank of Monango .....	54.95
2778	Bank of Monango .....	234.55
2803	Farmers & Merchants Bank, Hankinson .....	500.00
2832	Stock Growers Bank, Napoleon .....	500.00
2844	Bank of Monango .....	117.50
2872	First State Bank, Rogers .....	500.00
2873	State Bank of McCumber, Rolette .....	1,000.00
2875	First State Bank, Arthur .....	500.00
2876	Aur State Bank .....	400.00
2877	First National Bank, Anamoose .....	800.00
2878	First State Bank, Almont .....	1,000.00
2879	Scandia American Bank, Adams .....	800.00
2880	State Bank of Antler .....	1,000.00
2881	State Bank, Brocket .....	1,000.00
2882	Aneta State Bank .....	500.00
2883	First State Bank, Ashley .....	500.00
2884	First National Bank, Abercrombie .....	500.00
2885	Ashley State Bank .....	500.00
2886	Security State Bank, Adams .....	500.00
2887	Berwick State Bank .....	500.00

No.	Bank	Amount
2889	Golden Valley State Bank, Beach .....	500.00
2890	First State Bank, Blanchard .....	500.00
2891	State Bank, Bantry .....	500.00
2892	Bank of Barney .....	500.00
2893	Bank of Oliver County, Center .....	500.00
2894	Merchants & Farmers Bank, Cavalier .....	500.00
2895	First Bank, Cavalier .....	500.00
2896	Cogswell State Bank .....	500.00
2897	Commercial State Bank, Carrington .....	500.00
2899	Merchants State Bank, Bismarck .....	181.95
2900	First National Bank, Lidgerwood .....	10,000.00
2901	State Bank of Lisbon .....	5,000.00
2902	Bismarck Bank, Bismarck .....	2,820.42
2903	Merchants State Bank, Bismarck .....	107.50
2904	Bismarck Bank .....	2,396.18
2905	Bismarck Bank .....	200.00
2906	First National Bank, Bismarck .....	10,085.80
2907	Bismarck Bank .....	2.50
2908	Bismarck Bank .....	4,747.77
2909	Bismarck Bank .....	12.50
2910	First National Bank, Bismarck .....	3,232.40
2911	City National Bank, Bismarck .....	32.94
2912	Bismarck Bank .....	125.00
2913	First National Bank, Bismarck .....	20.00
	*State Bank of Cooperstown .....	2.50
	*Oakes National Bank .....	.50
Total .....		\$ 56,414.43

\*These two checks are the ones that were issued during the Peterson administration and are still afloat.

COMMITTEE REPORT ON ACCOUNT OF FIRST BANK OF BOWBELLS FROM JAN. 4, 1909, TO JULY 9, 1909.

Date.	Credits.	Debits.	Balance.
1909—			
Jan. 4. ....			\$ 5,058.18
Jan. 5 .....	\$ 5,058.18		
Jan. 11 .....		\$ 25,827.43	25,827.43
Jan. 16 .....	630.00		
Jan. 16 .....	14.00		25,183.43
Feb. 4 .....	20,230.00		4,953.43
Feb. 20 .....		46.57	5,000.00
Mar. 22 .....		11.25	5,011.25
Apr. 21 .....		12.50	5,023.75
May 18 .....		12.56	5,036.31
June 16 .....		12.60	5,049.91
June 26 .....	5,048.91		
July 3 .....		5,068.91	5,068.91
July 9 .....	5,068.91		

The First State Bank of Bowbells was not a designated depository during the year of 1909.

On Feb. 4, 1909, State Treasurer's check No. 210 for \$20,230.00 was drawn against the account of the First State Bank of Bowbells and was made payable to the order of "yourselves." The check bears no endorsement and is stamped "paid, First State Bank of Bowbells, February 5th, 1909." The bank's pass book shows this amount credited with no date and nota-

tion, "one voucher returned." Check book stub shows notation "cash," Feb. 4, 1909; this amount, \$20,230.00 appears in the cash items and continues there until March 30, 1909. On March 30, 1909, it disappears and the remittance register shows the following items remitted to First National Bank of Fargo: Certificate of deposit No. 2477, amount \$20,230.00, issued by the First State Bank of Bowbells, Feb. 1st, 1909; certificate of deposit No. 138, amount \$3,000, issued by the First State Bank of Surrey, Feb. 17, 1907, and certificate of deposit No. 357, amount \$5,000.00, issued by Citizens State Bank of Flaxton, Feb. 17, 1909.

On June 26, 1909, check No. 1734 for \$5,048.91 was drawn on the First State Bank of Bowbells, payable to the order of "yourselves." This check bears no endorsement, is stamped "Paid, July 6th, 1909, First State Bank, Bowbells." Check book stub shows notation "Cash." Pass book shows the amount credited and "one voucher returned."

This check appears to have been carried as cash item until July 3, 1909, and appears in the published quarterly statement as "Checks \$5,048.91," under heading of cash and cash items in vault. This method of handling accounts obviated the necessity of showing the First State Bank of Bowbells in the list of depositaries as published, although the deposit still remained in the bank.

On July 3rd, 1909, the remittance register shows this check and another check for \$20.00, making a total of \$5,068.91, to have been remitted to First State Bank of Bowbells, and this amount is charged to the account of the bank.

On July 9, 1909, the bank is credited with \$5,068.91, and the account closed, and this amount appears as cash item until August 7, 1909, in the form of a certificate of deposit No. 3 by First State Bank of Bowbells, July 7, 1909. The bank's pass book does not show either a debit or credit in this transaction, nor is there any record that a check was drawn against this account. The remittance register shows that on August 7, 1909, this certificate of deposit No. 3, together with other items, was remitted to the First National Bank of Fargo.

#### IRREGULAR HANDLING OF STATE AUDITOR'S DRAFTS ON TREASURER OF BARNES COUNTY BY STATE TREASURER G. L. BICKFORD.

Your committee finds that on February 3rd, 1909, the treasurer of Barnes county forwarded to the state auditor a statement of collections for the month of January of principal and interest on school land contracts, leasing of school lands and fines, and accompanied the statement with four checks payable to the order of the state treasurer, aggregating \$25,215.26. These checks were held by the state auditor until March 15, 1909, when they were turned over to Mr. Bickford. These four checks were cleared through the First State Bank of Bowbells, and on March 19, 1909, paid by the various banks of Valley City, N. D., on which they were drawn.

(See statement of H. F. Halvorson, treasurer of Barnes county, attached hereto following.)

On April 16, 1909, the state auditor delivered draft No. 9548 for \$16,596.87, drawn on the county treasurer of Barnes county for February, 1909, taxes. Checks for the amount of this draft appear to have been in the state treasurer's hands before April 6, 1909.

On April 13, 1909, the state auditor delivered draft No. 9576 for \$11,646.14, drawn on the county treasurer of Barnes county for March, 1909, collection. Checks for this amount appear to have been in the state treasurer's hands by April 10, 1909.

On May 15, 1910, the state auditor delivered draft No. 9648 for \$25,215.26, drawn on the county treasurer of Barnes county, for school funds collected in January, 1910.

As stated above, checks for this amount were in the state treasurer's hands March 15, 1910.

On May 17, 1909, the state auditor delivered draft No. 9690 for \$15,-220.55, drawn on the county treasurer of Barnes county for school funds collection February, 1909. Checks for this amount appear to have been in the state treasurer's hands by March 25, 1909. This is a total of \$68,-651.82, which particular amount appears frequently as a single cash item. No record of the receipt or remittance of these various county treasurer's checks appear in the state treasurer's office, but they were all cleared through the First State Bank of Bowbells, but no charge was made to the bank on the treasurer's books.

This amount was carried as cash item from the date they appear on the collection register in the treasurer's office and until August 7, 1909.

On August 7, 1909, the remittance register shows these four items, together with others making a total of \$77,962.73, as having been sent to the First National Bank of Fargo appears charged with this amount. In the acknowledgment column of the remittance register, this amount appears to have been acknowledged on August 9, 1909.

On August 12, 1909, the First National Bank of Fargo debited the account of the state \$25,215.26, the exact amount of auditor's draft No. 9648, which would indicate a return of this item, and on August 16, 1909, \$25,215.26 appears to be credited to the First National Bank of Fargo on its account and then again appears in cash.

On August 23, 1909, draft No. 9648 for \$25,215.26 again appears on the remittance register (page 34) as having been sent to the First National Bank of Fargo, and same appears charged to its account, no acknowledgment date on remittance register, and the bank's own account with the state does not show a credit for this item.

On September 30, 1909, there appears a credit of \$57,215.26 to the First National Bank of Fargo.

The bank's account with the state does not show a debit for this item. The books of the treasurer show that this amount exactly was charged directly to the cash account and the cash items correspondingly increased. The state treasurer's books showed more money in that institution than was really there, and as the amount really there was to be published in the quarterly report on September 30, 1909, it was necessary to credit the First National Bank of Fargo such an amount as would make the balance appear to be correct. It is the opinion of your committee, from the information gathered, that this amount was made up of the following items:

State auditor's draft No. 9648 .....	\$ 25,215.26
C-D No. 21110, First State Bank, Bowbells.....	20,000.00
C-D No. 21112, First State Bank, Bowbells.....	5,000.00
C-D No. 504, Citizens State Bank, Flaxton.....	4,000.00
C-D No. 211, State Bank, Surrey .....	3,000.00
Total .....	\$ 57,215.26

and that these items were placed in the cash drawer to offset the credit of like amount given to the First National Bank of Fargo, mentioned above.

On January 8, 1910, the remittance register shows (page 79) that auditor's draft No. 9648 for \$25,215.26 was again remitted to the First National Bank of Fargo. The account of the First National Bank of Fargo appears charged with this amount on the books of the state treasurer, but in a statement of account made by the First National Bank of Fargo no such item is credited to the state, and, in our opinion, no such remittance was made.

Two days later the Board of State Auditors began an examination of the office and in the "proof of cash" for January 10 and 11, 1910, found

in their report to the governor, filed April 2, 1910, this item appears as a remittance in transit. Had the Board of Auditors called for a verification from the First National Bank of Fargo of this reported remittance, the true nature of the transaction would have been revealed.

This item of \$25,215.26 appears quite regularly, practically all of the time from May 15, 1907, until January 8, 1910, either as a cash item or as having been remitted to First National Bank of Fargo. By referring to the report of the county treasurer of Barnes county on state auditor's drafts Nos. 9548, 9576, 9648 and 9690, it will be seen that the amount of state auditor's draft No. 9648, \$25,215.26, was sent in two months before the state auditor's draft was issued.

As stated heretofore, the county treasurer's checks were sent to the state auditor on February 3, 1909, and by him delivered to Mr. Bickford on March 15, 1909, a full month before the state auditor's draft No. 9648 was delivered to Mr. Bickford.

The county treasurer of Barnes county made a practice of attaching his checks, payable to the state treasurer, to his monthly reports of collection when he forwarded those reports to the state auditor, and the state auditor delivered to the state treasurer both the checks and the draft drawn on the county treasurer of Barnes county.

The state treasurer was supposed to cancel the state auditor's draft and return it to the treasurer of Barnes county, but instead it appears that he used these various auditors drafts as cash items and negotiated the county treasurer's checks on Valley City banks through the First State Bank of Bowbells, and they do not show up at all on the records of the state treasurer's office.

It was irregular for the county treasurer to forward these checks to the state auditor, and the state auditor would have been justified in returning them, and should have returned them, and let his drafts on the county treasurer be collected in the regular course of business.

Following is the statement of H. F. Halvorson, treasurer of Barnes county, relative to the payment of the four items above described:

(COPY.)

County Treasurer's Office, Barnes County, No. Dak.  
H. F. Halvorson, Treasurer,  
Valley City, N. D., Feb. 17, 1911.

Robert Norheim, Esq., Chairman Investigation Committee,  
Bismarck, No. Dak.

Dear Sir: As requested in your favor of the 10th inst., received on the 15th, I enclose herewith an affidavit covering payments made by this office to state treasurer for state auditor's drafts Nos. 9548, 9576, 9648, 9690.

Above mentioned state auditor's drafts have never been received by this office.

Yours very truly,

H. F. HALVORSON,  
County Treasurer.

(COPY.)

I, H. F. Halvorson, county treasurer of Barnes county, N. D., do hereby certify that payments were made by me to G. L. Bickford, state treasurer, for the various amounts collected by me during the months of January, February and March, 1909, for taxes due the state and principal and interest payments on school land contracts, as evidenced by state auditor's drafts, as follows:

1. State auditor's draft No. 9548, for \$16,569.87, for taxes collected during February, 1909, paid March 20, 1909, by checks as follows: Check

No. 3607 on American Uational Bank of Valley City, \$4,000.00, which bears endorsements of state treasurer, First State Bank of Bowbells, First National Bank of Fargo, and paid by American National Bank of Valley City, April 6, 1909. Check No. 660, on Bank of Valley City, for \$12,-569.87, which bears endorsement of state treasurer, First State Bank of Bowbells, Northwestern National Bank of Minneapolis, and paid by Bank of Valley City on April 6, 1909.

2. State auditor's draft, draft No. 9576, for \$11,646.14 for taxes collected during March, 1909, paid April 8, 1909, by checks as follows: Check No. 11180 on First National Bank of Valley City for \$8,603.83, which bears endorsements of state treasurer, First State Bank of Bowbells, Northwestern National Bank of Minneapolis, and paid by the First National Bank of Valley City April 13, 1909. Check No. 3638 on American National Bank of Valley City for \$6,000.00, which bears endorsements of state treasurer, First State Bank of Bowbells, First National Bank of Fargo, and paid by American National Bank of Valley City on April 13, 1909.

(Above mentioned checks Nos. 11180 and 3638 include a payment of \$2,957.69 for principal and interest payments which are not included in above draft No. 9576.)

3. State auditor's draft No. 9648 for \$25,215.26 for principal and interest on school land contracts, leasing of school lands and fines, paid February 3, 1909, by checks as follows: Check No. 3514 on American National Bank of Valley City for \$8,371.00, which bears indorsement of state treasurer, First State Bank of Bowbells, First National Bank of Fargo, paid by American National, March 19, 1909. Check No. 11060 on First National Bank of Valley City for \$8,372.01, which bears endorsement of state treasurer, First State Bank of Bowbells, Northwestern National Bank of Minneapolis, paid by First National Bank of Valley City, March 19, 1909. Check No. 11077 on First National Bank of Valley City, for \$101.25, which bears endorsements of state treasurer, First State Bank of Bowbells, Northwestern National Bank of Minneapolis, paid by First National Bank of Valley City, March 19, 1909. Check No. 581 on Bank of Valley City for \$8,371.00, which bears the endorsements of state treasurer, First State Bank of Bowbells, Northwestern National Bank of Minneapolis, First National Bank of Valley City, and paid by Bank of Valley City, March 19, 1909.

4. State auditor's draft No. 9690 for \$15,220.55 for principal and interest payment during the month of February, 1909, paid March 20, 1909, by check as follows: Check No. 3606 on American National Bank of Valley City for \$7,000.00, which bears endorsements of state treasurer, First State Bank of Bowbells, First National Bank of Fargo, paid by American National Bank of Valley City, March 27, 1909. Check No. 11142 on First National Bank of Valley City for \$8,220.55, which bears endorsements of state treasurer, First State Bank of Bowbells, Northwestern National Bank of Minneapolis, paid by First National Bank of Valley City, March 26, 1909.

H. F. HALVORSON, Treasurer,  
Barnes County, No. Dak.

We find that state auditor's draft No. 10592 for \$15,438.11, drawn on the county treasurer of Barnes county April 15, 1910, was handled irregularly and in similar manner to the four state auditor's drafts heretofore described. The county treasurer forwarded his checks with his statement of March collections to the state auditor on or about April 6, 1910, and the checks were delivered to State Treasurer Bickford, cleared through the First National Bank of Bowbells, and paid by the Valley City Bank on or about April 14, 1910.

The state auditor's draft No. 10592 for \$15,438.11 was delivered to the state treasurer on or about April 15, 1910. August 6, 1910, the remittance register shows this item sent to the First National Bank of Fargo and is

charged to their account, but the statement of account by First National Bank of Fargo shows no credit of this item. On August 26, 1910, First National Bank of Fargo was credited with this amount on the treasurer's books. Check book shows no check drawn on August 26, 1910, for this amount. On the same date, August 26, 1910, this item \$15,430.11 appears again in the cash items and seems to have been carried there until December 10, 1910, when it was replaced by purported certificates of deposit issued by First State Bank of Bowbells, in which form it was carried until January 19, 1911, when settlement was made with the new state treasurer.

#### DEPOSIT IN TRUST BY HAIL INSURANCE COMPANY.

From letters received from the president of the State Farmers' Mutual Hail Insurance Company of Waseca, Minnesota, which letters are herewith attached and form a part of this report, we find that on or about May 14, 1909, this company made a deposit with the state treasurer of \$25,000.00 in interest bearing certificates of deposit. About September 28, 1909, the company replaced these certificates by a deposit of cash and there is no record in the office of the receipt of the cash. About August 1, 1910, the company purchased \$25,000.00 in U. S. government bonds to take the place of their cash deposit, made about ten months before. These bonds were sent to the First National Bank of Bismarck, North Dakota, with sight draft on the state treasurer for \$25,000.00 attached.

On August 16, 1910, the state treasurer drew the following state treasurer's checks in payment of said draft:

No.		
4709	On Farmers & Merchants Bank of Sheyenne.....	\$ 2,000.00
4710	On Farmers & Merchants Bank of Tower City .....	1,500.00
4711	On First National Bank of Tower City .....	1,500.00
4712	On State Bank of Verona .....	1,500.00
4713	On National Bank of Wahpeton .....	2,000.00
4714	On First State Bank of Walcott .....	1,500.00
4715	On State Bank of Wales .....	1,500.00
4716	On Citizens State Bank of Wales .....	1,500.00
4717	On Citizens Bank of Walhalla .....	1,500.00
4718	On First National Bank, Walhalla .....	2,500.00
4719	Farmers State Bank of Walum .....	1,500.00
4720	On Farmers State Bank, Wheatland .....	1,500.00
4721	On First National Bank of Wimbledon .....	2,000.00
4722	On First National Bank of Wyndmere .....	1,500.00
4723	On Bank of Wyndmere .....	1,500.00
	Total .....	\$ 25,000.00

All of these checks were drawn payable to the order of the First National Bank of Bismarck, No. Dak., and charged to cash, and the \$25,000.00 in bonds belonging to the State Farmers' Mutual Hail Insurance Company were placed in cash and carried as cash items belonging to the state until December 27, 1910, when they were replaced by purported certificates of deposit issued by the First State Bank of Bowbells, and these purported certificates of deposit for \$25,000.00 were carried as cash items until January 19, 1911, when formal transfer of the office was made by Mr. G. L. Bickford to Mr. Gunder Olson. These bonds appear as cash items in the state treasurer's quarterly report of September 30, 1910. When the cash was placed on deposit by this hail insurance company September 28, 1909, to take up the certificates of deposit which were deposited by it May 14, 1909, no account or record of the deposit was made, and when this company sent government bonds with draft attached as a substitute for the money it has deposited, the state treasurer, Mr. Bickford, did not pay the draft with the money deposited by the company, but instead paid the draft



from the funds of the state and placed the bonds in the cash items to cover the amount so used.

(COPY.)

The State Farmers' Mutual Hail Insurance Company,  
Home Office: Waseca, Minn., Jan. 28, 1911.

Hon. H. W. Allen, Grand Pacific Hotel, Bismarck, N. D.

Dear Sir: I am in receipt of your valued favor of January 26, requesting information as to certain dates in connection with our deposit with the state treasurer of North Dakota.

On May 14, 1909, we deposited \$25,000.00, face value, in certificates of deposit bearing interest, with the understanding that the same was simply a temporary deposit as we desired if possible to purchase \$25,000.00 in North Dakota state bonds, as such bonds bear a 4 per cent interest rate and would yield a larger income than the U. S. government bonds. September 28, 1909, upon being advised that our temporary deposit would no longer be acceptable in its existing form, we substituted therefor \$25,000.00 in cash, and such deposit remained in cash until about the first of August, 1910, when we purchased \$25,000.00 in U. S. government 3 per cent coupon bonds and substituted such bonds in place of our cash deposit. The date when substitution of bonds for such cash deposit was made we have no record of, as in the transaction we simply paid the bonding house the difference between the par value and the market value, with interest and their brokerage, and gave them an order on the state treasurer for our \$25,000.00 in exchange for the bonds.

Very truly yours,

F. T. DAY.

(COPY.)

The State Farmers' Mutual Hail Insurance Company,  
Home Office: Waseca, Minn., Feb. 1, 1911.

Hon. H. W. Allen, Senate Chamber, Bismarck, N. D.:

Dear Sir: I am in receipt of your valued favor of the 30th inst., and would advise that the deposit was not made in actual cash currency, but was made by bank draft, which draft was undoubtedly cashed in the ordinary course of business, leaving our deposit with the state treasury in the form of cash which would fully conform to the requirement of North Dakota laws requiring such deposit to be in the form of the U. S. government bonds, North Dakota state bonds, or cash. Allowing a few days for delivery in the mails, this deposit must have been completed between the 5th and 10th of October, 1909.

Yours very truly,

F. T. DAY.

On September 24, 1910, State Treasurer Bickford drew state treasurer's check No. 5072 for \$10,000.00 on the First National Bank of Fargo and payable to the order of First State Bank of Bowbells. This amount was not charged to the First State Bank of Bowbells, but a demand certificate of deposit No. 5328 for \$10,000.00, bearing no interest, was placed in the cash items and carried there until the settlement on January 19, 1911.

November 23, 1910, state treasurer's check No. 5590 was drawn on the First National Bank of Fargo and check No. 5591 was drawn on the First National Bank of Bismarck. Each check was drawn for \$5,000.00 and payable to A. B. Bickford, cashier. Neither check was charged to the account of the First State Bank of Bowbells, but demand certificates of deposit Nos. 5366 and 5377 for \$5,000.00 were issued and placed in cash items, where they remained until settlement January 19, 1911.

#### CERTIFICATES OF DEPOSIT.

Following, your committee gives forms of the certificates of deposit amounting to \$60,438.11 on hand when State Treasurer Gunder Olson took charge of the office January 3rd, 1911, and which remained in the office until taken up by former State Treasurer Bickford, January 19, 1911:

## FIRST STATE BANK

No. 5328.

Bowbells, North Dakota, Sept. 26, 1910.

A. B. Bickford has deposited in this bank ten thousand dollars, payable to the order of himself in current funds on the return of this certificate properly endorsed.

A. B. BICKFORD, Cashier.

Not subject to check.

Endorsed: Pay to the order of G. L. Bickford.—A. B. Bickford, G. L. Bickford.

## FIRST STATE BANK

No. 5366

Bowbells, North Dakota, Nov. 25, 1910.

G. L. Bickford has deposited in this bank five thousand dollars, payable to the order of himself in current funds on the return of this certificate properly endorsed.

A. B. BICKFORD, Cashier.

Not subject to check.

Endorsed: G. L. Bickford.

## FIRST STATE BANK

No. 5377.

Bowbells, North Dakota, Dec. 10, 1910.

G. L. Bickford has deposited in this bank five thousand dollars, payable to the order of himself in current funds on the return of this certificate properly endorsed.

A. B. BICKFORD, Cashier.

Not subject to check.

Endorsed: G. L. Bickford.

## FIRST STATE BANK,

No. 2704

Bowbells, North Dakota, Dec. 10, 1910.

..... has deposited in this bank twenty-nine hundred thirty eight and 11-100 dollars (\$2938.11), payable to the order of ..... in current funds on the return of this certificate properly endorsed ..... months after date, with interest at 6 per cent per annum. No interest after maturity.

A. B. BICKFORD, Cashier.

Not subject to check.

## FIRST STATE BANK,

No. 2699

Bowbells, N. D., ..... 191.....

..... has deposited in this bank twenty-five hundred and no-100 dollars (\$2500.00), payable to the order of ..... in current funds on the return of this certificate properly endorsed ..... months after date, with interest at 6 per cent per annum. No interest after maturity.

A. B. BICKFORD, Cashier.

Not subject to check.

Numbers 2695, 2696, 2697, 2698, 2700, 2701, 2702, 2703, as follows: "8 each like this":

## FIRST STATE BANK.

Bowbells, North Dakota, Dec. 10, 1910.

..... has deposited in this bank twenty-five hundred and no-100 dollars (\$2500.00), payable to the order of ..... in current funds on the return of this certificate properly endorsed ..... months after date, with interest at 6 per cent per annum. No interest after maturity.

A. B. BICKFORD, Cashier.

Not subject to check.

"6 issued in this form":

Numbers 2706, 2707, 2708, 2709, 2710, 2711, as follows:

FIRST STATE BANK.

Bowbells, North Dakota, Dec. 27, 1910.

..... has deposited in this bank twenty-five hundred and no-100 dollars (\$2500.00), payable to the order of ..... in current funds on the return of this certificate properly endorsed ..... months after date, with interest at 6 per cent per annum. No interest after maturity.

A. B. BICKFORD, Cashier.

Not subject to check.

The demand certificates were:

No. 5328 .....	\$ 10,000.00
No. 5366 .....	5,000.00
No. 5377 .....	5,000.00

Total ..... 20,000.00

This amount offset the \$10,000.00 check and the \$5,000.00 check drawn on the First National Bank of Fargo, September 24, 1910, and November 23, 1910, respectively, and \$5,000.00 check drawn on First National Bank of Bismarck, November 23, 1910.

The time certificates of deposit were:

No. 2695 .....	\$ 2,500.00
No. 2696 .....	2,500.00
No. 2697 .....	2,500.00
No. 2698 .....	2,500.00
No. 2699 .....	2,500.00
No. 2700 .....	2,500.00
No. 2701 .....	2,500.00
No. 2702 .....	2,500.00
No. 2703 .....	2,500.00
No. 2704 .....	2,938.11
No. 2706 .....	2,500.00
No. 2707 .....	2,500.00
No. 2708 .....	2,500.00
No. 2709 .....	2,500.00
No. 2710 .....	2,500.00
No. 2711 .....	2,500.00

Total ..... \$ 40,438.11

This amount offsets the \$25,000.00 of government bonds belonging to the State Farmers' Mutual Hail Insurance Company of Waseca, Minnesota, and state auditor's draft No. 10592 for \$15,428.11, which amount had been carried as cash items for some time. Photographs of these certificates are now in the state treasurer's office. At the time of settlement January 19, 1911, Mr. Bickford paid into the treasury \$547.00 as interest on funds he had used; \$313.00 of this amount was paid under protest.

In our opinion, the state lost considerably more than \$547.00 in interest by reason of the wrongful use of large amount of the state funds by State Treasurer Bickford.

We find that the state treasurer's office was examined by the state examiner August 14, 1909; January 10, 1910, in conjunction with the state board of auditors, and August 9, 1910, and a representative of the surety company, bonding Mr. Bickford. At the time of the examination August

14, 1909, the cash items amounted to \$2,166.96. A week previous, on August 7th, 1909, he had remitted to the First National Bank of Fargo \$77,962.73, which the remittance register shows to have been made up of the following items:

Apr. 6, 1909, No. 9548, State Auditor's draft .....	\$ 16,569.87
Apr. 13, 1909, No. 9576, State Auditor's draft .....	11,646.14
May 17, 1909, No. 9690, State Auditor's draft .....	15,220.55
May 15, 1909, No. 9648, State Auditor's draft .....	25,215.26
July 17, 1909, No. 1862, C-D Citizens State Bank, Flaxton...	4,000.00
July 7, 1909, No. 1863, C-D First State Bank, Bowbells.....	5,068.91
Apr. 10, 1909, No. 20010, A. B. Bickford on N. W. Natl., Minn.	230.00
Aug. 5, 1909, No. 40615, W. D. McClintock on Sec'y Natl., Minneapolis .....	12.00

Total ..... \$ 77,962.73

On August 16, 1909, the item \$25,215.26 appears again in cash items.

August 9, 1910, the state examiner made an examination of the treasurer's office and the cash items that day were \$68.80.

August 10, 1910, cash items, 6c. Five days earlier the items were \$17,579.04, and a week later the items were \$25,738.97.

This amount included the \$25,000.00 of government bonds, belonging to the State Farmers' Mutual Hail Insurance Company.

#### PENITENTIARY BONDS.

We further call your attention to the fact that in the state treasurer's office we find certain bonds designated "Twine Factory Bonds" supposed to be issued by the Board of Trustees of the State Penitentiary of the state of North Dakota. The issuance of which was authorized by an act of the Legislative Assembly of 1901, but which have never been used or floated and do not now represent any monetary value in the state treasurer's office, the date of said bonds being May 1, 1901, for the first series and July 1, 1901, for the second series, the total amount of said bonds being \$185,000. The bonds are described as follows:

Number.	Series.	Date.	Amount.	Rate.
61 to 70 inclusive	1st	May 1, 1901.	\$ 10,000.	4 per cent
76 to 105 inclusive	2nd.	May 1, 1901.	30,000.	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.	July 1, 1901.	105,000.	5 per cent

As these bonds are fully executed and in form to be negotiated, the possibility readily suggests itself that some designing person might obtain some of these bonds and negotiate same. As this bond issue was declared unconstitutional no financial loss would fall on the state if these bonds were disposed of, and as they are of no value whatever but are a continual annoyance to the state treasurer we recommend that the said bonds be cancelled and destroyed.

NOTE: Since incorporating the above as part of our report, the committee introduced a concurrent resolution directing and authorizing the State Board of Auditors to cancel and destroy the above described bonds, which resolution was concurred in by both houses.

#### RECOMMENDATIONS.

It appears to the committee that a thorough examination of this office by the State Board of Auditors and the State Examiner in manner provided by law and with a verification of bank balances and remittances in transit, would have revealed at once the irregularities which this examination shows were going on during Mr. Bickford's term of office.

Section 231. Revised Codes of 1905, requires the State Board of Auditors, consisting of the Secretary of State, Attorney General and State Auditor to make at least two examinations of the State Treasurer's

office in each year, and report these findings to the governor.

Your committee finds but one report filed by the State Board of Auditors during the past eight years, and that seems to have been brought about only by the complaint of the Surety Company, bonding Mr. Bickford.

We recommend that Section 231 of the Revised Codes of North Dakota for 1905, above referred to, be amended so as to authorize the State Board of Auditors to employ an expert accountant to assist said Board in the examination of the State Treasurer's office, and provide for the expense thereof. Very often the members of said board are not expert accountants and even if they were, the duties of their respective offices are such that only a limited space of time can be spared for this purpose.

The State Examiner's office is crowded with work, also, and it may be difficult to secure assistants from that office whenever desired for this purpose.

An examination of the State Treasurer's office, in order to be carried on with any degree of thoroughness, requires a good deal of work and knowledge of accounting.

Under the present system of accounting for interest paid on bonds held by the state, it appears to this committee that there is no check on the treasurer's office by which it can be determined whether or not the Treasurer has given proper credit for the money so received, except to examine each and every bond and determine whether or not the coupons clipped have been properly credited. A better method of handling these items should be devised.

We further recommend that a record be kept by the State Treasurer of trust funds deposited in his office as there is none such kept at the present time.

Your committee in its report has pointed out matters into which it has been unable to inquire, because of lack of time. Believing that these matters should be further investigated and desiring to be relieved from any further duties in this matter, the committee recommends that the Legislative Assembly by appropriate resolution, provide for the appointment of a committee to take up this investigation, giving it such power and authority as will enable it to carry on the work and binding the state for the expense incurred thereby.

Other recommendations by the committee have been stated in the report wherever pertinent to its findings.

Now Therefore, in submitting this report the committee believes it has performed its duties and respectfully asks that it be discharged.

Bismarck, North Dakota, February 27th, 1911.

ROBERT NORHEIM, Chairman.

H. W. ALLEN, Secretary.

G. L. ELKEN,

FRANK E. PLOYHAR,

H. W. HAWKINSON,

Committee.

Mr. Sorlie moved

That the reading of the report be dispensed with and the report of the special committee be printed in the Journal.  
Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. DeNault moved

That Senate Bill No. 106 be reprinted as amended.

Which motion prevailed

Mr. Ployhar moved

That Senate Bill No. 262 be withdrawn from the committee on state affairs and referred to the committee on agriculture.

Which motion prevailed.

And the bill was so referred.

Mr. Williams moved

That the rules be suspended and the House do now grant the request of the Senate for the return of Senate Bill No. 63.

The motion prevailed.

Mr. Ployhar moved

That Senate Bill No. 187 be withdrawn from the committee on state affairs and referred to the committee on appropriations.

Which motion prevailed.

And the bill was so referred.

Mr. Norheim asked unanimous consent to introduce a bill.

There being no objections,  
The bill was introduced.

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

Mr. Norheim introduced

House Bill No. 450.

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.

Which was read the first and second times, and

Referred to the committee on state affairs.

Mr. Price raised the question of consideration of the bill. The House decided to consider the bill.

#### THIRD READING OF HOUSE BILLS

Mr. Nestos moved

That the rules be suspended and House Bill No. 25 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

The Speaker called Mr. Hanson to the chair.

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.

Was read the third time.

The question being on the final passage of the bill as amended,

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	Hanson	O'Connor of Pembina
Anderson, of Griggs	Hedalen	Olsgard, of Nelson
Anderson, of Ramsey	Heinemeyer	O'Shea
Andrus	Hoge	Paulson
Bjornson	Homnes	Pearl
Boerner	Hill, of Cass	Ployhar
Bond	Hyland	Price
Boyd	Kane	Putnam
Burnett	Kuhl	Robinson
Burns	Kyllo	Sauer
Cunningham	Lageson	Scheer
Davidson	Law	Sgutt
Davis	Lee	Stern
Dean	Martin	Stranahan
DeLance	Moen, of Benson	Streeter
DeNault	Moen, of Cavalier	Tande
Doyle, of Foster	Morrison	Thompson
Englund	Moritz	Tollefson
Fassett	Narum	Tostenson
Fox	Nelson, of Richland	Tuttle
France	Nelson, of Walsh	Walters
Fried	Nestos	Wambem
Fritz	Norheim	Whitmer
Gardiner	O'Connor of Gd. Forks	Williams
Gciger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hill, of Bottineau	Ray
Benson	Johns	Roquette
Carey	Johnson	Scott

Messrs.—	Messrs.—	Messrs.—
Gorder	Knutson	Sorlie
Hawkinson	Olgard of Richland	Ulsaker
Hersrud		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Edwards	McClellan
Christenson	Fraine	Pendray
Collins	Harty	Reeve
Dosseth	Jordal	Mr. Speaker
Doyle, of McIntosh	Knox	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which House Bill No. 25 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 80 ayes, 3 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	Olgard of Richland
Akesson	Hersrud	O'Shea
Anderson, of Griggs	Hoge	Paulson
Anderson, of Ramsey	Homnes	Peart
Andrus	Hill, of Bottineau	Ployhar
Bjornson	Hill, of Cass	Price
Boerner	Hyland	Putnam
Boyd	Johns	Reeve
Burratt	Johnson	Robinson
Christenson	Jordal	Roquette
Cunningham	Knox	Sauer
Davis	Knutson	Scheer
Dean	Kuhl	Sgutt
DeLance	Kyllo	Sorlie
DeNault	Lageson	Stern
Doyle, of Foster	Law	Stranahan



Messrs.—	Messrs.—	Messrs.—
Fassett	Lee	Streeter
Fox	Moen, of Cavalier	Tande
France	Moritz	Tollefson
Fried	Morrison	Tostenson
Fritz	Narum	Tuttle
Gardiner	Nelson, of Walsh	Ulsaker
Geiger	Nestos	Walters
Gorder	Norheim	Wambert
Hanson	O'Connor of Gd. Forks	Whitmer
Hawkinson	O'Connor of Pembina	Williams
Hedaien	Olsgard of Nelson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carey	Nelson, of Richland	Scott

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of McIntosh	McClellan
Bond	Edwards	Moen, of Benson
Brusletten	Englund	Pendray
Burns	Fraine	Ray
Collins	Harty	Thompson
Davidson	Kane	Mr. Speaker
Dosseth	Martin	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Akesson moved

That the vote by which House Bill No. 54 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 118.

A bill for an act to amend subdivioisns 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 75 ayes, 3 nays, 25 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Hawkinson	O'Shea
Anderson, of Griggs	Hedalen	Paulson
Anderson, of Ramsey	Heinemeyer	Peart
Andrus	Hersrud	Ployhar
Boerner	Hoge	Price
Bond	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Boyd	Hill, of Cass	Reeve
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Davis	Jordal	Sauer
Dean	Kane	Scheer
DeLance	Knox	Sgutt
DeNault	Knutson	Sorlie
Doyle, of Foster	Lageson	Stern
Edwards	Law	Stranahan
Englund	Lee	Streeter
Fassett	Moritz	Tande
Fox	Morrison	Tollefson
France	Narum	Walters
Fried	Nelson of Richland	Wambem
Gardiner	Nelson of Walsh	Whitmer
Geiger	O'Connor of Gd. Forks	Williams
Gorder	O'Connor of Pembina	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Fritz	Kuhl	Tostenson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fraine	Nestor
Bjornson	Harty	Norheim
Brusletten	Hyland	Olsgard of Richland
Burns	Kylo	Pendray
Collins	Martin	Scott
Cunningham	McClellan	Thompson
Davidson	Moen of Benson	Tuttle
Dosseth	Moen of Cavalier	Ulsaker
Doyle, of McIntosh		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which House Bill No. 118 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 82 ayes, 2 nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	O'Connor of Pembina
Akesson	Hedalen	Olgard of Nelson
Anderson, of Ramsey	Heinemeyer	Olgard of Richland
Andrus	Hersrud	O'Shea
Bjornson	Hoge	Paulson
Boerner	Homnes	Peart
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Burnett	Hyland	Putnam
Carey	Johnson	Reeve
Christenson	Jordal	Robinson
Davilson	Kane	Roquette
Davis	Knutson	Sauer
Dean	Kuhl	Scott
DeLance	Kyllo	Scheer
DeNault	Lageson	Sgutt
Doyle, of Foster	Law	Stern
Edwards	Lee	Stranahan
Englund	Moen, of Benson	Streeter
Fassett	Moen, of Cavalier	Tande
Fox	Moritz	Thompson
France	Morrison	Tollefson
Fried	Narum	Tostenson
Fritz	Nelson, of Richland	Tuttle
Gardiner	Nelson, of Walsh	Wambem
Geiger	Norheim	Whitmer
Gorder	O'Connor of Gd. Forks	Mr. Speaker
Hanson		

Messrs. Walters and Williams voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Doyle, of McIntosh	McClellan
Benson	Fraine	Nestos
Burns	Harty	Pendray
Brusletten	Johns	Ray
Collins	Knox	Sorlie
Cunningham	Martin	Ulsaker
Dosseth		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. DeNault moved

That the vote by which House Bill No. 367 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 27, 1911.

Mr. Speaker:

I have the honor to return herewith House Bill No. 75 as requested by the House.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to request the return of Senate Bill No. 245.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 340.

A bill for an act prohibiting the sale or purchase of political support or political editorials and prescribing a penalty therefor.

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. 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 70 ayes, 7 nays, 26 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Norheim
Akesson	Hedalen	O'Connor of Gd. Forks
Andrus	Heinemeyer	O'Connor of Pembina
Bjornson	Hersrud	Olsgard of Nelson
Boyd	Homnes	Olsgard of Richland
Burnett	Hill, of Bottineau	O'Shea
Carey	Hyland	Paulson
Christenson	Johnson	Peart
Davidson	Jordal	Ployhar
Davis	Kane	Price
Dean	Knutson	Putnam
DeLance	Kuhl	Reeve
DeNault	Kyllo	Scott
Doyle, of Foster	Lageson	Scheer
Englund	Law	Sgutt
Fassett	Lee	Stern
Fox	Martin	Stranahan
France	Moen, of Benson	Tande
Fried	Moen, of Cavalier	Thompson
Fritz	Moritz	Tuttle
Gardiner	Narum	Ulsaker
Geiger	Nelson, of Richland	Wambem
Gorder	Nelson, of Walsh	Williams
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Tollefson	Walters
Morrison	Tostenson	Whitmer
Sauer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Doyle, of McIntosh	Nestos
Anderson, of Ramsey	Edwards	Pendray
Benson	Fraine	Ray
Bond	Harty	Robinson
Brusletten	Hoge	Roquette
Burns	Hill, of Cass	Sorlie
Collins	Johns	Streeter
Cunningham	Knox	Mr. Speake
Dosseth	McClellan	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which House Bill No. 284 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 79 ayes, 1 nay, 23 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	Hedalen	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Andrus	Hersrud	O'Shea
Bjornson	Hoge	Paulson
Boerner	Homnes	Peart
Boyd	Hill, of Bottineau	Price
Burnett	Hyland	Putnam
Carey	Johns	Reeve
Christenson	Johnson	Sauer
Cunningham	Kane	Scheer
Davidson	Knutson	Scott
Davis	Knox	Sgutt
Dean	Kuhl	Stern
DeLance	Kylo	Stranahan
DeNault	Lageson	Streeter
Doyle, of Foster	Law	Tande
Edwards	Lee	Thompson
Englund	Moen, of Benson	Tollefson
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Ulsaker
France	Moritz	Wambem
Fraine	Narum	Walters
Fried	Nelson, of Richland	Whitmer
Fritz	Nelson, of Walsh	Williams
Gardner		

Mr. Tostenson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hawkinson	Pendray
Bond	Heinemeyer	Ployhar
Brusletten	Hill, of Cass	Ray
Burns	Jordal	Robinson
Collins	Martin	Roquette
Dosseth	McClellan	Sorlie
Doyle, of McIntosh	Olsgard of Nelson	Mr. Speaker
Harty	Olsgard of Richland	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which House Bill No. 201 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 27, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 323.

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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

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.

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, 23 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	Hedalen	Olsgard of Nelson
Anderson, of Ramsey	Hersrud	O'Shea
Andrus	Hoge	Paulson
Bjornson	Homnes	Peart
Boerner	Hill, of Bottineau	Price
Bond	Hyland	Putnam
Boyd	Johns	Reeve
Burnett	Johnson	Robinson
Carey	Jordal	Sauer



Messrs.—	Messrs.—	Messrs.—
Christenson	Kane	Scott
Cunningham	Knutson	Scheer
Davidson	Kuhl	Sgutt
Davis	Kyllo	Sorlie
Dean	Lageson	Stern
DeLance	Law	Stranahan
DeNault	Lee	Streeter
Edwards	Moen of Benson	Tande
Fassett	Moen of Cavalier	Thompson
Fox	Morrison	Tollefson
France	Moritz	Tostenson
Fraine	Narum	Tuttle
Fried	Nelson of Richland	Wambem
Fritz	Nelson of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norheim	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Harty	Pendray
Brusletten	Hawkinson	Ployhar
Burns	Heinemeyer	Ray
Collins	Hill, of Cass	Roquette
Dosseth	Knox	Ulsaker
Doyle, of Foster	Martin	Walters
Doyle, of McIntosh	McClellan	Mr. Speaker
Englund	Olsgard of Richland	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 241 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Mr. Davidson 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 66 ayes, 17 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nestos
Akesson	Hanson	Norheim
Anderson, of Ramsey	Harty	O'Connor of Gd. Forks
Andrus	Hawkinson	O'Connor of Pembina
Bjornson	Hedalen	Olgard of Richland
Bond	Homnes	Paulson
Boyd	Hill, of Bottineau	Peart
Burnett	Hill, of Cass	Price
Christenson	Kane	Putnam
Cunningham	Knutson	Roquette
Dean	Kuhl	Scheer
DeLance	Kyllo	Sgutt
DeNault	Lageson	Stern
Edwards	Law	Stranahan
Englund	Lee	Streeter
Fox	Moen, of Benson	Tande
France	Moen, of Cavalier	Thompson
Fraine	Morrison	Tostenson
Fried	Moritz	Ulsaker
Fritz	Narum	Walters
Gardiner	Nelson, of Richland	Wambem
Geiger	Nelson, of Walsh	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hoge	Sauer
Boerner	Johns	Scott
Carey	Johnson	Tollefsen
Davidson	Olgard, of Nelson	Tuttle
Fassett	O'Shea	Whitmer
Hersrud	Robinson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of McIntosh	Pendray
Brusletten	Heinemeyer	Ployhar
Burns	Hyland	Ray
Collins	Jordal	Reeve
Davis	Knox	Sorlie
Dosseth	Martin	Mr. Speaker
Doyle, of Foster	McClellan	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Akesson moved

That the vote by which House Bill No. 91 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 79 ayes, 2 nays, 22 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	O'Shea
Andrus	Hersruu	Paulson
Bjornson	Hoge	Peart
Boerner	Homnes	Putnam
Bond	Hill, of Bottineau	Robinson
Boyd	Hill, of Cass	Roquette
Burnett	Hyland	Sauer
Carey	Johns	Scott
Christenson	Johnson	Scheer
Davidson	Jordal	Sgutt
Dean	Kane	Stern
DeLance	Knutson	Stranahan
DeNault	Kyllo	Streeter
Doyle, of Foster	Lageson	Tande
Edwards	Law	Thompson
Englund	Lee	Tollefson
Fassett	Moen, of Benson	Tostenson
Fox	Moen, of Cavalier	Tuttle
France	Morrison	Ulsaker
Fried	Moritz	Walters
Fritz	Narum	Wambem
Gardiner	Nelson, of Richland	Whitmer
Geiger	Nestos	Williams
Gorder		

Messrs. Fraine and Nelson of Walsh voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Heinemeyer	Pendray
Brusletten	Knox	Ployhar

Messrs.—	Messrs.—	Messrs.—
Burns	Kuhl	Price
Collins	Martin	Ray
Cunningham	McClellan	Reeve
Davis	Norheim	Sorlie
Dosseth	Olsgard of Nelson	Mr. Speaker
Doyle, of McIntosh		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

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 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:

Section 1296, line 7, strike out the word "one" and insert the word "two".

Which motion prevailed.

The question being on the final passage of the bill as amended,

The roll was called and there were 79 ayes, 4 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Nelson, of Richland
Akesson	Gardiner	Nelson, of Walsh
Anderson, of Griggs	Geiger	Nestos
Anderson, of Ramsey	Gorder	Norheim
Andrus	Hanson	O'Connor of Gd. Forks
Benson	Harty	O'Connor of Pembina
Bjornson	Hawkinson	Olsgard of Nelson
Boerner	Hedalen	Olsgard of Richland
Bond	Hersrud	O Shea
Boyd	Hoge	Paulson
Brusletten	Homnes	Peart
Burno't	Hill, of Bottineau	Price
Carey	Hill, of Cass	Putnam

Messrs.—	Messrs.—	Messrs.—
Christenson	Hyland	Ray
Cunningham	Johns	Robinson
Davidson	Johnson	Sauer
Davis	Knuts on	Scott
Dean	Kyllo	Scheer
DeLance	Lageson	Stern
DeNault	Law	Stranalen
Doyle, of Foster	Lee	Streeter
Edwards	Moen, of Benson	Tande
Englund	Moen, of Cavalier	Thompson
Fassett	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Williams
Fried		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Tollefson	Walters	Whitmer
Tostenson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Kane	Reeve
Collins	Knox	Roquette
Dosseth	Kuhl	Sgutt
Doyle, of McIntosh	Martin	Sorlie
Fox	McCiellan	Wambem
Heinemeyer	Pendray	Mr. Speaker
Jordal	Ployhar	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Thompson 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.

The Speaker in the chair.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 59.

A bill for an act prohibiting ball games and other sports until 3 o'clock p. m.

Also

House 86.

Senate Bill No. 75.

A bill for an act to prevent the spread of noxious weeds.

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. 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.

And the Speaker signed the same in the presence of the House.

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.

Was read the third time.

The question being on the final passage of the bill.

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.—
Akesson	Hawkinson	O'Connor of Pembina
Anderson, of Griggs	Hersrud	Olgard of Nelson
Anderson, of Ramsey	Hoge	Olgard of Richland
Andrus	Homnes	O'Shea
Benson	Hill, of Bottineau	Paulson
Bjornson	Hyland	Peart
Boerner	Johns	Price
Bond	Johnson	Ray
Boyd	Kane	Reeve
Burnett	Knox	Robinson
Carey	Knutson	Roquette
Christenson	Kuhl	Sauer
Cunningham	Kyllo	Scott

Messrs.—	Messrs.—	Messrs.—
Davidson	Lageson	Scheer
Davis	Law	Stern
Dean	Lee	Stranahan
DeLance	McClellan	Streeter
Edwards	Moen of Benson	Tande
Englund	Moen of Cavalier	Thompson
Fassett	Moritz	Tollefson
France	Morrison	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson of Walsh	Walters
Gardner	Nelson of Richland	Wambem
Geiger	Nestos	Whitmer
Hanson	Norheim	Williams
Harty	O'Connor o. Gd. Forks	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fox	Martin
Brusletten	Fritz	Pendray
Burns	Gordier	Ployhar
Collins	Hedalen	Putnam
DeNault	Heinemeyer	Sgutt
Dosseth	Hill, of Cass	Sorlie
Doyle, of Foster	Jordal	Tostenson
Doyle, of McIntosh		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Kuhl moved

That the vote by which House Bill No. 69 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.

Mr. Hawkinson moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

Mr. Hoge moved

That the bill be re-referred to the committee on live stock.

Which motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 48 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	Putnam
Bjornson	Hoge	Ray
Bond	Homnes	Reeve
Cunningham	Hill, of Bottineau	Robinson
Davidson	Hyland	Scott
Davis	Knox	Scheer
Doyle, of Foster	Kuhl	Stern
Edwards	Lee	Stranahan
Englund	McClellan	Streeter
Fox	Morrison	Tande
France	Norheim	Whitmer
Fritz	O'Connor of Gd. Forks	Williams
Gorder	O'Connor of Pembina	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nelson, of Richland
Akesson	Hanson	Nelson, of Walsh
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Benson	Hersrud	Olsgard of Richland
Boerner	Johns	O'Shea
Boyd	Johnson	Paulson
Burnett	Jordal	Peart
Carey	Kane	Price
Christenson	Knutson	Sauer
Dean	Kyllo	Sorlie
DeLance	Lageson	Tollefson
DeNault	Martin	Tostenson
Fassett	Moen, of Benson	Tuttle
Fraine	Moen, of Cavalier	Ulsaker
Fried	Moritz	Walters
Gardiner	Narum	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hedalen	Pendray
Brusletten	Heinemeyer	Ployhar
Burns	Hill, of Cass	Roquette
Collins	Law	Stutt
Dosseth	Nestos	Thompson
Doyle, of McIntosh		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill was lost.



Mr. Akesson moved

That the vote by which House Bill No. 285 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

Mr. Tuttle moved

That the bill be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 69 ayes, 18 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
 Akesson  
 Anderson, of Griggs  
 Benson  
 Bjornson  
 Boerner  
 Bond  
 Burnett  
 Christenson  
 Cunningham  
 Davidson  
 Davis  
 Dean  
 DeLance  
 Englund  
 Fassett  
 Fox  
 France  
 Fraine  
 Gardiner  
 Gorder

Messrs.—

Hersrud  
 Hoge  
 Homnes  
 Hill, of Bottineau  
 Hyland  
 Johns  
 Johnson  
 Jordal  
 Kane  
 Knox  
 Knutson  
 Kuhl  
 Lageson  
 Law  
 Lee  
 Martin  
 McClellan  
 Moen of Benson  
 Morrison  
 Narum  
 Nelson of Richland

Messrs.—

O'Connor of Gd. Forks  
 Olsgard of Nelson  
 O'Shea  
 Peart  
 Ployhar  
 Price  
 Putnam  
 Ray  
 Reeve  
 Robinson  
 Roquette  
 Scott  
 Scheer  
 Sgutt  
 Sorlie  
 Stern  
 Stranahan  
 Tande  
 Thompson  
 Tuttle  
 Wambem

Messrs.— Hanson Harty	Messrs.— Nelson of Walsh Norheim	Messrs.— Williams Mr. Speaker
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Those who voted in the negative were:

Messrs.— Boyd Carey DeNault Edwards Fritz Geiger	Messrs.— Hawkinson Kyllo Moen of Cavalier Moritz O'Connor of Pembina Olsgard of Richland	Messrs.— Paulson Sauer Tollefson Tostenson Ulsaker Whitmer
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Absent and not voting:

Messrs.— Anderson, of Ramsey Andrus Brusletten Burns Collins Dosseth	Messrs.— Doyle, of Foster Doyle, of McIntosh Fried Hedalen Heinemeyer	Messrs.— Hill, of Cass Nestos Pendray Streeter Walters
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Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 331 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 39 ayes, 42 nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.— Aasheim Anderson, of Griggs Anderson, of Ramsey Benson Bjornson Boerner Bond	Messrs.— Doyle, of Foster Fox Fraine France Gardiner Hanson Hawkinson	Messrs.— Kyllo Lageon Lee O'Connor of Gd. Forks Olsgard of Nelson Peart Putnam
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Messrs.—	Messrs.—	Messrs.—
Burnett	Hersrud	Reeve
Cunningham	Hoge	Sauer
Davis	Homnes	Sgutt
Dean	Hyland	Whitmer
DeLance	Johns	Williams
DeNault	Johnson	Mr. Speake.

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Kuhl	Price
Boya	Law	Ray
Carey	Moen, of Benson	Robinson
Christenson	Moen, of Cavalier	Roquette
Davidson	Morrison	Scheer
Edwards	Moritz	Scott
Fassett	Narum	Stern
Fritz	Nelson, of Richland	Stranahan
Geiger	Nelson, of Walsh	Streeter
Gorder	O'Connor of Pembina	Tande
Hill, of Bottineau	Olgard of Richland	Tollefson
Jordal	O'Shea	Tostenson
Kane	Paulson	Ulsaker
Knox	Ployhar	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Harty	Nestos
Brusletten	Hedalen	Norheim
Burns	Heinemeyer	Pendray
Collins	Hill, of Cass	Sorlie
Dosseth	Knutson	Thompson
Doyle, of McIntosh	Martin	Tuttle
Englund	McClellan	Walters
Fried		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill was lost.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 27, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 60.

A bill for an act to provide a system of free public schools for the state of North Dakota and to repeal Sec-

tions 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 the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 79 ayes, 6 nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	Norheim
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olgard of Nelson
Andrus	Hedalen	Olgard of Richland
Benson	Hersrud	O'Shea
Bjornson	Hill, of Bottineau	Paulson
Boerner	Hoge	Pearl
Bond	Homnes	Ployhar
Boyd	Hyland	Price
Brusletten	Johns	Putnam
Burnett	Johnson	Robinson
Christenson	Jordal	Sauer
Cunningham	Kane	Scott
Davidson	Knutson	Scbeer
Davis	Kuhl	Sgutt
DeLance	Kyllo	Sorlie
DeNault	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Edwards	Lee	Streeter
Englund	Moen of Cavalier	Tande
Fassett	Morrison	Thompson
Fox	Moritz	Tuttle
France	Narum	Wambem
Fraine	Nelson of Richland	Whitmer
Fried	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Tollefson
Carey	Moen of Benson	Ulsaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Heinemeyer	Pendray
Collins	Hill, of Cass	Ray
Dean	Knox	Reeve
Dosseth	Martin	Roquette
Doyle, of McIntosh	McClellan	Tostenson
Harty	O'Connor of Gd. Forks	Walters

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 82 ayes, no nays, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olsgard of Nelson
Akesson	Hersrud	Olsgard of Richland
Anderson, of Griggs	Hoge	O'Shea
Anderson, of Ramsey	Homnes	Paulson
Andrus	Hill, of Bottineau	Peart
Benson	Hyland	Ployhar
Bjornson	Johns	Price
Boerner	Johnson	Putnam
Boyd	Jordal	Ray
Burnett	Kane	Robinson
Carey	Knox	Rouette
Christenson	Knutson	Sauer
Cunningham	Kuhl	Scott
Davis	Kyllo	Sgutt
Dean	Lageson	Stern
DeNault	Law	Stranahan
Edwards	Lee	Streeter
Fassett	Moen, of Benson	Tande
Fox	Moen, of Cavalier	Thompson
France	Morrison	Tollefson
Fraine	Moritz	Tostenson
Fried	Narum	Tuttle
Fritz	Nelson, of Richland	Ulsaker
Gardiner	Nelson, of Walsh	Wambem
Geiger	Nestos	Whitmer
Gorder	O'Connor of Gd. Forks	Williams
Hanson	O'Connor of Pembina	Mr. Speaker
Hawkinson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Doyle, of Foster	McClellan
Brusletten	Doyle, of McIntosh	Norheim
Burns	Englund	Pendray
Collins	Harty	Reeve
Davidson	Heinemeyer	Scheer
DeLance	Hill, of Cass	Sorlie
Dosseth	Martin	Walters

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 81 ayes, 1 nay, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Olsgard of Richland
Akesson	Hedalen	Olsgard of Nelson
Anderson, of Griggs	Hersrud	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Andrus	Homnes	Peart
Benson	Hill, of Bottineau	Ployhar
Bjornson	Hyland	Price
Boerner	Johns	Putnam
Bond	Johnson	Ray
Boyd	Jordal	Robinson
Burnett	Kane	Roquette
Carey	Knox	Sauer
Christenson	Knutson	Scheer
Cunningham	Kuhl	Sgutt
Davis	Kyllo	Stern
Dean	Lageson	Stranahan
DeLance	Law	Streeter
DeNault	Lee	Tande
Dosseth	Moen of Benson	Thompson
Fassett	Moen of Cavalier	Tollefson
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Walters
Gardner	Nelson of Walsh	Wambem
Geiger	Nestos	Whitmer
Gorder	O'Connor of Gd. Forks	Williams
Hanson	O'Connor of Pembina	Mr. Speaker

Mr. Hawkinson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Englund	McClellan
Burns	Fried	Norheim
Collins	Fritz	Pendray
Davidson	Harty	Reeve
Doyle, of Foster	Heinemeyer	Scott
Doyle, of McIntosh	Hill, of Cass	Sorlie
Edwards	Martin	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which House Bill No. 369 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 79 ayes, 3 nays, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Olgard of Richland
Akesson	Hersrud	O'Shea
Anderson, of Griggs	Hoge	Paulson
Anderson, of Ramsey	Homnes	Pearl
Anfrus	Hill, of Bottineau	Ployhar
Benson	Hyland	Price
Bjornson	Johns	Putnam
Boerner	Johnson	Ray
Bond	Jordal	Robinson
Boyd	Kane	Roquette
Burnett	Knutson	Sauer
Christensor.	Kuhl	Scott
Cunningham	Kyllo	Scheer
Davidson	Lageson	Sgutt
Davis	Law	Sorlie
Dean	Lee	Stern
DeNault	Moen, of Benson	Stranahan
Englund	Moen, of Cavalier	Streeter
Fassett	Morrison	Tande
Fox	Moritz	Thompson
France	Narum	Tollefson
Fraine	Nelson, of Walsh	Tuttle
Gardiner	Nestos	Ulsaker
Gelger	O'Connor of Pembina	Wambern
Gorder	O'Connor of Gd. Forks	Williams
Hanson	Olgard of Nelson	Mr. Speaker
Hawkinson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Edwards	Martin
Burns	Fried	McClellan



Messrs.—	Messrs.—	Messrs.—
Collins	Fritz	Norheim
DeLance	Harty	Pendray
Dosseth	Heinemeyer	Reeve
Doyle, of Foster	Hill, of Cass	Walters
Doyle, of McIntosh	Knox	Whitmer

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carey	Nelson, of Richland	Tostenson

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which House Bill No. 119 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes, 1 nay, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Hawkinson	Olsgard of Richland
Anderson, of Griggs	Hedalen	O'Shea
Anderson, of Ramsey	Hersrud	Paulson
Andrus	Hoge	Pearl
Benson	Hill, of Bottineau	Ployhar
Bjornson	Hyland	Price
Boerner	Johns	Putnam
Bond	Johnson	Ray
Boyd	Jordal	Robinson
Burnett	Kane	Roquette
Carey	Knutson	Sauer

Messrs.—	Messrs.—	Messrs.—
Christensou	Kuhl	Scheer
Cunningham	Kyllo	Scott
Davidson	Lageson	Sgutt
Davis	Law	Sorlie
Dean	Lee	Stern
DeLance	Moen, of Benson	Stranahan
DeNault	Moen, of Cavalier	Streeter
Doyle, of Foster	Moritz	Tande
Englund	Morrison	Thompson
Fassett	Narum	Tostenson
Fox	Nelson, of Richland	Tuttle
France	Nelson, of Walsh	Ulsaker
Fraine	Nestos	Wambem
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Forks	Mr. Speaker
Gorder	O'Connor of Pembina	

Mr. Tollefson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Fritz	Martin
Burns	Harty	McClellan
Collins	Heinemeyer	Pendray
Dosseth	Homnes	Reeve
Doyle, of McIntosh	Hill, of Cass	Walters
Edwards	Knox	Whitmer
Fried		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 127 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Fraine to the chair.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes, 3 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akesson	Hawkinson	O'Connor of Pembina
Anderson, of Griggs	Hedalen	Olgard of Nelson
Anderson, of Ramsey	Hersrud	Olgard of Richland
Benson	Hoge	O'Shea
Bjornson	Homnes	Paulson
Boerner	Hill, of Bottineau	Peart
Bond	Hill, of Cass	Poyhar
Boyd	Hyland	Price
Carey	Johns	Putnam
Christenson	Johnson	Ray
Cunningham	Jordal	Robinson
Davidson	Kane	Sauer
Davis	Knutson	Scott
Dean	Kuhl	Scheer
DeLance	Kyllo	Sgutt
DeNault	Lageson	Sorlie
Englund	Law	Stern
Fassett	Lee	Stranahan
Fox	Moen, of Benson	Streeter
France	Moen, of Cavalier	Thompson
Fraine	Moritz	Tollefson
Fried	Morrison	Tostenson
Fritz	Narum	Tuttle
Gardiner	Nelson, of Richland	Ulsaker
Gelger	Nelson, of Walsh	Williams
Gorder	Nestos	Mr. Speaker
Hanson	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Roquette	Wambem	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of Foster	McClellan
Brusletten	Doyle, of McIntosh	Pendray
Burnett	Edwards	Reeve
Burns	Heinemeyer	Tande
Collins	Knox	Walters
Dosseth	Martin	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 123 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 78 ayes, 3 nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Gorder	Norheim
Anderson, of Griggs	Hanson	O'Connor of Gd. Forks
Anderson, of Ramsey	Harty	O'Connor of Pembina
Andrus	Hawkinson	Olsgard of Nelson
Benson	Hedalen	Olsgard of Richland
Bjornson	Hersrud	O'Shea
Bond	Hoge	Paulson
Boyd	Homnes	Peart
Burnett	Hill, of Bottineau	Ployhar
Carey	Hyland	Price
Christenson	Johns	Putnam
Cunningham	Johnson	Ray
Davidson	Kane	Robinson
Davis	Kyllo	Sauer
Dean	Lageson	Scott
DeLance	Law	Sgutt
DeNault	Lee	Sorlie
Edwards	McClellan	Stern
Englund	Moen, of Benson	Stranahan
Fassett	Moen, of Cavalier	Streeter
Fox	Moritz	Thompson
France	Morrison	Tuttle
Fraine	Narum	Ulsaker
Fritz	Nelson, of Richland	Whitmer
Gardiner	Nelson, of Walsh	Williams
Geiger	Nestos.	Wambem

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Tollefson	Tostenson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	Pendray
Brusletten	Hill, of Cass	Reeve
Burns	Jordal	Roquette
Collins	Knox	Scheer
Dosseth	Knutson	Tande
Doyle, of Foster	Kuhl	Walters
Doyle, of McIntosh	Martin	Mr. Speaker
Fried		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Lageson moved

That the vote by which House Bill No. 81 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 81 ayes, no nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Boyd  
Burnett  
Carey  
Christenson  
Cunningham  
Davidson  
Davis  
Dean  
DeLance  
DeNault  
Edwards  
Englund  
Fassett  
Fox  
France  
Fraine  
Fried  
Gardinet  
Gelger  
Gorder

Messrs.—

Harty  
Hedalen  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knutson  
Kyllo  
Lageson  
Law  
Lee  
McClellan  
Moen, of Benson  
Moen, of Cavalier  
Moritz  
Morrison  
Narum  
Nelson, of Richland  
Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina

Messrs.—

Olgard of Nelson  
Olgard of Richland  
O'Shea  
Paulson  
Peart  
Ployhar  
Price  
Putnam  
Ray  
Robinson  
Roquette  
Sauer  
Scott  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tostenson  
Tuttle  
Ulsaker  
Wambem  
Whitmer  
Williams  
Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	r'ritz	Martin
Bond	Hanson	Nelson, of Walsh
Brusletten	Hawkinson	Pendray
Burns	Heinemeyer	Reeve
Collins	Hill, of Cass	Scheer
Dosseth	Knox	Tollefson
Doyle, of Foster	Kuhl	Walters
Doyle, of McIntosh		

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

House Bill No. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

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, 23 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Olgard of Richland
Akesson	Hedalen	O'Shea
Anderson, of Griggs	Hersrud	Paulson
Anderson, of Ramsey	Hill, of Bottineau	Pearl
Andrus	Hill, of Cass	Ployhar
Benson	Hoge	Price
Bjornson	Hyland	Putnam
Boerner	Johns	Ray
Bond	Johnson	Reeve
Boyd	Jordal	Roquette
Burnett	Kane	Sauer
Carey	Knutson	Scott
Christenson	Kylo	Sgutt
Cunningham	Lageson	Sorlie
Davidson	Law	Stern
Davis	Lee	Stranahan
Dean	Moen, of Benson	Streeter
DeLance	Moen, of Cavalier	ande
Edwards	Morrison	Thompson
Englund	Moritz	Tostenson
Fassett	Nelson, of Richland	Tuttle
Fox	Nelson, of Walsh	Ulsaker
France	Nestos	Wambem
Frane	Norheim	Whitmer
Fried	O'Connor of Gd. Forks	Williams
Gardner	O'Connor of Pembina	Mr. Speaker
Geiger	Olgard of Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Gorder	McClellan
Burns	Hanson	Narum
Collins	Hawkinson	Pendray
DeNault	Heinemeyer	Robinson
Dosseth	Homnes	Scheer
Doyle, of Foster	Knox	Tollefson
Doyle, of McIntosh	Kuhl	Walters
Fritz	Martin	

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

Mr. Olsgard of Nelson moved

That the vote by which House Bill No. 210 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

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	Gorder	O'Connor of Pembina
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hedalen	Olsgard of Richland
Anderson, of Ramsey	Hersrud	O'Shea
Andrus	Hill, of Bottineau	Paulson
Benson	Hill, of Cass	Peart
Bjornson	Hoge	Ployhar
Boerner	Homnes	Price
Bond	Hyland	Putnam
Boyd	Johns	Ray
Burnett	Johnson	Reeve
Carey	Kane	Robinson
Christenson	Knox	Roquette
Cunningham	Knutson	Sauer
Davidson	Kyllo	Scott
Davis	Lageson	Sgutt
Dean	Law	Sorlie

Messrs.—	Messrs.—	Messrs.—
DeLance	Lee	Stranahan
DeNault	McClellan	Streeter
Edwards	Moen, of Benson	Tande
Englund	Moen, of Cavalier	Thompson
Fassctt	Morrison	Tuttle
Fox	Moritz	Ulsaker
France	Narum	Wambem
Fraine	Nelson, of Walsh	Whitmer
Fried	Nestos	Williams
Gardiner	Norheim	Mr. Speaker
Geiger	O'Connor of Gd. Forks	

Messrs. Nelson of Richland and Tollefson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Fritz	Martin
Burns	Hanson	Pendray
Collins	Hawkinson	Scheer
Dosseth	Heinemeyer	Stern
Doyle, of Foster	Jordal	Tostenson
Doyle, of McIntosh	Kuhl	Walters

Messrs. Brusletten, Collins, Dosseth, Doyle of McIntosh and Pendray being excused.

So the bill passed and the title was agreed to.

The Speaker in the chair.

The Chief Clerk announced that the Speaker was about to sign

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. 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. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

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.

And the Speaker signed the same in the presence of the House.

## 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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 54 ayes, 29 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrus	Hoge	O'Shea
Benson	Homnes	Ployhar
Bjornson	Hyland	Putnam
Bond	Johnson	Reeve
Boyd	Kane	Robinson
Burnett	Knox	Roquette
Cunningham	Knutson	Sauer
Davidson	Lee	Scheer
Davis	McClellan	Sgutt
Dean	Moen, of Benson	Sorlie
DeLance	Morrison	Stranahan
Englund	Nelson, of Richland	Thompson
Fassett	Nestos	Tostenson
Fox	Norheim	Ulsaker
Fraine	O'Connor of Gd. Forks	Williams
Geiger	O'Connor of Pembina	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Paulson
Akesson	Hill, of Bottineau	Peart
Boerner	Hill, of Cass	Price
Carey	Johns	Ray
Christenson	Kyllo	Scott
Edwards	Lageson	Streeter
France	Law	Tande
Gardiner	Moritz	Tollefson
Gorder	Narum	Tuttle
Hedalen	Nelson, of Walsh	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Fried	Martin
Burns	Fritz	Moen, of Cavalier
Collins	Hanson	Pendray
DeNault	Heinemeyer	Stern
Dosseth	Jordal	Walters
Doyle, of Foster	Kuhl	Wambem
Doyle, of McIntosh		

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 234 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:

N. Sostrom, Henry Ellingson, Henry Albertson, L. R. Nesdaahl, of Rugby.

John Callahan of Cass county.

R. L. Baird, F. Flury, C. Kuritz, E. E. Burch.

The Speaker referred House Bill No. 75 to the committee on education.

Mr. Fraine 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-SIXTH DAY AFTER RECESS, AND  
FIFTY-SEVENTH DAY.

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 28, 1911.

The House re-assembled at 10 o'clock a. m., pursuant to recess taken.

Mr. Nestos 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. Hill of Bottineau 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. 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.

Also

House Bill No. 282.

A bill for an act to regulate clearance of obstructions on railroads.

Have had the same under consideration and recommend that the same be amended as follows:

In the title, after the word "regulate" insert the words "the size of engines, motors and cars, also."

In line 1, section 1, strike out the words "Be it enacted" and insert in lieu thereof the words "to whom apply."

In line 2, section 1, after the word "any" insert the word "railroad." Strike out the entire of section 2.

In section 3 of the printed bill, strike out the figure "3" and insert in lieu thereof the figure "2" and the words "When to take effect, size of engine, motors and cars and what exempt."

In line 1, section 1, strike out the words "Be it enacted" and insert in lieu thereof the words "To whom apply".

In line 2, section 1, after the word "any" insert the word "railroad." Strike out the entire of section 2.

In section 3 of the printed bill strike out the figure "3" and insert in lieu thereof the figure "2" and the words "When to take effect, size of engine, motors and cars and what exempt."

In line 3 of section 3 of the printed bill after the word "any" insert the words "engine, motor or".

In line 9 of section 3 after the word "empty" insert the following words "without extending the clearance as provided for in section 3 of this act in the same proportion".

In line 1 of section 4 of the printed bill strike out the figure "4" and insert in lieu thereof the figure "3" and insert the words "clearance required."

In line 1 of section 5 of the printed bill strike out the figure "5" and insert the figure "4" and the words "report of obstructions, how made".

In line 8 of section 5 of the printed bill after the word "sections" strike out the figures "3 and 4" and insert the figures "2 and 3".

In line 1 of section 6 of the printed bill after the word "section" strike out the figure "6" and insert the figure "5" and the words "distance between tracks."

In line 1 of section 7 of the printed bill after the word "section" strike out the figure "7" and insert the figure "6" and the words "obstructions to be removed."

In line 1 of section 8 of the printed bill after the word "section" strike out the figure "8" and insert the figure "7" and the word "penalty."

In line 1 of section 9 of the printed bill after the word "section" strike

out the figure "9" and insert the figure "8" and the words "Contributory negligence cannot be charged."

In line 12 of section 9 of the printed bills after the word "section" strike out the figure "5" and insert the figure "4".

In line 17 of section 9 of the printed bill after the word "section" strike out the figure "4" and insert the figure "3".

And when so amended recommend the same do pass.

Also

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.

And recommend that the same do pass.

Also

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.

And recommend that the same be indefinitely postponed.

Also

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.

Have had the same under consideration and recommend that the same be amended as follows:

Line 58 of the printed bill strike out all after the word "land."  
Strike out all of line 59 before the word "shall."

And when so amended recommend the same do pass.

Also

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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the title after the word "thickness" in line 5 of the title.

Amend Section 1 by adding at the end thereof the following words: "Provided that the provisions hereof shall not apply to state and school lands."

Strike out everything after the words "Section 2" and insert in lieu thereof the following: "Section 2. Every deed and transfer of real property in this state that recites a reservation to the grantor of the coal deposits in said property, but which does not contain an accurate description of such deposits as required in section 1 of this act, shall be construed to transfer to the grantee named in such deed, all right, title and interest to such property and all deposits of coal or other minerals imbedded therein, notwithstanding such attempted reservation."

Strike out all of section 3.

Change section 4 to section 3.

And when so amended recommend the same do pass.

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 and reference of laws.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, page 1 of the printed bill, strike out the words "to be" and insert in lieu thereof the word "and".

In line 4, after the comma after the word "assembly," insert the words "the same be".

In line 15, page 2, strike out the words "by the initiative petition"; and after the word "enact" in the same line and same page, insert the words "and approve."

In line 16, after the comma after the word "polls" strike out the balance of the line.

In line 20 after the word "reject" insert the words "and annul". In same line strike out the word "part" and insert in lieu thereof the word "act".

In line 21, after the comma after the word "assembly," strike out the balance of said line and all of line 22, and the words "or safety, and" in line 23.

In line 26 change the comma to a period and strike out the balance of the line, and strike out all of line 27 and 28 to and including period.

In line 29 strike out the words "for enactment into laws."

In line 35, page 3, after the word "than" insert the following: "Four months prior to the election at which they are to be voted on, or not later than twenty." In the same line strike out the word "thirty" and strike out the word "before" and insert in lieu thereof the word "after." In the same line strike out the word "regular" and insert in lieu thereof the word "opening".

In line 39 after the comma after the word "thereof" insert the following: "Or not later than ten days after same are filed." In same line strike out word "and" and commence the word "measures" with capital "m".

In line 43 strike out the words "change or" and "within forty days from the opening."

In line 44 strike out the words "of the" and insert in lieu thereof the words "at that". In the same line after the word "enacted" insert the following: "Or agreed to".

In line 49 strike out the words "within said forty days" and insert in lieu thereof "at that session".

In line 51 strike out all after the word "may".

Strike out all of line 52 and the words "and" and "instead" in line 53, and after the word "measure" in line 53 insert the following: "Or constitutional amendment."

In line 55, after the word "submitted" strike out the word "to" and insert in lieu thereof the word "by".

In line 59, page 4, after the word "deemed" insert the following: "Enacted and".

In line 60, after the word "approved" insert the words "at the polls."

In line 67, after the word "amendment" insert the words "the second time."

In line 74, after the word "act" and before the word "to" insert the following: "Of the legislative assembly".

At the end of line 75 strike out the words "must be".

Strike out all of lines 76, 77 and 78 and the word "and" in line 79.

In line 82 strike out the word "upon" and insert in lieu thereof the word "by".

In line 84 after the comma after the word "state" insert the following: "Whereupon such act, measure, part or parts thereof so ordered shall be suspended until the referendum vote shall determine whether or not the law is sustained or defeated."

In line 88, after the word "of" and before the word "legislative" insert the word "the".

In line 94, after the word "any" and before the word "act" insert the words "duly enacted"; and after the comma after the word "act" insert the words "or emergency law". In same line, after the word "act" and before the word "from" insert the words "or law".

In line 98 strike out the word "vote" and insert in lieu thereof the word "veto".

In line 102, page 6, before the word "elections" at the beginning of said line, insert the word "general".

In line 106 strike out the period after the word "vote" and add the following: "By the state board of canvassers."

On page 4 of the reprinted bill, line 69, strike out the following, "The last three words of line 69, and all of lines 70, 71 and 72.

And when so amended recommend the same do pass.

Also

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 amended as follows:

In the title of the printed bill after the "Capitol" strike out all of line 2 and the first six words in line 3, and amend section 1 of the printed bill to read as follows:

"Section 1. The state board of trustees of public property is authorized if in their judgment a saving can be made to the state immediately after the passage and approval of this act to extend the state street car line and electric light line and any part thereof, from the capitol building by the route deemed the most practicable by them to the state penitentiary, and to connect with the tracks of the Northern Pacific railroad and the Minneapolis, St. Paul and Sault St. Marie railway company for the purpose of hauling coal and other commodities, and to purchase the necessary equipment for the same. That section 2 of the printed bill be amended by inserting after the word "the" at the end of line 1 of said section the following words "Capitol building fund."

And when so amended recommend 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.

### THIRD READING OF HOUSE BILLS.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85; nays 0; absent and not voting 18.

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	Hill, of Bottineau	O'Shea
Benson	Hoge	Peart
Bjornson	Homnes	Pendray
Boerner	Hyland	Price
Bond	Johns	Putnam
Boyd	Johnson	Ray



Messrs.—	Messrs.—	Messrs.—
Burnett	Jordal	Robinson
Burns	Kane	Sauer
Carey	Knox	Scott
Christenson	Knutson	Scheer
Davidson	Kuhl	Sgutt
Dean	Kyllo	Stern
DeNault	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Thompson
Fox	McClellan	Tollefson
France	Moen, of Cavalier	Tostenson
Fraine	Morrison	Tuttle
Fried	Moritz	Ulsaker
Fritz	Narum	Walters
Gardiner	Nelson, of Richland	Whitmer
Geiger	Nelson, of Walsh	Williams
Gorder	Nestos	Mr. Speaker
Hanson	Norheim	
Harty	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Paulson
Brusletten	Doyle, of McIntosh	Ployhar
Collins	Dossett	Reeve
Cunn. nghan	Hawkinson	Roquette
Davis	Hill, of Cass	Sorlie
DeLance	Moen, of Benson	Wamborn

Messrs. Brusletten, Collins, Dosseth and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which House Bill No. 43 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

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 0; absent and not voting 20.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Gd. Forks
Akesson	Heinemeyer	Olgard of Nelson
Anderson, of Griggs	Hersrud	Olgard of Richland
Anderson, of Ramsey	Hoge	O'Shea
Bjornson	Homnes	Peart
Boerner	Hill, of Bottineau	Pendray
Bond	Hyland	Price
Boyd	Johns	Putnam
Burns	Johnson	Ray
Carey	Jordal	Robinson
Davidson	Kane	Roquette
Dean	Knox	Sauer
DeNault	Kuhl	Scott
Doyle, of Foster	Kyllo	Scheer
Edwards	Law	Sgutt
Englund	Lee	Stern
Fassett	Martin	Stranahan
Fox	McClellan	Streeter
Fried	Moen, of Cavalier	Tande
Fritz	Morrison	Thompson
Gardiner	Narum	Ulsaker
Geiger	Nelson, of Richland	Walters
Gorder	Nelson, of Walsh	Whitmer
Hanson	Nestos	Williams
Harty	Norheim	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Knutson	Tostenson
Christenson	Lageson	Tuttle
Fraine	Tollefson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	O'Connor of Pembina
Benson	Doyle, of McIntosh	Paulson
Brusletten	France	Ployhar
Collins	Hawkinson	Reeve
Cunningham	Hill, of Cass	Sorlie
Davis	Moen, of Benson	Wambem
DeLance	Moritz	

Messrs. Brusletten, Collins, Dosseth, and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which House Bill No. 7 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 69; nays 7; absent and not voting 27.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akesson	Heinemeyer	Olgard of Richland
Anderson, of Griggs	Hersrud	O'Shea
Anderson, of Ramsey	Hoge	Peart
Bjornson	Hill, of Bottineau	Price
Bond	Hyland	Putnam
Boyd	Johns	Ray
Burnett	Johnson	Robinson
Burns	Kane	Sauer
Carey	Knox	Scott
Davidson	Knutson	Scheer
Dean	Kuhl	Sgutt
DeNault	Kyllo	Stern
Doyle, of Foster	Lageson	Stranahan
Edwards	Law	Streeter
Englund	Lee	Thompson
Fassett	Martin	Tostenson
Fox	Moen, of Benson	Tuttle
France	Morrison	Ulsaker
Fritz	Narum	Walters
Geiger	Nelson, of Richland	Whitmer
Gorder	Nestos	Williams
Hanson	Norheim	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Christenson	Hedalen	Tande
Fried	Moen, of Cavalier	
Gardiner	Nelson, of Walsh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of McIntosh	Olgard of Nelson
Benson	Fraine	Paulson
Boerner	Hawkinson	Pendray
Brusletten	Homnes	Ployhar

Messrs.—	Messrs.—	Messrs.—
Collins	Hill, of Cass	Reeve
Cunningham	Jordal	Roquette
Davis	McClellan	Sorlie
DeLance	Moritz	Tollefson
Dosseth	O'Connor of Pembina	Wambem

Messrs. Brusletten, Collins, Dosseth and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 71; nays 2; absent and not voting 30.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hill, of Bottineau	Pearl
Akesson	Johns	Pendray
Anderson, of Griggs	Johnson	Price
Anderson, of Ramsey	Kane	Putnam
Bjornson	Knox	Ray
Bond	Knutson	Robinson
Boyd	Kuhl	Sauer
Burnett	Kyllo	Scott
Carey	Lageson	Scheer
Christenson	Law	Sgutt
Davidson	Lee	Sorlie
Dean	Martin	Stranahan
DeNault	Moen, of Benson	Streeter
Doyle, of Foster	Moen, of Cavalier	Tande
Edwards	Morrison	Thompson
Englund	Narum	Tollefson
Fassett	Nelson, of Richland	Tuttle
Fox	Nelson, of Walsh	Ulsaker
Fritz	Nestos	Walters
Gardiner	Norheim	Wambem
Geiger	O'Connor of Gd. Forks	Whitmer
Gorder	Olgard, of Nelson	Williams
Hersrud	Olgard of Richland	Mr. Speaker
Hoge	O'Shea	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hedalen	Tostenson	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of McIntosh	Hyland
Benson	France	Jordal
Boerner	Fraine	McClellan
Brusletten	Fried	Moritz
Burns	Hanson	O'Connor of Pembina
Collins	Harty	Paulson
Cunningham	Hawkinson	Ployhar
Davis	Heinemeyer	Reeve
DeLance	Homnes	Roquette
Dosseth	Hill, of Cass	Stern

Messrs. Brusletten, Collins, Dosseth and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which House Bill No. 145 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

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 0; absent and not voting 24.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	Oisgard of Nelson
Akesson	Hersrud	Oisgard of Richland
Anderson, of Griggs	Hoge	O'Shea
Anderson, of Ramsey	Homnes	Pearl
Bjornson	Hill, of Bottineau	Ployhar
Boerner	Johns	Price
Bond	Johnson	Putnam
Boyd	Kane	Ray
Burnett	Knox	Robinson
Burns	Knutson	Sauer
Carey	Kuhl	Scott
Christenson	Kyllo	Scheer
Cunningham	Lageson	Stutt

Messrs.—	Messrs.—	Messrs.—
Davidson	Law	Sorlie
DeNault	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Edwards	Moen, of Benson	Tande
Englund	Moen, of Cavalier	Tollefson
Fassett	Morrison	Tostenson
Fox	Moritz	Tuttle
Fried	Narum	Ulsaker
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker
Hanson	O'Connor of Gd. Forks	
Hedalen	O'Connor of Pembina	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Doyle, of McIntosh	McClellan
Benson	France	Paulson
Brusletten	Fraine	Pendray
Collins	Harty	Reeve
Davis	Hawkinson	Roquette
Dean	Hill, of Cass	Stern
DeLance	Hyland	Thompson
Dosseth	Jordal	Walters

Messrs. Brusletten, Collins, Dosseth and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

Mr. Fox moved

That the vote by which House Bill No. 300 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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.

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	Hedalen	O'Connor of Gd. Forks
Akesson	Heinemeyer	O'Connor of Pembina
Anderson, of Griggs	Hersrud	Olsgard of Nelson

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hoge	Olsgard of Richland
Bjornson	Homnes	O'Shea
Boerner	Hill, of Bottineau	Peart
Bond	Johns	Pendray
Boyd	Johnson	Ployhar
Burns	Kane	Price
Carey	Knox	Putnam
Christenson	Knutson	Ray
Cunningham	Kuhl	Robinson
Davidson	Kyllo	Roquette
Dean	Lageson	Sauer
DeNault	Law	Scott
Doyle, of Foster	Lee	Scheer
Edwards	Martin	Sgutt
Englund	McClellan	Sorlie
Fassett	Moen, of Benson	Stranahan
Fox	Moen, of Cavalier	Streeter
Fried	Morrison	Tande
Fritz	Moritz	Tollefson
Gardiner	Narum	Ulsaker
Geiger	Nelson, of Richland	Wambem
Gorder	Nelson, of Walsh	Whitme
Hanson	Nestos	Williams
Harty	Norheim	Mr. Speaker

Mr. Tostenson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Dosseth	Jordal
Benson	Doyle, of McIntosh	Paulson
Brusletten	France	Reeve
Burnett	Fraine	Stern
Collins	Hawkinson	Thompson
Davis	Hill, of Cass	Tuttle
DeLance	Hyland	Walters

Messrs. Brusletten, Collins, Dosseth and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83; nays 1; absent and not voting 19.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Gd. Forks
Akesson	Heinemeyer	O'Connor of Pembina
Anderson, of Griggs	Hersrud	Olsgard of Nelson
Anderson, of Ramsey	Hoge	Olsgard of Richland
Andrus	Homnes	O'Shea
Bjornson	Hill, of Bottineau	Peart
Boerner	Johns	Pendray
Boyd	Johnson	Price
Burns	Jordal	Putnam
Carey	Kane	Ray
Christenson	Knox	Robinson
Cunningham	Knutson	Roquette
Davidson	Kuhl	Sauer
Davis	Kylló	Scott
Dean	Lageson	Scheer
DeNault	Law	Sgutt
Doyle, of Foster	Lee	Sorlie
Edwards	Martin	Stranahan
Englund	McClellan	Streeter
Fassett	Moën, of Benson	Tande
Fox	Moën, of Cavalier	Thomps...
Fraine	Morrison	Ulsaker
Fried	Moritz	Walters
Fritz	Narum	Wambem
Gardiner	Nelson, of Richland	Whitmer
Geiger	Nelson, of Walsh	Williams
Gorder	Nestos	Mr. Speaker
Harty	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of McIntosh	Ployhar
Bond	France	Reeve
Brusletten	Hanson	Stern
Burnett	Hawkinson	Tollefson
Collins	Hill, of Cass	Tuttle
DeLance	Hyland	
Dosseth	Paulson	

Mr. Toetenson voted in the negative.

Messrs. Brusletten, Collins, Dosseth and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

Mr. Johns moved

That the vote by which House Bill No. 276 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85; nays 0; absent and not voting 18.

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	Peart
Bjornson	Hill, of Bottineau	Pendray
Boerner	Johns	Price
Bond	Johnson	Putnam
Boyd	Jordal	Ray
Burns	Kane	Robinson
Carey	Knox	Roquette
Christenson	Knutson	Sauer
Cunningham	Kuhl	Scott
Davidson	Kyllo	Scheer
Davis	Lageson	Sgutt
Dean	Law	Sorlie
DeNault	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Edwards	McClellan	Tande
Englund	Moen, of Benson	Thompson
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Ulsaker
Fraine	Moritz	Walters
Fried	Narum	Wambem
Fritz	Nelson, of Richland	Whitmer
Gardiner	Nelson, of Walsh	Williams
Geiger	Nestos	Mr. Speaker
Gorder	Norheim	
Harty	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of McIntosh	Paulson
Brusletten	France	Ployhar
Burnett	Hanson	Reeve
Collins	Hawkinson	Stern
DeLance	Hill, of Cass	Tollefson
Dosseth	Hyland	Tostenson

Messrs. Brusletten, Collins, Dosseth and Doyle of McIntosh being excused.

So the bill passed and the title was agreed to.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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. 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. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

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. 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. 28.

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

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. 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 enrolled.

ALBERT A. DAVIS,  
Chairman.

Mr. Ployhar moved

That the House return to the 7th order of business.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Whereas, the action of the House of Representatives has been misunderstood by the public for failing to indict the Hon. John F. Cowan on a report of a special committee of seven members, which committee was appointed by the speaker of the House to hear evidence and report their findings to the House, and

Whereas, the findings of this said committee was divided, and no evidence submitted, the people of the state are lead to believe that full justice was not done by this said committee, and

Whereas, It is charged that the House of Representatives are in this way trying to stifle justice, the evidence upon which this committee based its findings is now being transcribed and will be in possession of the house within a few hours;

Now, Therefore, be it resolved, that the evidence taken by the committee be made a special order at once in order that the same may be submitted in the committee of the whole, that the House of Representatives of the Twelfth Legislative Assembly may hear and determine the truth or falsity of the charges preferred against the Hon. John F. Cowan, Judge of the Second Judicial District of the State of North Dakota.

O. P. JORDAL,  
A. W. CUNNINGHAM,  
E. C. ANDRUS,  
A. MORITZ,  
V. R. BOERNER,  
J. J. O'CONNOR.

Mr. Jordal moved

That the resolution be adopted.

The resolution was adopted.

## GENERAL ORDERS.

Pursuant to resolution 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 the resolution in reference to the evidence in the matter against John F. Cowan, and report progress and beg leave to sit again at 12:45 o'clock p. m.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Pursuant to resolution 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 the resolution in reference to the evidence in the matter against John F. Cowan, and report progress, and beg leave to sit again immediately after roll call.

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Nestos moved  
That the House do now adjourn.  
Which motion prevailed, and  
The house adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FIFTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

February 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. Brusletten and Collins, who were excused.

Pursuant to resolution 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 the resolution in reference to the evidence in the matter against John F. Cowan.

The committee of the whole House introduced the following resolution:

Resolution of the Impeachment of the Honorable John F. Cowan, Judge of the District Court of the Second Judicial District of the State of North Dakota.

*Be it Resolved by the House of Representatives of the State of North Dakota:*

WHEREAS, It appears from the testimony taken in the impeachment proceedings brought against Judge John F. Cowan on February 8, 1911, and which testimony has this day been considered by the committee of the whole house, and from other facts appearing before the committee of the whole house, that there is grave and probable cause to believe that the Honorable John F. Cowan, Judge of the District Court of the Second Judicial District of this state, is guilty of impeachable offenses; and

WHEREAS, The belief in the existence of such probable cause of impeachment is evidenced by common repute and public charges so extensive as to bring the administration of justice into disrepute and militate against and destroy the confidence of the people in the courts of said district, to the hurt and injury of the whole state; and

WHEREAS, That the said courts cannot be restored to the confidence of the people, or its former usefulness and standing, except by an open trial of the charges made,

*Now, Therefore, Be it Resolved:*

That said John F. Cowan, Judge of the District Court of the Second Judicial District of North Dakota, be and hereby is impeached of habitual drunkenness, crimes, corrupt conduct, malfeasance and misdemeanors in office, and that a board of managers, consisting of five members, be appointed by the speaker to conduct such impeachment proceedings, in accordance with law, and to draw up and present such impeachment charges to the bar of the Senate of the State of North Dakota for trial, and that said board of managers be and hereby is authorized and directed to employ counsel to assist it in the preparation of the articles of impeachment and in the prosecution of the articles of impeachment against the said John F. Cowan, judge as aforesaid, before the bar of the Senate of the state of North Dakota.

And recommend that the resolution be adopted.

A. P. HANSON.

Chairman.

Mr: Hanson moved

That the report of the committee of the whole be adopted.

Mr. Streeter raised the point of order that a question once disposed of and the motion to reconsider and to lay on the table, carried that another resolution of the same subject matter could not again be introduced.

The chair stated that the point of order was not well taken for the reason that this resolution did not contain the same subject matter.

Mr. Streeter appealed from the decision of the chair.

Mr. Streeter then withdrew his appeal.

Mr. Thompson moved a call of the House.

A call of the House was ordered.

The roll was called by the Chief Clerk and the following members were absent: Messrs. Aasheim, Brusletten and Collins.

Mr. Price moved

That further proceedings of the call be dispensed with.  
Which motion prevailed, and

Further proceedings under the call was dispensed with.

The question being on the motion to adopt the report of the committee of the whole.

The roll was called and there were 64 ayes, 35 nays, 4 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Nelson of Walsh
Anderson, of Griggs	Harty	Nestos
Benson	Hawkinson	Norheim
Bjornson	Hedalen	O'Connor of Gd. 1 crks
Bond	Heinemeyer	O'Connor of Pembina
Burnett	Hersrud	Olgaru of Nelson
Carey	Hoge	Olgard of Richland
Christenson	Homnes	Paulson
Davidson	Hill, of Bottineau	Pearl
Davis	Hill, of Cass	Ployhar
Dean	Hyland	Price
DeNault	Johnson	Putnam
Doyle, of Foster	Knox	Robinson
Doyle, of McIntosh	Knutson	Roquette
Edwards	Kuhl	Sauer
Fassett	Kylo	Sorlie
Fox	Lageson	Tande
Fraine	Law	Tostenson
Fried	Lee	Ulsaker
Gardiner	Moen of Cavalier	Wambem
Geiger	Nelson of Richland	Mr. Speaker
Gorder		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Kane	Scheer
Boerner	Martin	Stutt
Boyd	McClellan	Stern
Burns	Moen of Benson	Stranahan
Cunningham	Morrison	Streeter
DeLance	Moritz	Thompson
Dosseth	Narum	Tollefson
Englund	O'Shea	Tuttle
France	Pendray	Walters
Fritz	Ray	Whitmer



Messrs.—  
Johns  
Jordal

Messrs.—  
Reeve  
Scott

Messrs.—  
Williams

Absent and not voting:

Messrs.—  
Aasheim  
Anrus

Messrs.—  
Brusletten

Messrs.—  
Collins

Messrs. Brusletten and Collins being excused.

So the motion prevailed, and

The report of the committee of the whole was adopted.

The question being on the adoption of the resolution.

The roll was called and there were 64 ayes, 36 nays, 3 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Akesson  
Anderson, of Griggs  
Benson  
Bjornson  
Bond  
Burnett  
Carey  
Christenson  
Davidson  
Davis  
Dean  
DeNault  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards  
Fassett  
Fox  
Fraire  
Fried  
Gardiner  
Gejger  
Gorder

Messrs.—

Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Herbrad  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johnson  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
Moen, of Cavalier  
Nelson, of Richland

Messrs.—

Nelson, of Walsh  
Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olgard of Nelson  
Olgard of Richland  
Paulson  
Peart  
Ployhar  
Price  
Putnam  
Robinson  
Roquette  
Sauer  
Sorlfe  
Tande  
Tostenson  
Ulsaker  
Wambert  
Mr. Speaker

Those who voted in the negative were:

Messrs.—

Anderson, of Ramsey  
Andrus  
Boerner  
Boyd  
Burns  
Cunningham  
DeLance  
Dossseth  
Englund

Messrs.—

Jordal  
Kane  
Martin  
McClellan  
Moen, of Benson  
Morrison  
Moritz  
Narum  
O'Shea

Messrs.—

Scott  
Scheer  
Sgutt  
Stern  
Stranahan  
Streeter  
Thompson  
Tollefson  
Tuttle

Messrs.—  
France  
Fritz  
Johns

Messrs.—  
Pendray  
Ray  
Reeve

Messrs.—  
Walters  
Whitmer  
Williams

Absent and not voting:

Messrs.—  
Aasheim

Messrs.—  
Brusletten

Messrs.—  
Collins

Messrs. Brusletten and Collins being excused.

So the motion prevailed, and  
The resolution was adopted.

Mr. Davis moved

That the vote by which the impeachment resolution passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Fraine moved

That the House take a recess for ten minutes.

Which motion prevailed, and

The House took a recess.

The House assembled pursuant to adjournment.

The Chief Clerk announced that the Speaker was about to sign

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. 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. 92.

A bill for an act relating to children who are now or may hereafter become dependent, neglected or delinquent; to de-

fine these terms, and to provide for the treatment, control, maintenance, protection, adoption and guardianship of the persons of such children.

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. 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. 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. 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. 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. 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,

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. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

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. 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. 28.

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

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. 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.

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.

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,

February 28, 1911.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 206.

A bill for an act establishing a Missouri Slope agricultural fair at Mandan and making appropriation therefor.

Which the Senate has amended as follows:

That the words "five thousand dollars" in lines 8 and 9 of section 4 of the printed bill be stricken out and the words "two thousand five hundred dollars" be inserted in lieu thereof.

That all of section 6 be stricken out and the following inserted:

"Sec. 6. General Appropriation.) There is hereby appropriated out of the funds of the treasury of the state of North Dakota not otherwise appropriated, the sum of two thousand five hundred dollars annually, to be expended under the supervision of the directors of said association."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bills No. 76 and 77, and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Jacobsen, Cashel and Steel of Stutsman.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to inform you that the President has named as conferees on the part of the Senate, on House Bill No. 23, Putnam, Talcott and Davis.

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 a good roads commission.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

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

WHEREAS, It has been made to appear to the members of the Senate of the Twelfth Legislative Assembly of the state of North Dakota that the railway mail service, and particularly that portion upon which the people of the state of North Dakota depend, has been for some months more or less demoralized, and its condition steadily becoming worse; and

WHEREAS, Representations entitled to faith and credit have been made to this body and the members thereof showing:

1. Inadequate force of clerks to handle the mail, and no provision for the natural increase by reason of development.
2. Overwork of the men employed, resulting in over exertion, exhaustion and general diminution of power to properly attend to duty.
3. Long hours on the road and insufficient time for study.
4. Dissatisfaction, because of overwork, underpay and inadequate allowance for expenses when absent from home on business; and

WHEREAS, This body, while unable to examine into the facts or grant relief should that be required, yet feels that not only the interest of the mail clerks but the interests of the public demands immediate action.

NOW, THEREFORE, We most earnestly urge upon the senators and representatives in Congress from the state of North Dakota, that they and each of them give the matter personal and careful attention and earnest work, to the end that any and all differences existing between the department and the railway mail clerks may be adjusted and the public receive proper service.

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. 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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 308.

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.

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. 177.

A bill for an act to create a board of immigration and prescribing its powers and duties.

Also,

Senate Bill No. 348.

A bill for an act providing for the payment of fees collected by the North Dakota government agricultural experiment station into the state treasury.

Also,

Senate Bill No. 356.

A bill for an act to amend Article 3 of Chapter 75 of the Civil Code of North Dakota, being Section 6186 of the Revised Codes of North Dakota of 1905.

Also

Senate Bill No. 342.

A bill for an act to amend Section 8089 of the Revised Codes of the state of North Dakota for 1905, relating to exempt personal property and the disposition thereof.

Also,

Senate Bill No. 316.

A bill for an act to amend Section 2272, Revised Codes of 1905, relating to storage companies.

Also

Senate Bill No. 336.

A bill for an act to amend and re-enact Section 6187 of the Revised Codes of North Dakota, for 1905.



Senate Bill No. 29.

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.

Also

Senate Bill No. 324.

A bill for an act providing for a bailiff of the supreme court.

Also

Senate Bill No. 347.

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.

Also

Senate Bill No. 161.

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.

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 54th day after recess and 56th day, have carefully examined the same and recommend that the same be corrected as follows:

On page 57, after line 21, insert "and roll call was demanded."

On page 16, line 31, strike out "prevailed and" and insert "was lost."

On page 75, after line 10, strike out balance of page, all of pages 76 and 77 and all of page 78 down to line 23, and insert the following:

After the words and figures "House Bill No. 25" strike out the balance of the bill and insert

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 of North Dakota shall until the end of 1914, consist of fifty senators and one hundred and three representatives, and shall thereafter consist of forty-nine senators and one hundred and four 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 said 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 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 townships of Gilby, Johnstown, Strabane, Wheatfield, Hegton, Arvilla, Avon, Northwood, city of Northwood, Lind, Grace, Larimore, city of Larimore, Elm Grove, Agnes, Inkster, city of Inkster, Elkmount, Plymouth, Niagara, Moraine, Logan Centre and Loretta, in the county of Grand Forks, and be entitled to one senator and one representative.

(6) The sixth district shall consist of the third, fourth, fifth and sixth wards of the city of Grand Forks, as now constituted, and the townships of Faulkner, Harvey, Turtle River, Ferry, Rye, Blooming, Mekin-

ock, Lakeville and Levant, in the county of Grand Forks, and be entitled to one senator and one representative.

(7) The seventh district shall consist of the first, second and seventh wards of the city of Grand Forks, as now constituted, and the townships of Grand Forks, Brenna, Oakville, Chester, Pleasant View, Fairfield, Allendale, Walle, Bentru, Americus, Michigan, Union, Washington, and the first and second wards of the city of Reynolds, in the county of Grand Forks, and be entitled to one senator and two 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, Brandenburg, 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 townships of Baldwin, Dazey, Laketown, Pierce, Uxbridge, Edna, Rogers, Grand Prairie, Minnie Lake, Anderson, Hobart, Potter, village of Dazey, village of Wimbledon, village of Sanborn, city of Valley City, township 143, range 56; township 143, range, 58; township 142, range 58; township 141, range 58; township, 141, range 59; township 141, range 61; and township 140, range 58, in the county of Barnes, and shall be entitled to one senator and one representative.

(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 two representatives.

(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, Storlie, Banner, Trier, Gordon, Henderson, Nekoma village, Seivert, Sarles village, Bruce, 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 fiftieth 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 Rolette, 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 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; township 153 of ranges 81, 82, 83 and 84; townships 154, 155 and 156 of ranges 81, 82, 83 and 84; and township 157 of ranges 81, 82 and 83, 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 and 86; township 131 of ranges 84, 85 and 86; township 132, ranges 83, 84, 85 and 86; township 133 of ranges 82, 83, 84, 85 and 86; township 134 of ranges 79, 80, 81, 82, 83, 84, 85 and 86; townships 135 and 136 of ranges 79, 80, 81, 82, 83, 84 and 85; township 137 of ranges 79, 80, 81, 82 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 two representatives.

(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 townships 155, 156, 157 and 158, north of range 75 west, and also townships 155, 156, 157, 158 and 159, north of ranges 76, 77, 78, 79 and 80, in the county of McHenry, and be entitled to one senator and one representative.

(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 townships of Weimer, Noltmeir, Alta, Oriska, Springvale, Cuba, Green, Herman, Mansfield, Meadowlake, Svea, Scandia, Norman, Binghampton, Raritan, Thordenskjold, Oakville, Spring Creek, Rosebud, Greenland, village of Litchville, village of Nome; township 140, range 61; township 139, range 58; and

township 138, range 58, in the county of Barnes, and be entitled to one senator and one representative.

(39) The thirty-ninth district shall consist of the counties of Billings and Bowman (including the counties of Slope and Golden Valley) if created from the territory of Billings county), and shall be entitled to one senator and three representatives.

(40) The fortieth district shall consist of the counties of Burke and Divide, 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 two representatives.

(45) The forty-fifth district shall consist of townships 151, 152, 153 and 154, north of ranges 75, 76, 78, 79 and 80, in the county of McHenry, and shall be entitled to one senator and one representative.

(46) The forty-sixth district shall consist of the counties of McLean and Stevenson (if created from the territory of McLean county), and shall be entitled to one senator and three representatives.

(47) The forty-seventh district shall consist of that portion of Morton county situated and being in townships 130, 131 and 132 of ranges 87, 88, 89 and 90; townships 133 and 134 of ranges 87, 88, 89 and 90; townships 135 and 136 of ranges 86, 87, 88, 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.

(48) The forty-eighth district shall consist of the counties of Mercer, Oliver and Dunn, and be entitled to one senator and three representatives.

(49) The forty-ninth district shall consist of the counties of Adams, Hettinger and Sioux, and be entitled to one senator and three representatives.

(50) The fortieth district, consisting of the townships of Hope, Freemont, Olga, Loam, Hay, Harvey, Manilla, Easby, Alma, East Alma, Montrose, Osford, village of Milton and Osnabrock village, in the county of Cavalier, is hereby re-numbered, and shall hereafter be known as the fiftieth district, and shall until the end of 1914 be entitled to one senator and one representative, 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 fiftieth 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 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.

Mr. Pendray arose to a question of personal privilege and objected to certain statements claimed to have been made by Mr. De Nault at a meeting in Jamestown, N. D.

Mr. Streeter moved

That if the remarks were made by Mr. De Nault that it is the sense of the House that they were untrue and un-called for.

Mr. Price moved

That the matter of the statements be referred to the committee on rules.

Which motion was lost.

The question being on the motion that if the remarks were made by Mr. DeNault that it is the sense of the House that they were untrue and un-called for.

Which motion prevailed.

Mr. De Nault moved

That he be allowed to read to the House a portion of his speech made at Jamestown.

Which motion was lost.

### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

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.

Also,

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.

Also,

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 appointment and obligations of jailers, and the manner of fixing compensations to be allowed for jailer's services.

Also,

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.

Also,

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.

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.

Also,

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.

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 public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred  
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.

Have had the same under consideration and recommend  
that the same be amended as follows:

Strike out all after the word "institution" in line 18 of the engrossed  
bill and inserting therein the following:

"The annual salaries of the resident officers shall be as follows: Super-  
intendent, not to exceed three thousand five hundred (\$3,500.00) dollars;  
matron, not to exceed seven hundred fifty (\$750.00) dollars; steward,  
not to exceed two thousand five hundred (\$2,500.00) dollars; first assist-  
ant physician, not to exceed two thousand five hundred (\$2,500.00) dollars  
per annum; assistant physician, not to exceed eighteen hundred (\$1,800.00)  
dollars per annum for each, according to the length and quality of service,  
which said salaries shall be fixed by the board of trustees.

"Section 2. Emergency.) Whereas, an emergency now exists in that  
this bill raises the qualifications of the superintendent of said institution,  
and the next annual election of officers takes place before July 1st, there-  
fore this act shall take effect from and after its passage and approval."

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 the bill placed on the calendar for  
third reading.

Which motion prevailed, and

The report of the committee was adopted.

The committee on state affairs made the following re-  
port:

Mr. Speaker:

Your committee on state affairs to whom was referred  
House Bill No. 393.

A bill for an act to prevent unfair discrimnaton in the  
purchase of dairy products.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. J. PRICE,  
Chairman.



Mr. Knutson moved  
That the bill be referred to the committee of the whole.  
Which motion prevailed.  
And the bill was so referred.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred  
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.

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. 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.

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.

The Speaker called Mr. Price to the chair.

The committee on supplies and expenses made the following report:

Mr. Speaker:

Your committee on supplies and expenses to whom was referred

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.

Have had the same under consideration and recommend that 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.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

February 28, 1911.

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 358.

A bill for an act to amend Section 6188 of the Revised Codes of North Dakota, for the year 1905, relating to duties of registers of deeds.

Also,

Senate Bill No. 208.

A bill for an act to provide for and the making of improvements at the North Dakota School of Forestry to assist in the maintenance thereof, and making appropriation therefor.

Also,

Senate Bill No. 368.

A bill for an act defining the crime of inveighling females into houses of ill fame or of assignation, or elsewhere, for the purpose of prostitution or immoral relations, and prescribing the punishment therefor.

Also,

Senate Bill No. 209.

A bill for an act entitled, an act regulating the business of corporations issuing bonds, notes or other evidences of indebtedness and providing for the examination of such corporations.

Also,

Senate Bill No. 303.

A bill for an act to amend Sections 4695 and 4698 of the Revised Codes of North Dakota for 1905, relating to foreign corporations.

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

Very respectfully,

J. W. FOLEY,  
Secretary,

The committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred  
House Bill No. 437.

A bill for an act to amend Section 8 of Chapter 161 of the Session Laws of 1909.

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. 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.

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.

Also,

Mr. Speaker:

Your committee on live stock to whom was referred

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.

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.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

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.

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.

The committee on elections and privileges made the following report:

Mr. Speaker:

A majority of your committee on elections and election privileges to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

In section 2, in line 4 of the printed bill, strike out the word "last" and insert the word "second." In line 5, strike out the word "August" and insert the word "July." In line 24, strike out the word "first" between the words "the" and "day" and insert the word "fifteenth," and strike out the word "June" and insert the word "April," and between the words "the" and "day" strike out the word "first" and insert the word "fifteenth." In line 25, strike out the word "July" and insert the word "May." In line 28, strike out the word "March" and insert the word "June." In line 36, strike out the word "second" and insert the word "third." In line 37, strike out the word "September" and insert the word "August."

In line 9 of section 24 on the engrossed bill, insert the words "and district" between the words "supreme" and "courts."

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

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

(Signed.)

ANDERSON,  
ULSAKER,  
PAULSON,  
CAREY,  
CHRISTIANSOON.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate Bill No. 27.

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.

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

W. B. DE NAULT,  
Chairman.

Mr. Ployhar 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. 10.

A bill for an act to amend Sections 1031, 1034, 1035 and 1036, of the Revised Codes of 1905, relating to education.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, section 1, line 5, after the word "university" insert the words "and the president of the North Dakota Agricultural College."

Same section, same line, strike out the words "two members" and insert in lieu thereof the words "one member."

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

The committee on drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred

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.

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 taxes and tax laws made the following report:

Mr. Speaker:

Your committee on taxes and tax laws to whom was referred

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.

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 elections and privileges made the following report:

Mr. Speaker:

Your committee on elections and privileges to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

In section 39, in line 7 of the printed bill, on page 14 of the Senate Journal of February 14th, after the word "party" add the following: "Upon the canvass of the returns the county auditor shall immediately notify in writing each precinct committeeman so selected, together with those provided for in section 40 of this act, of their selection and the date of the meeting of the county central committee."

In line 9 of section 40, between the words "appoint" and "one" insert the words "in writing." In line 9, after the word "which" add the words: "appointment shall be immediately filed with the county auditor." In line 11, insert the word "the" before "committeemen" at the beginning of the line. In line 13, strike out the word "second" and insert the word "third." In line 16, between the words "committee" and "of" insert the words "consisting of from five to nine persons chosen from the county committee." In line 21, after the word "district" at the beginning of the line, insert the words "the precinct committeemen from each legislative district." In line 21, strike out the word "they." In line 21, strike out the word "each" and insert the words "their respective." In line 3, on page 15, strike out the word "third" and insert the word "fourth."

W. R. BOND,  
Chairman.

Mr. Bond moved  
That the rules be suspended and the report of the committee be 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 temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred  
Senate Bill No. 186.

A bill for an act to amend and re-enact 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.

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

W. S. DEAN,  
Acting 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 temperance to whom was referred  
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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Acting 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 temperance to whom was referred  
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.

Have had the same under consideration and recommend  
that the same be indefinitely postponed.

W. S. DEAN,  
Acting 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. 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.

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. 90.

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 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. 332.

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.

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. 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.

Have had the same under consideration and recommend that the bill be referred back to the committee of the whole House, without recommendation.

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  
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.

Have had the same under consideration and recommend that the bill be referred back to the committee of the whole House, without recommendation.

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  
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.

Have had the same under consideration and recommend

that the bill be referred back to the committee of the whole House, without recommendation.

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. 333.

A bill for an act to amend Section 4173 of the Revised Codes of 1905, relating to articles of incorporation.

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. 334.

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.

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

A concurrent resolution, relating to the authorization of the attorney general to prosecute cases for the recovery of rentals on coal lands.

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 House do now concur in the Senate concurrent resolution relating to the authorizing of the attorney general to prosecute cases for the recovery of rentals on coal lands.

Which motion prevailed, and  
The resolution was concurred in.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

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. 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.”

**Also**

House Bill No. 242.

A bill for an act to amend Section 1968 of the Revised Codes of 1905.

Were delivered to the governor for his approval at the hour of 5:15 o'clock p. m., February 28th, 1911.

ALBERT A. DAVIS,  
Chairman.

### MOTIONS AND RESOLUTIONS.

Mr. Davidson moved

That the vote by which House Bill No. 449 was indefinitely postponed, be reconsidered and re-referred to the committee of the whole.

Which motion prevailed, and  
The bill was so re-referred.

Mr. Knox moved

That the House recall Senate Bill No. 260 from the Senate.

Which motion was lost.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 28, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 306.

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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

WHEREAS, There is now pending a certain bill in the House of Representatives, Twelfth Legislative Assembly of the state of North Dakota, known as Senate Bill No. 262, which provides for a revolving fund out of the proceeds of the profit of sale of state prison binding twine, namely 25 per cent of said profits, for the purpose of manufacturing farm machinery at the state penitentiary;

*Now, Therefore, Be it Resolved:*

That the \$100.00 An Acre Farmers' Club of Barnes County recommend to the members of the House of Representatives to use all honorable means for the passage of this bill, so that it may become a law at this session of the Legislature;

*Be it Further Resolved:*

That we heartily endorse this bill, as we consider it one of the greatest aids to the farmers in being able to purchase farm machinery at a fair and reasonable price as against the exorbitant and unreasonable prices now charged for farm machinery by the International Harvester Company, and is our only hope at present to fight for our rights against the trust manufactured farm machinery.

Mr. Ployhar moved  
That the resolution be adopted.  
Which motion prevailed, and  
The resolution was adopted.

The Speaker in the chair.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 28, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 322.

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.



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

Very respectfully,

J. W. FOLEY,  
Secretary.

There being no objections the House returned to the 5th 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 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.

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.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
February 28, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 261.

A bill for an act regulating the practice in county court having increased jurisdiction.

Also,

Senate Bill No. 241.

A bill for an act entitled, and 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.

Also

Senate bill No. 355.

A bill for an act to amend Chapter 214 of the Session Laws of 1907, relative to assessment of coal mines.

Also

Senate Bill No. 367.

A bill for an act defining the crime of fornication and prescribing the punishment therefor.

Also

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.

Also,

Senate Bill No. 352.

A bill for an act entitled, an act to amend Section 2389 of the Revised Codes of 1905, relating to county commissioners.

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. 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.

Was read the third time.

The question being on the final passage of the bill

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.—
Akesson	Hoge	Olsgard of Richland
Anderson, of Griggs	Homnes	O'Shea
Anderson, of Ramsey	Hill, of Bottineau	Paulson
Andrus	Hill, of Cass	Pendray
Benson	Hyland	Ployhar
Boyd	Johns	Price
Burnett	Johnson	Putnam
Carey	Jordal	Ray
Davidson	Kane	Robinson
Davis	Knox	Roquette
Dean	Knutson	Sauer
DeNault	Kyllo	Scott
Dosseth	Lageson	Scheer
Doyle, of Foster	Law	Sgutt
Doyle, of McIntosh	Lee	Sorlie
Englund	Martin	Stern
Fassett	McClellan	Stranahan
Fox	Moen of Benson	Streeter
France	Moen of Cavalier	Tande
Fritz	Moritz	Thompson
Gardine	Narum	Tollefson
Geiger	Nelson of Richland	Tostenson
Gorder	Nelson of Walsh	Tuttle
Harty	Nestos	Ulsaker
Hawkinson	Norheim	Wambem
Heinemeyer	O'Connor of Gd. Forks	Williams
Hersrud	O'Connor of Pembina	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Cunningham	Kuhl
Bjornson	DeLance	Morrison
Boerner	Edwards	Olsgard of Nelson
Bond	Fraine	Peart
Brusletten	Fried	Reeve
Burns	Hansen	Walters
Christenson	Hedalen	Whitmer
Collins		

Messrs. Brusletten and Collins being excused.

So the bill passed and the title was agreed to.

Mr. Burns moved

That the vote by which House Bill No. 182 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## 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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 81 ayes, 3 nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Heinemeyer	Olsgard of Nelson
Anderson, of Griggs	Hersrud	Olsgard of Richland
Anderson, of Ramsey	Hoge	O'Shea
Andrus	Homnas	Pendray
Boerner	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Putnam
Burnett	Johns	Ray
Carey	Johnson	Robinson
Davidson	Jordal	Poquette
Davis	Kane	Sauer
Dean	Knox	Scott
DeNault	Knutson	Scheer
Dosseth	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	Thompson
France	Moen of Cavalier	Tollefson
Fried	Moritz	Tostenson
Fritz	Nelson of Walsh	Tuttle
Gardner	Nestos	Ulsaker
Geiger	Norheim	Whitmer
Gorder	O'Connor of Gd. Forks	Williams
Harty	O'Connor of Pembina	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Nelson of Richland	Paulson	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Cunningham	Kuhl
Benson	DeLance	Morrison
Bjornson	Fraine	Narum
Brusletten	Hanson	Peart
Burns	Hawkinson	Reeve
Christenson	Hedalen	Walters
Collins		

Messrs. Brusletten and Collins being excused.

So the bill passed and the title was agreed to.

Mr. Sgutt moved

That the vote by which House Bill No. 61 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. 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.

And the Speaker signed the same in the presence of the House.

Mr. Burns asked unanimous consent to withdraw House Bill No. 424.

There being no objections House Bill No. 424 was withdrawn.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 81 ayes, 1 nay, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hoge	O'Shea
Anderson, of Griggs	Homnes	Paulson
Anderson, of Ramsey	Hill, of Bottineau	Pendray
Andrus	Hill, of Cass	Ployhar
Boerner	Hyland	Price
Bond	Johns	Putnam

Messrs.—	Messrs.—	Messrs.—
Boyd	Johnson	Ray
Burnett	Jordal	Robinson
Carey	Kane	Roquette
Davidson	Knox	Sauer
Davis	Knutson	Scott
Dean	Kyllo	Scheer
DeNault	Lageson	Sgutt
Dosseth	Law	Sorlie
Doyle, of Foster	Lee	Stern
Doyle, of McIntosh	Martin	Stranahan
Edwards	McClellan	Streeter
Englund	Moen of Benson	Tand
Fassett	Moen of Cavalier	Thompson
France	Moritz	Tollefson
Fritz	Nelson of Watsn	Tostenson
Gardiner	Nestos	Tuttle
Geiger	Norheim	Ulsaker
Gorder	O'Connor of Gd. Fort	Wambem
Harty	O'Connor of Pembina	Whitmer
Heinemeyer	Olsgard of Nelson	Williams
Hersrud	Olsgard of Richland	Mr. Speaker

Mr. Nelson of Richland voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Cunningham	Hedalen
Benson	DeLance	Kuhl
Bjornson	Fox	Morrison
Brusletten	Fraine	Narum
Burns	Fried	Peart
Christenson	Hanson	Reeve
Collins	Hawkinson	Walters

Messrs. Brusletten and Collins being excused.

So the bill passed and the title was agreed to.

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

Was read the third time.

Mr. Doyle of Foster, asked unanimous consent to amend the bill.

There being no objections, Mr. Doyle offered the following amendment and moved its adoption:

In section 8, change the figures "\$5,000.00" to "\$15,000.00" in the appropriation for the administration building.

Which motion prevailed.

Mr. Doyle of Foster, moved

That the rules be suspended and House Bill No. 155 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 81 ayes, no nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hersrud	Olsgard of Richland
Anderson, of Ramsey	Hoge	O'Shea
Andrus	Homnes	Pendray
Boerner	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Putnam
Burnett	Johns	Ray
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Cunningham	Kane	Sauer
Davidson	Knox	Scott
Davis	Knutson	Scheer
Dean	Kyllo	Sgutt
DeNault	Lageson	Sorlie
Dosseth	Law	Stern
Doyle, of Foster	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen, of Benson	Tollefson
Fassett	Moen, of Cavalier	Tostenson
Fox	Nelson, of Richland	Tuttle
France	Nelson, of Walsh	Ulsaker
Fritz	Nestos	Wambem
Gardiner	Norheim	Whitmer
Geiger	O'Connor of Gd. Forks	Williams
Gorder	O'Connor of Pembina	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Moritz
Benson	Hanson	Narum
Bjornson	Hawkinson	Paulson
Brusletten	Hedalen	Peart
Christenson	Heinemeyer	Reeve
Collins	Kuhl	Stranahan
DeLance	Morrison	Walters
Fraine		

Messrs. Brusletten and Collins being excused.

So the bill passed and the title was agreed to.

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**FIRST AND SECOND READING OF SENATE BILLS.**

Senate Bill No. 358.

A bill for an act to amend Section 6188 of the Revised Codes of North Dakota for the year 1905, relating to duties of registers of deeds.

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 208.

A bill for an act to provide for and the making of improvements at the North Dakota School of Forestry to assist in the maintenance thereof, and making appropriation therefor.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 368.

A bill for an act defining the crime of inveigling females into houses of ill fame or of assignation, or elsewhere, for the purpose of prostitution or immoral relations, and prescribing the punishment therefor.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 209.

A bill for an act entitled, an act regulating the business of corporations issuing bonds, notes or other evidences of indebtedness, and providing for the examination of such corporations.

Was read the first and second times, and

Referred to the committee on corporations other than municipal.

Senate Bill No. 303.

A bill for an act to amend Sections 4695 and 4698 of the Revised Codes of North Dakota for 1905, relating to foreign corporations.

Was read the first and second times, and



Referred to the committee on corporations other than municipal.

Senate Bill No. 306.

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.

Was read the first and second times, and

Referred to the committee on temperance.

Senate Bill No. 322.

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.

Was read the first and second times and

Referred to the committee on corporations other than municipal.

Senate Bill No. 367.

A bill for an act defining the crime of fornication and prescribing the punishment therefor.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 355.

A bill for an act to amend Chapter 214 of the Session Laws of 1907, relative to assessment of coal mines.

Was read the first and second times and

Referred to the committee on coal lands.

Senate Bill No. 241.

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.

Was read the first and second times, and

Referred to the committee on temperance.

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.

Was read the first and second times, and

Referred to the committee on agriculture.

Senate Bill No. 261.

A bill for an act regulating the practice in county court having increased jurisdiction.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 352.

A bill for an act entitled, an act to amend Section 2389 of the Revised Codes of 1905, relating to county commissioners.

Was read the first and second times and

Referred to the committee on counties and county boundaries.

Senate Bill No. 355.

A bill for an act to amend Chapter 214 of the Session Laws of 1907, relative to assessment of coal mines.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 308.

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.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 161.

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.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 347.

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.

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 324.

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.

Senate Bill No. 29.

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.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 336.

A bill for an act to amend and re-enact Section 6187 of the Revised Codes of North Dakota, for 1905.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 316.

A bill for an act to amend Section 2272, Revised Codes of 1905, relating to storage companies.

Was read the first and second times and

Referred to the committee on warehouses and grain grading.

Senate Bill No. 177.

A bill for an act to create a board of immigration and prescribing its powers and duties.

Was read the first and second times and

Referred to the committee on immigration.

Senate Bill No. 342.

A bill for an act to amend Section 8089 of the Revised Codes of the state of North Dakota for 1905, relating to exempt personal property and the disposition thereof.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 348.

A bill for an act providing for the payment of fees collected by the North Dakota government agricultural experiment station into the state treasury.

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 60.

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.

Was read the first and second times and

Referred to the committee on education.

Senate Bill No. 323.

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.

Senate Bill No. 340.

A bill for an act prohibiting the sale or purchase of political support or political editorials and prescribing a penalty therefor.

Was read the first and second times and

Referred to the committee on elections and election privileges.

Senate Bill No. 298.

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.

Was read the first and second times and

Referred to the committee on ways and means.

Senate Bill No. 139.

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.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 268.

A bill for an act to amend Section 28 of Chapter 92, of the Session Laws of North Dakota for 1909.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 309.

A bill for an act to provide for the purchase of the paintings of "Mink Woman," "Bear's Necklace" and "Bad Brave."

Was read the first and second times and

Referred to the committee of the whole.

Senate Bill No. 287.

A bill for an act prescribing the duties of the county auditor upon receipt of tax levies certified to him.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

Senate Bill No. 369.

(Title)

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 301.

A bill for an act to amend and re-enact Section 237 of the Revised Codes of the state of North Dakota for the year 1905.

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 211.

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.

Was read the first and second times and

Referred to the committee on live stock.

Senate Bill No. 304.

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.

Was read the first and second times and

Referred to the committee on education.

Senate Bill No. 318.

A bill for an act to amend and re-enact Section 738 of the Revised Codes of 1905, relating to votes cast by persons not registered.

Was read the first and second times and

Referred to the committee on elections and election privileges.

Senate Bill No. 137.

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.

Was read the first and second times and

Referred to the committee on ways and means.

Senate Bill No. 259.

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.

Was read the first and second times and

Referred to the committee on ways and means.

Senate Bill No. 296.

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 or utility to such cities and the inhabitants thereof.

Was read the first and second times and

Referred to the committee on municipal corporations.

Senate Bill No. 274.

A bill for an act making an appropriation for the Dickinson experiment station located in the city of Dickinson.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 32.

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.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 109.

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, 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.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 141.

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.



Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 134.

A bill for an act making an appropriation for the Williston Experimental station, located at the city of Williston, Williams county.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 328.

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.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 202.

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 the expenses connected therewith.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 313.

A bill for an act to amend section 2586 of the Revised Codes of North Dakota for 1905, relating to salaries of judges of the county court.

Was read the first and second times and

Referred to the committee on judiciary.

Senate Bill No. 305.

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.

Was read the first and second times and  
Referred to the committee on judiciary.

Senate Bill No. 315.

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.

Was read the first and second times and  
Referred to the committee on state affairs.

Senate Bill No. 44.

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.

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:

Charles E. Price of Fargo.  
O. H. Olmsted of Denbeigh.

Mr. Nestos moved

That the House take a recess until 9:30 a. m. tomorrow.  
Which motion prevailed, and  
The House took a recess.

E. H. GRIFFIN,  
Chief Clerk.

FIFTY-SEVENTH DAY AFTER RECESS, AND  
FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

March 1, 1911.

The House reassembled at 9:30 o'clock a. m., pursuant to recess taken.

Mr. Kuhl 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. 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 election of national committeemen for different political parties.

And recommend the same do pass.

Also

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 beginning and duration thereof.

And recommend the same do pass.

Also,

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.

And recommend the same be amended as follows:

In line 5 after the word "household goods" insert "in weight more than 1,000 pounds."

Section 1, after the words "Section 1" insert "Shipment of Immigrant Movables. Tax Receipt Required."

And when so amended recommend the same do pass.

Also,

House Bill No. 393.

A bill for an act to prevent unfair discrimination in the purchase of dairy products.

And recommend the same do pass.

Also

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.

And recommend the same be indefinitely postponed.

Also,

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.

And recommend the same be indefinitely postponed.

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.

And recommend that the same be amended as follows:

In the engrossed bill, section 1, line 5, after the word "university" insert the words "and the president of the North Dakota Agricultural College."

Same section, same line, strike out the words "two members" and insert in lieu thereof the words "one member."

And when so amended recommend the same do pass.

## Senate Bill No. 309.

A bill for an act to provide for the purchase of the paintings of "Mink Woman," "Bear's Necklace" and "Bad Brave."

And when so amended recommend the same do pass.

J. N. KUHL,  
Chairman.

Mr. Kuhl moved

The report was adopted.

Which motion prevailed, and

The report of the committee was adopted.

## THIRD READING OF HOUSE BILLS.

## 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.

Was read the third time.

Mr. Sorlie moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

## House Bill No. 86.

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.

Was read the third time.

The question being on the final passage of the bill.

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.—
Akesson	Hanson	Nelson of Walsh
Anderson, of Griggs	Harty	Nestos
Anderson, of Ramsey	Hawkinson	Norheim
Andrus	Hedalen	O'Connor of Gd. Forks
Bjornson	Hersrud	O'Connor of Pembina
Boerner	Hoge	Olsgard of Nelson
Bond	Homnes	Olsgard of Richland
Boyd	Hill, of Bottineau	Peart
Burnett	Hill, of Cass	Pendray
Burns	Hyland	Ray
Carey	Jordal	Robinson
Christenson	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Dean	Kuhl	Sorlie
DeNault	Kyllo	Stern
Dosseth	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Fassett	Martin	Tollefson
Fox	McClellan	Tostenson
France	Moen of Benson	Tuttle
Fried	Moen of Cavalier	Ulsaker
Fritz	Morrison	Walters
Gardiner	Moritz	Wambem
Geiger	Narum	Whitmer
Gorder	Nelson of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Putnam
Benson	Heinemeyer	Reeve
Brusletten	Johns	Roquette
Collins	Johnson	Sgutt
Davis	O'Shea	Thompson
DeLance	Paulson	Williams
Doyle, of Foster	Ployhar	
Englund	Price	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Denault moved

That the vote by which House Bill No. 86 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Olsgard of Nelson, moved  
That House Bill No. 39 be deferred until later.

Which motion prevailed.

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.

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	Harty	Norheim
Akesson	Hawkinson	O'Connor of Gd. Fork
Anderson, of Griggs	Hedalen	O'Connor of Persona
Anderson, of Ramsey	Heinemeyer	Olsgard of Nelson
Andrus	Hersrud	Olsgard of Richland
Benson	Hoge	Peart
Bjornson	Homnes	Pendray
Boerner	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Putnam
Boyd	Hyland	Ray
Brusletten	Johns	Robinson
Burnett	Jordal	Roquette
Furns	Kane	Sauer
Christenson	Knox	Scott
Davidson	Knutson	Scheer
Dean	<b>Kuhl</b>	Sorlie
DeLance	Kyllo	Stern
DeNault	Lageson	Stranahan
Dosseth	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Martin	Tollefson
Fassett	McClellan	<b>Tostenson</b>
Fox	Moen of Benson	Tuttle
France	Moen of Cavalier	Ulsaker
Fried	Morrison	Walters
Fritz	Moritz	Wambem
Gardiner	Narum	Whitmer
Geiger	Nelson of Richland	Williams
Gorder	Nelson of Walsh	Mr. Speaker
Hanson	Nestor	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carey	Englund	Price
Collins	Fraine	Reeve
Cunningham	Johnson	Sgutt
Davis	O'Shea	Thompson
Doyle, of Foster	Paulson	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill, as amended.

The roll was called and there were 69 ayes, 14 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	Narum
Anderson, of Griggs	Hawkinson	Nelson of Richland
Anderson, of Ramsey	Hedalen	Nestos
Andrus	Heinemeyer	Norheim
Bjornson	Hersrud	O'Connor of Gd. Forks
Boerner	Hoge	O'Connor of Pembina
Bond	Homnes	Olsgard of Nelson
Boyd	Hill, of Bottineau	Olsgard of Richland
Brusletten	Hyland	Pendray
Burnett	Johns	Putnam
Burns	Jordal	Ray
Carey	Kane	Robinson
Davidson	Knox	Roquette
Dean	Knutson	Sauer
DeLance	Kyllo	Scheer
Doyle, of McIntosh	Lageson	Sorlie
Fassett	Law	Tande
France	Lee	Tuttle
Fried	Martin	Ulsaker
Fritz	McClellan	Walters
Gardiner	Moen of Cavalier	Whitmer
Geiger	Morrison	Williams
Gorder	Moritz	



Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Edwards	Stranahan
Benson	Hill, of Cass	Tostenson
Christenson	Moen of Benson	Wambem
DeNault	Nelson of Walsh	Mr. Speaker
Dosseth	Scott	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Harty	Price
Cunningham	Johnson	Reeve
Davis	Kuhl	Sgutt
Doyle, of Foster	O'Shea	Stern
Englund	Paulson	Streeter
Fox	Peart	Thompson
Fraine	Ployhar	Tollefson

Mr. Collins being excused.

So the bill passed and the title was agreed to.

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 appointment and obligations of jailers, and the manner of fixing compensations to be allowed for jailer's services.

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	Hawkinson	Norheim
Akesson	Hedalen	O'Connor of Gd. Forks
Anderson, of Griggs	Heinemeyer	O'Connor of Pembina
Anderson, of Ramsey	Hersrud	Olsgard of Nelson
Andrus	Hoge	Olsgard of Richland
Benson	Homnes	Peart
Bjornson	Hill, of Bottineau	Pendray
Boerner	Hill, of Cass	Putnam
Bond	Hyland	Ray
Boyd	Johns	Robinson
Brusletten	Johnson	Roquette
Burnett	Jordal	Sauer
Burns	Kane	Scott
Carey	Knox	Scheer
Christenson	Knutson	Sgutt
Davidson	Kuhl	Sorlie
Dean	Kyllo	Stranahan

Messrs.—	Messrs.—	Messrs.—
DeLance	Lageson	Streeter
DeNault	Law	Tande
Dosseth	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	McCiellan	Tostenson
Fassett	Moen, of Benson	Tuttle
France	Moen, of Cavalier	Ulsaker
Fried	Morrison	Walters
Fritz	Moritz	Wambom
Gardiner	Narum	Whitmer
Geiger	Nelson, of Richland	Williams
Gorder	Nelson, of Walsh	Mr. Speaker
Hanson	Nestos	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Fox	Ployhar
Cunningham	Fraine	Price
Davis	Harty	Reeve
Doyle, of Foster	O'Shea	Stern
Englund	Paulson	

Mr. Collins 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. 419 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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,

March 1, 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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 55 ayes, 30 nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hedalen	Olsgard of Nelson
Bjornson	Heinemeyer	Paulson
Boerner	Hill, of Bottineau	Peadray
Bond	Hyland	Ray
Boya	Jordal	Robinson
Brusletten	Knox	Roquette
Burnett	Kuhl	Sauer
Christenson	Kyllo	Sgutt
Cunningham	Lage:son	Sorlie
DeNault	Law	Streeter
Edwards	Lee	Tande
Fox	Martin	Tostenson
France	McClellan	Tuttle
Fried	Moen, of Cavalier	Walters
Fritz	Morrison	Wambem
Gardiner	Nelson, of Walsh	Williams
Geiger	Nestos	
Gorder	O'Connor of Gd. Forks	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Homnes	Olsgard of Richland
Akesson	Hill, of Cass	Peart
Andrus	Johnson	Ployhar
Carey	Kane	Putnam
Dean	Knutson	Scott
Fassett	Moen, of Benson	Scheer
Hanson	Moritz	Stern
Hawkinson	Narum	Stranahan
Hersrud	Nelson, of Richland	Tollefson
Hoge	Norheim	Ulsaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Dosseth	O'Shea
Burns	Doyle, of Foster	Price
Collins	Doyle, of McIntosh	Reeve
Davidson	Englund	Thompson
Davis	Fraine	Whitmer
DeLance	Johns	Mr. Speaker

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Fried moved

That the vote by which House Bill No. 410 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

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.

Also

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.

Also,

House Bill No. 282.

A bill for an act to regulate clearance of obstructions on railroads.

Also

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.

Also,

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.

Also,

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.

Also,

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.

Also

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.

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.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 75 ayes, 17 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Richland
Akesson	Hanson	Nestos
Anderson, of Griggs	Harty	Norheim
Andrus	Hawkinson	O'Connor of Gd. Forks
Benson	Heinemeyer	O'Connor of Pembina
Bjornson	Hersrud	Olgard of Nelson
Boerner	Hoge	Olgard of Richland
Bond	Homnes	Paulson
Boyd	Hill, of Bottineau	Pearl
Brusletten	Hill, of Cass	Ployhar
Burns	Hyland	Putnam
Carey	Johnson	Ray
Cunningham	Kane	Reeve
DeLance	Knox	Robinson
DeNault	Knutsen	Roquette
Dosseth	Kuhl	Scott
Doyle, of Foster	Law	Scheer
Doyle, of McIntosh	Lee	Sgutt
Edwards	Martin	Stern
Fassett	McCiellan	Stranalen
Fox	Moen, of Benson	Streeter
France	Moen, of Cavalier	Tande
Fried	Morrison	Tuttle
Fritz	Moritz	Whitmer
Geiger	Narum	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Kyllo	Tollefson
Burnot	Lageson	Tostenson
Christenson	Nelson, of Walsh	Ulsaker
Davidson	Pendray	Walters
Gardiner	Sauer	Wambem
Hedalen	Sorlie	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Fraine	Price
Davis	Johns	Thompson
Dean	Jordal	Mr. Speaker
Englund	O Shea	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Anderson of Griggs, moved

That the vote by which House Bill No. 400 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 60 ayes, 27 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Moen, of Cavalier
Akesson	Fritz	Nelson, of Richland
Anderson, of Griggs	Gardiner	O'Connor of Gd. Forks
Andrus	Geiger	O'Connor of Pembina
Benson	Gorder	Olgard of Nelson
Bjornson	Hanson	Olgard of Richland
Bond	Hawkinson	Paulson
Boyd	Hedalen	Peart
Brusletten	Heinemeyer	Pendray
Burnett	Hersrud	Ployhar
Christenson	Hoge	Price
Davidson	Hill, of Cass	Putnam
Dean	Johnson	Ray
DeNault	Knutson	Roquette
Dosseth	Kuhl	Sauer
Doyle, of Foster	Kyllo	Sgutt
Edwards	Lageson	Tande
Fassett	Law	Tostenson
Fox	Lee	Wambem
France	Martin	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Knox	Sorlie
Boerner	Moen, of Benson	Stern
Carey	Morrison	Stranahan
Cunningham	Moritz	Streeter
DeLance	Narum	Tollefson
Doyle, of McIntosh	Nelson, of Walsh	Tuttle
Englund	Nestos	Ulsaker
Hill, of Bottineau	Norheim	Walters
Kane	Scott	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Hyland	Robinson
Collins	Johns	Scheer

Messrs.—  
 Davis  
 Fraine  
 Harty  
 Homnes

Messrs.—  
 Jordal  
 McClellan  
 O'Shea  
 Reeve

Messrs.—  
 Thompson  
 Mr. Speaker

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Edwards moved

That the vote by which House Bill No. 154 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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.

Was read the third time.

Mr. Edwards asked unanimous consent to amend the bill.

There being no objection, Mr. Edwards offered the following amendment and moved its adoption, by adding:

Section 2. Emergency.) Whereas there is no law adequately covering the issue of bonds by organized townships and an emergency exists, therefore this act shall be in force and effect from and after its passage and approval.

Mr. Edwards moved

That the rules be suspended and the bill 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 85 ayes, 1 nay, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
 Aasheim  
 Akesson  
 Anderson, of Griggs  
 Anderson, of Ramsey  
 Andrus  
 Benson  
 Bjornson  
 Boerner  
 Bond

Messrs.—  
 Fritz  
 Gardiner  
 Geiger  
 Gorder  
 Hanson  
 Hawkinson  
 Hedalen  
 Heinemeyer  
 Hersrud

Messrs.—  
 Nestos  
 Norheim  
 O'Connor of Gd. Forks  
 O'Connor of Pembina  
 Olsgard of Nelson  
 Olsgard of Richla  
 Peart  
 Pendray  
 Ployhar



Messrs.—	Messrs.—	Messrs.—
Boyd	Hoge	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Johnson	Ray
Burns	Jordal	Robinson
Carey	Kane	Roquette
Christenson	Knox	Scott
Cunningham	Knutson	Scheer
Davidson	Kuhl	Sgutt
Davis	Kyllo	Sorlie
Dean	Lageson	Stern
DeLance	Law	Streeter
DeNault	Lee	Tollefson
Doyle, of Foster	Martin	Tostenson
Doyle, of McIntosh	Moen, of Benson	Ulsaker
Edwards	Moen, of Cavalier	Walters
Englund	Morrison	Wambem
Fassett	Moritz	Whitmer
Fox	Narum	Williams
France	Nelson, of Richland	
Fried	Nelson, of Walsh	

Mr. Paulson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Hyland	Stranahan
Dosseth	Johns	Tande
Fraine	McClellan	Thompson
Harty	O'Shea	Tuttle
Homnes	Reeve	Mr. Speaker
Hill, of Bottineau	Sauer	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Boyd moved

That the vote by which House Bill No. 442 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

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	Hanson	O'Connor of Gd. Forks
Akesson	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Hersrud	Paulson
Bjornson	Hoge	Pendray
Boerner	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Johnson	Putnam
Brusletten	Jordal	Ray
Burnett	Kane	Reeve
Carey	Knutson	Robinson
Christenson	Kuhl	Roquette
Cunningham	Kylo	Scott
Davis	Lageson	Scheer
Dean	Lee	Sgutt
DeLance	Martin	Sorlie
DeNault	McClellan	Streeter
Doyle, of McIntosh	Moen of Benson	Tande
Edwards	Moen of Cavalier	Tollefson
Fox	Morrison	Tostenson
France	Moritz	Tuttle
Fried	Narum	Ulsaker
Fritz	Nelson of Richland	Walters
Gardiner	Nelson of Walsh	Wambem
Geiger	Nestos	Whitmer
Gorder	Norheim	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fraine	Peart
Burns	Heinemeyer	Sauer
Collins	Homnes	Stern
Davidson	Hyland	Stranahan
Dosseth	Johns	Thompson
Doyle, of Foster	Knox	Mr. Speaker
Englund-	Law	
Fassett	O'Shea	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Sgutt moved

That the vote by which House Bill No. 421 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. 28.

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

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. 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.

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. 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. 217.

A bill for an act authorizing the board of railroad commissioners to refund license fee of public grain warehouses.

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. 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.

Were delivered to the Governor for his approval at the hour of 10 o'clock a. m., March 1, 1911.

ROBERT NORHEIM,  
Acting Chairman.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 83 ayes, 3 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nelson, of Walsh
Akesson	Geiger	Nestos
Anderson, of Griggs	Gorder	Norheim
Benson	Hanson	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Bjornson	Hedalen	Olsgard of Richland
Boerner	Heinemeyer	Paulson
Boyd	Hersrud	Pendray
Brusletten	Hoge	Ployhar
Burnett	Homnes	Price
Burns	Hill, of Bottineau	Putnam
Carey	Hill, of Cass	Reeve
Christenson	Johns	Robinson
Cunningham	Johnson	Scheer
Davidson	Jordal	Sgutt
Davis	Kane	Sorlie
Dean	Knutson	Streeter
DeLance	Kyllo	Tande
DeNault	Lageson	Tollefson
Dosseth	Law	Tostenson
Doyle, of McIntosh	Lee	Tuttle
Edwards	Martin	Ulsaker
Fassett	Moen, of Benson	Walters
Fox	Moen, of Cavalier	Wambem

Messrs.—	Messrs.—	Messrs.—
France	Morrison	Whitmer
Fried	Moritz	Williams
Fritz	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
McClellan	Ray	Roquette

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Knox	Scott
Collins	Kuhl	Stern
Doyle, of Foster	Nelson, of Richland	Stranahan
Englund	O'Shea	Thompson
Fraine	Peart	Mr. Speaker
Hyland	Sauer	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Aasheim moved

That the vote by which House Bill No. 402 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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 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	Hanson	Nelson, of Walsh
Akesson	Harty	Nestos
Anderson, of Griggs	Hawkinson	Norheim
Anderson, of Ramsey	Hedalen	O'Connor of Pembina
Andrus	Hersrud	O'Connor of Gd. Forks
Benson	Hoge	Olsgard of Nelson
Bjornson	Homnes	Olsgard of Richland
Boerner	Hill, of Bottineau	Paulson
Boyd	Hill, of Cass	Peart
Brusletton	Johns	Pendray

Messrs.—	Messrs.—	Messrs.—
Burnett	Johnson	Ployhar
Burns	Kane	Price
Christensor	Knox	Putnam
Cunningham	Knutson	Ray
Davidson	Kuhl	Robinson
Davis	Kyllo	Roquette
Dean	Lageson	Scheer
DeNault	Law	Sorlie
Dosseth	Lee	Stranahan
Doyle, of McIntosh	McClellan	Streeter
Edwards	Moen, of Benson	Tande
Fassett	Moen, of Cavalier	Tollefson
Fried	Morrison	Tostenson
Fritz	Moritz	Tuttle
Gardiner	Narum	Wamben
Geizer	Nelson, of Richland	Whitme.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Gordr	Sgutt
Carey	Heinemeyer	Stern
Collins	Hyland	Thompson
DeLance	Jordal	Ulsaker
Doyle, of Foster	Martin	Walters
Englund	O'Shea	Williams
Fox	Reeve	Mr. Speaker
France	Sauer	
Fraine	Scott	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which House Bill No. 359 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,  
March 1, 1911.

Mr. Speaker:

I have the honor to return herewith,

House Bill No. 177.

A bill for an act amending Section 2, Chapter 135, Session Laws of 1909, authorizing the board of railway com-

missioners 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 the Senate has amended as follows:

By striking out all after the words "A Bill" and inserting the following in lieu thereof:

For an Act Repealing Chapter 134 of the Session Laws of 1909.

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

Section 1. Repeal.) That Chapter 134 of the Session Laws of 1909 is hereby repealed.

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Homnes moved

That action on the Senate amendments to House Bill No. 177 be deferred.

Which motion prevailed.

House Bill No. 364.

A bill for an act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

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 affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Bond  
Boyd  
Brusletten  
Burnett  
Burns

Messrs.—

Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns

Messrs.—

Nelson of Walsh  
Nestos  
Norheim  
O'Connor of Gd. Works  
O'Connor of Pembina  
Olsgard of Richland  
Olsgard of Nelson  
Paulson  
Peart  
Pendray  
Price  
Putnam

Messrs.—	Messrs.—	Messrs.—
Carey	Johnson	Ray
Christenson	Kane	Robinson
Cunningham	Knutson	Roquette
Davidson	Kuhl	Sgutt
Davis	Kyllo	Sorlie
Dean	Lageson	Stranahan
DeNault	Law	Streeter
Doyle, of Foster	Lee	Tande
Doyle, of McIntosh	Martin	Tollefson
Fassett	McClellan	Tostenson
Fox	Moen of Benson	Tuttle
France	Moen of Cavaller	Ulsaker
Fried	Morrison	Walters
Fritz	Moritz	Wambem
Gardner	Narum	Whitmer
Getger	Nelson of Richland	Williams

Mr. Boerner voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Gorder	Sauer
DeLance	Jordal	Scott
Dosseth	Knox	Scheer
Edwards	O'Shea	Stern
Englund	Ployhar	Thompson
Fraine	Reeve	Mr. Speaker

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which House Bill No. 364 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 255.

A bill for an act to require coroners to conduct and hold inquests in cases of railroad accidents.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 78 ayes, 2 nays, 23 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Nelson, of Walsh
Akesson	Harty	Nestos
Anderson, of Griggs	Hawkinson	Norheim



<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Anderson, of Ramsey	Hedalen	O'Connor of Gd. Forks
Andrus	Hersrud	O'Connor of Pembina
Benson	Hoge	Olsgard of Nelson
Bjornson	Homnes	Olsgard of Richland
Boerner	Hill, of Bottineau	Paulson
Bond	Hill, of Cass	Pendray
Boyd	Hyland	Price
Brusletten	Johns	Putnam
Burnett	Johnson	Ray
Burns	Kane	Robinson
Carey	Knutson	Roquette
Christenson	Kylo	Scott
Cunningham	Lageson	Sgutt
Davidson	Law	Sorlie
Davis	Lee	Streeter
Dean	Martin	Tande
Doyle, of McIntosh	McClellan	Tostenson
Fassett	Moen, of Benson	Tuttle
Fox	Moen, of Cavalier	Ulsaker
France	Morrison	Walters
Fritz	Moritz	Wambem
Gardiner	Narum	Whitmer
Geiger	Nelson, of Richland	Williams

Messrs. Peart and Stranahan voted in the negative.

Absent and not voting:

<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Collins	Fried	Reeve
DeLance	Gorder	Sauer
DeNault	Heinemeyer	Scheer
Dosseth	Jordal	Stern
Doyle, of Foster	Knox	Thompson
Edwards	Kuhl	Tollefson
Englund	O'Shea	Mr. Speaker
Fraine	Ployhar	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which House Bill No. 255 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

Mr. Price moved

That the further consideration of House Bill No. 232 be indefinitely postponed.

Mr. Cunningham moved

The previous question.

The question being shall the main question be now put.

The same prevailed.

The question being on the motion to postpone further consideration of House Bill No. 232.

The same was lost.

The question being on the final passage of the bill,

The roll was called and there were 71 ayes, 19 nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hanson	Narum
Anderson, of Ramsey	Hawkinson	Nelson, of Richland
Andrus	Hedalen	Nelson, of Walsh
Bjornson	Heinemeyer	Nestos
Boerner	Hersrud	Norheim
Bond	Hoge	O'Connor of Pembina
Boyd	Homnes	Olgard of Nelson
Brusletten	Hill, of Bottineau	Olgard of Richland
Burnett	Hyland	Pendray
Carey	Johns	Ployhar
Christenson	Jordal	Putnam
Cunningham	Kane	Scott
Davidson	Knox	Scheer
Dean	Knutson	Sgutt
DeLance	Kyllo	Sorlie
Edwards	Lageson	Streeter
Englund	Law	Tande
Fassett	Lee	Thompson
Fox	Martin	Tostenson
Fried	McClellan	Ulsaker
Fritz	Moen, of Benson	Walters
Gardiner	Moen, of Cavalier	Wambem
Geiger	Morrison	Williams
Gorder	Moritz	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Johnson	Roquette
Burns	O'Connor of Gd. Forks	Stern
Davis	Paulson	Stranahan
DeNault	Pearl	Tollefson
Doyle, of McIntosh	Price	Tuttle
France	Ray	
Hill, of Cass	Robinson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Sauer
Bensou	Harty	Whitmer
Collins	Kuhl	Mr. Speake
Dosseth	O'Shea	
Doyle, of Foster	Reeve	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Lee moved

That the vote by which House Bill No. 232 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker in the chair.

Mr. Christenson asked unanimous consent to withdraw House Bill No. 439.

There being no objections, House Bill No. 439 was withdrawn.

Mr. Aasheim asked unanimous consent to withdraw House Bill No. 384.

There being no objections, House Bill No. 384 was withdrawn.

The Speaker called Mr. Price to the chair.

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 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	Gorder	O'Connor of Gd. Forks
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Hawkinson	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland

Messrs.—	Messrs.—	Messrs.—
Andrus	Hersrud	Paulson
Benson	Hill, of Cass	Peart
Bjornson	Hoge	Pendray
Boerner,	Homnes	Ployhar
Bond	Hill, of Bottineau	Price
Boyd	Hyland	Putnam
Brusletten	Johnson	Ray
Burns	Jordal	Robinson
Carey	Kane	Roquette
Christenson	Knox	Sauer
Cunningham	Knutson	Scott
Davidson	Kyilo	Scheer
Davis	Lageson	Sgutt
Dean	Law	Sorlie
DeNault	Lee	Stern
Doyle, of McIntosh	McClellan	Stranahan
Edwards	Moen, of Benson	Tande
Englund	Moen, of Cavalier	Thompson
Fassett	Morrison	Tollefsen
Fox	Moritz	Tostenso
France	Narum	Tuttle
Fried	Nelson, of Richland	Ulsaker
Fritz	Nelson, of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Heinemeyer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Fraine	O'Shea
Collins	Harty	Reeve
DeLance	Johns	Streeter
Dosseth	Kuhl	Walters
Doyle, of Foster	Martin	Mr. Speaker

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which House Bill No. 357 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed:

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.

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.—
Akesson	Hawkinson	O'Connor of Gd. Forks
Anderson, of Griggs	Hedalen	O'Connor of Pembina
Anderson, of Ramsey	Heinemeyer	Olgard of Richland
Anirus	Hersrud	Olgard of Nelson
Benson	Hoge	Paulson
Bjornson	Homnes	Pendray
Boerner	Hill, of Bottineau	Ployhar
Bond	Hill, of Cass	Price
Boyd	Hyland	Putnam
Brusletten	Johns	Ray
Burnett	Johnson	Robinson
Carey	Kane	Roquette
Christenson	Knox	Scott
Cunningham	Knutson	Scheer
Davidson	Kylo	Sorlie
DeNault	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
Fried	Moritz	Ulsaker
Fritz	Narum	Walters
Gardiner	Nelson of Richland	Wambem
Geiger	Nelson of Walsh	Whitmer
Gorder	Nestos	Williams
Hanson	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Doyle, of Foster	Peart
Burns	Fraine	Reeve
Collins	Harty	Sauer
Davis	Jordal	Sgutt
Dean	Kuhl	Thompson
DeLance	Martin	Mr. Speaker
Dosseth	O'Shea	

Mr. Collins 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. 157 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker in the chair.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 70 ayes, 16 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Richland
Anderson, of Griggs	Hanson	Nestos
Anderson, of Ramsey	Harty	Norheim
Andrus	Hawkinson	O'Connor of Gd. Forks
Benson	Hedalen	O'Connor of Pembina
Bjornson	Hersrud	Olsgard of Nelson
Boerner	Homnes	Olsgard of Richland
Bond	Hill, of Bottineau	Paulson
Boyd	Hill, of Cass	Pearl
Brusletten	Hyland	Pendray
Burnett	Johns	Ployhar
Carey	Johson	Putnam
Christenson	Jordal	Scott
Cunningham	Kane	Sorlie
Davis	Knox	Stranahan
Dean	Knutson	Tande
DeLance	Kyllo	Thompson
DeNault	Lageson	Tostenson
Edwards	Law	Tuttle
Englund	Lee	Ulsaker
Fassett	McClellan	Wamberg
France	Moen, of Benson	Williams
Gardner	Moen, of Cavalier	
Geiger	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Ray	Streeter
Doyle, of McIntosh	Robinson	Tollefson
Fraine	Roquette	Walters
Fritz	Sauer	Whitmer
Heinemeyer	Scheer	
Price	Sgutt	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Fried	Nelson, of Walsh
Collins	Hoge	O'Shea
Davidson	Kuhl	Reeve
Dosseth	Martin	Stern
Doyle, of Foster	Morrison	Mr. Speaker
Fox	Moritz	

Mr. Collins being excused.

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 62 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 1:15 o'clock p. m.

Which motion prevailed.

And the House took a recess.

The House reassembled pursuant to recess taken.

### 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 56th day after recess and 57th day have carefully examined the same and recommend that the same be corrected as follows:

On page 21, on lines 39 and 40, strike out words "Did not contain the same subject matter," and insert in lieu thereof the words "was not the same."

Also strike out the DeNault episode.

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.

There being no objections, the House returned to the fifth order of business.

### REPORT OF STANDING COMMITTEES.

The committee on Education made the following report:

Mr. Speaker:

Your committee on education to whom was referred Senate Bill No. 304.

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.

Have had the same under consideration and recommend that the same be amended as follows:

Of the printed bill, section 1, line 2, strike out the word "and." Same section, line 3, strike out the words "all pupils in each year of the high schools."

Strike out all of section 2.

Strike out all of section 5.

Re-number the sections.

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 be adopted and the bill placed on the calendar for third reading.

Which motion prevailed.

Mr. Speaker:

The joint committee on charitable insurance to whom was referred

House Bill No. 268.

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES DUNCAN,  
A. L. PEART.

Mr. Peart 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

House Bill No. 427.

A bill for an act to withdraw from sale or rent certain school land in Dunn county.

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.

Also

Mr. Speaker:

Your committee on school and public lands to whom was referred

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.

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 warehouses and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses and grain grading to whom was referred

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 receipts shall express.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. E. KNOX,  
Chairman.

Mr. Knox 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. 428.

A bill for an act pertaining to the licensing of county and state auctioneers.

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.

The committee on coal lands and mining made the following report:

Mr. Speaker:

Your committee on coal lands and mining to whom was referred

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. E. DAVIDSON,  
Chairman.

Mr. Davidson 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. 441.

To amend section 56 of the constitution of the State of North Dakota relating to the length of sessions of the legislative assembly.

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. 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.

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. 435.

A bill for an act to repeal Section 1933 of the Revised Codes 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. 447.

A bill for an act creating a commisison 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.

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 insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred  
House Bill No. 397.

A bill for an act relating to suspensions by fraternal or other insurance companies for non-payment of premiums.

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. 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.

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.

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. 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.

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.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred  
House Bill No. 53.

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 sup-

port and maintenance of the Agricultural sub-experiment stations located at Dickinson, Williston, Langdon and Hettinger.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A Bill" in the printed bill and insert in lieu the following:

For an Act Appropriating \$5,000.00 Annually for the Support and Maintenance of the Agricultural Sub-experiment Station Located at Hettinger.

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

Section 1. Appropriation.) There is hereby annually appropriated out of any moneys in the state treasury not otherwise appropriated the sum of five thousand dollars, to be paid quarterly to the treasurer of the North Dakota Agricultural College on the first days of April, July, October and January of each year, upon the order of the state auditor, who is hereby directed to draw his order for the same for the use of the government experiment station at Hettinger.

Section 2. Emergency.)

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the rules be suspended and the report of the committee be 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 highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

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.

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 game and fish made the following report:

Mr. Speaker:

Your committee on game and fish to whom was referred 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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

N. O. JOHNSON,  
Chairman.

Mr. Speaker:

A minority of your committee on game and fish have had under consideration House Bill No. 231 and beg to dissent from the opinion of the majority of the committee and recommend that the same do pass.

JOHN S. KYLLO,  
BERNT ANDERSON,  
J. J. O'CONNOR.

Mr. Anderson moved

That the minority report be adopted.

Which motion prevailed, and

The minority 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. 399.

A bill for an act to amend and re-enact Section 2402 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:

In line 5 of the printed bill, after the word "by" strike out the word "fifteen" and insert in lieu thereof the words "twenty-five."

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 be adopted and the bill placed on the calendar for third reading.

Which motion prevailed.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

House Bill No. 159.

A bill for an act to amend Section 1, Chapter 45, Laws of 1907.

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.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations 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 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.

Mr. Ployhar moved

That the amendments to House Bill No. 29 be adopted.

Which motion prevailed, and

The amendments were adopted.



Also

Mr. Speaker:

Your committee on appropriations to whom was referred 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.

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. 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.

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. 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.

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 municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

## 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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ALEX STERN,  
Chairman.

Mr. Sterns 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

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.

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. 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.

Have had the same under consideration and recommend that the same be amended as follows:

That all of said bill, after the words "A Bill" be stricken out, and the following be substituted in lieu thereof, to-wit:

'For an Act to Provide for Party Registration of Electors Desiring to Vote at any Primary Election in this State; and 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.'

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

Section 1. Party Registration Required, When.) A party registration of the voters in their respective political parties shall be taken in each election precinct of this state in the following manner: In the months of April and May of each even-numbered year, in which a primary is held, the assessor of each district shall at the time that he makes his assessment of the real and personal property within his district, taken down in a party enrollment book the name of each voter in his district, grouping alphabetically and according to the precinct of such voters in substantially the following form:

- ..... County.
- ..... City.
- ..... Ward.
- ..... Election Precinct.

Date.	Enrolled Number.	Name.	P. O. Address.	Age.	Nativity.	Str. No.	Party Affli.
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And also have each voter sign a registration blank "A," which shall be in the following form:

State of North Dakota, }  
 County of ..... } ss.

I, the undersigned elector, do solemnly swear (or affirm) that my name and signature as signed below is my true name and signature. If I have not personally signed it, it is because ..... and it was signed at my request by the attesting officer. My age is ..... years, and occupation .....; nativity .....; naturalized or declared my intention in ..... court, in ..... county, ..... state, on ..... 19....., as appears by the naturalization papers exhibited herewith. Present residence is in section ..... township ..... range ..... county, North Dakota; or (if town or city) at No. .... street, in the city of ..... postoffice address ..... I belong to the ..... party; that I have resided in this state for one year immediately preceding this election.

In testimony whereof I sign my name two times.

- (1) .....
- (2) .....

Note.—If unable to sign, let the officer write his name and so state.

Sec. 2. Registration and Enrollment Books, How Furnished.) These party enrollment books and blanks shall be prepared and furnished by the secretary of state and by him sent to each county auditor in the state, and by each county auditor distributed to each assessor. The assessors shall complete their work of taking the party registration in the months of April and May of each even-numbered year, and shall return the blanks and enrollment books to the county auditor of the respective counties on or before thirty days before each primary election day, and shall receive as compensation the sum of ten cents (10c) for entry of the name of each party voter in addition to the compensation now allowed by law for his work as such assessor. He shall cause the names to be entered in the party enrollment book alphabetically and according to the respective precincts of the voters within that district.

Any voter who is unavoidably absent from the assessor's district during the time of taking the party registration may go before any notary public and sign and verify a registration blank of his county.

Sec. 3. When Person May Cause Name to be Enrolled on Primary Day.) Any person who was a qualified voter in any election precinct in this state on the day of enrollment and registration provided for in this act, and who failed to have his name enrolled on that day by reason of sickness or unavoidable absence from the election precinct, and who is a qualified voter in said district at the time of the primaries thereafter held therein, or who may have become twenty-one years of age after the day of enrollment may have his name enrolled by the election board on any primary day upon making oath as provided in the general election law in relation to registration of electors on election days. Any person who was a qualified voter in any election precinct in this state on the day of enrollment provided for in this act, and who was duly enrolled as provided herein, who has had occasion to transfer his place of residence to an election precinct other than that in which he was enrolled, may be entitled to a new enrollment on primary day in such election precinct and be entitled to a vote therein, provided that he has resided in the election precinct to which he has lately

removed for a period to comply with the general laws governing residence of electors. He may obtain from the assessor of the precinct in which he formerly resided, a certificate stating that he was duly enrolled in such precinct and that he has changed his residence therefrom to such other precinct and that he is entitled to enrollment therein.

The county auditor shall cause duplicates to be made of all the party enrollment books on file in his office and cause a copy of the party enrollment book for each precinct to be delivered to the inspector of elections of such precinct at the same time that the other election supplies and ballot boxes are delivered to such inspector, as now provided by law.

The inspector and judges at such primary elections shall require each voter to vote the party ballot under which he was registered.

Section 4. Amendment.) That section 4 of Chapter 109 of the Laws of North Dakota for 1907, relating to county and legislative candidates, petitions, filing fee and pledge, under the primary election law, is hereby amended to read as follows:

Section 4. County and Legislative Candidates. Petition, Filing Fee and Pledge.) Every candidate for a county or district office shall, not more than forty days nor less than thirty days, and before 4 o'clock p. m. of the thirtieth day prior to any primary election, present to the county auditor a petition giving his name, postoffice address, the title of the office to which he aspires, and the party which he represents, containing the names of five per cent of the total vote cast for the candidate of the party which he represents for the same position at the last general election, such names to be procured from at least one-fifth of the precincts of his district; provided, however, that in no case shall there be more than two hundred names; and provided further, that the petitions of all candidates for members of the legislative assembly may, in addition to the requirements hereinbefore provided, contain the following pledge, namely: "I, the undersigned, a candidate for the office of member of the legislative assembly of the state of North Dakota, do obligate myself to the people of the state of North Dakota and to the people of my legislative district, that during my term of office I will support and vote for that candidate for United States senator in congress of the party of which I am a member who has received a majority of such party votes, or who by law receives the party nomination, for that position at the primary election next preceding the election of United States senator in congress." In case such legislative candidate signs the foregoing pledge, he shall be entitled to have printed below his name upon the primary and general election ballot the following words, to-wit: "Pledged to the people's choice for United States senator." In case such legislative candidate does not sign the foregoing pledge there shall be printed below his name upon the primary election and general election ballot the following words, to-wit: "Not pledged to the people's choice for United States senator."

Each name on the petition shall be that of a qualified voter and be subscribed under a party heading. Each signer of a nomination paper shall sign but one such paper for the same office; he shall add his residence with the street number, if any, and the date of signing. Upon the receipt of such petition by the county auditor and the payment to him of the filing fee of three dollars (\$3.00), excepting candidates for county commissioners, district assessors, surveyor, coroner, county constables and county justices of the peace, who shall pay no filing fee, and when accompanied by an affidavit, as provided in section 3 of Chapter 109 of the 1907 Session Laws, relating to petitions required, fees and filings, affidavit of candidate, such county auditor shall place the name of such applicant upon the primary election ballot in the columns of his party, as hereinbefore provided.

When a legislative district is composed of more than one county, the petition herein provided for shall be filed with the county auditor of the county where the candidate resides, and such county auditor shall certify to the county auditors of the other counties comprising such legislative

districts the names of the candidates filing such petitions. The filing fees received as above by the county auditor shall be turned over by him to the county treasurer to be covered into the general fund.

And when so amended recommend the same do pass.

C. E. DAVIDSON,  
Acting Chairman.

Mr. Davidson moved

That the rules be suspended and the report of the committee be 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 appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

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.

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 public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

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.

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.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

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.

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.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

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.

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.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred House Bill No. 450.

For an act authorizing the state board of auditors to employ a skilled accountant to assist in the examination of the of such accountant.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "the" in the third line of the title of the original bill, and insert in lieu thereof the word "any." Strike out the word "treasurer" in the same line. In section 1, strike out the words "the state treasurer, as provided for in section 231," and insert in lieu thereof after the word "of" "any state office," and after the word "it" strike out the word "shall" and insert the word "may." In section 2, strike out the word "ten" and insert the word "fifteen."

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 be 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 ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

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.

Have had the same under consideration and recommend that the same be referred to the committee of the whole.

W. S. DEAN,  
Chairman.



Mr. Price moved

That the rules be suspended and the bill placed on the calendar for third reading.

Which motion prevailed

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

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.

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. 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.

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 Municipal Corporations made the following report:

Mr. Speaker:

Your committee on Municipal Corporations to whom was referred

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.

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.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

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.

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. 446.

A bill for an act to amend Section 2218 of the Revised  
Codes of 1905, relating to the methods of inspection of oil.

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. 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 punish-  
ment for a violation thereof.

Have had the same under consideration and recommend  
that the same be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof  
the following:

"For an Act to Amend Section 1 of Chapter 124 of the Session Laws of  
1909 of the State of North Dakota, relating to Fire Escapes Required  
on School Houses of more than One Story.

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

Section 1. Amendment.) Section 1 of Chapter 124 of the Session Laws  
of 1909 of the State of North Dakota is hereby amended to read as follows:

Section 1. Fire Escapes Required.) Two or more stationary fire escapes,  
consisting of iron stairways, shall 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.

Section 2. Emergency.) An emergency exists in this, that a great  
many school houses in this state are not provided with stationary fire  
escapes, consisting of iron stairways, attached to the outside of each one  
and every story, above the first story, of those school houses in this state  
having more than one story, therefore this act shall be in force and effect  
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 of the committee be adopted and the bill placed on the calendar for third reading.

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. 413.

A bill for an act entitled, an act to amend Section 2389 of the Revised Codes of 1905, relating to county commissioners.

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.

Also,

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

House Bill No. 432.

A bill for an act to make permanent the location of county seats within the state of North Dakota.

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 game and fish made the following report:

Mr. Speaker:

Your committee on game and fish to whom was referred

House Bill No. 426.

A bill for an act to amend and re-enact Section 38 of Chapter 128, Session Laws 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.

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. 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 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.

Mr. Davis asked unanimous consent to withdraw House Bill No. 283.

There being no objections,

House Bill No. 283 was withdrawn.

The committee on woman's suffrage made the following report:

Mr. Speaker:

Your committee on woman's suffrage to whom was referred

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved  
That the report be adopted.

Roll call demanded.

Mr. McClellan moved

The previous question.

The question being, shall the main question be now put.  
Which motion prevailed.

The question being upon the adoption of the committee report indefinitely postponing House Bill No. 341,

The roll was called and there were 54 ayes, 42 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Jordal	Peart
Ejornson	Kane	Ray
Boerner	Knox	Robinson
Bond	Kuhl	Sauer
Boyd	Kyllo	Scott
Carey	Law	Scheer
Cunningham	McClellan	Sorlie
DeLance	Moen of Benson	Stern
Dosseth	Moen of Cavalier	Stranahan
Edwards	Morrison	Tande
Fox	Moritz	Thompson
France	Narum	Tollefson
Fritz	Nelson of Walsh	Tostenson
Geiger	Norhelm	Tuttle
Hanson	Olsgara of Nelson	Ulsaker
Hoge	Olsgard of Richland	Walters
Homnes	O'Shea	Williams
Hill, of Cass	Paulson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Englund	Lageson
Anderson, of Griggs	Fassett	Lee
Anderson, of Ramsey	Fried	Martin
Benson	Gardiner	Nelson of Richland
Brusletten	order	Nestos
Burnett	Harty	O'Connor of Gd. l orks
Burns	Hawkinson	O'Connor of Pembina
Christenson	Heinemeyer	Pendray
Collins	Hersrud	Price
Davidson	Hill, of Bottineau	Putnam
Davis	Hyland	Roquette
Dean	Johns	Sgutt
DeNault	Johnson	Wambem
Doyle, of McIntosh	Knutson	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anerus	Hedalen	Reeve
Doyle, of Foster	Ployhar	Streeter
Fraine		

Which motion prevailed, and  
House Bill No. 341 was indefinitely postponed.

Mr. Thompson explained his vote.

Mr. Sorlie moved

That the vote by which House Bill No. 341 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The committee on apportionment made the following report:

Mr. Speaker:

Your committee on apportionment to whom was referred  
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.

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. 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.

Have had the same under consideration and recommend that the same be submitted to a committee of the whole House without recommendation.

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. 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. 222.

A bill for an act to divide the State of North Dakota into  
three congressional districts, and defining the boundaries  
thereof.

Have had the same under consideration and recommend  
that the same be recommended to a committee of the whole  
House without recommendation.

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. 256.

A bill for an act to divide the state of North Dakota into three congressional districts, and defining the boundaries thereof.

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. 280.

A bill for an act to divide the state of North Dakota into three congressional districts.

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.

The committee on woman's suffrage made the following report:

Mr. Speaker:

Your committee on woman's suffrage to whom was referred

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. M. THOMPSON,  
Chairman.

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

Mr. Pendray moved  
That all reference to the statements made by Mr. DeNault  
and myself be stricken from the records.  
Which motion prevailed.

Mr. Thompson moved  
That the house do now adjourn.  
Which motion prevailed.  
And the House adjourned.

E. H. GRIFFIN,  
Chief Clerk.

FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

March 1, 1911.

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

The speaker presiding.

Prayer by the chaplain.

Roll call.

All members present.

There being no objections,

The House passed to the eleventh order of business.

THIRD READING OF HOUSE BILLS.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 393.

A bill for an act to prevent unfair discrimination in the purchase of dairy products.

Also

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 beginning and duration thereof.

Also

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.

Also

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.

Also,

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.

Also

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.

Also

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 election of national committeemen for different political parties.

And find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

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.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ardrus	Fraine	Price
Boerner	Moritz	Reeve
Dosseth	Olgard of Nelson	Streeter
Doyle, of Foster	Ployhar	Walters

So the bill passed and the title was agreed to.

Mr. Bjornson moved

That the vote by which House Bill No. 266 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## 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.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Fraine	Reeve
Boerner	Heinemeyer	Streeter
Burns	Ployhar	Ulsaker
Doyle, of Foster		

So the bill passed and the title was agreed to.

Mr. Fried moved

That the vote by which House Bill No. 445 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,

March 1, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House resolution regarding periodical postage.

Very respectfully,

J. W. FOLEY,  
Secretary,

The Speaker called Mr. Sorlie to the chair.

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.

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	Gorder	Norheim
Akesson	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	Peart
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Price

Messrs.—	Messrs.—	Messrs.—
Burnett	Hyland	Putnam
Burns	Johns	Ray
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kyllo	Sgutt
Dean	Lageson	Sorlie
DeLance	Law	Stern
Dosseth	Lee	Stranahan
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen, of Benson	Tuttle
Fassett	Moen, of Cavalier	Ulsaker
Fox	Moritz	Wambem
France	Narum	Whitmer
Gardiner	Nelson, of Richland	Williams
Geiger	Nelson, of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeNault	Morrison	Tostenson
Fritz	Tollefson	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Kuhl	Streeter
Ernie	Nestos	Mr. Speaker
Fried	Reeve	

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That further consideration of House Bill No. 191 be indefinitely postponed.

Which motion prevailed, and

The further consideration of House Bill No. 191 was indefinitely postponed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 79 ayes, 15 nays, 9 absent and not voting.



## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nelson of Richland
Anderson, of Griggs	Gorder	Nelson of Walsh
Anderson, of Ramsey	Hanson	Nestos
Andrus	Harty	Norheim
Bjornson	Hedalen	O'Connor of Gd. Forks
Bond	Hersrud	O'Connor of Pembina
Boyd	Hoge	Olsgard of Richland
Brusletten	Homnes	O'Shea
Burnett	Hill, of Bottineau	Paulson
Burns	Hill, of Cass	Peart
Carey	Hyland	Pendray
Christenson	Johns	Ployhar
Collins	Jordal	Price
Cunningham	Kane	Putnam
Davidson	Knox	Ray
Davis	Knutson	Robinson
Dean	Kylo	Roquette
DeNault	Lageson	Scheer
Doyle, of McIntosh	Law	Sgutt
Edwards	Lee	Sorlie
Englund	Martin	Stern
Fassett	McClellan	Stranahan
Fox	Moen of Benson	Tande
France	Moen of Cavalier	Thompson
Fried	Morrison	Ulsaker
Fritz	Moritz	Williams
Gardiner		

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hawkinson	Tollefson
Benson	Johnson	Tostenson
Boerner	Narum	Tuttle
DeLance	Sauer	Walters
Dosseth	Scott	Wambem

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Kuhl	Streeter
Fraine	Olsgard of Nelson	Whitmer
Heinemeyer	Reeve	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. DeLance moved

That the further consideration of House Bill No. 282 be indefinitely postponed.

Roll call demanded.

The roll was called and there were 38 ayes, 56 nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Ployhar
Akesson	Hill, of Bottineau	Price
Anderson, of Griggs	Hill, of Cass	Putnam
Andrus	Kuhl	Ray
Boerner	Law	Sorlie
Burnett	Moen, of Benson	Stern
Cunningham	Moen, of Cavalier	Stranahan
DeLance	Morrison	Tostenson
Dosseth	Moritz	Tuttle
Fox	Nelson, of Richland	Ulsaker
Fritz	Olsgard of Nelson	Wambom
Gorder	Paulson	Williams
Hanson	Peart	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	France	Nelson, of Walsh
Benson	Fried	Nestos
Bjornson	Gardiner	Norheim
Bond	Geiger	O'Connor of Gd. Forks
Boyd	Harty	O'Connor of Pembina
Brusletten	Hedalen	Olsgard of Richland
Burns	Hersrud	O'Shea
Carey	Hoge	Pendray
Christenson	Homnes	Robinson
Collins	Hyland	Roquette
Davidson	Johns	Sauer
Davis	Johnson	Scott
Dean	Kane	Scheer
DeNault	Kyllo	Sgutt
Doyle, of Foster	Lageson	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Martin	Walters
Englund	McClellan	Whitme
Fassett	Narum	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Fraine	Knox	Thompson
Heinemeyer	Knutson	Tollefson
Jordal	Réeve	Mr. Speaker

Which motion was lost.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 1, 1911.

Mr. Speaker:

I have the honor to request the return of Senate Bill No. 344.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Roquette moved

That the House return Senate Bill No. 344 as requested by the Senate.

Which motion prevailed, and  
Senate Bill No. 344 was returned.

House Bill No. 282.

A bill for an act to regulate clearance of obstructions on railroads.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 53 ayes, 39 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gardiner	Moen of Benson
Anderson, of Ramsey	Geiger	Narum
Benson	Harty	Nelson of Walsh
Bjornson	Hedalen	Nestos
Bond	Heinemeyer	Norhelm
Boyd	Hersrud	O'Connor of Gd. Forks
Burns	Hogo	O'Connor of Pembina
Carey	Homnes	O'Shea
Christenson	Hyland	Pendray
Collins	Johns	Robinson
Davidson	Johnson	Roquette
Dean	Knox	Sauer
DeNault	Kuhl	Scott
Doyle, of McIntosh	Kyllo	Streeter
Edwards	Lageon	Tande

Messrs.—	Messrs.—	Messrs.—
Englund	Lee	Whitmer
Fassett	Martin	Williams
Fried	McClellan	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	Putnam
Akesson	Hill, of Bottineau	Ray
Andrus	Hill, of Cass	Scheer
Boerner	Kane	Sgutt
Brusletten	Law	Sorlie
Burnett	Moen of Cavalier	Stern
Cunningham	Morrison	Stranahan
DeLance	Moritz	Tollefson
Dosseth	Nelson of Richland	Tostenson
Fox	Olgard of Nelson	Tuttle
France	Peart	Ulsaker
Fritz	Ployhar	Walters
Hansen	Price	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Jordal	Reeve
Doyle, of Foster	Knutson	Thompson
Fraine	Olgard of Richland	Mr. Speaker
Gorder	Paulson	

So the bill passed and the title was agreed to.

Mr. Martin moved

That the vote by which House Bill No. 282 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

Mr. Tande 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 61 ayes, 29 nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Nelson, of Richland
Anderson, of Griggs	Fraine	Nelson, of Walsh
Anderson, of Ramsey	Geiger	Nestos
Andrus	Gorder	O'Connor of Gd. Forks
Boerner	Hawkinson	O'Connor of Pembina
Bond	Hedalen	Olgard of Nelson
Boyd	Heinemeyer	Olgard of Richland
Brusletten	Hersrud	O'Shea
Burnett	Homnes	Paulson
Burns	Hill, of Bottineau	Pendray
Carey	Hill, of Cass	Putnam
Christenson	Johnson	Ray
Collins	Knox	Robinson
Cunningham	Knutson	Roquette
Davis	Kuhl	Scott
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	McClellan	Streeter
Edwards	Moen, of Cavalier	Tostenson
Englund	Morrison	Tuttle
Fassett	Moritz	Williams
Fox		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	Scheer
Bjornson	Hoge	Sgutt
Davidson	Lageson	Sorlie
Dean	Law	Stern
DeLance	Moen, of Benson	ande
DeNault	Narum	Tollefson
Dosseth	Norheim	Ulsaker
Fried	Peart	Walters
Gardiner	Price	Wambem
Hanson	Sauer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kane	Reeve
Fritz	Kyllo	Thompson
Hyland	Martin	Whitmer
Johns	Ployhar	Mr. Speaker
Jordal		

So the bill passed and the title was agreed to.

Mr. Boyd moved

That the vote by which House Bill No. 326 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

Was read the third time.

Mr. Doyle moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

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SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 1, 1911.

Mr. Speaker:

I have the honor to transmit herewith.

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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

The Speaker in the chair.

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 de-

posits, unless such description is contained therein, 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 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 Nelson
Andrus	Hedalen	Olgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Peart
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Carey	Johns	Ray
Christenson	Johnson	Robinson
Collins	Kane	Roquette
Cunningham	Knox	Sauer
Davidson	Knutson	Scott
Davis	Kuhl	Scheer
Dean	Kylo	Scutt
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	Moritz	Ulsaker
Fraine	Narum	Walters
Fried	Nelson, of Richland	Wambem
Fritz	Nelson, of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norhelm	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Jordal	Tuttle
Burns	Reeve	

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which House Bill No. 418 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker announced the following members as a board of managers in the Cowan impeachment proceedings: Messrs. Homnes, Nestos, Hanson, O'Connor of Grand Forks, and Norheim.

The question of approval of the board by the House was put and

The same prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 362.

A bill for an act to amend and re-enact 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.

Also

Senate Bill No. 363.

A bill for an act to amend and re-enact 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.

Also



## Senate Bill No. 364.

A bill for an act to prohibit lobbying and to regulate the employment of legislative counsel and legislative agents by persons or corporations.

Also

## Senate Bill No. 366.

A bill for an act to amend and re-enact Section six (6) of Chapter 210 of the Laws of North Dakota for the year of 1909.

Also

## Senate Bill No. 361.

A bill for an act defining the crime of assault and battery with intent to do great bodily harm, and prescribing the punishment therefor.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

## 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—there to

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 60 ayes, 32 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Nestos
Anderson, of Ramsey	Heinemeyer	Norheim
Andrus	Hersrud	O'Connor of Gd. Forks
Benson	Hoge	O'Connor of Pembina
Bond	Homnes	Olgard of Nelson
Boyd	Hill, of Bottineau	O'Shea
Brusletten	Hyland	Pendray
Burnett	Johns	Ployhar
Christenson	Jordal	Price
Collins	Knox	Ray
Dean	Kuhl	Robinson
DeNault	Kyllo	Scheer

Messrs.—	Messrs.—	Messrs.—
Dosseth	Lageson	Sgutt
Fassett	Law	Stern
Fox	Lee	Stranahan
Fritz	Martin	Streeter
Gardiner	Moen, of Benson	Thompson
Gorder	Morrison	Tuttle
Hanson	Narum	Williams
Harty	Nelson, of Walsh	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	Putnam
Anderson, of Griggs	Hawkinson	Sauer
Bjornson	Hill, of Cass	Sorlie
Carey	Johnson	Tande
Cunningham	Kane	Tollefson
Davidson	Moen, of Cavalier	Tostenson
Doyle, of Foster	Moritz	Ulsaker
Doyle, of McIntosh	Nelson, of Richland	Walters
Edwards	Olsgard of Richland	Wambem
Englund	Paulson	Whitmer
Fried	Peart	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	France	Reeve
Burns	Fraine	Roquette
Davis	Knutson	Scott
DeLance	McClellan	

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which House Bill No. 293 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie explained his vote.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 1, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 331.

A bill for an act to amend section 6796, Revised Codes of 1905, relating to limitations of actions or proceedings to foreclose real estate mortgages.

Also

Senate Bill No. 371.

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 national forest reserve, located in the county of Billings, state of North Dakota.

Also

Senate Bill No. 264.

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.

Also

Senate Bill No. 351.

A bill for an act to provide for party registration of electors desiring to vote at the primary election in this state.

Also,

Senate Bill No. 104.

A bill for an act providing for correcting errors and deficiencies in city plats.

Also

Senate Bill No. 354.

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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 93 ayes, 4 nays, 6 absent and not voting.

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Putnam	Tollefson
Nelson, of Richland		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Kyllo	Paulson	Reeve
Martin	Price	Roquette

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 96 ayes, 3 nays, 4 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
Benson	Hedalen	Olsgard of Richland
Bjornson	Heinemeyer	O'Shea
Boerner	Hersrud	Paulson
Bond	Hoge	Peart
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Collins	Jordal	Sauer
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	Moen, of Benson	Tollefson
assett	Moen, of Cavalier	Tostenson
Fox	Morrison	Tuttle
Fraine	Moritz	Ulsaker
Fried	Narum	Walters
Fritz	Nelson, of Richland	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Andrus	France

Absent and not voting:

Messrs.—  
Cunningham  
Martin

Messrs.—  
Pendray

Messrs.—  
Reeve

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which House Bill No. 416 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,

March 1, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 285.

A bill for an act establishing a temporary educational commission and appropriating one thousand dollars for the expenses thereof.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

House Bill No. 393.

A bill for an act to prevent unfair discrimination in the purchase of dairy products.

Was read the third time.

Mr. Thompson 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 68 ayes, 20 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fassett	Moen, of Cavalier
Akesson	Fox	Moritz
Anderson, of Griggs	Fried	Narum
Anderson, of Ramsey	Fritz	Nelson, of Richland
Andrus	Gardiner	Nelson, of Walsh
Benson	Gorder	Nestos
Bjornson	Hawkinson	O'Connor of Gd. Forks
Bond	Hedalen	Olgard of Richland
Boyd	Heinmeyer	O'Shea
Brusletten	Hersrud	Paulson
Burnett	Hoge	Peart
Burns	Homnes	Pendray
Carey	Hill, of Cass	Ployhar
Christenson	Hyland	Roquette
Collins	Johns	Scheer
Cunningham	Kane	* Sorlie
Davidson	Knox	Stern
Dean	Knutson	Stranahan
DeLance	Kuhl	Streeter
DeNault	Lageson	Tande
Doyle, of McIntosh	Law	Tostenson
Edwards	Lee	Ulsaker
Englund	Moen, of Benson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Johnson	Ray
Dosseth	Jordal	Robinson
Doyle, of Foster	McClellan	Scott
France	Morrison	Sgutt
Fraine	O'Connor of Pembina	Thompson
Geiger	Price	Tollefson
Hill, of Bottineau	Putnam	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Norheim	Walters
Hanson	Olgard of Nelson	Wambem
Harty	Reeve	Whitmer
Kyllo	Sauer	Williams
Martin	Tuttle	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Lageson moved

That the vote by which House Bill No. 393 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Anderson of Ramsey moved

That the rules be suspended and House Bill No. 74 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

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



Absent and not voting.

Messrs.—

Aashelm  
Davis  
Dosseth  
Doyle, of Foster  
Fox

Messrs.—

Fraine  
Heinemeyer  
Kyllo  
Martin  
Moen, of Cavalier

Messrs.—

Norheim  
Reeve  
Wambem  
Williams

So the bill passed and the title was agreed to.

Mr. Anderson of Ramsey moved

That the vote by which House Bill No. 74 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 427.

A bill for an act to withdraw from sale or rent certain school land in Dunn county.

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.—

Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Cunningham  
Davidson  
Dean  
DeLance  
DeNault  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
France

Messrs.—

Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Lageson  
Law  
Lee  
McClellan  
Moen, of Benson  
Mcen, of Cavalier  
Morrison

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  
Robinson  
Roquette  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tollefson

Messrs.—	Messrs.—	Messrs.—
Fraine	Moritz	Tostenson
Fried	Narum	Tuttle
Fritz	Nelson, of Richland	Ulsaker
Gardiner	Nelson, of Walsh	Walters
Geiger	Nestos	Whitmer
Gorder	Norheim	Mr. Speaker

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fox	Reeve
Davis	Kyllo	Wamern
Dosseth	Martin	Williams
Doyle, of Foster		

So the bill passed and the title was agreed to.

Mr. Johns moved

That the rules be suspended and the amendments to House Bill No. 53 be adopted and the bill considered engrossed and placed upon its third reading and final passage. Which motion prevailed.

House Bill No. 53.

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.

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	Gardiner	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina
Anderson, of Griggs	Gorder	Olgard of Nelson
Anderson, of Ramsey	Hanson	Olgard of Richland
Andrus	Harty	O'Shea
Benson	Hawkinson	Paulson
Bjornson	Hedalen	Peart
Boerner	Heinemeyer	Pendray
Bond	Hersrud	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Hyland	Reeve
Doyle, of McIntosh	Johnson	Thompson
Edwards	Kyllo	Tuttle
Hoge	Martin	Mr. Speaker
Homnes		

So the bill passed and the title was agreed to.

Mr. Johns moved

That the vote by which House Bill No. 53 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker called Mr. Price to the chair.

Mr. Williams moved

That the rules be suspended and

That House Bill No. 447 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 447.

A bill for an act creating a commisison 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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 86 ayes, 1 nay, 16 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	Harty	Olsgard of Nelson
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrus	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hill, of Bottineau	Peart
Bond	Hill, of Cass	Pendray
Boyd	Hyland	Price
Brusletten	Johns	Pulnam
Burnett	Johnson	Ray
Burns	Jordal	Robinson
Carey	Kane	Sauer
Christenson	Knox	Scott
Collins	Knutson	Scheer
Cunningham	Kuhl	Sgutt
Davidson	Kylo	Sorlie
Davis	Lageson	Stern
Dean	Law	Stranahan
DeLance	Lee	Streeter
DeNault	McClellan	Tande
Dosseth	Moen, of Benson	Tollefson
Englund	Moen, of Cavalier	Tostenson
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters
France	Narum	Wambem
Fried	Nelson, of Richland	Whitmer
Fritz	Nelson, of Walsh	Williams
Gardner	Norheim	

Mr. Hersrud voted in the negative.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Benson	Hoge	Reeve
Doyle, of Foster	Homnes	Roquette
Doyle, of McIntosh	Martin	Thompson
Edwards	Nestos	Tuttle
Fraine	Ployhar	Mr. Speaker
Hanson		

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which House Bill No. 447 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

Mr. DeLance moved

That the rules be suspended and House Bill No. 422 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 89 ayes, 3 nays, 13 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 Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrus	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hoge	Peart
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Cunningham	Knutson	Scheer
Davidson	Kuhl	Sorlie
Davis	Kylo	Stern
Dean	Lageson	Stranahan
DeLance	Law	Streeter
DeNault	Lee	Tande
Dosseth	McClellan	Tollefsen
Englund	Moen, of Benson	Tostenson
Fox	Moen, of Cavalier	Tuttle
France	Morrison	Ulsaker
Fried	Moritz	Walters
Fritz	Narum	Wambem
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Norheim	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Fassett	Hersrud	Nelson of Richland

Absent and not voting.

Messrs.—

Boerner  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards  
Fraine

Messrs.—

Johns  
Martin  
Nestos  
Ployhar

Messrs.—

Reeve  
Sgutt  
Thompson  
Mr. Speaker

So the bill passed and the title was agreed to.

Mr. DeLance moved

That the vote by which House Bill No. 422 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,

March 1, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 353.

A bill for an act to provide for the expression by the qualified voters of the several political parties of their choice for nomination 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 committeemen.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 102.

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.

Also

Senate Bill No. 284.

A bill for an act making an appropriation for the purpose of re-imbursing 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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Sorlie moved

That the further consideration of House Bill No. 231 be indefinitely postponed.

Roll call demanded.

The question being on the motion to indefinitely postpone House Bill No. 231,

The roll was called and there were 42 ayes, 45 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	Olsgard of Nelson
Benson	Hill, of Bottineau	Paulson
Bjornson	Hyland	Ployhar
Burns	Johnson	Ray
Cunningham	Knutson	Roquette
Davis	Kuhl	Scott
DeLance	Lageson	Sorlie
DeNault	Law	Stern
Dosseth	McClellan	Stranahan
Edwards	Morrison	Tostenson
France	Nelson, of Richland	Tuttle
Fritz	Nestor	Ulsaker
Gardiner	Norheim	Wambem
Hanson	O'Connor of Gd. Forks	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fox	Moritz
Anderson, of Griggs	Fried	Narum

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Geiger	Nelson, of Walsh
Andrus	Hawkinson	O'Connor of Pembina
Bond	Hedalen	O'Shea
Boyd	Heinemeyer	Peart
Brusletten	Hersrud	Pendray
Burnett	Homnes	Price
Carey	Hill, of Cass	Putnam
Christenson	Jordal	Robinson
Dean	Kane	Sauer
Doyle, of Foster	Knox	Tande
Doyle, of McIntosh	Lee	Walters
Englund	Moen, of Benson	Whitmer
Fassett	Moen, of Cavalier	Williams

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Boerner	Johns	Scheer
Collins	Kyllo	Sgutt
Davidson	Martin	Streeter
Fraine	Olsgard of Richland	Thompson
Gorder	Reeve	Tollefson
Hoge		

Which motion was lost.

The Speaker in the chair.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 47 ayes, 47 nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Gorder	Nelson of Walsh
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olsgard of Richland
Andrus	Heinemeyer	O'Shea
Bond	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Price
Burnett	Hill, of Cass	Putnam
Carey	Johns	Robinson
Doyle, of Foster	Kane	Sauer
Doyle, of McIntosh	Knox	Tande
Englund	Kyllo	Tostenson
Fassett	Lee	Tuttle
Fox	Moen of Benson	Walters



Messrs.—	Messrs.—	Messrs.—
Fried	Moen of Cavaller	Williams
Geiger	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	Paulson
Benson	Hedalen	Ployhar
Bjornson	Hill, of Bottineau	Ray
Boerner	Hyland	Roquette
Burns	Johnson	Scott
Christenson	Jordal	Scheer
Cunningham	Kuhl	Sgutt
Davidson	Lageson	Sorlie
Davis	Law	Stern
Dean	McClellan	Stranahan
DeLance	Morrison	Streeter
DeNault	Nelson of Richland	Tollefson
Dosseth	Nestos	Wambem
France	Norheim	Whitmer
Fritz	O'Connor of Gd. Forks	Mr. Speaker
Gardiner	Olgard of Nelson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Knutson	Reeve
Edwards	Martin	Thompson
Fraine	Moritz	Ulsaker

So the bill was lost.

Mr. Streeter moved

That the vote by which House Bill No. 231 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hyland moved

That the rules be suspended and the amendments to House Bill No. 399 be adopted and the bill considered engrossed and placed upon its third reading and final passage

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 55 ayes, 37 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Englund	Law
Akesson	Fassett	Lee
Anderson, of Griggs	Fox	McClellan
Anderson, of Ramsey	France	Nestos
Andrus	Fried	Norheim
Benson	Fritz	O'Connor of Pembina
Bjornson	Gciger	Olsgard, of Nelson
Boerner	Gorder	Pearl
Brusletten	Hanson	Ployhar
Bond	Harty	Price
Boyd	Hoge	Robinson
Carey	Homnes	Sorlie
Cunningham	Hill, of Bottineau	Stranahan
Davis	Hyland	Streeter
DeLance	Johnson	Tande
DeNault	Knox	Thompson
Dosseth	Kuhl	Tostenson
Doyle, of Foster	Kyllo	Mr. Speaker
Doyle, of McIntosh		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burns	Kane	Putnam
Burnett	Lageson	Ray
Christenson	Moen, of Benson	Roquette
Collins	Moen, of Cavalier	Sauer
Davidson	Narum	Scott
Dean	Nelson, of Richland	Scheer
Gardiner	Nelson, of Walsh	Stern
Hawkinson	O'Connor of Gd. Forks	Tollefson
Hedalen	Olsgard of Richland	Tuttle
Hersrud	O'Shea	Wambem
Hill, of Cass	Paulson	Whitmer
Johns	Pendray	Williams
Jordal		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Edwards	Martin	Sgutt
Fraine	Morrison	Ulsaker
Heinemeyer	Moritz	Walters
Knutson	Reeve	

Mr. Hedalen moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which House Bill No. 399 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,  
March 1, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 6.

A bill for and act to create October 12th in each year a legal holiday to be known as "Columbus Day."

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

Very respectfully,

J. W. FOLEY,  
Secretary,

Mr. Davis moved

That the rules be suspended and House Bill No. 29 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 83 ayes, 11 nays, 9 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
Andrus	Heinemeyer	Olgard of Nelson
Bond	Hersrud	Olgard of Richland
Boyd	Hoge	O'Shea
Brusletten	Homnes	Paulson
Burnett	Hill, of Bottineau	Peart
Carey	Hill, of Cass	Ployhar
Christenson	Johns	Price
Collins	Johnson	Putnam
Davis	Jordal	Robinson
Dean	Kane	Roquette
DeLance	Knox	Scott
DeNault	Knutson	Scheer
Dosseth	Kuhl	Sgutt
Doyle, of Foster	Kyllo	Sorlie
Doyle, of McIntosh	Lageson	Stern
Edwards	Law	Stranahan
Fox	Lee	Streeter
France	Martin	Tande
Fraine	McClellan	Thompson
Fried	Moen, of Benson	Tostenson
Fritz	Moen, of Cavalier	Tuttle
Gardiner	Narum	Ulsaker
Geiger	Nelson, of Richland	Walters
Gorder	Nelson, of Walsh	Mr. Speaker
Hanson	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Englund	Tollefson
Boerner	Morrison	Wambert
Cunningham	Pendray	Whitmer
Davidson	Sauer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fassett	Ray
Bjornson	Hyland	Reeve
Burns	Moritz	Williams

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which House Bill No. 29 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:

GOVERNOR'S OFFICE,  
BISMARCK, NORTH DAKOTA,  
March 1, 1911.

I have the honor to transmit herewith:

Senate Bill No. 325.

A bill for an act entitled, 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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Price moved

That the rules be suspended and House Bill No. 295 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

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	Fritz	Norheim
Akesson	Gardiner	O'Connor of Gd. Forks
Anderson, of Griggs	Geiger	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Gorder	Olsgard of Nelson
Andrus	Hanson	Olsgard of Richland
Benson	Harty	O'Shea
Bjornson	Hedalen	Peart
Boerner	Heinemeyer	Pendray
Bond	Hersrud	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hoge	Robinson
Burns	Homnes	Roquette
Carey	Hyland	Sauer
Cunningham	Jordal	Scott
Davidson	Kane	Scheer
Davis	Knox	Sgutt
Dean	Knutson	Sorlie
DeLance	Kyllo	Stern
DeNault	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Moen, of Benson	Thompson
Englund	Moen, of Cavalier	Tostenson
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters
France	Narum	Wambem
Fraine	Nelson, of Walsh	Mr. Speaker
Fried	Nestos	

Messrs. Johns and Whitmer voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Christenson	Kuhl	Ray
Collins	Martin	Reeve
Dosseth	McClellan	Toufeson
Hawkinson	Nelson, of Richland	Tuttle
Johnson	Paulson	Williams

So the bill passed and the title was agreed to.

### MESSAGE FROM THE GOVERNOR.

The following message was received from the governor:

GOVERNOR'S OFFICE,  
BISMARCK, NORTH DAKOTA,

March 1, 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. 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. 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. 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. 100.

A bill for an act to regulate the practice of medicine and surgery in the State of North Dakota.

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. 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. 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.

Very respectfully,

JOHN BURKE,  
Governor.

## THIRD READING OF HOUSE BILLS.

The Speaker called Mr. Fraine to the chair.

Mr. Hill of Cass moved

That the further consideration of House Bill No. 259 be indefinitely postponed.

Which motion was lost.

Mr. Davidson moved

That the rules be suspended and House Bill No. 259 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill, as amended.

The roll was called and there were 63 ayes, 27 nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fassett	Narum
Akesson	Fox	Nelson, of Walsh
Anderson, of Griggs	France	Nestos
Anderson, of Ramsey	Fraine	O'Connor of Gd. Forks
Andrus	Gardiner	Olgard of Nelson
Bond	Gorder	O'Shea
Boyd	Hanson	Pearl
Brusletten	Heinemeyer	Ployhar
Burnett	Hersrud	Putnam
Burns	Hoge	Robinson
Carey	Homnes	Roquette
Collins	Hyland	Sauer
Cunningham	Johns	Scott
Davidson	Johnson	Sgutt
Davis	Kane	Sorlie
Dean	Knox	Stranahan
DeLance	Knutson	Streeter
DeNault	Lageson	Tostenson
Dosseth	Law	Wambem
Doyle, of McIntosh	Lee	Williams
Englund	Moen, of Benson	Mr. Speaker



## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Hill, of Cass	Pendray
Bjornson	Jordal	Scheer
Boerner	Kyllo	Stern
Edwards	Moen, of Cavalier	Tande
Fried	Morrison	Tollefson
Fritz	Moritz	Tuttle
Geiger	Nelson, of Richland	Ulsaker
Hawkinson	O'Connor of Pembina	Walters
Hill, of Bottineau	Olsgard of Richland	Whitmer

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Christenson	Martin	Price
Doyle, of Foster	McClellan	Ray
Harty	Norheim	Reeve
Hedalen	Paulson	Thompson
Kuhl		

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 259 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie moved

That the further consideration of House Bill No. 438 be indefinitely postponed.

Which motion prevailed, and

The further consideration of House Bill No. 438 was indefinitely postponed.

Mr. Norheim moved

That the rules be suspended and House Bill No. 450 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

House Bill No. 450.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 43 ayes, 39 nays, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hanson	Morrison
Andrus	Hawkinson	Nestos
Boyd	Heinemeyer	Norheim
Burnett	Hersrud	O'Connor of Gd. Forks
Burns	Hill, of Bottineau	O'Connor of Pembina
Collins	Hoge	O'Shea
Cunningham	Homnes	Ployhar
Davidson	Hyland	Putnam
Dean	Johns	Robinson
DeLance	Johnson	Sorlie
DeNault	Kyllo	Streeter
Dosseth	Lageson	Tuttle
Englund	Law	Williams
Fassett	Lee	Mr. Speaker
Fox		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Pendray
Akesson	Jordal	Ray
Anderson, of Griggs	Kane	Roquette
Bjornson	Knox	Sauer
Boerner	McClellan	Scott
Brusletten	Moen, of Benson	Scheer
Carey	Moritz	Sgutt
Christenson	Narum	Tande
Edwards	Nelson, of Richland	Tollefson
Fraine	Nelson, of Walsh	Tostenson
Fried	Olsgard, of Nelson	Ulsaker
Fritz	Olsgard of Richland	Walters
Gardiner	Paulson	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Harty	Peart
Bond	Hedalen	Price
Davis	Hill, of Cass	Reeve
Doyle, of Foster	Knutson	Stern
Doyle, of McIntosh	Kuhl	Stranahan
France	Martin	Thompson
Geiger	Moen, of Cavalier	Whitmer

So the bill was lost.

Mr. Fraine explained his vote.

Mr. Sorlie moved

That House Bill No. 375 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Homnes moved

That the rules be suspended and House Bill No. 396 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 85 ayes, 5 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	Hawkinson	O'Connor of Pembina
Anderson, of Ramsey	Hedalen	Olgard of Nelson
Andrus	Heinemeyer	Olgard of Richland
Benson	Hersrud	O'Shea
Bjornson	Hill, of Bottineau	Paulson
Boerner	Hoge	Pearl
Bond	Homnes	Ployhar
Boyd	Hyland	Putnam
Brusletten	Johns	Ray
Burnett	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Cunningham	Knox	Scheer
Davidson	Knutson	Sgutt
Davis	Kyllo	Sorlie
Dean	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	McClellan	Tande
Englund	Moen, of Benson	Tollefson
Fassett	Moen, of Cavalier	Tostenson
Fox	Moritz	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson, of Richland	Walters
Fritz	Nelson, of Walsh	Wambem
Gardiner	Nestor	Williams
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burns	DeNault	Pendray
DeLance	Dosseth	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Martin	Scott
France	Morrison	Tollefson
Harty	Price	Whitmer
Hill, of Cass	Reeve	Mr. Speaker
Kuhl		

So the bill passed and the title was agreed to.

The Speaker in the chair.

Mr. DeLance moved

That the rules be suspended and House Bill No. 433 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 54 ayes, 39 nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hanson	Olsgard of Nelson
Anderson, of Ramsey	Hill, of Bottineau	Olsgard of Richland
Boerner	Hyland	O'Shea
Boyd	Johns	Paulson
Brusletten	Johnson	Peart
Carey	Kane	Ployhar
Davidson	Knox	Ray
Davis	Kuhl	Roquette
Dean	Kyllo	Sauer
DeLance	Lageson	Scott
DeNault	Law	Sgutt
Edwards	Moen, of Benson	Sorlie
Englund	Moen, of Cavalier	Stern

Messrs.—	Messrs.—	Messrs.—
Fassett	Morrison	Stranahan
Fox	Moritz	Tande
Fried	Nestos	Ulsaker
Gardiner	O'Connor of Gd. Forks	Walters
Gorder	O'Connor of Pembina	Whitmer

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Nelson, of Walsh
Akesson	Geiger	Norheim
Andrus	Hawkinson	Pendray
Bjornson	Hedalen	Putnam
Bond	Heinemeyer	Robinson
Burnett	Hersrud	Scheer
Burr	Hoge	Streeter
Christenson	Homnes	Thompson
Cunningham	Knutson	Tostenson
Doyle, of Foster	Lee	Tuttle
Doyle, of McIntosh	McClellan	Wambem
France	Narum	Williams
Fraine	Nelson, of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hill, of Cass	Price
Collins	Jordal	Reeve
Dosseth	Martin	Tollefson
Harty		

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 433 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Fassett moved

That the rules be suspended and House Bill No. 436 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

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, 12 absent and not voting.

Those who voted in the affirmative were:

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

Mr. Law and Mr. Speaker voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Dosseth	Knox
Burns	Englund	Martin
Collins	France	Reeve
DeLance	Harty	Williams

So the bill passed and the title was agreed to.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

GOVERNOR'S OFFICE,  
BISMARCK, NORTH DAKOTA,  
March 1, 1911.

Mr. Speaker:

I have the honor to return herewith,

## 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 the Senate has amended as follows:

In paragraph 10, engrossed bill, strike out the words "one representative" and insert in lieu thereof the words "two representatives" in the last line.

In paragraph 13, engrossed bill, in the last line, strike out the words "one representative" and insert in lieu thereof the words "two representatives."

In paragraph 25, last line of engrossed bill, strike out the words "one representative" and insert the words "two representatives."

In paragraph 22, engrossed bill, in the last line, strike out the words "one representative" and insert the words "two representatives."

In paragraph 19, engrossed bill, in the last line, strike out the words "one representative" and insert the words "two representatives."

In paragraph 42, engrossed bill, strike out the words "one representative" in the last line, and insert the words "two representatives."

In paragraph 26, engrossed bill, in the last line, strike out the words "three representatives" and insert the words "four representatives."

In paragraph 12, engrossed bill, strike out the words "one representative" in the last line, and insert the words "two representatives."

In paragraph 7, engrossed bill, strike out the words "two representatives" in the last line of paragraph, and insert in lieu thereof the words "one representative."

In paragraph 8, engrossed bill, line 2, strike out the words "two representatives" and insert the words "three representatives" in lieu thereof.

In paragraph 27, line 2, engrossed bill, strike out the words "two representatives" and insert the words "three representatives" in lieu thereof.

In paragraph 31, last line, engrossed bill, strike out the words "two representatives" and insert in lieu thereof the words "three representatives."

In paragraph 49, second line, engrossed bill, strike out the words "and Sioux." Also in same line strike out the comma after "Adams" and insert in lieu thereof the word "and." Also in last line strike out the word "three" and insert in lieu thereof the words "two representatives."

In section 1, line 5, strike out the word "three" and insert in lieu thereof the word "twelve," and in line 6 of section 1, strike out the word "four" and insert in lieu thereof the word "thirteen."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 254.

A bill for an act prohibiting combinations or agreements between two or more fire insurance companies, fixing rates and prescribing penalties therefor.

Also,

Senate Bill No. 68.

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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Gardiner moved

That the further consideration of House Bill No. 390 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Hoge moved

That the further consideration of House Bill No. 448 be indefinitely postponed.

Which motion was lost.

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 election of national committeemen for different political parties.

Was read the third time.

Mr. Bond asked unanimous consent to amend the bill.

There being no objections,

Mr. Bond offered the following amendment and moved its adoption :



Strike out all of said bill after the words "A Bill" in the title and insert in place thereof the following:

"For an Act to Provide for the Expression by the Qualified Voters of the Several Political Parties of their Choice for Nomination 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, Fixing a Time for Said Election and Harmonizing Therewith the Time of City Elections Every Presidential Year, and for the Payment of Delegates' Necessary Expenses, not Exceeding \$200.00 each, for the Election of Party Candidates for the Office of Presidential Elector, and for the Election of National Committeemen.

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

Section 1. In the presidential election years, the qualified electors of the political parties subject to this law shall have opportunity to vote, on ballots provided for that purpose, their choice among those aspiring to be candidates of their respective parties for president and vice president of the United States, shall have their party delegates to their national conventions, their presidential electors, and shall nominate and recommend their choice for national committeemen. The names of the aspirants in each such party for election for the office of president, for office of vice president of the United States, for national committeemen, for delegates to their national conventions, and for presidential electors, shall be printed on the party nominating ballot, provided for that purpose, and the ballot shall be marked and the votes shall be counted, canvassed and returned under the same conditions as to names, petitions and other matters, so far as the same are applicable, as the names and petitions of party aspirants for the party nominations for the office of governor and of the United States senator in congress are, or may be by law required to be marked, filed, counted, canvassed and returned; provided, that aspirants for such presidential nominations need not file any personal petition nor signature; that certificates of the number of votes received by each such candidate shall be issued to the delegates who are elected for said party to the party national convention; that petitions to place on the nomination ballot the names of aspirants for such office or delegate to said national convention, presidential elector and national committeeman to be chosen and elected, as provided herein, shall be sufficient if they contain a number equal to one per cent of the party vote in the state at the next preceding election for representatives in congress, or not less than five hundred signatures of party voters. Every qualified voter shall have the right to vote for as many candidates for national delegates for his party and for the election of as many candidates for presidential electors as there are delegates and electors to be elected respectively, and each elector shall have a right to vote for one candidate of his party for national committeeman. A number of such candidates equal to the number of delegates to be elected and the number of presidential electors to be elected and the candidate for national committeeman receiving, respectively, each for himself, the highest number of votes for such office or nomination, shall be declared elected.

Section 2. On the eighth day after the election provided for herein, the county canvassing board shall meet, as provided in section 582 of the Revised Codes of 1905, and shall canvass the returns in the manner now provided by law. The powers and duties of the board shall be the same in so far as applicable, as now are prescribed by law for canvassing the returns of other elections.

Section 3. For the purpose of ascertaining the results of the election provided for in this act, the state canvassing board shall meet at the office of the secretary of state on the first Tuesday in May after such election, and

the secretary of state shall notify the other members of the board of canvassers of such meeting.

Section 4. All persons desiring to be candidates for delegates to the national convention of their party and all persons desiring to be candidates for presidential electors and for national committeeman of their party shall, not later than the first day in March of each year, when a presidential election will take place, file with the secretary of state their petitions, as provided herein.

Section 5. It shall be the duty of the secretary of state, immediately after the first day in March of each year in which a presidential election will take place, to prepare and print ballots, at the expense of the state, with the names of all candidates of each party for the offices named in this act. In printing such ballots, the secretary of state shall be guided by the provisions of law now in force relating to the preparation and printing of ballots for general elections. The provisions of the general election law applicable relating to the distribution of ballots, posting of sample ballots and of notices of the election, shall apply to the distribution of ballots, posting of sample ballots and of notices of the election herein provided for, except as otherwise required herein. The secretary of state shall distribute the ballots among the county auditors, who in turn must deliver the same to the inspectors of election in the voting precincts of their respective counties. Notice of the election provided for herein shall be given in the manner prescribed by law for giving notices of city, village and township elections in such cities, villages and townships and in any other precincts notice of the election shall be given as now provided by law for general elections.

Section 6. On the third Tuesday of March every fourth year, when a presidential election is to be held, the members of the respective political parties shall express their choice for the election of the persons and officers named in this act, and whose names appear upon the ballot according to the provisions herein. Each elector shall be handed the ballot of the party with which he declares himself affiliated, or with which he may have registered at the last preceding registration or election, and such elector shall mark and vote the same in the manner provided herein. The polls shall be open during the same hours as at general elections. For the purposes of the election herein provided for, in all cities, villages and civil townships the regular election officers thereof shall also act without further compensation as the election officers, and in unorganized townships and voting precincts outside of cities, villages and civil townships, the inspector and two judges of election, who acted as such at the last general election, or those who have been or may be appointed to fill such vacancies occurring in these offices, pursuant to law, shall act therein as the inspector and judges of election. In all matters not herein expressly otherwise provided for, the provisions of any election law of this state applicable to the case shall govern. In every fourth year, when a presidential election is held, the time of all city election shall take place on the third Tuesday in March, so as to conform to the provisions of this act, and in such event the city officers elected to office shall have until the second Tuesday of April in which to qualify for such office.

Section 7. Every delegate to a national convention of a political party recognized as such organization by the laws of North Dakota, shall receive from the state treasurer the amount of his actual necessary traveling expenses, as his account may be audited and allowed by the secretary of state or state auditor, for actual attendance upon said convention, but not in any case to exceed \$200.00 for one delegate. The election of such national delegates for political parties not subject to the direct primary law shall be certified in like manner as nominations of candidates of such parties for elective public office. Every such delegate to a national convention which nominated candidates for president and vice president shall subscribe an oath of office that he will uphold the constitution and the

laws of the United States and North Dakota, and that he will, as such officer and delegate, to the best of his judgment and ability, faithfully carry out the wishes of his political party as expressed by the voters at said election.

Section 8. Repeal.) All acts or parts of acts in conflict with any of the provisions of this act are hereby repealed.

The motion prevailed, and  
The amendment was adopted.

Mr. Bond moved

That the rules be suspended and House Bill No. 448 be considered engrossed and placed upon its third reading and 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, 19 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Nestos
Akeson	Fried	Norheim
Anderson, of Griggs	Fritz	O'Connor of Gd. Forks
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Andrus	Hanson	O'Shea
Bjornson	Harty	Paulson
Boerner	Hawkinson	Peart
Bond	Hedalen	Pendray
Brusletten	Hersrud	Ployhar
Burnett	Homes	Price
Christenson	Hill, of Bottineau	Putnam
Collins	Hyland	Robinson
Cunningham	Johns	Sauer
Davilson	Johnson	Scheer
Davis	Kane	Sorlie
Dean	Knox	Stern
DeLance	Knutson	Stranahan
DeNault	Kuhl	Streeter
Dosseth	Kyllo	Tande
Doyle, of Foster	Lageson	Tostenson
Doyle, of McIntosh	Law	Ulsaker
Edwards	Lee	Wambem
Englund	Moen, of Benson	Whitmer
Fassett	Moen, of Cavalier	Williams
Fox	Morrison	Mr. Speaker
France	Moritz	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Jordal	Olsgard of Richland
Burns	McClellan	Ray

Messrs.—	Messrs.—	Messrs.—
Carey	Narum	Roquette
Gardiner	Nelson, of Richland	Scott
Geiger	Nelson, of Walsh	Tollefson
Hoge	Olsgard of Nelson	Tuttle
Hill, of Cass		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Reeve	Thompson
Heinemeyer	Sgutt	Walters
Martin		

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which House Bill No. 448 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. France asked unanimous consent to withdraw House Bill No. 391.

There being no objections,  
House Bill No. 391 was withdrawn.

Mr. Doyle of Foster asked unanimous consent to withdraw House Bills No. 381, 382 and 383.

There being no objections,  
House Bills No. 381, 382 and 383 were withdrawn.

There being no objections,  
The House returned to the fifth order of business.

#### REPORTS OF STANDING COMMITTEES.

The committee on education made the following report:

Mr. Speaker:

Your committee on elections to whom was referred  
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.

Have had the same under consideration and recommend that the same be amended as follows:

Of engrossed bill, section 2, line 5, after the word "exceed" strike out the word "one" and insert in lieu thereof the word "two."

Same section, line 6, after word "dollars" strike out the number "\$1,000" and insert in lieu thereof the number "\$2,000."

On page 2, line 19, strike out "one thousand dollars (\$1,000)" and insert in lieu thereof "two thousand dollars (\$2,000)."

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

THIRD READING OF HOUSE BILLS.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 68 ayes, 23 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson, of Walsh
Anderson, of Griggs	Hanson	Nestos
Anderson, of Ramsey	Harty	Norheim
Andrus	Hawkinson	O'Connor of Gd. Forks
Bjornson	Hedalen	O'Connor of Pembina
Boerner	Hersrud	Olsgard of Nelson
Bond	Hill, of Bottineau	O'Shea
Boyd	Hoge	Paulson
Brusletten	Homnes	Ployhar
Burnett	Hyland	Price
Collins	Kane	Putnam
Cunningham	Knox	Robinson
Davidson	Knutson	Scott
Davis	Kuhl	Scheer
DeNault	Kyllo	Sgutt
Doyle, of Foster	Law	Sorlie
Fassett	Lee	Stranahan
Fox	Moen, of Benson	Streeter
France	Moen, of Cavalier	Tande
Fraine	Morrison	Whitmer
Fried	Moritz	Williams
Fritz	Narum	Mr. Speaker
Gardiner	Nelson, of Richland	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Johnson	Sauer
Burns	Lageson	Stern
Carey	McClellan	Tollefson
Dean	Olgard of Richland	Tostenson
Dosseth	Pearl	Tuttle
Englund	Pendray	Ulsaker
Geiger	Ray	Wambem
Hill, of Cass	Roquette	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Edwards	Martin
Christenson	Heinemeyer	Reeve
DeLance	Johns	Thompson
Doyle, of McIntosh	Jordal	Walters

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which House Bill No. 257 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Price moved

That the rules be suspended and the report of the committee be adopted and House Bill No. 434 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 78 ayes, 8 nays, 17 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
Andrus	Harty	Olgard of Nelson
Bjornson	Hedalen	Olgard of Richland
Bond	Heinemeyer	O'Shea

Messrs.—	Messrs.—	Messrs.—
Boyd	Hersrud	Paulson
Brusletten	Hoge	Peart
Burnett	Homnes	Pendray
Carey	Hill, of Bottineau	Ployhar
Christenson	Hyland	Price
Cunningham	Johns	Putnam
Davilson	Kane	Ray
Davis	Knox	Robinson
Dean	Knutson	Sauer
DeLance	Kuhl	Scott
DeNault	Kyllo	Scheer
Dosseth	Lageson	Sorlie
Doyle, of Foster	Law	Stern
Doyle, of McIntosh	Lee	Stranahan
Edwards	Moen, of Benson	Tande
Fassett	Morrison	Ulsaker
Fox	Moritz	Wambem
France	Narum	Whitmer
Fried	Nelson, of Richland	Williams
Fritz	Nelson, of Walsh	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Gardiner	Tollefson
Burns	Hawkinson	Tostenson
Englund	Johnson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Martin	Sgutt
Benson	McClellan	Streeter
Collins	Moen, of Cavalier	Thompson
Fraine	Nestos	Tuttle
Hill, of Cass	Reeve	Walters
Jordal	Roquette	

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which House Bill No. 434 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:

C. O. Seagren of Kidder county.

Thos. Pendray, Fred Wolfer, of Jamestown.

H. C. Plumley of Fargo.

Mr. Crowley.

H. M. Cornell of Mott.

L. R. Nesdahl, Henry Albertson, of Rugby.

B. G. Dunlop, Thomas Dunlop, Richard Pendray, of Jamestown.

Judge Purcell of Grand Forks.

J. M. Burnett of Cass county.

Glen Trueman, Capt. Geary, Capt. Henry, Capt. Frazer.

Rev. Borner of Cavalier.

Rev. Bremer of Bismarck.

A. Stonehouse, O. H. Phillips, of Larimore.

Mr. Fraine moved that the House take a recess until 7:30 o'clock p. m. this evening.

The House re-assembled at 7:30 o'clock p. m., pursuant to recess taken.

There being no objections,

The House passed to the 13th order of business.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 285.

A bill for an act establishing a temporary educational commission and appropriating one thousand dollars for the expenses thereof.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 104.

A bill for an act providing for correcting errors and deficiencies in city plats.

Was read the first and second times and

Referred to the committee on municipal corporations.

Senate Bill No. 331.

A bill for an act to amend section 6796, Revised Codes of 1905, relating to limitations of actions or proceedings to foreclose real estate mortgages.

Was read the first and second times and

Referred to the committee on judiciary.



## House Bill No. 371.

An Act to Promote the Safety of Employes and Tavelers 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 appropriations.

## 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 elections.

## Senate Bill No. 264.

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.

Was read the first and second times, and

Referred to the committee on state affairs.

## Senate Bill No. 102.

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.

Was read the first and second times and

Referred to the committee on appropriations.

## Senate Bill No. 284.

A bill for an act making an appropriation for the purpose of re-imbursing 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.

Was read the first and second times and

Referred to the committee on appropriations.

Senate Bill No. 6.

A bill for and act to create October 12th in each year a legal holiday to be known as "Columbus Day."

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 325.

A bill for an act entitled, 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.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 254.

A bill for an act prohibiting combinations or agreements between two or more fire insurance companies, fixing rates and prescribing penalties therefor.

Was read the first and second times, and

Referred to the committee on insurance.

Senate Bill No. 68.

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.

Was read the first and second times, and

Referred to the committee on ways and means.

Senate Bill No. 364.

A bill for an act to prohibit lobbying and to regulate the employment of legislative counsel and legislative agents by persons or corporations.

Was read the first and second times, and

Referred to the committee on state affairs.

Senate Bill No. 363.

A bill for an act to amend and re-enact 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.

Was read the first and second times and

Referred to the committee on state affairs.

Senate Bill No. 362.

A bill for an act to amend section 231 of the Revised Codes of 1905.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 361.

A bill for an act defining the crime of assault and battery with intent to do great bodily harm, and prescribing the punishment therefor.

Was read the first and second times, and

Referred to the committee on judiciary.

Senate Bill No. 366.

A bill for an act to amend and re-enact Section six (6) of Chapter 210 of the Laws of North Dakota for the year of 1909.

Was read the first and second times and

Referred to the committee on taxes and tax laws.

Senate Bill No. 353.

A bill for an act to provide for the expression by the qualified voters of the several political parties of their choice for nomination 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 committeemen.

Was read the first and second times, and

Referred to the committee on elections.

Senate Bill No. 354.

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.

Was read the first and second times, and

Referred to the committee on judiciary.

### 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. Tuttle 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. 222.

A bill for an act to divide the State of North Dakota into three congressional districts, and defining the boundaries thereof.

And recommend the same be indefinitely postponed.

Also,

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.

And recommend the same do pass.

W. P. TUTTLE,  
Chairman.

Mr. DeNault asked that the report of the committee be divided.

The question being on the motion to adopt the report of the committee as to House Bill No. 222,

Which motion prevailed, and

The report of the committee as to House Bill No. 222 was adopted.

The question being on the motion to adopt the committee report as to House Bill No. 252.

Roll call demanded.

The roll was called and there were 47 ayes, 49 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Narum
Akesson	Hawkinson	Nelson of Richland
Anderson, of Ramsey	Hedalen	Nelson of Walsh
Andrus	Hill, of Bottineau	O'Connor of Gd. Forks
Boyd	Hill, of Cass	Olgard of Nelson
Brusletten	Hyland	Olgard of Richland
Burnett	Johnson	Peart
Burns	Jordal	Ployhar
Carey	Knox	Price
Christenson	Knutson	Sorlie
Davis	Kuhl	Stern
Dean	Lageson	Stranahan
Edwards	Law	Tande
Fraine	Moen of Benson	Ulsaker
Gardiner	Morrison	Wambem
Geiger	Moritz	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fried	Paulson
Benson	Fritz	Putnam
Bjornson	Gorder	Ray
Boerner	Harty	Robinson
Bond	Heinemeyer	Sauer
Collins	Hersrud	Scott
Cunningham	Hoge	Scheer
Davidson	Homnes	Sgutt
DeLance	Johns	Streeter
DeNault	Kane	Thompson
Dosseth	Lee	Tollefson
Doyle, of Foster	McClellan	Tostenson
Doyle, of McIntosh	Moen of Cavalier	Tuttle
Englund	Nestos	Whitmer
Fassett	Norheim	Williams
Fox	O'Connor of Pembina	Mr. Speaker
France		

Absent and not voting:

Messrs.—

Kylo  
Martin  
O'Shea

Messrs.—

Pendray  
Reeve

Messrs.—

Roquette  
Walters

Which motion was lost.

Mr. Price moved

That the House take a recess until 10 o'clock a. m. to-morrow morning.

Which motion was lost.

Mr. Price moved

A call of the House.

Which motion prevailed.

Mr. Doyle of Foster moved

That further proceedings under the call be dispensed with.

Which motion was lost.

Mr. Price moved

That the further proceedings under the call of the House be dispensed with.

Which motion prevailed.

Mr. Price moved

That the consideration of the committee report on House Bill No. 252 be made a special order for 11 o'clock a. m. to-morrow.

Which motion prevailed.

There being no objections,

The House passed to the fourteenth order of business.

### THIRD 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 third time.

Mr. Sorlie moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

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 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:

In line 19 of the printed bill insert the word "state" before the word "county."

Which motion prevailed.

The question being on the final passage of the bill las amended,

The roll was called and there were 80 ayes, no nays, 23 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Morrison
Akesson	Fritz	Moritz
Anderson, of Ramsey	Gardiner	Narum
Andrus	Geiger	Nelson, of Richland
Benson	Gorder	Nelson, of Walsh
Bjornson	Hanson	O'Connor of Pembina
Boerner	Harty	Olsgard of Nelson
Bond	Hawkinson	Olsgard of Richland
Boyd	Hedalen	Paulson
Brusletten	Heinmeyer	Peart
Burnett	Hersrud	Ployhar
Carey	Hoge	Price
Christenson	Hill, of Bottineau	Putnam
Collins	Hill, of Cass	Ray
Cunningham	Hyland	Robinson
Davilson	Johns	Roquette
Davis	Johnson	Sauer
Dean	Kane	Sorlie
DeLance	Knox	Tande

Messrs.—	Messrs.—	Messrs.—
DeNault	Knutson	Tostenson
Dosseth	Kuhl	Tuttle
Edwards	Lageson	Ulsaker
Englund	Law	Wambem
Fassett	Lee	Whitmer
Fox	McClellan	Williams
France	Moen, of Benson	Mr. Speaker
Fraine	Moen, of Cavalier	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Nestos	Sgutt
Burns	Norheim	Stern
Doyle, of Foster	O'Connor of Gd. Forks	Stranahan
Doyle, of McIntosh	O'Shea	Streeter
Homner	Pendray	Thompson
Jordal	Reeve	Tollefson
Kyllo	Scott	Walters
Martin	Scheer	

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which Senate Bill No. 130 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 74.

A bill for an act to amend Section 1608 of the Revised Codes of 1905, relating to revenue and taxation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 48 ayes, 24 nays, 31 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Dosseth	Narum
Akesson	Englund	Nelson, of Richland
Andrus	Fox	O'Connor of Pembina
Benson	Harty	Ployhar
Bjornson	Hawkinson	Price
Bond	Hedalen	Ray
Boyd	Heinemeyer	Robinson
Brusletten	Hill, of Bottineau	Sauer
Burnett	Hyland	Scott
Carey	Johnson	Sorlie
Christenson	Kane	Streeter
Collins	Knox	Tande



<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Davidson	Knutson	Thompson
Davis	Lageson	Ulsaker
Dean	Law	Whitmer
DeLance	Lee	Williams

Those who voted in the negative were:

<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Anderson, of Ramsey	Geiger	Olgard of Nelson
DeNault	Gorder	Paulson
Doyle, of Foster	Hersrud	Pear
Fassett	Hill, of Cass	Putnam
France	Moen, of Cavalier	Tostenson
Fraine	Morrison	Tuttle
Fritz	Moritz	Wambem
Gardiner	Nelson, of Walsh	Mr. Speaker

Absent and not voting:

<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Anderson, of Griggs	Jordal	O'Shea
Boerner	Kuhl	Pendray
Burns	Kyllo	Reeve
Cunningham	Martin	Roquette
Doyle, of McIntosh	McClellan	Scheer
Edwards	Moen, of Benson	Sgutt
Fried	Nestos	Stern
Hanson	Norheim	Stranahan
Hoge	O'Connor of Gd. Forks	Tollefson
Homnes	Olgard of Richland	Walters
Johns		

So the bill was lost.

Mr. Thompson moved

That the vote by which Senate Bill No. 74 was lost be reconsidered and the motion to reconsider be made a special order for 11:30 o'clock a. m. tomorrow.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 50 ayes, 26 nays, 27 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Peart
Akesson	Fritz	Ployhar
Anderson, of Ramsey	Gardiner	Price
Bjornson	Gorder	Putnam
Boyd	Harty	Ray
Collins	Heinemeyer	Robinson
Cunningham	Hersrud	Sauer
Davidson	Hoge	Sorlie
Davis	Hill, of Bottineau	Streeter
DeLance	Hill, of Cass	Tostenson
DeNault	Hyland	Tuttle
Dosseth	Knox	Ulsaker
Doyle, of Foster	Lee	Wambem
Englund	Narum	Whitmer
Fassett	Nelson, of Walsh	Williams
Fox	O'Connor of Pembina	Mr. Speaker
France	Olgard of Nelson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Hawkinson	Moritz
Brusletten	Hedalen	Nelson, of Richland
Burnett	Johnson	Olgard of Richland
Carey	Kane	Paulson
Christensor.	Knutson	Scott
Dean	Lageson	Scheer
Edwards	Law	Tande
Fried	Moен, of Cavalier	Thompson
Geiger	Morrison	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Jordal	O'Shea
Andrus	Kuhl	Pendray
Benson	Kyllo	Reeve
Bond	Martin	Roquette
Burns	McClellan	Sgutt
Doyle, of McIntosh	Moен, of Benson	Stern
Hanson	Nestos	Stranahan
Homnes	Norheim	Tollefson
Johns	O'Connor of Gd. Forks	Walters

So the bill was lost.

Mr. Sorlie moved

That the vote by which Senate Bill No. 247 was lost be reconsidered and the motion to reconsider be made a special order for 11:45 o'clock a. m. tomorrow morning.

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

A Senate Concurrent Resolution relating to the appointment of visiting committees.

Have had the same under consideration and recommend that the House do not concur in the resolution.

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 resolution was not concurred in.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred

A Senate Concurrent Resolution relating to the natural resources of the State.

Have had the same under consideration and recommend that the same be concurred in.

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 resolution was concurred in.

Also,

Mr. Speaker:

Your committee on state affairs to whom was referred

A Senate Concurrent Resolution relating to the expenses of visiting committees.

Have had the same under consideration and recommend that the same be amended as follows:

Wherever the words "ten dollars" appear in the resolution, strike them out and insert in lieu thereof the words "five dollars." In the tenth paragraph (i. e., next to the last paragraph), strike out the words "only" and "entire." Strike out the word "ten dollars" and insert in lieu thereof "five dollars." Strike out the words "as well as for" and insert in lieu thereof the word "and."

The committee on public health made the following report that the resolution be concurred in.

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 resolution was concurred in as amended.

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. 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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" and insert the following: For an Act to Secure the Purity of Elections, to Limit Candidates' Election Expenses, to Define, Prevent and Punish Corrupt and Illegal Practices in Nominations and Elections, to Provide for Furnishing Information to the Electors; and to Provide a Penalty for the Violation of this Act.

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

Section 1. Primary Campaign Expenses Limited.) No sum of money shall be paid, and no expenses authorized or incurred by or on behalf of any candidate to be paid by him, except such as he may pay to the state for printing, as herein provided, in his campaign for nomination to any public office or position in this state, in excess of fifteen (15) per cent of a year's compensation or salary of the office for which he is a candidate; provided, that no candidate shall be restricted to less than two

hundred dollars (\$200.00) in his campaign for such nomination; provided, that the provisions of this act shall not be construed to apply to the candidate's personal traveling expenses. No sum of money shall be paid and no expense authorized or incurred, contrary to the provisions of this act, for or on behalf of any candidate for nomination.

Section 2. Publicity Pamphlet. Candidates' Statements.) Any candidate for nomination to any state or district office, when the district is composed of one or more counties, may file with the secretary of state for publication as herein provided, not later than forty (40) days before the biennial primary nominating election, with his portrait cut if he wishes, a printed or typewritten statement, on the conditions set forth, over his signature, stating the reasons why he should be nominated. Each candidate shall be allowed one (1) page of printed matter, and those opposing him shall each be allowed one page of space on equal terms with him, as herein provided.

Section 3. Rates.) Candidates for nomination shall pay for one page of space in the publication herein provided for, as follows:

For the office of United States senator, one hundred dollars; for representative in congress, one hundred dollars; for justice of the supreme court, seventy-five dollars; for governor, one hundred dollars; for secretary of state, one hundred dollars; for state treasurer, one hundred dollars; for state auditor, one hundred dollars; commissioner of insurance, superintendent of public instruction, attorney general and commissioner of labor, each seventy-five dollars; for railroad commissioner, twenty-five dollars; for senator or representative in the legislative assembly, ten dollars; for district judge, fifty dollars; for county judge, register of deeds, county auditor, county treasurer, state's attorney, sheriff and county school superintendent, each twenty-five dollars. All payments required by this section shall be made to the secretary of state when the statement is offered to him for filing, and be by him paid into the general fund of the state treasury. Any candidate for state offices may have additional space, not exceeding three pages at the rate of one hundred dollars a page, and any candidate for county or legislative office may have additional space, not exceeding two pages, at the rate of twenty-five (\$25.00) dollars a page.

Section 4. Printing Statements.) Not later than thirty days before the primary nominating election the secretary of state shall properly complete, edit, prepare and index for printing all of such statements and portrait cuts and cause the same to be printed in pamphlet form, printing the pictures of candidates with and as a part of their several statements, where such portrait cuts are offered; statements of those who directly oppose any candidate shall follow next after his statement. All of the statements filed for and against all the candidates for nomination to each office shall be printed in the order in which the candidates' names are grouped under the title of their offices on the official ballot at the nominating election. No picture, statement or argument for or against any candidate for nomination shall be included in the copy of the pamphlet going to any county where such candidate is not to be voted for. The said pamphlets shall be printed and delivered to the secretary of state as quickly as possible and the delivery shall be completed not later than twenty (20) days before the nominating election.

Section 5. Addresses of Voters.) The several county auditors shall obtain the postoffice addresses of all voters in their respective counties, which shall be taken from the registration lists in case of party registration, and in case of no party registration then such addresses may be procured from the personal property tax books of that year and other authentic source, and on or before the thirtieth (30th) day preceding the nominating election, mail to the secretary of state the name, postoffice address and party registration of every such person, and at least twenty (20) days before the regular biennial primary nominating election, the secretary of state shall forward by mail to every such person a copy of the pamphlet containing

the names and statements herein provided for. The pages of the pamphlet required by this act shall be six by nine inches in size, and the printed matter therein shall be set in eight point type, single leaded, and twenty-five ems pica in width, with proper headings.

Section 6. General Election Campaign Expenses Limited.) No sum of money shall be paid and no expenses authorized or incurred by or on behalf of any candidate who has received the nomination to any public office or position in this state, except such as he may contribute toward payment for his political party's or independent statement in the pamphlet herein provided for, in excess of fifteen (15) per cent of the annual salary for the office for which he is nominated; provided, that no candidate shall be restricted to less than two hundred dollars.

Section 7. Itemized Statements Filed.) Every candidate for nomination or election to public office, including the offices of senators of the United States, shall within fifteen (15) days after the primary or general election at which he was a candidate, file with the secretary of state, if a candidate for senator of the United States, representative in congress, or for any state or district office in a district composed of one or more counties, but with the county auditor for legislative districts composed of not more than one county, an itemized statement setting forth in detail all the moneys contributed, expended or promised by him to aid and promote his nomination or election, or both, as the case may be, and for the election of his party candidates, and all existing unfulfilled promises of every character and all liabilities in force at the time of such statement, and if no money or other valuable thing was paid or promised, he shall file a statement to that effect within fifteen days after the election at which he was a candidate. Any candidate who shall fail to file such statement shall be fined twenty-five dollars (\$25.00) for every day on which he was in default, unless excused by the court.

Section 8. Actual Contributor's Names.) No person shall make a payment of his own money or of another person's money to any other person in connection with a nomination or election in any other name than that of the person who in truth supplies such money; nor shall any person knowingly receive such payment or enter or cause the same to be entered in his accounts or record in any other name than that of the person by whom it was actually furnished.

Section 9. Pre-election Promises of Appointments.) No person shall, in order to aid or promote his nomination or election, directly or indirectly promise to appoint another person or to secure or aid in securing the appointment, nomination or election of another person to any public or private position or employment, or to any position of honor, trust or emolument.

Section 10. Charitable Contributions by Candidates. Solicitation Thereof.) No person shall demand, solicit, ask, or invite any payment or contribution for any religious, political, charitable or other such cause from a person who seeks to be or has been nominated or elected to any office; and no such candidate or elected person shall make any such payment or contribution if it shall be demanded or asked during the time he is a candidate for nomination or election or an incumbent of any office. No payment or contribution for any purpose shall be made a condition precedent to the putting of a name on any caucus or convention ballot or nominating paper or petition, or the performance of any duty imposed by law on a political committee.

Section 11. Campaign Contributions by Corporations Prohibited.) No corporation, trustee or officer thereof as such, shall pay or contribute in order to aid, promote or prevent the nomination or election of any person, or in order to aid or promote the interest, success or defeat of any person or any political party or organization. And no person shall solicit or receive such payment from any corporation.

Section 12. Treating.) Any person or candidate who shall, either by

himself or by any other person, either before or after election, or while such person or candidate is seeking a nomination or election, directly or indirectly, give or provide, or pay, wholly or in part, the expense of giving or providing any drink or intoxicating liquors to or for any person for the purpose or with the intent or hope to influence that person or any other person to give or refrain from giving his vote at such election to or for any candidate or political party ticket or measure before the people, or on account of such person or any other person having voted or refrained from voting for any candidate or the candidates or any political party or organization or measure before the people, or being about to vote or refrain from voting at such election, shall be guilty of treating. Every elector who accepts or takes any such drink or intoxicating liquors shall also be guilty of treating, and such acceptance shall be ground of challenge to his vote and of rejecting his vote on a contest.

Section 13.) Penalty.) Any person shall be guilty of corrupt practice within the meaning of this act if he expends any money for election purposes contrary to the provisions of this statute, or if he is guilty of treating, undue influence, personation, or the giving or promising to give any money or valuable thing to an elector with the intent to induce him to vote or to refrain from voting for any candidate for public office.

Section 14. Expenses of Voting. Transportation Prohibited.) It shall be unlawful for any person to pay another for any loss or damage due to attendance at the polls, or in registering or for the expense of transportation to or from the polls. No person shall pay for personal service to be performed on the day of a caucus, primary convention or any election for any purpose connected therewith, tending in any way, directly or indirectly, to affect the result thereof, except for the hiring of persons whose sole duty is to act as challengers and watch the count of official ballots. No person shall buy, sell, give or provide any political badge, button or any insignia to be worn at or about the polls on the day of an election, and no such political badge, button or insignia shall be worn at or about the polls on any election day.

Section 15. Political Advertising Labeled Paid.) No publisher of a newspaper or other periodical shall insert either in its advertising or reading columns or any paid matter which is designed or tends to aid, injure or defeat any candidate or political party or organization or measure before the people, unless it is stated therein that it is a paid advertisement. No person shall pay the owner, editor, publisher or agent of any newspaper or other periodical to induce him to editorially advocate or oppose any candidate for nomination or election, and no such owner, editor, publisher, or agent shall accept such payment. Any person who shall violate any of the provisions of this section shall be punished as for a corrupt practice.

Section 16. Electioneering on Election Day.) It shall be unlawful for any person at any place on the day of any election to ask, solicit or in any manner try to induce or persuade any voter on such election day to vote or refrain from voting for any candidate, or the candidates or ticket of any political party or organization, or any measure submitted to the people, and upon conviction thereof he shall be punished by a fine of not less than five dollars, nor more than one hundred dollars for the first offense, and for the second and each subsequent offense occurring on the same or different election days he shall be punished by a fine as aforesaid, or by imprisonment in the county jail not less than five or more than thirty days, or both such fine and imprisonment.

Section 17. Failure to File Statement. Name Omitted from Ballot.) The name of a candidate chosen at a primary nominating election or otherwise, shall not be printed on the official ballot for the ensuing election unless there has been filed by or on behalf of said candidate the statements of accounts and the expenses relating to nominations required by this act, but delay in making such statement beyond the time prescribed shall not preclude its

acceptance or prevent the insertion of the name on the ballot, if there is a reasonable time therefor after the receipt of such statements.

Section 18. Candidacy Bona Fide.) It shall be unlawful for any person to accept, receive or refrain from becoming a candidate for nomination or election, or by himself or in combination with any other person or persons to become a candidate for the purpose of defeating the nomination or election of any person and not with a bona-fide intent to obtain the office.

Section 19. Corrupt Practice. Forfeiture of Office or Nomination.) If upon the trial of any action or proceeding under the provisions of this act for the contesting of the right of any person declared to be nominated to any office or elected to any office, or to annul or set aside such election, or to remove any person from his office, it shall appear that such person was guilty of any corrupt practice, illegal act, or undue influence in or about such nomination or election, he shall be punished by being deprived of the nomination or office, as the case may be, and the vacancy therein shall be filled in the manner provided by law.

Section 20. Contest Commencement.) Any action to contest the right of any person declared elected to any office, or to annul and set aside such election, or to remove from or deprive any person of an office of which he is the incumbent for any offense mentioned in this act must, unless a different time be stated, be commenced within forty (40) days after the return of the election at which such offense was committed, unless the ground of the action or proceeding is for the illegal payment of money or other valuable things subsequent to the filing of the statements prescribed by this act, in which case the action or proceeding may be commenced within forty (40) days after the discovery by the complainant of such illegal payment.

Section 21. General Penalty.) Whoever violates any provisions of this act, the punishment of which is not specifically provided by law, shall on conviction thereof be punished by imprisonment in the county jail for not more than six months, or by a fine of not more than one thousand dollars, or by both such fine and imprisonment.

And when so amended recommend the same do pass.

W. R. BOND,  
Chairman.

Mr. Bond moved

That the report of the committee be 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 public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred 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.

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.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate Bill No. 44.

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.

Have had the same under consideration and recommend that the same be amended as follows:

In the last line of the bill, strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

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 be 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

Senate Bill No. 245.

A bill for an act to amend and re-enact 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.

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.

The committee on agriculture made the following report:

Mr. Speaker:

Your committee on agriculture 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 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 temperance made the following report:

Mr. Speaker:

A minority of your committee on temperance, to whom was referred.

## Senate Bill No. 306.

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.

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

JOHN G. JOHNS,  
JAMES HILL,  
WM. G. RAY.

Also,

Mr. Speaker:

A majority of your committee on temperance to whom was referred

Senate Bill No. 306.

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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. L. BRUSLETTEN,  
A. L. PEART,  
FRANK H. HYLAND,  
J. L. GORDER,  
W. S. DEAN,  
R. A. NESTOS,  
C. E. DAVIDSON,  
W. B. DENAULT,  
E. M. NELSON,  
T. N. PUTNAM.

Mr. DeLance moved

That the two reports on Senate Bill No. 306 be made a special order for 10 o'clock a. m. tomorrow.

Which motion prevailed.

The committee on live stock made the following report:

Mr. Speaker:

Your committee on live stock to whom was referred

Senate Bill No. 211.

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.

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 military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred 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.

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 judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred Senate Bill No. 315.

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.

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. 313.

A bill for an act to amend section 2586 of the Revised  
Codes of North Dakota for 1905, relating to salaries of  
judges of the county court.

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. 305.

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.

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. 369.

(Title)

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. 336.

A bill for an act to amend and re-enact Section 6187 of  
the Revised Codes of North Dakota, for 1905.

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. 342.

A bill for an act to amend Section 8089 of the Revised  
Codes of the state of North Dakota for 1905, relating to  
exempt personal property and the disposition thereof.

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. 356.

A bill for an act to amend Article 3 of Chapter 75 of the  
Civil Code of North Dakota, being Section 6186 of the Re-  
vised Codes of North Dakota 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. 368.

A bill for an act defining the crime of inveighling females into houses of ill fame or of assignation, or elsewhere, for the purpose of prostitution or immoral relations, and prescribing the punishment therefor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEO. P. HOMNES,  
Chairman.

Mr. Bjornson 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. 261.

A bill for an act regulating the practice in county court having increased jurisdiction.

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. 367.

A bill for an act defining the crime of fornication and prescribing the 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.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 109.

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, 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.

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 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.

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 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 samp-



les 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.

Have had the same under consideration and recommend that the same be amended as follows:

In line 18, page 2 of the printed bill, after the word "than" strike out the word "fifty" and insert in lieu thereof the word "forty."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the rules be suspended and the report of the committee be 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 appropriations to whom was referred 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.

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

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.

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  
Senate Bill No. 139.

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.

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  
Senate Bill No. 145.

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.

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

## 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.

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 counties and county boundaries made the following report:

Mr. Speaker:

Your committee on counties and county boundaries to whom was referred

Senate Bill No. 271.

A bill for an act for the organization of villages in territory embracing more than one county.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1, section 10, after the figure "10" insert the word "repeal."

Also in line 1, section 11, after the figure "11" insert the word "repeal."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved

That the rules be suspended and the report of the committee be 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 public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred Senate Bill No. 312.

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.

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 appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred 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.

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 Senate Bill No. 208.

A bill for an act to provide for and the making of improvements at the North Dakota School of Forestry to assist in the maintenance thereof, 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

Senate Bill No. 161.

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.

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. 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.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. P. HANSON,  
Chairman.

Mr. Price 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 warehouses and grain grading to whom was referred

Senate Bill No. 316.

A bill for an act to amend Section 2272, Revised Codes of 1905, relating to storage companies.

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.

The committee on coal and public lands made the following report:

Mr. Speaker:

Your committee on coal lands and mining to whom was referred

Senate Bill No. 238.

A bill for an act authorizing the board of university and school lands to make examination of all state and school lands to determine the extent, depth and 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.

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

C. E. DAVIDSON,  
Chairman.

Mr. Davidson 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. 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.

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 school and public lands made the following report:

Mr. Speaker:

Your committee on school and public lands to whom was referred

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.

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 state affairs made the following report:

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

Senate Bill No. 301.

A bill for an act to amend and re-enact Section 237 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 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 appropriations 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.

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 judiciary made the following report:

Mr. Speaker:

The committee on judiciary to whom was referred:

Senate Bill No. 328.

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.

Have had the same under consideration and recommend that the same be referred to the committee on appropriations.

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.

Mr. Williams moved that the rules be suspended and Senate Bill No. 309 be placed upon its third reading and final passage.

Which motion prevailed.

Senate Bill No. 309.

A bill for an act to provide for the purchase of the paintings of "Mink Woman," "Bear's Necklace" and "Bad Brave."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 54; nays 0; absent and not voting 49.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Gorder	Nelson, of Walsh
Benson	Harty	O'Connor of Pembina
Bjornson	Hawkinson	Ployhar
Bond	Heinemeyer	Price
Boyd	Hersrud	Putnam
Carey	Hoge	Ray
Christenson	Hill, of Bottineau	Robinson
Cunningham	Hyland	Sauer
Davidson	Johns	Scheer
Davis	Johnson	Sgutt
DeLance	Knox	Sorlie
DeNault	Knutson	Streeter
Doyle, of McIntosh	Law	Thompson
Edwards	Lee	Tostenson
Fassett	McClellan	Ulsaker
Fox	Moen, of Cavalier	Wambem
Gardiner	Morrison	Williams
Geiger	Narum	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olsgard of Nelson
Akesson	Hedalen	Olsgard of Richland
Anderson, of Griggs	Homnes	O'Shea
Andrus	Hill, of Cass	Paulson
Boerner	Jordal	Peart
Brusletten	Kane	Pendray
Burnett	Kuhl	Reeve
Burns	Kyllo	Roquette
Collins	Lageson	Scott
Dean	Martin	Stern
Dosseth	Moen, of Benson	Stranahan
Doyle, of Foster	Moritz	Tande

Messrs.—

Englund  
 France  
 Fraine  
 Fried  
 Fritz

Messrs.—

Nelson, of Richland  
 Nestos  
 Norheim  
 O'Connor of Gd. Forks

Messrs.—

Tollefson  
 Tuttle  
 Walters  
 Whitmer

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which Senate bill No. 309 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Ployhar moved

That the report of the special committee appointed to investigate the state treasurer's office be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Thompson moved

That the House take a recess until 10 o'clock A. M. tomorrow.

Which motion prevailed, and

And the House took a recess.

E. H. GRIFFIN,  
 Chief Clerk.

FIFTY-EIGHTH DAY AFTER RECESS AND  
FIFTY-NINTH DAY.

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HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

March 2, 1911

The House reassembled at 10 o'clock a. m., pursuant to recess taken. .

SPECIAL ORDER.

Senate Bill No. 306.

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.

Mr. DeLance moved

That Senate Bill No. 306 be made a special order for 3 o'clock P. M. this afternoon.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 46; nays 25; absent and not voting 32.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Heinemeyer	Nestos
Akesson	Hersrud	O'Connor of Gd. Forks
Anderson, of Griggs	Hoge	O'Connor of Pembina
Anderson, of Ramsey	Hill, of Bottineau	Olsgard of Nelson
Andrus	Hyland	O'Shea
Bond	Johns	Ployhar
Boyd	Kane	Putnam
Collins	Knox	Robinson
Dosseth	Knutson	Sauer
Doyle, of Foster	Kuhl	Sgutt
Doyle, of McIntosh	Kyllo	Stern
Edwards	Martin	Tande
Englund	Moen of Benson	Tuttle
Fassett	Morrison	Williams
Fritz	Narum	Mr. Speaker
Hawkinson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Gorder	Pendray
Brusletten	Lageson	Scott
Burnett	Law	Scheer
Carey	Nelson of Richland	Sorlie
Christenson	Nelson of Walsh	Tollefson
DeNault	Olsgard of Richland	Ulsaker
Fraine	Paulson	Walters
Gardiner	Pearl	Wambem
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hanson	Norheim
Boerner	Harty	Price
Burns	Hedalen	Ray
Cunningham	Homnes	Reeve
Davidson	Hill, of Cass	Roquette
Davis	Johnson	Stranahan
Dean	Jordal	Streeter
DeLance	Lee	Thompson
Fox	McClellan	Tostenoi.
France	Moen of Cavalier	Whitmer
Fried	Moritz	

So the bill was lost.

## 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 third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 72; nays 5; absent and not voting 26.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Nelson of Walsh
Akesson	Gardiner	Nestos
Andersor, of Griggs	Geiger	O'Connor of Gd. Forks
Andrus	Gorder	O'Connor of Pembina
Bjornson	Hanson	Olsgard of Nelson
Bond	Harty	Olsgard of Richland
Boyd	Hawkinson	O'Shea
Brusletten	Heinemeyer	Paulson
Burnett	Hersrud	Pearl
Burns	Hoge	Pendray
Carey	Hill, of Bottineau	Ployhar
Christenson	Hill, of Cass	Putnam
Collins	Hyland	Robinson
Davidson	Johns	Sauer
DeNault	Kane	Scott
Dosseth	Knox	Scheer
Doyle, of Foster	Knutson	Sgutt
Doyle, of McIntosh	Kyllo	Sorlie
Edwards	Lageson	Stern
Englund	Law	Tande
Fassett	Martin	Tollefson
Fox	Moen of Benson	Ulsaker
France	Narum	Williams
Fraine	Nelson of Richland	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cunningham	Tuttle	Wambem
Morrison	Walters	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Johnson	Ray
Benson	Jordal	Reeve
Boerner	Kuhl	Roquette
Davis	Lee	Stranahan
Dean	McClellan	Streeter
DeLance	Moen of Cavalier	Thompson
Fried	Moritz	Tostenson

Messrs.—  
Hedalen  
Homnes

Messrs.—  
Norheim  
Price

Messrs.—  
Whitmer

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That Senate Bill No. 244 be placed at the foot of the calendar.

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.

The question being on the final passage of the bill.

The roll was called and there were ayes 87; nays 0; absent and not voting 16.

Those who voted in the affirmative were:

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

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Moen of Cavaller	Sgutt
Boerner	Nestos	Sorlie
Hedalen	Norheim	Stranahan
Homnes	Price	Streeter
Johnson	Reeve	Thompson
Jordal		

So the bill passed and the title was agreed to.

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 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	Fritz	Nestos
Akesson	Gardiner	O'Connor of Gd. Forks
Anderson, of Griggs	Geiger	O'Connor of Pembina
Anderson, of Ramsey	Gorder	Olsgard of Nelson
Andrus	Hanson	Olsgard of Richland
Bjornson	Harty	O'Shea
Bond	Hawkinson	Paulson
Boyd	Heinemeyer	Peart
Brusletten	Hersrud	Pendray
Burnett	Hoge	Putnam
Burns	Hill, of Bottineau	Robinson
Carey	Hill, of Cass	Sauer
Christenson	Hyland	Scheer
Collins	Johns	Sgutt
Cunningham	Knox	Sorlie
Davidson	Knutson	Stern
Dean	Kuhl	Streeter
DeLance	Kyllo	Tande
DeNault	Lageson	Thompson
Dosseth	Law	Tollefson
Doyle, of Foster	Lee	Tostenson
Doyle, of McIntosh	Martin	Tuttle
Edwards	McClellan	Ulsaker
Englund	Moen of Benson	Walters
Fassett	Moen of Cavaller	Wambem
Fox	Morrison	Whitmer
France	Narum	Williams
Fraine	Nelson of Richland	Mr. Speaker
Fried	Nelson of Walsh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jordal	Ray
Boerner	Kane	Reeve
Davis	Moritz	Roquette
Hedalen	Norheim	Scott
Homnes	Ployhar	Stranahan
Johnson	Price	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91; nays 0; 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	Gorder	Olgard of Nelson
Anderson, of Ramsey	Hanson	Olgard of Richland
Andrus	Harty	O'Shea
Bjornson	Hawkinson	Paulson
Boerner	Hedalen	Pearl
Bond	Heinemeyer	Pendray
Boyd	Hersrud	Putnam
Brusletten	Homnes	Ray
Burnett	Hill, of Bottineau	Robinson
Burns	Hill, of Cass	Roquette
Carey	Hyland	Sauer
Christenson	Johns	Scott
Collins	Kane	Scheer
Cunningham	Knox	Sorlie
Davidson	Knutson	Stern
Dean	Kuhl	Stranahan
DeLance	Kyllo	Streeter
DeNault	Lageson	Tande
Dosseth	Law	Thompson
Doyle, of Foster	Lee	Tollefson
Doyle, of McIntosh	Martin	Tostenson
Edwards	McClellan	Tuttle
Englund	Moen of Benson	Ulsaker
Fassett	Morrison	Walters
Fox	Narum	Wambem
France	Nelson of Richland	Whitmer
Fraine	Nelson of Walsh	Williams



Messrs.—	Messrs.—	Messrs.—
Fried	Nestos	Mr. Speaker
Fritz		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Jordal	Ployhar
Davis	Moen of Cavalier	Price
Hoge	Moritz	Reeve
Johnson	Norheim	Sgutt

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79; nays 7; absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Nelson of Walsh
Akesson	Fritz	Nestos
Anderson, of Griggs	Gardiner	O'Connor of Gd. Forks
Anderson, of Ramsey	Geiger	O'Connor of Pembina
Andrus	Gorder	Olsgard of Nelson
Bjornson	Harty	Olsgard of Richland
Bond	Hawkinson	O'Shea
Boyd	Hedalen	Paulson
Brusletten	Heinemeyer	Peart
Burnett	Hersrud	Pendray
Burns	Hoge	Ray
Carey	Hill, of Cass	Robinson
Christenson	Hyland	Stern
Collins	Johns	Stranahan
Cunningham	Knutson	Streeter
Davidson	Kuhl	Tande
Dean	Lageson	Thompson
DeLance	Law	Tollefson
DeNault.	Lee	Tostenson
Doyle, of Foster	Martin	Tuttle
Doyle, of McIntosh	McClellan	Ulsaker
Edwards	Moen of Cavalier	Walters
Englund	Morrison	Wambem
Fassett	Moritz	Whitmer

Messrs.—	Messrs.—	Messrs.—
Fox	Narum	Williams
France	Nelson of Richland	Mr. Speaker
Fra.ne		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Knox	Moen of Benson
Hanson	Kyllo	Sauer
Hill, of Bottineau		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kane	Roquette
Boerner	Norheim	Scott
Davis	Ployhar	Scheer
Homes	Price	Sgutt
Johnson	Putnam	Sorlie
Jordal	Reeve	

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,  
March 2, 1911.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows.

In subdivision "G" of section 7 of the bill, change the word "industry" to "husbandry."

And passed as amended.

Very respectfully,  
J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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 the Senate has amended as follows:

In section 6, change the word "tuberculosis" to "tuberculin." Also in the same section between the words "mallien" and "tuberculin" insert the word "and."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith,

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.

Also,

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 the Senate has failed to pass.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith,

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.

Which the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith,

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:

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. 273.

A bill for an act to regulate the size and construction of caboose cars.

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. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

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.

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. 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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also

Mr. Speaker:

I have the honor to return herewith,  
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. 12.

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

Also

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to request the return of the concurrent

resolution relating to appointment of a district judge in the second district.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Davis moved

That the House do now concur in Senate amendment to House Bill No. 275.

Which motion prevailed.

And the amendment was concurred in.

Mr. Englund moved

That the House do now concur in the Senate amendments to House Bill No. 177.

Which motion prevailed.

The amendments were concurred in.

Mr. Sorlie moved

That the House do now concur in the Senate amendments to House Bill No. 355.

Which motion prevailed, and

The amendments were concurred in.

Mr. Sorlie moved

That the House comply with the request of the Senate for the return of the resolution relating to resolution to appoint a judge in the second judicial district.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 97; nays 1; absent and not voting 5.

Those who voted in the affirmative were:

Messrs.—

Aasheim

Akesson

Anderson, of Griggs

Anderson, of Ramsey

Messrs.—

Gardiner

Geiger

Gorder

Hanson

Messrs.—

Nelson of Richland

Nelson of Walsh

Nestos

Norheim

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

Mr. Sauer voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Ployhar	Reeve	Tuttle
Price	Roquette	

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 252 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

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 third time.

The question being on the final passage of the bill.



The roll was called and there were ayes 98; nays 1; absent and not voting 4.

Those who voted in the affirmative were:

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

Mr. Martin voted in the negative.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Jordal	Price	Reeve
Ployhar		

So the bill passed and the title was agreed to.

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 third time.

Mr. Englund moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 2, 1911.

Mr. Speaker:

I have the honor to transmit herewith:

Senate Bill No. 295.

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.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

There being no objection the House returned to the thirteenth order of business.

### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 295.

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.

Was read the first and second times, and

Referred to the committee on judiciary.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were ayes 96; nays 1; absent and not voting 6.

Those who voted in the affirmative were:

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

Mr. Ulsaker voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dean	Price	Reeve
Hanson	Putnam	Sgutt

So the bill passed and the title was agreed to.

Senate Bill No. 246.

A bill for an act to prohibit the carrying and use of fire-arms by children and minors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 96; nays 3; absent and not voting 4.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Nelson, of Walsh
Akesson	Gardiner	Nestos
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	Hedalen	O'Shea
Bond	Heinemeyer	Paulson
Boyd	Hersrud	Pearl
Brusletten	Hoge	Pendray
Burnett	Homnes	Ployhar
Burns	Hill, of Bottineau	Ray
Carey	Hill, of Cass	Robinson
Christenson	Hyland	Roquette
Collins	Johns	Sauer
Cunningham	Johnson	Scott
Davidson	Jordal	Scheer
Davis	Kane	Sorlie
Dean	Knox	Stern
DeLance	Knutson	Stranahan
DeNault	Kuhl	Streeter
Dosseth	Kyllo	Tande
Doyle, of Foster	Lageson	Thompson
Doyle, of McIntosh	Law	Tollefson
Edwards	Lee	Tostenson
Englund	Martin	Tuttle
Fassett	Moen, of Benson	Ulsaker
Fox	Moen, of Cavalier	Wambem
France	Moritz	Whitmer
Fraine	Narum	Williams
Fried	Nelson, of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
McClellan	Morrison	Walters

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Price	Reeve	Sgutt
Putnam		

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That Senate Bill No. 188 be indefinitely postponed.

Mr. Price moved

That the bill be re-referred to the committee on highways, bridges and ferries.

Which motion was lost.

The question being on the motion to indefinitely postpone the same was lost.

### SPECIAL ORDER.

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.

Mr. De Nault offered the following amendment and moved its adoption:

Strike out all after the word "A Bill" and insert the following:

For an Act to Divide the State of North Dakota into Three Congressional Districts, and Defining the Boundaries Thereof.

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

Section 1. The state of North Dakota is hereby divided into three congressional districts, each of which is entitled to elect one representative to the Congress of the United States.

Section 2. First District Defined.) The counties of Pembina, Cavalier, Towner, Ramsey, Walsh, Nelson, Grand Forks, Steele, Traill, Cass, Ransom, Sargent and Richland shall constitute the first congressional district.

Section 3. Second District Defined.) The counties of Bottineau, Rquette, McHenry, Pierce, Benson, Sheridan, Wells, Eddy, Foster, Griggs, Stutsman, Barnes, Kidder, Burleigh, Emmons, Logan, McIntosh, LaMoure and Dickey shall constitute the second congressional district.

Section 4. Third District Defined.) The counties of Divide, Burke, Renville, Ward, Mountrail, Williams, McKenzie, McLean, Dunn, Mer-

cer, Oliver, Billings, Stark, Morton, Hettinger, Bowman and Adams shall constitute the third congressional district.

Mr. Price moved

That the further consideration of the amendment be indefinitely postponed.

Mr. Knox moved

The previous question.

The question being, shall the main question be now put.  
Which motion prevailed.

The question being on the motion to indefinitely postpone.

Roll call demanded.

The roll was called and there were 50 ayes, 52 nays, 1 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Gd. Forks
Akeson	Hill, of Bottineau	Olgard of Nelson
Anderson, of Ramsey	Hill, of Cass	Olgard of Richland
Andrus	Hyland	Paulson
Boerner	Johnson	Pearl
Boyd	Jordal	Ployhar
Brusletten	Knox	Price
Burnett	Knutson	Scott
Carey	Kuhl	Sorlie
Davis	Kylo	Stern
Dean	Lageson	Stranahan
Edwards	Law	Tande
Fraine	Morrison	Tostenson
Gardiner	Moritz	Ulsaker
Geiger	Narum	Wambem
Hanson	Nelson, of Richland	Whitmer
Hawkinson	Nelson, of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fritz	O'Shea
Benson	Gorder	Pendray
Bjornson	Harty	Putnam
Bond	Heinemeyer	Ray
Christenson	Hersrud	Reeve
Collins	Hoge	Robinson
Cunningham	Homnes	Roquette
Davidson	Johns	Sauer
DeLance	Kane	Scheer
DeNault	Lee	Sgutt
Dosseth	Martin	Streeter
Doyle, of Foster	McClellan	Thompson
Doyle, of McIntosh	Moen, of Benson	Tollefson

Messrs.—	Messrs.—	Messrs.—
Englund	Moen, of Cavalier	Tuttle
Fassett	Nestos	Walters
Fox	Norheim	Williams
France	O'Connor of Pembina	Mr. Speaker
Fried		

Mr. Burns absent and not voting.

Which motion was lost.

Mr. Doyle of Foster, moved

That the mendment to House Bill No. 252 be adopted.

Roll call demanded.

The question being on the adoption of the amendments.

The roll was called and there were 53 ayes, 50 nays, none absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Fried	O'Shea
Benson	Fritz	Pendray
Hjornson	Gorder	Putnam
Bond	Harty	Ray
Burns	Heinemeyer	Reeve
Christenson	Hersrud	Robinson
Collins	Hoge	Roquette
Cunningham	Homnes	Sauer
Davidson	Johns	Scheer
DeLance	Kane	Sgutt
DeNault	Lee	Streeter
Dosseth	Martin	Thompson
Doyle, of Foster	McClellan	Tollefson
Doyle, of McIntosh	Moen of Benson	Tuttle
Englund	Moen of Cavalier	Walters
Fassett	Nestos	Williams
Fox	Norheim	Mr. Speaker
France	O'Connor of Pembina	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Gd. Forks
Akesson	Hill, of Bottineau	Olsgard of Nelson
Anderson, of Ramsey	Hill, of Cass	Olsgard of Richland
Andrus	Hyland	Paulson
Boerner	Johnson	Peart
Boyd	Jordal	Ployhar
Brusletten	Knox	Price
Burnett	Knutson	Scott
Carey	Kuhl	Sorlie
Davis	Kyllo	Stern
Dean	Lageson	Stranahan
Edwards	Law	Tande
Fraine	Morrison	Tostenson
Gardiner	Moritz	Ulsaker

Messrs.—	Messrs.—	Messrs.—
Geiger	Narum	Wambem
Hanson	Nelson of Richland	Whitmer
Hawkinson	Nelson of Walsh	

Which motion prevailed, and

The amendments were adopted.

Mr. Price moved

That the further consideration of House Bill No. 252 as amended, be indefinitely postponed.

Roll call demanded.

The question being on the motion to indefinitely postpone further consideration on House Bill No. 252, as amended.

The roll was called and there were 49 ayes, 54 nays, none absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hill, of Bottineau	O'Connor of Gd. Forks
Akesson	Hill, of Cass	Olsgard of Nelson
Anderson, of Ramsey	Hyland	Olsgard of Richland
Andrus	Johnson	Paulson
Boyd	Jordal	Peart
Brusletten	Knox	Ployhar
Burnett	Knutson	Price
Carey	Kuhl	Scott
Davis	Kylo	Sorlie
Dean	Lageson	Stern
Edwards	Law	Stranahan
Fraine	Morrison	Tande
Gardiner	Moritz	Tostenson
Geiger	Narum	Ulsaker
Hanson	Nelson, of Richland	Wambem
Hawkinson	Nelson, of Walsh	Whitmer
Hedalen		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	France	O'Connor of Pembina
Benson	Fried	O'Shea
Bjornson	Fritz	Pendray
Boerner	Gorder	Putnam
Bond	Harty	Ray
Burns	Helnemeyer	Reeve
Christenson	Hersrud	Robinson
Collins	Hoge	Roquette
Cunningham	Homnes	Sauer
Davidson	Johns	Scheer
DeLance	Kane	Sgutt
DeNault	Lee	Streeter
Dosseth	Martin	Thompson



Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	McGlellan	Tollefson
Doyle, of McIntosh	Moen, of Benson	Tuttle
Englund	Moen, of Cavalier	Walters
Fassett	Nestos	Williams
Fox	Norheim	Mr. Speaker

Which motion was lost.

Mr. Homnes moved

That the rules be suspended and House Bill No. 252 be considered engrossed and placed upon its third reading and final passage.

Which motion was lost.

Mr. De Nault moved

That the vote by which House Bill No. 252 was amended, be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Thompson moved

That the vote by which House Bill No. 222 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Thompson moved

That the report of the committee of the whole as to House Bill No. 222, be amended so as to read "do pass."

Which motion prevailed.

Mr. Homnes moved

That House Bill No. 222 be placed upon its final passage. The chair ruled that to bring House Bill No. 222 to third reading and final passage, required a two-thirds vote.

Mr. Homnes appealed from the decision of the chair.

Roll call demanded.

The question being shall the chair be sustained.

The roll was called and there were 61 ayes, 38 nays, 4 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Gardiner	Nelson of Richland
Akesson	Geiger	Nelson of Walsh

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gorder	O'Connor of Gd. Forks
Andrus	Hanson	O'Connor of Pembina
Benson	Harty	Olgard of Nelson
Bjornson	Hawkinson	Olgard of Richland
Boyd	Hedalen	Paulson
Brusletten	Hill, of Bottineau	Peart
Burnett	Hill, of Cass	Pendray
Carey	Kane	Ployhar
Christenson	Knox	Price
Cunningham	Knutson	Putnam
Davis	Kuhl	Scott
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
Dosseth	Law	Stranahan
Doyle, of Foster	Moen of Benson	Streeter
Doyle, of McIntosh	Moen of Cavalier	Tande
Edwards	Moritz	Ulsaker
France	Narum	Wambem
Fraine		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hersrud	Robinson
Boerner	Homnes	Roquette
Bond	Hyland	Sauer
Burns	Johns	Scheer
Collins	Lee	Sgutt
Davidson	Martin	Thompson
DeNault	McClellan	Tollefson
Englund	Morrison	Tostenson
Fassett	Nestos	Tuttle
Fox	Norheim	Walters
Fried	O'Shea	Whitmer
Fritz	Ray	Williams
Heinemeyer	Reeve	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hoge	Jordal	Mr. Speaker
Johnson		

The same prevailed, and

The chair was sustained.

### SPECIAL ORDER.

Senate Bill No. 74.

A bill for an act to amend Section 1608 of the Revised Codes of 1905, relating to revenue and taxation.

Mr. Sorlie moved

That the House do now adjourn.

Which motion was lost.

Senate Bill No. 74.

A bill for an act to amend Section 1608 of the Revised Codes of 1905, relating to revenue and taxation.

Was read the third time.

Mr. Davidson moved

That further consideration of Senate Bill No. 74 be deferred until 1:30 p. m., and that it be made a special order at that time.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 2, 1911.

Mr. Speaker:

I have the honor to transmit herewith  
Senate Bill No. 293.

A bill for an act to regulate the practice of naturopathy in the state of North Dakota.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Fraine moved

That the House take a recess until 12:30 o'clock p. m.  
Which motion prevailed.

And the House took a recess.

The House reassembled at 12:30 p. m., pursuant to recess taken.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 2, 1911.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 220.

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 state of North Dakota.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Homnes raised a question of a quorum.

Roll call showed quorum present.

### THIRD READING OF SENATE BILLS.

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 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.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Bjornson  
Boerner

Messrs.—

Fried  
Gardiner  
Geiger  
Gorder  
Hanson  
Hawkinson  
Hersrud

Messrs.—

Nelson, of Walsh  
Nestos  
Norheim  
O'Connor of Gd. Forks  
Olgard of Nelson  
Olgard of Richland  
O'Shea

Messrs.—	Messrs.—	Messrs.—
Bond	Hoge	Paulson
Boyd	Homnes	Peart
Brusletten	Hill, of Bottineau	Pendray
Burnett	Hill, of Cass	Ployhar
Burns	Hyland	Putnam
Carey	Johns	Robinson
Christenson	Kane	Sauer
Cunningham	Knox	Scott
Davidson	Knutson	Scheer
Davis	Kyllo	Sgutt
Dean	Lageson	Sorlie
DeLance	Law	Tande
DeNault	Lee	Thompson
Dosseth	McClellan	Tostensen
Edwards	Moen, of Benson	Tuttle
Fassett	Moen, of Cavalier	Ulsaker
Fox	Morrison	Whitmer
France	Moritz	Williams
Fraine	Narum	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johnson	Reeve
Collins	Jordal	Roquette
Doyle, of Foster	Kuhl	Stern
Doyle, of McIntosh	Martin	Stranahan
Englund	Nelson, of Richland	Streeter
Fritz	O'Connor of Pembina	Tolefsen
Harty	Price	Walters
Hedalen	Ray	Wamborn
Heinemeyer		

So the bill passed and the title was agreed to.

The Speaker appointed as conferees for the House on Senate Bills Nos. 76 and 77, Messrs. Nestos, Cunningham and France.

## 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 third time.

The question being on the final passage of the bill.

The roll was called and there were 67 ayes, no nays, 36 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fox	Moritz
Akesson	Gardiner	Narum
Anderson, of Griggs	Geiger	Nelson, of Walsh

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Gorder	Nestos
Andrus	Hanson	O'Connor of Pembina
Bjornson	Hersrud	Olsgard of Nelson
Boerner	Hoge	O'Shea
Bond	Homnes	Paulson
Boyd	Hill, of Bottineau	Peart
Brusletten	Hill, of Cass	Pendray
Burnett	Hyland	Ployhar
Burns	Johns	Putnam
Carey	Kane	Sauer
Christenson	Knox	Scott
Cunningham	Knutson	Sorlie
Davidson	Kuhl	Tande
Davis	Kyllo	Tostenson
Dean	Lageson	Tuttle
DeLance	Law	Ulsaker
DeNault	Lee	Whitmer
Dosseth	Moen, of Benson	Williams
Edwards	Moen, of Cavalier	Mr. Speaker
Fassett		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Heinemeyer	Reeve
Collins	Johnson	Robinson
Doyle, of Foster	Jordal	Roquette
Doyle, of McIntosh	Martin	Scheer
Englund	McCleilan	Sgutt
France	Morrison	Stern
Fraine	Nelson, of Richland	Stranahan
Fried	Norheim	Streeter
Fritz	O'Connor of Gd. Forks	Thompson
Harty	Olsgard of Richland	Tollefson
Hawkinson	Price	Walters
Hedalen	Ray	Wambem

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill, as amended.

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	Fraine	Nestos
Akesson	Fried	Norheim
Anderson, of Griggs	Fritz	O'Connor of Gd. Forks
Anderson, of Ramsey	Gardiner	Olsgard of Nelson
Andrus	Geiger	Olsgard of Richland
Bjornson	Gorder	O'Shea
Boerner	Hanson	Paulson
Bond	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Bottineau	Putnam
Carey	Hill, of Cass	Robinson
Christenson	Johns	Sauer
Cunningham	Knox	Scott
Davis	Knutson	Scheer
Davidson	Kyllo	Sgutt
Dean	Lageson	Sorlie
DeLance	Law	Tande
DeNault	Lee	Tostenson
Dosseth	Moen, of Benson	Tuttle
Doyle, of McIntosh	Moen, of Cavalier	Ulsaker
Edwards	Moritz	Wambem
Englund	Narum	Whitmer
Fassett	Nelson, of Richland	Williams
Fox	Nelson, of Walsh	Mr. Speaker
France		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johnson	Ray
Burns	Jordal	Reeve
Colin	Kane	Roquette
Doyle, of Foster	Kuhl	Stern
Harty	Martin	Stranahan
Hawkinson	McClellan	Streeter
Hedalen	Morrison	Thompson
Heinemeyer	O'Connor of Pembina	Tollefson
Hyland	Price	Walters

So the bill passed and the title was agreed to.

The Speaker called Mr. Hill of Bottineau, to the chair.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Hedalen	Nelson, of Richland
Doyle, of Foster	Heinemeyer	Olgard of Nelson
Fox	Jordal	Reeve
Hanson	Martin	Streeter
Harty	McClellan	Wambem

So the bill passed and the title was agreed to.

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 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	Geiger	Nelson of Walsh
Akeson	Gorder	Nestos
Anderson, of Griggs	Hanson	Norheim
Anderson, of Ramsey	Harty	O'Connor of Gd. Foras
Andrus	Hawkinson	Olsgard of Nelson
Benson	Hedalen	Olsgard of Richland
Bjornson	Hersrud	Paulson
Boerner	Hoge	Pearl
Bond	Homnes	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Reeve
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Cunningham	Jordal	Sauer
Davidson	Kane	Scott
Dean	Knox	Scheer
DeLance	Knutson	Sgutt
DeNault	Kuhl	Sorlie
Dosseth	Kyllo	Stern
Doyle, of Foster	Lageson	Stranahan
Doyle, of McIntosh	Law	Tande
Edwards	Lee	Thompson
Englund	Moen of Benson	Tostenson
Fassett	Moen of Cavalier	Ulsaker
France	Morrison	Walters
Fraine	Moritz	Wambem
Fried	Narum	Whitmer
Fritz	Nelson of Richland	Williams
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Martin	Ray
Collins	McClellan	Streeter
Davis	O'Connor of Pembina	Tollefson
Fox	O'Shea	Tuttle
Heinemeyer	Pendray	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Kuhl moved

That the vote by which Senate Bill No. 185 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker in the chair.

The Speaker called Mr. Fraine to the chair.

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 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:

Where the words "twenty thousand" appear they shall be stricken out and the words "ten thousand" inserted in lieu thereof, and where the words "thirty-five thousand" appear they shall be stricken out and the words "twenty-five thousand" inserted in lieu thereof.

Which motion prevailed.

Mr. Doyle of Foster, moved

That the rules be suspended and Senate Bill No. 210 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 100 ayes, no nays, 3 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	Olgard of Nelson
Andrus	Hawkinson	Olgard of Richland
Benson	Hedalen	O Shea
Bjornson	Heinemeyer	Faulson
Boerner	Hersrud	Peart
Bond	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnott	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johns	Robinson
Christenson	Johnson	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scott
Davis	Knutson	Scheer
Davidson	Kuhl	Sgutt
Dean	Kylo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranalan
Dosseth	Lee	Streeter
Doyle, of Foster	Martin	Tande
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen, of Benson	Tostenson
Englund	Moen, of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters

Messrs.—	Messrs.—	Messrs.—
France	Narum	Wambem
Fraine	Nelson, of Richland	Whitmer
Fried	Nelson, of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Jordal	Reeve	Tollefson

So the bill passed and the title was agreed to.

Mr. Kuhl moved

That the vote by which Senate Bill No. 210 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Mr. De Nault moved

That Senate Bill No. 334 be recalled from the Senate. Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 101 ayes, no nays, 2 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 Nelson
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrus	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Boerner	Hoge	Pendray
Bond	Homnes	Price
Boyd	Hill, of Bottineau	Putnam
Brusletten	Hill, of Cass	Ray
Burnett	Hyland	Reeve
Carey	Johns	Roquette
Christenson	Johnson	Robinson
Collins	Jordal	Sauer
Cunningham	Kane	Scheer

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

Messrs. Burns and Ployhar were absent and not voting.

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which Senate Bill No. 265 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### SPECIAL ORDER.

Senate Bill No. 74.

A bill for an act to amend Section 1608 of the Revised Codes of 1905, relating to revenue and taxation.

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.—
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	O'Connor of Gd. Forks
Benson	Hawkinson	Olgard of Nelson
Bjornson	Hedalen	Olgard of Richland
Boerner	Heinemeyer	O'Shea
Bond	Hersrud	Paulson
Boyd	Hoge	Peart
Brusletton	Homnes	Pendray
Burnett	Hill, of Bottineau	Ployhar

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Anirus	Streeter
Anderson, of Ramsey	Reeve	

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 74 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie moved

That the House return to the 11th order of business.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS.

Mr. Doyle of Foster, moved

That the rules be suspended and House Bill No. 252 be considered engrossed as amended, and placed upon its third reading and final passage.

Which motion prevailed.

## 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.

Was read the third time.

The question being on the final passage of the bill, as amended.

The roll was called and there were 69 ayes, 28 nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Harty	Peart
Anderson, of Griggs	Hedalen	Pendray
Benson	Heinemeyer	Ployhar
Bjornson	Hersrud	Putnam
Burnett	Homnes	Ray
Burns	Hill, of Cass	Robinson
Christenson	Johns	Roquette
Collins	Johnson	Sauer
Cunningham	Jordal	Scheer
Davidson	Kane	Sgutt
Dean	Kuhl	Sorlie
DeLance	Kyllo	Stern
DeNault	Lee	Tande
Dosseth	Martin	Thompson
Doyle, of Foster	McClellan	Tollefson
Doyle, of McIntosh	Moen of Benson	Tostenson
Edwards	Moen of Cavalier	Tuttle
Fassett	Nestos	Ulsaker
Fox	Norhelm	Walters
France	O'Connor of Pembina	Wambem
Fried	Olsgard of Richland	Whitmer
Gorder	O'Shea	Williams
Hanson	Paulson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Law
Anderson, of Ramsey	Gardiner	Morrison
Boerner	Geiger	Moritz
Bond	Hawkinson	Narum
Boyd	Hoge	Nelson of Richland
Brusletten	Hill, of Bottineau	Nelson of Walsh
Carey	Hyland	O'Connor of Gd. Forks
Davis	Knox	Olsgard of Nelson
Englund	Lageson	Scott
Fraine		

## Absent and not voting:

## Messrs.—

Andrus  
Knutson

## Messrs.—

Price  
Reeve

## Messrs.—

Stranahan  
Streeter

So the bill passed and the title was agreed to.

Mr. Bjornson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

E. H. GRIFFIN,  
Chief Clerk.

## FIFTY NINTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

March 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.

The committee on military affairs made the following report:

Mr. Speaker:

Your committee on military affairs to whom was referred the following concurrent resolution:

Whereas, the Constitution of the State of North Dakota located at the city of Lisbon "A Soldiers' Home or such other educational or charitable institution as the legislative assembly may determine" with a grant of forty thousand acres of land; and

WHEREAS, Pursuant thereto, there was established at said city of Lisbon a soldiers' home, which has been in operation for nearly twenty years, and so efficiently and economically managed, that while furnishing the maximum of comfort, convenience and good cheer to those veterans who are making their several homes therein, a surplus of revenue or income beyond its expense of maintenance is annually arising from the income of its land grant or permanent fund; and

WHEREAS, There has been brought prominently before this legislative assembly the question of the care, maintenance and education of orphaned, destitute and abandoned children, who have become or may become wards of the state, and it is apparent that with the increase of population said question will assume greater importance and magnitude, and that ere long the state will be called upon to consider the question of maintaining a home for such children; and



WHEREAS, The natural beauty and advantages of the location of the Soldiers' Home, its adequate farm lands and grounds, its economy and efficiency of management, and the constantly increasing fund at its disposal, would warrant the consideration of the question of combining both institutions should such a home be created;

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

That the governor and the board of trustees of the Soldiers' Home be and they are hereby requested to investigate the advisability and feasibility of establishing a children's home at the location of the Soldiers' Home under the same management and participating in the same source of income or maintenance; and to report to the Thirteenth Legislative Assembly their findings and conclusions, and to recommend such legislation, if any, as they might deem necessary or proper.

That copies of this resolution be engrossed and signed by the secretary of the Senate and the chief clerk of the House, and transmitted to the governor and to each member of said board.

Have had the same under consideration and recommend that the same be indefinitely postponed.

JAMES HILL,  
Chairman.

Mr. Hill of Bottineau moved

That the report be adopted.

Mr. Fraine moved, as an amendment:

That the House do now concur in the resolution.

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

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.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, section 1, of the engrossed bill, strike out the words "twenty-five" and insert in lieu thereof the words "forty." In the same line, strike out the figures "\$25,000.00" and insert the figures "\$40,000.00."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the rules be suspended and the report of the committee be 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

Senate Bill No. 254.

A bill for an act prohibiting combinations or agreements between two or more fire insurance companies, fixing rates and prescribing penalties therefor.

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.

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. 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.

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. 287.

A bill for an act prescribing the duties of the county auditor upon receipt of tax levies certified to him.

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 state affairs made the following report:

Mr. Speaker:

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 amended as follows:

In line 18 of the engrossed bill, strike out all after the word "dollars"  
Strike out all of lines 19, 20, 21, 22, 23.

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 be 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 elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 340.

A bill for an act prohibiting the sale or purchase of po-Codes of North Dakota for 1905, and providing for removal penalty therefor.

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. 318.

A bill for an act to amend and re-enact Section 738 of the Revised Codes of 1905, relating to votes cast by persons not registered.

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 corporations other than municipal  
made the following report:

Mr. Speaker:

Your committee on corporations other than municipal  
to whom was referred

Senate Bill No. 209.

A bill for an act entitled, an act regulating the business  
of corporations issuing bonds, notes or other evidences of  
indebtedness and providing for the examination of such

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.

Also,

Mr. Speaker: .

Your committee on corporations other than municipal  
to whom was referred

Senate Bill No. 303.

A bill for an act to amend Sections 4695 and 4698 of the  
Revised Codes of North Dakota for 1905, relating to  
foreign 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.

Your committee on corporations other than municipal  
to whom was referred

## Senate Bill No. 322.

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.

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.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 2, 1911.

Mr. Speaker:

I have the honor to request the return of House Bill No. 23.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Nestos moved

That the House grant the request of the Senate for the return of House Bill No. 23.

Which motion prevailed, and

House Bill No. 23 was returned to the Senate.

The committee on municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 104.

A bill for an act providing for correcting errors and deficiencies in city plats.

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. 296.

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 or utility to such cities and the inhabitants 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.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred

Senate Bill No. 241.

A bill for an act entitled, and 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.

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.

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. 259.

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.

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. Norheim moved

That Senate Bill No. 259 be referred to the committee on appropriations.

Which motion prevailed.

And the bill was so re-referred.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 137.

A bill for an act making an appropriation to compensate F. C. Heffron for services as assistant attorney general, es-



pecially authorized to enforce the prohibitory law of this state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. DEAN,  
Chairman.

Mr. Jordal moved

That Senate Bill No. 137 be referred to the committee on appropriations.

Which motion prevailed.

And the bill was so referred.

Also

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 68.

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.

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

Senate Bill No. 60.

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 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.

Mr. Olsgard of Nelson, moved  
That the further consideration of House Bill No. 39 be indefinitely postponed.  
Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the last six lines of section 1, and insert in lieu thereof the following:

Fireproof ward building for women and equipment..	\$ 95,000
Addition to laundry .....	7,000
Alterations to boiler house .....	1,600
For new main sewer .....	1,300
Slaughter house and yards .....	1,250
Dairy barn .....	7,500
Concrete mixer .....	350

Total ..... \$114,000

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the rules be suspended and the report of the committee be 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 appropriations to whom was referred

Senate Bill No. 202.

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 the expenses connected therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

FRANK E. PLOYHAR,  
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 appropriations to whom was referred  
Senate Bill No. 134.

A bill for an act making an appropriation for the Williston Experimental station, located at the city of Williston, Williams county.

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  
Senate Bill No. 268.

A bill for an act to amend Section 28 of Chapter 92, of the Session Laws of North Dakota for 1909.

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

Senate Bill No. 285.

A bill for an act establishing a temporary educational commission and appropriating one thousand dollars for the expenses thereof.

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.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 2, 1911.

Mr. Speaker:

I have the honor to return herewith,

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 the Senate has amended by the conference committee.

Very respectfully,  
J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

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.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Nestos moved

That the rules be suspended and that the House do now concur in the amendments as reported by the conference committee on House Bill No. 23, and House Bill No. 23 be considered re-engrossed and placed upon its final passage as amended by the conference committee.

Which motion prevailed.

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 as amended by the conference committee.

The roll was called and there were 99 ayes, no nays, 4 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Asheim	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
Bjornson	Heinemeyer	Paulson
Boerner	Hoge	Peart
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johns	Reeve
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer
Cunningham	Knox	Scheer

Messrs.—

Davidson  
 Davis  
 Dean  
 DeLance  
 DeNault  
 Dosseth  
 Doyle, of Foster  
 Doyle, of McIntosh  
 Edwards  
 Englund  
 Fasset  
 Fox  
 France  
 Fraine  
 Fried  
 Fritz  
 Gardiner

Messrs.—

Knutson  
 Kuhl  
 Kylo  
 Lageson  
 Law  
 Lee  
 Martin  
 McClellan  
 Moen of Benson  
 Moen of Cavalier  
 Morrison  
 Moritz  
 Narum  
 Nelson of Richland  
 Nelson of Walsh  
 Nestos  
 Norhelm

Messrs.—

Scott  
 Sgutt  
 Sorlie  
 Stern  
 Stranahan  
 Streeter  
 Tande  
 Thompson  
 Tollefson  
 Tostenson  
 Tuttle  
 Ulsaker  
 Walters  
 Wambem  
 Whitmer  
 Williams  
 Mr. Speaker

Absent and not voting:

Messrs.—

Benson  
 Geiger

Messrs.—

Hersrud

Messrs.—

Price

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.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate Bill No. 284.

A bill for an act making an appropriation for the purpose of re-imbursing 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.

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  
Senate Bill No. 29.

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.

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  
Senate Bill No. 102.

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.

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  
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.

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  
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.

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

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.

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  
Senate Bill No. 187.

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 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.

#### MOTIONS AND RESOLUTIONS.

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

WHEREAS, The United States government and state government have from time to time taken steps to preserve places of historic importance or of great natural beauty; and

WHEREAS, Some of these are fast losing their historic and economic value because of the occupation thereof and the changes made therein by society; and

WHEREAS, Killdeer Mountains, in Dunn county, North Dakota, have been adorned by nature with numerous varieties of trees, and its many brooks are used for the propagation of fish; and

WHEREAS, In the said Killdeer Mountains, deer, antelope and other game of many descriptions may be found and some of the many brooks thereof are now used for the propagation of fish; and

WHEREAS, This place was the scene of one of the fiercest and bloodiest battles fought in the Northwest in subduing the Indians and in reclaiming the land to civilized occupation. This battle, "Tahkahokuty," was fought on the 28th day of July, 1864, the American forces being led by Brigadier-General Alfred Sully. Companies of cavalry and infantry from Iowa, Minnesota and Dakota engaged in this battle, in which 2,200 United States soldiers fought and defeated over 6,000 Indians. In this battle several United States soldiers were killed and more were wounded, while 150 Indians were killed; and

WHEREAS, This place is fast losing its historic value and its natural beauty is bemarred by the reasons of the trespass of society thereon; and

WHEREAS, With slight care and an attempt at conservation, its forests would be preserved, its game would increase and multiply, and the propagation of fish would be promoted and advanced;

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

That we respectfully urge upon the United States Congress at Washington at its earliest opportunity to set aside the land hereinafter described in Dunn county as a natural park and game and fish preserve, the description of the land referred herein being as follows:

In township No. 146, north range No. 96, west of the 5th principal meridian, to-wit:

S. W.  $\frac{1}{4}$  of the N. E.  $\frac{1}{4}$  of section 10.

The S. W.  $\frac{1}{4}$  of the N. W.  $\frac{1}{4}$  of section 10.

The S.  $\frac{1}{2}$  of the S. E.  $\frac{1}{4}$  of section 10.

The S. W.  $\frac{1}{4}$  of section 10.

All of section 16.

All of section 20.

The N. W.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  and the S. W.  $\frac{1}{4}$  of section 22.

The N. W.  $\frac{1}{4}$  and the N.  $\frac{1}{2}$  of S. W.  $\frac{1}{4}$  of section 28.

All of section 30.

The N. W.  $\frac{1}{4}$  of the N. W.  $\frac{1}{4}$  of section 32, containing 3,000 acres, more or less, according to government survey thereof.

*Be it Further Resolved:*

That a copy of this resolution be transmitted by the secretary of the Senate to the President of the Senate and the Speaker of the House of Representatives at Washington, and to each of our senators and representatives in Congress.

Which motion prevailed.

And the concurrent resolution was adopted.

Mr. Ployhar introduced the following resolution:

WHEREAS, Every member of this Legislative Assembly, by acceptance of his office, upon consideration of certain promises contained in the platform, has obligated himself to submit an amendment to the constitution providing for the initiative and referendum; and

WHEREAS, The redundance of measures of this character has been induced by several causes beyond the control of the two houses, without engaging too much valuable time in deliberation and debate and has now

resulted in the submission of four such amendments to the next Legislative Assembly; and

WHEREAS, Such section may likely be misconstrued as an attempt on the part of this legislature to so overload and burden the principle as to frustrate the main purpose, or to transmit responsibility to the succeeding Legislative Assembly;

*Therefore, Be it Resolved by the Twelfth Legislative Assembly, Both Houses Thereof Concurring*

That the secretary of state is hereby instructed, directed and empowered to publish, as is now provided by law for publication of constitutional amendments, all four of said proposed constitutional amendments, providing for the initiative, referendum and recall, for three months previous to the next ensuing general election in the year 1912, and have the same printed upon the sample ballots at said election, but upon the regular ballot at said election to submit to the electors the following questions in such manner that the voters may vote for or against each question separately, to-wit:

1. Shall the Thirteenth Legislative Assembly agree to and submit to the people the proposed constitutional amendment providing for the initiative, referendum and recall, giving the people the right to propose and approve at the polls, laws and constitutional amendments and recall elective officials, as provided by House Bill No. 237, passed by the Twelfth Legislative Assembly?

2. Or, the right to propose and approve laws and constitutional amendments as provided by Senate Bill No. 84?

3. Or, the right to propose and approve laws only, as provided by Senate Bill No. 5?

4. Or, the right to propose and approve constitutional amendments only, as provided by Senate Bill No. 153?

Mr. Thompson moved

That the further consideration of the resolution be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Olsgard of Nelson, moved

That the House request the Senate to return Senate Bill No. 183.

Which motion was lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

Senate Bill No. 340.

A bill for an act prohibiting the sale or purchase of political support or political editorials and prescribing a penalty therefor.

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.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

xThere being no objection the House returned to the 5th order of business.

#### REPORTS OF STANDING COMMITTEES.

The committee on counties and county boundaries made the following report:

Mr. Speaker:

A majority of your committee on counties and county boundaries 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 indefinitely postponed.

BERNT ANDERSON,  
Chairman.

Also

Mr. Speaker:

A minority of your committee on counties and county boundaries 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 do pass.

FRANK J. FOX,

Mr. O'Connor of Frand Forks, moved  
That the minority report of the committee be adopted.  
Which motion prevailed, and  
The minority report of the committee was adopted.

Mr. Thompson moved

That the House pass to the 14th order of business.

Which motion prevailed.

### THIRD READING OF SENATE BILLS.

Mr. Price moved

That Senate Bill No. 188 be re-referred to the committee on highways, bridges and ferries.

Which motion prevailed, and

The bill was so re-referred.

The Speaker called Mr. Price to the chair.

## 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 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	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	Paulson
Bjornson	Hoge	Peart
Boerner	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Ray
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Cunningham	Knutson	Scheer
Davidson	Kuhl	Sgutt
Davis	Kyllo	Sorlie
Dean	Lageson	Stern
DeLance	Law	Stranahan
DeNault	Lee	Streeter
Dosseth	Martin	Tande
Edwards	McClellan	Thompson
Englund	Moen of Benson	Tollefson
Fassett	Moen of Cavalier	Tostenscn
Fox	Morrison	Tuttle
France	Moritz	Ulsaker
Fraine	Narum	Walters
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.—
Bond	Doyle, of McIntosh	Ployhar
Doyle, of Foster	Homnes	Reeve

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the vote by which Senate Bill No. 228 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,

March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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.

Which the Senate has amended as follows:

In line 10, page 1 of the printed bill, after the brackets enclosing the numeral "15" insert the words "of the constitution."

In line 16, page 2, after the word "enact" insert the words "and approve."

In line 103, page 5, after the word "resolution" insert a comma.

In line 104, after the word "approved" insert a comma.

In line 118, page 6, after the word "rejected" insert the word "only."

In line 14, page 11, after the word "printed" insert the word "in."

In line 26, page 13, after the word "second" insert the word "time."

In the title of said bill, after the word "referendum" insert the following: "and the provisions thereof, the."

In line 4, section 201a, page 10, strike out the words "twenty-five" and insert the word "thirty" in lieu thereof.

And passed as amended.

JAMES W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:



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 the Senate has amended as follows:

In line 13 of the printed bill, strike out the words "or in the night time."

In line 14, after the word "ten" insert "days."

In line 15, after the word "five" insert "dollars."

In line 15, change "fines" to "fine."

In line 34, change "November 1st" to "October 15th."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In line 15 of the printed bill, strike out the words "two-thirds" and insert "three fourths" in lieu thereof.

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Doyle, of McIntosh	Ployhar
Doyle, of Foster	Homnes	Reeve

So the bill passed and the title was agreed to.

The Speaker in the chair.

Senate Bill No. 306.

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.

Was read the third time.

Mr. Thompson moved

That action on Senate Bill No. 306 be deferred until 6 o'clock p. m., this evening.

Which motion was lost.

Mr. Olsgard of Nelson, moved

That the further consideration of Senate Bill No. 306 be indefinitely postponed.

Mr. Aasheim moved

The previous question.

The question being, shall the main question be now put, Which motion prevailed.

The question being on the motion to indefinitely postpone Senate Bill No. 306.

The vote being a tie, the motion was lost.

The question being on the final passage of the bill.

The roll was called and there were 52 ayes, 48 nays, 3 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hersrud	Price
Akesson	Hoge	Ray
Anderson, of Ramsey	Hill, of Bottineau	Reeve
Bjornson	Johnson	Roquette
Boerner	Johns	Sauer
Burns	Jordal	Scott
Carey	Kane	Scheer
Collins	Knox	Sgutt
DeLance	Kuhl	Stern
Doyle, of McIntosh	Martin	Stranahan
Edwards	McClellan	Streeter
Fox	Moen, of Benson	Thompson
France	Morrison	Tollefsen
Fraine	Narum	Tuttle
Fried	Nelson, of Walsh	Walters
Fritz	O'Connor of Gd. Forks	Whitmer
Harty	O'Shea	Williams
Heinemeyer		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	Nestos
Andrus	Gorder	Norheim
Benson	Hanson	O'Connor of Pembina
Bond	Hawkinson	Olsgard of Nelson
Boyd	Hedalen	Olsgard of Richland

Messrs.—	Messrs.—	Messrs.—
Brusletten	Homnes	Paulson
Burnett	Hill, of Cass	Peart
Christenson	Hyland	Pendray
Cunningham	Knutson	Putnam
Davidson	Kyllo	Robinson
Davis	Lageson	Sorlie
Dean	Law	Tande
DeNault	Lee	Tostenson
Dosseth	Moen, of Cavalier	Ulsaker
Englund	Moritz	Wambem
Gardiner	Nelson, of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Fassett	Ployhar

Mr. Homnes explained his vote.

Mr. Thompson explained his vote.

Mr. Williams explained his vote.

Mr. Thompson moved

That the motion to reconsider be made a special order for 3 o'clock p. m., Friday.

Which motion was lost.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 306 passed, be reconsidered and the motion to reconsider be laid on the table.

Roll called demanded.

The roll was called and there were 55 ayes, 47 nays, 1 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akesson	Heinmeyer	Pendray
Anderson, of Ramsey	Hersrud	Price
Benson	Hoge	Ray
Bjornson	Hill, of Bottineau	Reeve
Boerner	Johns	Roquette
Burns	Johnson	Sauer
Collins	Jordal	Scott
Cunningham	Kane	Scheer
DeLance	Knox	Sgutt
Doyle, of McIntosh	Kuhl	Stern
Edwards	Martin	Stranahan
Fassett	McClellan	Streeter

<p>Messrs.—                  Fox                  France                  Fraïne                  Fried                  Fritz                  Hanson</p>	<p>Messrs.—                  Moen, of Benson                  Moen, of Cavalier                  Morrison                  Narum                  Nelson, of Walsh</p>	<p>Messrs.—                  Tollefson                  Tuttle                  Walters                  Whitmer                  Williaris</p>
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Those who voted in the negative were:

<p>Messrs.—                  Anderson, of Griggs                  Andrus                  Bond                  Boyd                  Brusletten                  Burnett                  Carey                  Christenson                  Davidson                  Davis                  Dean                  DeNault                  Dosseth                  Englund                  Gardiner                  Geiger</p>	<p>Messrs.—                  Gorder                  Hawkinson                  Hedalen                  Homner                  Hill, of Cass                  Hyland                  Knutson                  Kylo                  Lageson                  Law                  Lee                  Moritz                  Nelson, of Richland                  Nestos                  Norheim                  O'Connor of Pembina</p>	<p>Messrs.—                  Olsgard of Nelson                  Olsgard of Richland                  O'Shea                  Paulson                  Peart                  Ployhar                  Putnam                  Robinson                  Sorlle                  Tande                  Thompsca                  Tostenson                  Ulsaker                  Wambem                  Mr. Speaker</p>
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Mr. Doyle of Foster absent and not voting.

Which motion prevailed and

The motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
 BISMARCK, NORTH DAKOTA,

March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has indefinitely postponed.

Very respectfully,

**J. W. FOLEY,**  
 Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has failed to pass.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In section 4177, after the word "necessary" insert "fences."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

Strike out all of section 1168 after the word "institution" in line 7 of the printed bill.

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Olsgard of Richland
Akesson	Fraine	O'Shea
Anderson, of Griggs	Fried	Paulson
Anderson, of Ramsey	Fritz	Peart
Bjornson	Gardiner	Pendray
Boerner	Geiger	Price
Bond	Gorder	Reeve
Boyd	Hanson	Sauer
Brusletten	Harty	Scheer
Burnett	Hawkinson	Sorlie
Burns	Hill, of Bottineau	Stern
Carey	Hill, of Cass	Stranahan
Collins	Hyland	Streeter
Cunningham	Knox	Tande
Davis	Kuhl	Thompson
Dean	Kylo	Tostenson
DeLance	Law	Tuttle
DeNault	Lee	Ulsaker
Dosseth	Martin	Walters
Doyle, of Foster	McClellan	Wambem
Doyle, of McIntosh	Morrison	Whitmer
Englund	Moritz	Williams
Fassett	Olsgard of Nelson	Mr. Speaker
Fox		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Christenson	Narum	O'Connor of Pembina
Hedalen	Nelson, of Richland	Roquette
Hersrud	Nelson, of Walsh	Tollefson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	Norheim
Benson	Jordal	O'Connor of Gd. Forks
Davidson	Kane	Ployhar

Messrs.—	Messrs.—	Messrs.—
Edwards	Knutson	Putnam
Heinemeyer	Lageson	Ray
Hoge	Moen, of Benson	Robinson
Homes	Moen, of Cavalier	Scott
Johns	Nestos	Sgutt

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 78 ayes, 9 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	Paulson
Akesson	Fried	Peart
Anderson, of Griggs	Fritz	Price
Anderson, of Ramsey	Gardiner	Ray
Andrus	Gorder	Reeve
Benson	Hanson	Robinson
Bjornson	Harty	Roquette
Boerner	Hawkinson	Sauer
Bond	Hedalen	Scheer
Boyd	Heinemeyer	Scott
Brusletten	Hill, of Bottineau	Sgutt
Burnett	Hill, of Cass	Sorlie
Burns	Hyland	Stern
Carey	Kuhl	Stranahan
Christenson	Law	Streeter
Collins	Lee	Tande
Cunningham	Martin	Thompson
Davis	McClellan	Tollefson
Dean	Moen, of Cavalier	Tostenson
DeLance	Moritz	Tuttle
DeNault	Morrison	Ulsaker
Edwards	Narum	Walters
Englund	Nelson, of Walsh	Wambem
Fassett	O'Connor of Pembina	Whitmer
Fox	Olsgard of Richland	Williams
France	O'Shea	Mr. Speaker



Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Kane	Oisgard of Nelson
Gelger	Kylo	Pendray
Hersrud	Moen, of Benson	Putnam

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Johnson	Nelson, of Richland
Doyle, of Foster	Jordal	Nestos
Doyle, of McIntosh	Knox	Norheim
Hoge	Knutson	O'Connor of Gd. Forks
Homnes	Lageson	Ployhar
Johns		

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 282 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

Mr. Christenson moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration was indefinitely postponed.

#### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

## 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 the Senate has failed to pass.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

## 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

Also

## 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.

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. 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,

Mr. Speaker:

I have the honor to return herewith:

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.

Which the Senate has amended as follows:

In section 164, strike out "twenty-four hundred" and insert "three thousand" in lieu thereof."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

The House took a recess for five minutes.

The House reassembled pursuant to recess taken.

The Chief Clerk announced that the Speaker was about to sign

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. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

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.

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.

Also,

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.

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.

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. 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,

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. 194.

A bill for an act defining the Tenth judicial district and providing for holding terms of court therein.

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.

Also

And the Speaker signed the same in the presence of the House.

## THIRD READING OF SENATE BILLS.

## 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 third time.

The question being on the final passage of the bill.

The roll was called and there were 61 ayes, 8 nays, 34 absent and not voting.

Those who voted in the affirmative were:

## Messrs.—

Aasheim  
Akesson  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Collins  
Cunningham  
Davidson  
Davis  
Dean  
DeLance  
DeNault  
Dosseth  
Doyle, of Foster

## Messrs.—

Doyle, of McIntosh  
Englund  
Fassett  
Fox  
France  
Fraire  
Fried  
Fritz  
Gardiner  
Gorder  
Hanson  
Harty  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hyland  
Johns  
Knox

## Messrs.—

Kuhl  
Kyllo  
Law  
Lee  
Martin  
Moritz  
Narum  
Nelson of Richland  
Nelson of Walsh  
Nestos  
Norheim  
O'Connor of Pembina  
Olgard of Nelson  
Olgard of Richland  
Scheer  
Sorlie  
Tollefson  
Tostenson  
Williams  
Mr. Speaker

Mr. Tollefson voted in the negative.

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	O'Shea	Walters
Anderson, of Ramsey	Stranahan	Wambem
Lageson	Tuttle	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Christenson	Moen of Cavalier	Robinson
Edwards	Morrison	Roquette
Geiger	O'Connor of Gd. Forks	Sauer
Hawkinson	Paulson	Scott
Hedalen	Peart	Sgutt
Hill, of Cass	Pendray	Stern
Johnson	Ployhar	Streeter
Jordal	Price	Tande
Kane	Putnam	Thompson
Knutson	Ray	Ulsaker
McClellan	Reeve	Whitmer
Moen of Benson		

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 70 ayes, 9 nays, 24 absent and not voting.

Also,

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.

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also,

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.

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.

Which the Senate has indefinitely postponed or failed to pass.

Very respectfully,

J. W. FOLEY,  
Secretary.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 246.

A bill for an act to prohibit the carrying and use of firearms by children and minors.

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.

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. 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.

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 have examined:

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. 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.

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 agri-

cultural college and prescribing the duties of the agricultural college and of the county auditors in relation thereto.

Also

House Bill No. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

Also

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.

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. 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.

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 find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 34 ayes, 53 nays, 16 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fraine	Kuhl
Andrus	Fried	Law
Bjornson	Fritz	Lee
Boerner	Gorder	Martin
Bond	Harty	Narum
Collins	Heinemeyer	O'Connor of Pembina
Cunningham	Hill, of Bottineau	Paulson
Davidson	Hyland	Ployhar
Dean	Johns	Sauer
DeNault	Johnson	Whitmer
Englund	Knox	Mr. Speaker
Fassett		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hill, of Cass	Ray
Akesson	Kane	Robinson
Boyd	Knutson	Roquette
Brusletten	Kyilo	Scott
Burnett	McClellan	Scheer
Burns	Moen of Benson	Sorlie
Carey	Moen of Cavalier	Stern
Christenson	Morrison	Stranahan
DeLance	Moritz	Streeter
Doyle, of McIntosh	Nelson of Richland	Tande
Edwards	Nelson of Walsh	Thompson
Fox	Olsgard of Nelson	Tostenson
Gardiner	Olsgard of Richland	Tuttle
Geiger	O'Shea	Ulsaker
Hawkinson	Peart	Walters
Hedalen	Pendray	Wambem
Hersrud	Price	Williams
Hoge	Putnam	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hanson	Norheim
Benson	Homnes	O'Connor of Gd. Forks
Davis	Jordal	Reeve
Dosseth	Lageson	Stutt
Doyle, of Foster	Nestos	Tollefson
France		

So the bill was lost.

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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 57 ayes, 37 nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fritz	Moen of Cavalier
Andrus	Gardiner	Nelson of Richland
Benson	Gorder	Nelson of Walsh
Bjornson	Harty	O'Connor of Gd. Forks
Boerner	Heinemeyer	O'Connor of Pembina
Bond	Hersrud	Pendray
Brusletten	Hill, of Bottineau	Ployhar
Burnett	Hyland	Price
Christenson	Johna	Sauer
Collins	Johnson	Scott
Cunningham	Knox	Scheer
Davidson	Knutson	Sorlie
Davis	Kuhl	Stern
Dean	Kylo	Stranahan
DeNault	Lageson	Thompson
Fassett	Law	Tostenson
Fox	Lee	Wambem
Fraine	Martin	Whitmer
Fried	McClellan	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hoge	Putnam
Akesson	Hill, of Cass	Ray
Boyd	Kane	Reeve
Burns	Moen of Benson	Robinson
Carey	Morrison	Roquette
DeLance	Moritz	Streeter
Dosseth	Narum	Tande
Doyle, of McIntosh	Olsgard of Richland	Tollefson
Edwards	Olsgard of Nelson	Tuttle
Englund	O'Shea	Ulsaker
France	Paulson	Walters
Geiger	Peart	Williams
Hedalen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hawkinson	Nestos
Doyle, of Foster	Homnes	Norheim
Hanson	Jordal	Sgutt

So the bill passed and the title was agreed to.

Mr. Fried moved

That the vote by which Senate Bill No. 281 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,  
March 2, 1911.

Mr. Speaker:

I have the honor to return herewith,

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.

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. 35.

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

Also,

House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

Also

## 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.

Also

## 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.

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.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

## 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 third time.

The question being on the final passage of the bill.

The roll was called and there were 92 ayes, 4 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten

Messrs.—

Fritz  
Gardner  
Geiger  
Gorder  
Hanson  
Harty  
Hedalen  
Heinemeyer  
Hoge  
Hyland

Messrs.—

Olsgard of Richland  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Reeve  
Robinson

Messrs.—	Messrs.—	Messrs.—
Burnett	Job	Roquette
Burns	Jordal	Sauer
Carey	Kane	Scheer
Christenson	Knox	Scott
Collins	Knutson	Sgutt
Cunningham	Kuhl	Sorlie
Davidson	Kyllo	Stern
David	Lageson	Stranahan
Dean	Law	Streeter
DeLance	Lee	Tande
DeNault	Martin	Thompson
Dosseth	Moen, of Benson	Tollefson
Doyle, of Foster	Moen, of Cavalier	Tostenon
Doyle, of McIntosh	Morrison	Tuttle
Edwards	Moritz	Ulsaker
Englund	Narum	Walters
Fassett	Nelson, of Richland	Wambert
Fox	Nelson, of Walsh	Whitmer
France	Nestos	Williams
Fraine	Oisgard, of Nelson	Mr. Speaker
Fried		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hersrud	McClellan	O'Shea
Johns		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hill, of Bottineau	O'Connor of Gd. Forks
Hawkinson	Hill, of Cass	O'Connor of Pembina
Homnes	Norheim	

So the bill passed and the title was agreed to.

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 third time.

Mr. Thompson moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

## 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 third time.

Mr. Sorlie moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

## Senate Bill No. 27.

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.

Was read the third time.

Mr. France 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, 15 nays, 2 absent and not voting.

Those who voted in the affirmative were:

## Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Bensou  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey

## Messrs.—

Gorder  
Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrua  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns

## Messrs.—

Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Peart  
Ployhar  
Price  
Putnam  
Ray  
Reeve



Messrs.—	Messrs.—	Messrs.—
Collins	Johnson	Robinson
Davidson	Jordal	Roquette
Davis	Kane	Sauer
Dean	Knox	Scott
DeLance	Kuhl	Scheer
DeNault	Kylo	Stern
Dosseth	Lageson	Stranahan
Doyle, of Foster	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Thompson
Fassett	McClellan	Tostenson
Fox	Moen, of Benson	Ulsaker
Fraine	Morrison	Whitmer
Fritz	Narum	Williams
Gardiner	Nelson, of Richland	Mr. Speaker
Geiger	Nelson, of Walsh	

Those who voted in the negative were:

Bjornson	Fried	Pendray
Christenson	Knutson	Tollefson
Cuningham	Moen, of Cavalier	Tuttle
Doyle, of McIntosh	Moritz	Walters
France	Paulson	Wambem

Messrs. Sgutt and Sorlie being absent and not voting.

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 27 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Whitmer moved

That Senate Bill No. 253 be indefinitely postponed.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 100 ayes, 1 nay, 2 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Geiger	Nestos
Akesson	Gorder	O'Connor of Gd. Forks

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

Mr. Norheim voted in the negative.

Messrs. Thompson and Sgutt were absent and not voting.

So the bill passed and the title was agreed to.

### SPECIAL ORDER.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 74 ayes, 22 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Norheim
Akesson	Gardiner	O'Connor of Gd. Forks
Anderson, of Griggs	Geiger	O'Connor of Pembina
Anderson, of Ramsey	Gorder	Olsgard of Nelson
Andrus	Hanson	Olsgard of Richland
Benson	Harty	O'Shea
Bjornson	Heinemeyer	Ployhar
Boerner	Hersrud	Price
Bond	Hoge	Putnam
Boyd	Homnes	Reeve
Brusletten	Hill, of Bottineau	Robinson
Christenson	Hyland	Sauer
Collins	Johns	Scott
Cunningham	Johnson	Sorlie
Davidson	Jordal	Stern
Davis	Kane	Stranahan
DeLance	Knox	Streeter
DeNault	Knutson	Tande
Dosseth	Kuhl	Tostenson
Doyle, of Foster	Law	Tuttle
Doyle, of McIntosh	Lee	Wambem
Fassett	Martin	Whitmer
Fox	McClellan	Williams
France	Moen of Benson	Mr. Speaker
Fried	Morrison	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Kyllo	Pendray
Carey	Lageson	Ray
Dean	Moen of Cavalier	Roquette
Edwards	Narum	Scheer
France	Nelson of Richland	Tollefson
Hawkinson	Nelson of Walsh	Ulsaker
Hedalen	Paulson	Walters
Hill, of Cass		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Nestos	Sgutt
Englund	Peart	Thompson
Moritz		

So the bill was passed and the title was agreed to.

Mr. Hyland moved

That the vote by which Senate Bill No. 247 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## 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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 76 ayes, 21 nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Moen of Benson
Akesson	Fraine	Moen of Cavalier
Anderson, of Griggs	Fried	Morrison
Anderson, of Ramsey	Fritz	Narum
Andrus	Gardiner	Nelson of Richland
Benson	Geiger	Nelson of Walsh
Bjornson	Gorder	Nestos
Boerner	Harty	O'Connor of Gd. Forks
Bond	Hawkinson	O'Connor of Pembina
Boyd	Hedalen	Olsgard of Nelson
Brusletten	Heinemeyer	Olsgard of Richland
Burnett	Hersrud	Paulson
Burns	Hoge	Peart
Carey	Homnes	Pendray
Christenson	Hill, of Bottineau	Ployhar
Collins	Hill, of Cass	Reeve
Cunningham	Hyland	Robinson
Davidson	Johns	Sauer
Davis	Kane	Scott
Dean	Knox	Scheer
DeLance	Kuhl	Stern
DeNault	Lageson	Tande
Dosseth	Lee	Whitmer
Edwards	Martin	Williams
Fassett	McClellan	Mr. Speaker
Fox		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Law	Stranahan
Englund	Norheim	Tollefson
Hanson	O'Shea	Tostenscn
Johnson	Putnam	Tuttle
Jordal	Ray	Ulsaker
Knutson	Roquette	Walters
Kyllo	Sorlie	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Price	Streeter
Moritz	Sgutt	Thompson

So the bill passed and the title was agreed to.

Mr. Aaheim moved

That the vote by which Senate Bill No. 290 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. 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. 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. 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. 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.

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. 170.

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

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.

Also

House Bill No. 197.

A bill for an act to provide information to the resident taxpayers of the state in respect to the various publications which are published for free distribution by the agricultural college and of the county auditors in relation thereto.

Also,

House Bill No. 207.

A bill for an act to regulate the sale of nursery stock; to provide for a nursery inspector.

Also,

House Bill No. 273.

A bill for an act to regulate the size and construction of caboose cars.

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. 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.

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.

Were delivered to the governor for his approval at 4:45 p. m. March 2, 1911.

ALBERT A. DAVIS,  
Chairman.

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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 88 ayes, 4 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Fritz	Narum
Anderson, of Griggs	Gorder	Nelson of Richland
Anderson, of Ramsey	Hanson	Nelson of Walsh
Andrus	Harty	Nestos
Benson	Hawkinson	Norheim
Bjornson	Hedalen	Geiger
Boerner	Heinemeyer	O'Connor of Gd. Forks
Bond	Hersrud	O'Connor of Pembina
Boyd	Hoge	Olsgard of Nelson
Brusletten	Homnes	Olsgard of Richland
Burnett	Hill, of Bottineau	Paulson
Burns	Hill, of Cass	Peart
Carey	Hyland	Pendray
Christenson	Johnson	Ployhar
Collins	Jordal	Putnam
Cunningham	Kane	Ray
Davidson	Knox	Reeve
Davis	Knutson	Roquette
Dean	Kuhl	Sauer
DeLance	Kylo	Scott
DeNault	Lageson	Scheer
Dosseth	Law	Stranahan
Doyle, of Foster	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Utsaker
Englund	Moen of Benson	Wambem
Fassett	Moen of Cavalier	Whitmer
Fox	Morrison	Williams
Fraine	Moritz	Mr. Speaker
Fried		

Those who voted in the negative were:

Messrs.—  
France  
Gardiner

Messrs.—  
Robinson

Messrs.—  
Tuttle

Absent and not voting:

Messrs.—  
•Aasheim  
Johns  
O'Shea  
Price

Messrs.—  
Sgutt  
Sorlie  
Stern  
Thompson

Messrs.—  
Tollefson  
Tostenson  
Walters

So the bill passed and the title was agreed to.

Mr. DeLance moved

That the vote by which Senate Bill No. 58 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 310.

A bill for an act to amend and re-enact Section 733 of the Revised Codes of 1905 relating to the registration of voters.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 67 ayes, 12 nays, 24 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Carey  
Christenson  
Collins  
Cunningham  
Davidson  
Davis  
DeLance  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
Fraine

Messrs.—  
Gorder  
Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Law  
Lee

Messrs.—  
Martin  
Moen of Cavalier  
Morrison  
Moritz  
Narum  
Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
O'Shea  
Paulson  
Peart  
Putnam  
Ray  
Robinson  
Sauer  
Scott  
Stern  
Ulsaker  
Whitmer  
Mr. Speaker



Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Tande
DeNault	Fried	Tollefson
Dosseth	McClellan	Walters
Fox	Pendray	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Nelson of Richland	Sgutt
Dean	Nelson of Walsh	Sorlie
Doyle, of Foster	Olgard of Richland	Stranahan
Fritz	Ployhar	Streeter
Gardiner	Price	Thompson
Geiger	Reeve	Tostenson
Lageson	Roquette	Tuttle
Moen of Benson	Scheer	Williams

So the bill passed and the title was agreed to.

Senate Bill No. 339.

A bill for an act to prescribe legal rates for the publication of political announcements.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 62 ayes, 13 nays, 28 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Morrison
Akesson	Gorder	Moritz
Anderson, of Griggs	Hanson	Nelson of Richland
Anderson, of Ramsey	Harty	Nelson of Walsh
Andrus	Hedalen	Nestos
Benson	Heinemeyer	Norheim
Boerner	Hersrud	O'Connor of Gd. Forks
Bond	Homnes	Olgard of Nelson
Brusletten	Hill, of Bottineau	Olgard of Richland
Collins	Hyland	Paulson
Davidson	Johnson	Putnam
Davis	Jordal	Robinson
DeNault	Kane	Sauer
Dosseth	Knox	Sorlie
Doyle, of McIntosh	Knutson	Stern
Edwards	Kyllo	Tande
Englund	Lageson	Thompson
Fox	Law	Tostenson
France	Martin	Wambem
Fraine	Moen of Benson	Mr. Speaker
Fritz	Moen of Cavalier	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Hill, of Cass	Ray
Burnett	McClellan	Roquette
Carey	Pear	Walters
DeLance	Pendray	Williams
Hoge		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Johns	Scott
Burns	Kuhl	Scheer
Christenson	Lee	Stutt
Cunningham	Narum	Stranahan
Dean	O'Connor of Pembina	Streeter
Doyle, of Foster	O'Shea	Tollefson
Fassett	Ployhar	Tuttle
Fried	Price	Ulsaker
Geiger	Reeve	Whitmer
Hawkinson		

So the bill passed and the title was agreed to.

Senate Bill No. 338.

A bill for an act, providing for the publication of the names of candidates before the primary.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 83 ayes, 10 nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Nestos
Andersor, of Griggs	Gardiner	Norheim
Anderson, of Ramsey	Geiger	O'Connor of Gd. Forks
Andrus	Gorder	O'Connor of Pembina
Benson	Hanson	Olsgard of Nelson
Bjornson	Hedalen	Olsgard of Richland
Boerner	Heinemeyer	Pear
Bond	Hersrud	Pendray
Boyd	Homnes	Putnam
Brusletten	Hill, of Bottineau	Ray
Burnett	Hill, of Cass	Roquette
Burns	Hyland	Sauer
Carey	Jordal	Scott
Christenson	Kane	Scheer
Collins	Knox	Stutt
Cunningham	Knutson	Sorlie

Messrs.—	Messrs.—	Messrs.—
Davidson	Kuhl	Stern
Davis	Kyllo	Stranahan
Dean	Lageson	Streeter
DeLance	Law	Tande
DeNault	Lee	Thompson
Doyle, of Foster	Martin	Tollefson
Doyle, of McIntosh	Moen of Benson	Tostenson
Englund	Moen of Cavalier	Ulsaker
Fassett	Morrison	Wambem
Fox	Narum	Williams
France	Nelson of Richland	Mr. Speaker
Fraine	Nelson of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Johnson	Ployhar
Fried	McClellan	Robinson
Hawkinson	O'Shea	Tuttle
Hoge		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	Moritz	Reeve
Edwards	Paulson	Walters
Harty	Price	Whitmer
Johns		

So the bill passed and the title was agreed to.

Senate Bill No. 326.

A bill for an act to amend Section 1350, Revised Codes of 1905, relating to the laying out, altering or discontinuing roads.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 64 ayes, 22 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Englund	Narum
Anderson, of Griggs	Fassett	Nelson, of Richland
Anderson, of Ramsey	Fox	Nestos
Andrus	France	Norheim
Benson	Fraine	O'Connor of Gd. Forks
Bjornson	Gardiner	O'Connor of Pembina
Boerner	Geiger	Olgard, of Nelson
Bond	Hanson	O'Shea
Boyd	Harty	Putnam
Brusletten	Hawkinson	Robinson

Messrs.—	Messrs.—	Messrs.—
Burnett	Hersrud	Sauer
Burns	Hoge	Scott
Carey	Homnes	Sorlie
Christenson	Johnson	Stern
Collins	Kane	Stranahan
Cunningham	Knutson	Tande
Davidson	Lageson	Tuttle
Davis	Lee	Ulsaker
Dean	Moen, of Benson	Whitmer
DeLance	Moen, of Cavalier	Williams
Doyle, of Foster	Morrison	Mr. Speake
Doyle, of McIntosh		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Jordal	Ray
DeNault	Knox	Roquette
Fried	Law	Scheer
Fritz	McClellan	Tollefson
Gorder	Nelson, of Walsh	Tostenson
Hedalen	Olsgard of Richland	Walters
Hill, of Bottineau	Pearl	Wamborn
Hill, of Cass		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Kyllo	Price
Edwards	Martin	Reeve
Heinemeyer	Moritz	Sgutt
Hyland	Paulson	Streeter
Johns	Pendray	Thompson
Kuhl	Ployhar	

So the bill passed and the title was agreed to.

The Speaker called Mr. Doyle of Foster to the chair.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 83 ayes, 5 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hawkinson	O'Connor of Gd. Forks
Akeason	Hedalen	O'Connor of Pembina
Anderson, of Griggs	Heinemeyer	Olsgard of Richland

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hersrud	O'Shea
Andrus	Hoge	Paulson
Benson	Homnes	Pearl
Bjornson	Hill, of Bottineau	Pendray
Boerner	Hill, of Cass	Ployhar
Bond	Hyland	Price
Brusletten	Johnson	Putnam
Burnett	Jordal	Ray
Burns	Kane	Reeve
Christenson	Knox	Robinson
Collins	Knutson	Roquette
Cunningham	Kuhl	Sauer
Dean	Kyllo	Scott
DeLance	Lageson	Scheer
DeNault	Law	Sgutt
Doyle, of Foster	Martin	Stern
Doyle, of McIntosh	McClellan	Stranahan
Fassett	Moen, of Benson	Streeter
Fox	Moen, of Cavaller	Tande
France	Morrison	Ulsaker
Fraine	Narum	Walters
Fried	Nelson, of Richland	Wambem
Fritz	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Gardner	Tostenson
Carey	Tollefson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davidson	Hanson	Olgard of Nelson
Davis	Harty	Sorlie
Dosseth	Johns	Thompson
Edwards	Lee	Tuttle
Englund	Moritz	Mr. Speaker

So the bill passed and the title was agreed to.

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 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.

The roll was called and there were 50 ayes, 41 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Heinemeyer	Norheim
Bjornson	O'Connor of Pembina	O'Connor of Gd. Forks
Bond	Hersrud	Olgard of Nelson
Collins	Hoge	Peart
Davidson	Homnes	Putnam
DeLance	Hill, of Bottineau	Ray
DeNault	Hill, of Cass	Robinson
Doyle, of Foster	Jordal	Sauer
Doyle, of McIntosh	Knox	Scheer
Edwards	Knutson	Scott
Englund	Kuhl	Stern
Fox	Lageson	Streeter
France	Law	Thompson
Fraine	McClellan	Walters
Fried	Moen, of Benson	Williams
Gardiner	Narum	Mr. Speaker
Harty	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Olgard of Richland
Akesson	Geiger	O'Shea
Anderson, of Ramsey	Gorder	Paulson
Andrus	Hawkinson	Pendray
Boerner	Hedalen	Roquette
Boyd	Hyland	Sorlie
Brusletten	Johnson	Tande
Burnett	Kane	Tollefson
Burns	Kyllo	Tostenson
Carey	Martin	Tuttle
Christenson	Moen, of Cavalier	Ulsaker
Cunningham	Morrison	Wambem
Dean	Nelson, of Richland	Whitmer
Fassett	Nelson, of Walsh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Johns	Price
Davis	Lee	Reeve
Dosseth	Moritz	Sgutt
Hanson	Ployhar	Stranahan

So the bill was lost.

Mr. Martin moved

That the vote by which Senate Bill No. 307 was lost 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,

March 2, 1911.

I have the honor to return herewith:

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

Which the Senate has amended as follows:

In section 8, strike out the figures "\$15,000" for an administration building, and insert in lieu thereof the figures "\$25,000.00." That the total be changed to read "\$37,500.00."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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.

Also

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.

Also

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.

Also,

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.

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.

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. 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 the Senate has amended as follows:

To amend House Bill No. 293, after the word "building" in line 14 of the engrossed bill, by inserting the words "down Ninth street and Broadway to the penitentiary, connecting," and striking out the words "by the route deemed most practicable by them to the state penitentiary and to connect."

And passed as amended.

Also,

Mr. Speaker:

I have the honor to return herewith:



## 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 the Senate has amended as follows:

In section 1, line 2 of the original bill, strike out all after the word "district" in said line down to and including the word "act" in the following line, and insert in lieu thereof the words "the state." In the same section, in line 6, strike out all after the word "paid" down to and including the word "responsible" in the following line. In the same section, line 8, strike out the word "county" and insert the word "state," and in the same section, in line 11, strike out the word "county" and insert the word "state." In line 11, strike out all after the word "treasure" down to and including the word "disbursements" in the following line.

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

That the figures in line 2 of section 1 of the engrossed bill be changed to read "\$60,000."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

## 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 the Senate has amended as follows:

In section 2 of the engrossed bill, strike out the words "in the state treasury not otherwise appropriated," and insert in lieu thereof the words "in the capitol building fund."

And passed as amended.

Very respectfully,  
J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

That the line "for a building for industrial arts, \$50,000" be stricken out. That the figures at the end of section 1 be changed to read \$55,000 total."

And passed as amended.

Very respectfully,  
J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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

House river into Devils lake; and making an appropriation therefor.

Also,

House Bill No. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

Also,

House Bill N. 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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Thompson moved

That the further consideration of Senate Bill No. 18 be indefinitely postponed.

Which motion was lost.

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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 88 ayes, 3 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner

Messrs.—

Fritz  
Gelger  
Gorder  
Harty  
Hawkinson  
Hedalen  
Heinemeyer

Messrs.—

Nestos  
O'Connor of Gd. Forks  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart

Messrs.—	Messrs.—	Messrs.—
Bond	Hersrud	Pendray
Boyd	Hoge	Putnam
Brusletten	Homnes	Ray
Burns	Hill, of Bottineau	Robinson
Carey	Hill, of Cass	Roquette
Christenson	Hyland	Sauer
Collins	Johns	Scott
Cunningham	Johnson	Scheer
Davidson	Kane	Sorlie
Davis	Knutson	Stranahan
Dean	Kyllo	Streeter
DeLance	Lageson	Tande
DeNault	Law	Thompson
Dosseth	Lee	Tollefson
Doyle, of Foster	Martin	Tostenson
Doyle, of McIntosh	McClellan	Tuttle
Edwards	Moen, of Benson	Ulsaker
Englund	Moen, of Cavalier	Walters
Fassett	Morrison	Wambem
Fox	Moritz	Whitmer
France	Norheim	Williams
Fraine	Nelson, of Richland	Mr. Speaker
Fried		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Gardiner	Narum

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Kuhl	Price
Hanson	Nelson, of Walsh	Reeve
Jordal	O'Connor of Pembina	Stutt
Knox	Ployhar	Stern

So the bill passed and the title was agreed to.

Senate Bill No. 18.

A bill for the regulation and control of fraternal benefit societies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 46 ayes, 42 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fraine	O'Connor of Pembina
Anderson, of Griggs	Fried	Olgard of Nelson
Andrus	Gardiner	Paulson
Benson	Harty	Pendray

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hawkinson	Price
Bond	Hedalen	Ray
Burnett	Homnes	Roquette
Christenson	Hill, of Bottineau	Sauer
Collins	Hill, of Cass	Sorlie
Cunningham	Jordal	Stern
Davidson	Knutson	Stranahan
DeLance	Kyllo	Streeter
DeNault	Lee	Tande
Dosseth	Nestos	Tostenson
Doyle, of Foster	O'Connor of Gd. Forks	Williams
Fox		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hoge	Nelson, of Walsh
Anderson, of Ramsey	Hyland	Norheim
Boerner	Johns	Olgard of Richland
Boyd	Johnson	O'Shea
Brusletten	Kane	Peart
Carey	Lageson	Putnam
Dean	Law	Robinson
Doyle, of McIntosh	McClellan	Scott
Edwards	Moen, of Benson	Thompson
Fassett	Moen, of Cavalier	Tollefson
Fritz	Morrison	Tuttle
Geiger	Moritz	Ulsaker
Gorder	Narum	Wambers
Hersrud	Nelson, of Richland	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Heinemeyer	Reeve
Davis	Knox	Scheer
Englund	Kuhl	Sgutt
France	Martin	Walters
Hanson	Ployhar	Mr. Speaker

So the bill was lost.

Mr. Johnson moved

That the vote by which Senate Bill No. 18 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 82 ayes, 9 nays, 12 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	Hedalen	O'Connor of Pembina
Andrus	Heinemeyer	Olgard of Nelson
Bjornson	Hersrud	Olgard of Richland
Boerner	Hogo	O'Shea
Boyd	Hill, of Bottineau	Paulson
Brusletten	Hill, of Cass	Peart
Burnett	Hyland	Pendray
Burns	Johns	Ployhar
Carey	Johnson	Price
Christenson	Jordal	Putnam
Collins	Kane	Robinson
Cunningham	Knutson	Roquette
Davidson	Kuhl	Sauer
DeNault	Kyllo	Scheer
Dosseth	Law	Sorlie
Doyle, of Foster	Lee	Stern
Edwards	McClellan	Stranahan
Englund	Moen of Benson	Streeter
Fassett	Moen of Cavaller	Tande
Fox	Morrison	Thompson
France	Moritz	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson of Richland	Walters
Fritz	Nelson of Walsh	Whitmer
Gardine.	Nestos	Williams
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Homnes	Tollefson
Dean	Lageon	Tostenson
Hawkinson	Ray	Wambem

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of McIntosh	Reeve
Bond	Hansen	Scott
Davis	Knox	Stutt
DeLance	Martin	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Olgard of Nelson moved

That the rules be suspended and Senate Bill No. 60 be placed upon its third reading and final passage.

Which motion prevailed.

## Senate Bill No. 60.

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.

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.—
Aashelm	Gorder	O'Connor of Pembina
Akesson	Hanson	Olsgard of Nelson
Anderson, of Griggs	Harty	Olsgard of Richland
Anderson, of Ramsey	Hawkinson	O'Shea
Bjornson	Hedalen	Paulson
Boerner	Heinemeyer	Pearl
Bond	Hersrud	Pendray
Boyd	Hoge	Ployhar
Brusletten	Homnes	Price

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Kuhl	Moen, of Cavalier
Benson	Martin	Reeve

So the bill passed and the title was agreed to.

The Speaker in the chair.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:



In lines 2 and 3, of section 1, page 1, strike out the words "LaMoure, Logan and McIntosh" and insert in lieu thereof "Foster, Eddy and Wells."

In line 9, section 2, page 1, strike out the word "LaMoure" and insert in lieu thereof the word "Foster."

In line 13, page 2, strike out the word "Logan" and insert in lieu thereof the word "Wells."

In line 18, page 2, strike out the word "McIntosh" and insert in lieu thereof the word "Eddy."

On page 2, strike out all of section 3.

In line 1 of section 4, page 2, strike out the number "4" and insert in lieu thereof the number "3."

In line 1 of section 5, on page 3, strike out the number "5" and insert in lieu thereof the number "4."

In line 1 of section 6, on page 3, strike out the number "6" and insert in lieu thereof the number "5."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In line 3 of section 1, page 1, strike out the words "Eddy, Foster and Wells," and insert in lieu thereof the words "LaMoure and Logan."

On page 2, strike out all of lines 13, 14, 15 and 16.

In line 17, page 2, strike out the word "Foster" and insert in lieu thereof the word "LaMoure."

In line 21, page 2, strike out the word "Wells" and insert in lieu thereof the word "Logan."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

The privileges of the floor were extended to the following:

Oscar J. France of Gackle.

L. Mikalson, H. O. Baltzer, of Hazelton.

Mr. Thompson moved

That the House take a recess until 7:30 o'clock p. m.

Which motion prevailed, and

The House took a recess.

The House re-assembled at 7:30 p. m. pursuant to recess taken.

Mr. Sorlie moved a call of the House.

Which motion prevailed.

Mr. Nestos moved

That further proceedings under the call be dispensed with.

Which motion prevailed.

### THIRD READING OF SENATE BILLS

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 73 ayes, no nys, 30 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Narum
Akesson	Geiger	Nelson, of Richland
Anderson, of Griggs	Gorder	Nelson, of Walsh
Andrus	Harty	Nestos
Benson	Hedalen	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Bjornson	Heinemeyer	Olsgard of Nelson
Boerner	Hersrud	Olsgard of Richland
Bond	Hoge	O'Shea
Boyd	Hill, of Bottineau	Paulson
Brusletten	Hill, of Cass	Pendray
Carey	Hyland	Ray
Christenson	Johnson	Sauer
Davidson	Jordal	Scott
Davis	Kane	Scheer
Dean	Knox	Sorlie
DeNault	Knutson	Tande
Dosseth	Kyllo	Thompson
Doyle, of McIntosh	Lageson	Tostenson
Edwards	Law	Ulsaker
Englund	Lee	Walters
Fassett	McClellan	Wambem
Fox	Moen, of Benson	Whitme
Fraine	Moen, of Cavalier	Williams
Fried	Morrison	Mr. Speaker
Fritz		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Homnes	Putnam
Burnett	Johns	Reeve
Burns	Kuhl	Robinson
Collins	Martin	Roquette
Cunningham	Moritz	Sgutt
DeLance	Norheim	Stern
Doyle, of Foster	O'Connor of Gd. Forks	Stranahan
France	Peart	Streeter
Hanson	Ployhar	Tollefson
Hawkinson	Prie	Tuttle

So the bill passed and the title was agreed to.

Mr. Englund moved

That the vote by which Senate Bill No. 267 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

Mr. Geiger moved

That the further consideration of the bill be indefinitely postponed.

Which motion was lost.

Mr. Sorlie moved

That Senate Bill No. 113 be made a special order for 10:30 o'clock this evening.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

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	Fraine	Moen, of Cavalier
Akesson	Fried	Morrison
Anderson, of Griggs	Fritz	Narum
Anderson, of Ramsey	Gardiner	Nelson, of Richland
Andrus	Geiger	Nelson, of Walsh
Benson	Gorder	O'Connor of Gd. Forks
Bjornson	Harty	O'Connor of Pembina
Boerner	Hawkinson	Olsgard, of Nelson
Bond	Hedalen	Olsgard of Richland
Boyd	Heinemeyer	O'Shea
Brusletten	Hersrud	Paulson
Burnett	Hoge	Peart
Carey	Homnes	Pendray
Christenson	Hill, of Bottineau	Ray
Collins	Hill, of Cass	Sauer
Cunningham	Hyland	Scott
Davidson	Johnson	Scheer
Davis	Jordal	Sorlie
Dean	Kane	Stranahan
DeNault	Knutson	Tande
Dosseth	Kyllo	Tostenson
Doyle, of McIntosh	Lageson	Ulsaker
Edwards	Law	Walters
Englund	Lee	Wambem
Fassett	Martin	Whitmer
Fox	McClellan	Williams
France	Moen, of Benson	Mr. Speake

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Nestos	Roquette
DeLance	Norheim	Sgutt
Doyle, of Foster	Ployhar	Stern
Hanson	Price	Streeter

Messrs.—  
 Johns  
 Knox  
 Kuhl  
 Moritz

Messrs.—  
 Putnam  
 Reeve  
 Robinson

Messrs.—  
 Thompson  
 Tollefson  
 Tuttle

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which Senate Bill No. 269 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie moved

That the further consideration of Senate Bill No. 46 be indefinitely postponed.

Which motion was lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
 BISMARCK, NORTH DAKOTA,  
 March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In line 2 of section 1, strike out the word "requested" and insert the word "required" instead. In line 3, strike out the word "district" and insert the word "county." Strike out the balance of line 3 and insert in lieu thereof the words "the state." Strike out all of line 4 down to and including the word "act." In line 7, strike out all after the word "paid." In line 8 strike out all down to and including the word "responsible." Also strike out the word "said" and insert in lieu thereof the word "the." In line 9, strike out "county" and insert the word "state." Also strike out the words "to him." Strike out all of the bill after the word "judge" in line 11, and insert "and audited in the same manner as the expense accounts of other state officers."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
 Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

At the end of section 1, original bill, insert the following: "Provided, that cities, towns or villages in this state which have heretofore voted upon and rejected the commission form of government shall not again vote upon the question within the period of four years after such rejection."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has failed to pass.

Very respectfully,

JAMES W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Which the Senate has amended as follows:

Folowing the enactment clause: "Section 1. That section 2247 be amended to read as follows: Section 2247."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In title, after "1905" add "as amended by chapter 146 of the Laws of North Dakoea for 1909."

And passed as amended.

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 of the State of North Dakota, the House of Representatives Concurring:*

WHEREAS, The navigable rivers are the heritage of all of the people of the commonwealth, and

WHEREAS, The Yellowstone river is a navigable stream and has in the past served a mighty purpose in the transportation of merchandise and produce thereon; and

WHEREAS, The stream is now and always will be valuable for commerce and may become the controlling factor in the matter of rates throughout that fertile valley;

*Be it Resolved:*

That the state of North Dakota, through her legislature, heartily endorses the policy of maintaining the navigability of said Yellowstone river and of preventing any obstruction thereof that will impede or obstruct or prevent the navigation of said river, or so much thereof as is, in fact, navigable; that it will be detrimental to the interests of the territory through which the navigable portion of said river runs and to this state to permit any dam to be maintained in the Yellowstone river below Glendive, Montana, for any purpose unless there shall be constructed in connection with such dam, such lock or locks as may amply and surely keep said stream open for navigation; and the Legislative Assembly of North Dakota does hereby urge the United States senators and representatives in Congress from the state of North Dakota and each of them to appear before the Board of Engineers for Rivers and Harbors at Washington, D. C., and urge the construction of a lock or locks in any dam that may be built across the Yellowstone river below Glendive, Montana, so that the navigability of said river shall be maintained and to urge such other measures and improvements as may be essential and necessary to perpetually protect and maintain the navigability of the Yellowstone and the upper Missouri rivers.

*Further Be it Resolved:*

That the Legislature of North Dakota deplors the fact that no mention of the upper Missouri river is contained in the recently enacted river and harbor bill, nor is any provision made therein for the continued improvement of either the Yellowstone or Upper Missouri rivers, and urges adequate appropriations be provided in future river and harbor enactments for the improvement of these rivers.

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. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

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. 352.

A bill for an act providing for a bailiff of the supreme court.

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. 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.

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.

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.

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. 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 the Senate has amended as follows:

In line 2 of section 12 of the engrossed bill, after "cast," strike out everything, including the word "percent," in line 1, and in lieu thereof insert the following:

"For any party candidate or candidates for any office for which nominations are herein provided for shall equal less than twenty-five per cent of the average number of votes cast for governor, secretary of state and attorney general of the political party he or they represented at the last general election, no nomination shall be made in that party for such office, but if twenty-five per cent."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 82 ayes, 3 nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Aasheim  
Akeson

Messrs.—  
Fried  
Gardiner

Messrs.—  
Nelson, of Richland  
Nelson, of Walsh

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	Nestos
Anderson, of Ramsey	Gorder	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Benson	Hawkinson	Olgard of Nelson
Bjornson	Hedalen	Olgard of Richland
Boerner	Heinemeyer	O'Shea
Bond	Hersrud	Paulson
Boyd	Hoge	Peart
Brusletten	Hill, of Bottineau	Pendray
Burnett	Hill, of Cass	Ployhar
Carey	Hyland	Ray
Christenson	Johnson	Sauer
Collins	Jordal	Scheer
Cunningham	Kane	Scott
Davidson	Knox	Sorlie
Davis	Knutson	Stranahan
Dean	Lageson	Tande
Dosseth	Law	Thompson
Doyle, of McIntosh	Lee	Tostenson
Edwards	Martin	Tuttle
Englund	McClellan	Ulsaker
Fassett	Moen, of Benson	Wambem
Fox	Moen, of Cavalier	Whitmer
France	Morrison	Williams
Fraine	Narum	Mr. Speaker
Fritz		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeNault	Kylo	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Kuhl	Robinson
DeLance	Moritz	Roquette
Doyle, of Foster	Norheim	Sgutt
Hanson	Price	Stern
Homnes	Putnam	Streeter
Johns	Reeve	Tollefson

So the bill passed and the title was agreed to.

Mr. Lageson moved

That the vote by which Senate Bill No. 181 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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, reg-

ulations 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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 73 ayes, 9 nays, 21 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
Boerner	Hoge	O'Shea
Bond	Hill, of Bottineau	Paulson
Boyd	Hill, of Cass	Peart
Brusletten	Hyland	Pendray
Burr.ett	Johnson	Ployhar
Burns	Kane	Sauer
Christenson	Knutson	Scott
Collins	Kyllo	Scheer
Dean	Lageson	Sorlie
DeNault	Law	Stern
Doyle, of McIntosh	Lee	Stranahan
Edwards	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Ulsaker
France	Morrison	Walters
Fritz	Narum	Wamborn
Gardiner	Nelson, of Walsh	Whitmer
Gelger	Nestos	Williams
Gorder		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Cunningham	Fraine
Bjornson	Davidson	Jordal
Carey	Dosseth	Nelson, of Richland

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Knox	Robinson
DeLance	Kuhl	Roquette
Doyle, of Foster	Moritz	Sgutt
Fried	Price	Streeter
Hanson	Putnam	Tostenson
Homnes	Ray	Tuttle
Johns	Reeve	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Moen of Cavalier 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.

Mr. Sorlie moved

That the further consideration of Senate Bill No. 234 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

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 third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 91 ayes, 3 nays, 9 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Christenson  
Collins  
Cunningham

Messrs.—

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

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  
Sauer  
Scott  
Scheer

Messrs.—	Messrs.—	Messrs.—
Davidson	Kuhl	Sgutt
Davis	Kyllo	Sorlie
Dean	Lageson	Stern
DeNault	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of McIntosh	Martin	Tande
Edwards	McClellan	Thompson
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		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Carey	Tollefson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	Johns	Reeve
Doyle, of Foster	Knox	Robinson
Homnes	Moritz	Roquette

So the bill passed and the title was agreed to.

Mr. Johnson moved

That the vote by which House Bill No. 235 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

The question being on the final passage of the bill,

The roll was called and there were 81 ayes, 2 nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Norheim
Akesson	Hanson	O'Connor of Gd. Fork
Anderson, of Griggs	Harty	O'Connor of Pennington

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hawkinson	Olsgard of Nelson
Andrus	Hedalen	Olsgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Peart
Boerner	Hoge	Paulson
Bond	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Ployhar
Brusletten	Hyland	Price
Burnett	Johnson	Ray
Burns	Jordal	Sauer
Carey	Kane	Scott
Christenson	Knox	Scheer
Collins	Knutson	Sorlie
Cunningham	<b>Kuhl</b>	Stern
Davis	Kyllo	Stranahan
Dean	Lageson	Streeter
DeNault	Law	Tande
Dosseth	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	McClellan	<del>Tostenson</del>
Fassett	Moen of Benson	Tuttle
Fox	Moen of Cavalier	Ulsaker
France	Morrison	Walters
Fraine	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger		

Messrs. Davidson and Englund voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	Moritz	Robinson
Doyle, of Foster	Putnam	Roquette
Homnes	Reeve	Stutt
Johns		

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the vote by which Senate Bill No. 262 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,  
March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In the title of the bill, strike out the words "Board of Health" and insert in lieu thereof the words "School Board."

In section 1, line 1 of the printed bill, strike out the words "Board of Health" and insert in lieu thereof the words "School Board."

In section 1, line 3, strike out the words "church, theater and public hall."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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. 309.

A bill for an act to regulate the sale of hen's eggs.

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. 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.

Also,

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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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. 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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 74 ayes, 17 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hedalen	O'Shea
Anderson, of Griggs	Heinemeyer	Paulson
Anderson, of Ramsey	Hersrud	Peart
Andrus	Hill, of Bottineau	Ployhar
Benson	Hill, of Cass	Price
Bjornson	Hoge	Putnam
Bond	Hyland	Ray
Boyd	Johnson	Robinson
Burnett	Kane	Scott
Burns	Knox	Scheer
Collins	Knutson	Sorlie
Cunningham	Kuhl	Stern
Davidson	Kylo	Stranahan
Dean	Lageson	Streeter
Doyle, of McIntosh	Law	Tande
Edwards	Lee	Thompson
Fassett	Martin	Tolefsen
Fox	McClellan	Tostenson
France	Moen, of Benson	Tuttle
Gardiner	Moen, of Cavalier	Walters
Geiger	Morrison	Wambert
Gorder	Nelson, of Richland	Whitmer
Hanson	O'Connor of Gd. Forks	Williams
Harty	O'Connor of Pembina	Mr. Speaker
Hawkinson	Olgard of Nelson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Englund	Nelson, of Walsh
Brusletten	Fraine	Nestos
Carey	Fried	Olgard of Richland
Christenson	Fritz	Pendray
DeNault	Jordal	Ulsaker
Dosseth	Narum	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Homnes	Reeve
Davis	Johns	Roquette
DeLance	Moritz	Sauer
Doyle, of Foster	Norheim	Stutt

So the bill passed and the title was agreed to.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 309.

A bill for an act to provide for the purchase of the paintings of "Mink Woman," "Bear's Necklace" and "Bad Brave."

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. 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. 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. 65.

A bill for an act to authorize cities to levy and collect a tax to pay judgments obtained against such cities.

Also,

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.

And the Speaker signed the same in the presence of the House.

## 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 third time.

The question being on the final passage of the bill as amended.

The roll was called and there were 77 ayes, 14 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Norheim
Anderson, of Griggs	Geiger	O'Connor of Gd. Forks
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Andrus	Hanson	Olgard of Nelson
Benson	Harty	Olgard of Richland
Bjornson	Hawkinson	O'Shea
Boerner	Heinemeyer	Paulson
Brusletten	Hersrud	Peart
Bond	Hoge	Ployhar
Boyd	Hyland	Price
Burnett	Johns	Putnam
Burns	Johnson	Scott
Carey	Jordal	Scheer
Christenson	Kane	Sorlie
Collins	Knutson	Stern
Cunningham	Kuhl	Stranahan
Davidson	Lageson	Streeter
Davis	Law	Tande
Dean	Lee	Thompson
Doyle, of McIntosh	Martin	Tostenson
Edwards	McClellan	Ulsaker
Englund	Moen of Benson	Walters
Fassett	Moen of Cavalier	Whitmer
Fox	Morrison	Williams
France	Narum	Mr. Speaker
Fried	Nestos	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hedalen	Pendray
DeNault	Hill, of Bottineau	Ray
Dosseth	Kyllo	Tollefson
Fraine	Nelson of Richland	Wambem
Gardiner	Nelson of Walsh	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	Knox	Roquette
Doyle, of Foster	Moritz	Sauer
Homnes	Reeve	Sgutt
Hill, of Cass	Robinson	Tuttle

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 223 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 186.

A bill for an act to amend and re-enact 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.

Was read the third time.

Mr. Streeter 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 45 ayes, 44 nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Heinemeyer	Moen of Cavalier
Benson	Hersrud	Nelson of Richland
Bond	Hoge	Nestos
Boyd	Homnes	Norheim
Brusletten	Hill, of Cass	Olsgard of Nelson
Carey	Hyland	O'Shea
Christenson	Johnson	Pearl
Davidson	Jordal	Putnam
Davis	Kane	Sauer
DeNault	Knutson	Sorlie
Dosseth	Kuhl	Thompson
Doyle, of McIntosh	Kyllo	Ulsaker
Fassett	Lee	Wambem
Fox	Martin	Williams
France	Moen of Benson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Paulson
Akesson	Gardiner	Pendray
Anderson, of Griggs	Geiger	Price
Andrus	Gorder	Ray
Bjornson	Hanson	Scott
Soerner	Harty	Stern
Burnett	Hedalen	Stranahan
Burns	Lageson	Streeter
Collins	Law	Tande
Cunningham	McClellan	Tollefson
Dean	Morrison	Tostenson
DeLance	Narum	Tuttle
Edwards	Nelson of Walsh	Walters
Fraine	O'Connor of Pembina	Whitmer
Fried	Olsgard of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Knox	Robinson
Englund	Moritz	Roquette
Hawkinson	O'Connor of Gd. Forks	Scheer
Hill, of Bottineau	Ployhar	Sgutt
Johns	Reeve	

So the bill was lost.

Mr. Streeter moved

That the vote by which Senate Bill No. 186 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 90.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 91 ayes, 1 nay, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Anderson, of Griggs	Gorder	O'Connor of Gd. Forks
Anderson, of Ramsey	Hanson	O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Andrus	Harty	Olsgard of Nelson
Benson	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	O'Shea
Boerner	Heinemeyer	Paulson
Boyd	Hersrud	Peart
Brusletten	Hoge	Pendray
Burnett	Homnes	Ployhar
Burns	Hill, of Bottineau	Price
Carey	Hill, of Cass	Putnam
Christenson	Hyland	Ray
Collins	Johnson	Sauer
Cunningham	Jordal	Scott
Davidson	Kane	Scheer
Dean	Knutson	Sorlie
DeLance	Kylo	Stern
DeNault	Lageson	Stranahan
Dosseth	Law	Streeter
Doyle, of McIntosh	Lee	Tande
Edwards	Martin	Thompson
Englund	McClellan	Tostenson
Fassett	Moen, of Benson	Tuttle
Fox	Moen, of Cavalier	Ulsaker
France	Morrison	Walters
Fraine	Narum	Wambem
Fried	Nelson, of Richland	Whitmer
Fritz	Nelson, of Walsh	Williams
Gardiner	Nestos	Mr. Speaker

Mr. Tollefson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Knox	Robinson
Davis	Kuhl	Roquette
Doyle, of Foster	Moritz	Scutt
Johns	Reeve	

So the bill passed and the title was agreed to.

Mr. Aasheim moved

That the vote by which Senate Bill No. 90 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 332.

A bill for an act to amend section 7530, Revised Code of 1905, relating to adjustment of cross judgment in actions to determine conflicting claims to real property.

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.—
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 Nelson
Benson	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	O'Shea
Boerner	Heinemeyer	Paulson
Bond	Hersrud	Peart
Boyd	Hoge	Pendray
Brusletten	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Burns	Hill, of Cass	Sauer
Carey	Hyland	Scott
Christenson	Johnson	Scheer
Collins	Jordal	Sorlie
Cunningham	Kane	Stern
Davidson	Knutson	Stranahan
Davis	Kyllo	Streeter
Dean	Lageson	Tande
DeLance	Law	Thompson
DeNault	Lee	Tostenson
Dosseth	McClellan	Tuttle
Doyle, of McIntosh	Moen, of Benson	Ulsaker
Edwards	Moen, of Cavalier	Walters
Fox	Morrison	Wambem
France	Narum	Whitmer
Fraine	Nelson, of Richland	Williams
Fried	Nelson, of Walsh	Mr. Speaker
Fritz		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Kuhl	Reeve
Englund	Moritz	Robinson
Fassett	Ployhar	Roquette
Johns	Price	Sgutt
Knox		

Messrs. Martin and Tollefson voted in the negative.

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,  
March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:



## House Bill No. 291.

A bill for an act to amend Section 687 of the Revised Codes of 1905, as amended by Chapter 93 of the Session Laws of 1909, relating to compensation of election officers.

Which the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

## 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 the Senate has failed to pass.

Very respectfully,

J. W. FOLEY,  
Secretary.

## 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 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.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Bond  
Boyd

## Messrs.—

Gorder  
Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes

## Messrs.—

Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray

Messrs.—	Messrs.—	Messrs.—
Brusletten	Hill, of Bottineau	Ployhar
Burnett	Hill, of Cass	Putnam
Burns	Hyland	Ray
Carey	Johnson	Sauer
Christenson	Jordal	Scott
Collins	Kane	Scheer
Cunningham	Knutson	So-lie
Davidson	Kyllo	Stern
Davis	Lageson	Stranahan
Dean	Law	Streeter
DeLance	Lee	Tande
DeNault	Martin	Thompson
Dosseth	McClellan	Tuttle
Edwards	Moën, of Benson	Ulsaker
Fassett	Moën, o Cavalier	Walters
Fraine	Morrison	Wambem
Fried	Narum	Whitmer
Fritz	Nelson, of Richland	Williams
Gardiner	Nelson, of Walsh	Mr. Speaker
Geiger	Nestos	

Messrs. Boerner and Tollefson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Johns	Reeve
Doyle, of McIntosh	Knox	Robinson
Englund	Kuhl	Roquette
Fox	Moritz	Sgutt
France	Price	Tostenson

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 66 ayes, 22 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Fritz	Moën, of Cavalier
Anderson, of Griggs	Gardiner	Narum
Anderson, of Ramsey	Geiger	Nelson, of Walsh
Andrus	Gorder	O'Connor of Gd. Forks

Messrs.—	Messrs.—	Messrs.—
Benson	Hanson	O'Connor of Pembina
Bjornson	Harty	Olgard of Richland
Boerner	Hedalen	O'Shea
Brusletten	Heinemeyer	Ployhar
Burnett	Hersrud	Price
Burns	Hoge	Putnam
Christenson	Homnes	Ray
Collins	Hill, of Bottineau	Sauer
Cunningham	Hyland	Scott
Dean	Johnson	Scheer
DeNault	Jordal	Stern
Dosseth	Kane	Stranahan
Doyle, of McIntosh	Knutson	Thompson
Edwards	Kyllo	Tollefson
Fassett	Lageson	Walters
Fox	Law	Wambem
France	Lee	Williams
Fraine	Martin	Mr. Speaker
Fried	McClellan	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Nelson, of Richland	Sorlie
Carey	Nestos	Streeter
Davidson	Norheim	Tande
Hawkinson	Olgard of Nelson	Tuttle
Hill, of Cass	Paulson	Ulsaker
Moen, of Benson	Peart	Whitmer
Morrison	Pendray	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Aasheim	Englund	Reeve
Bond	Johns	Robinson
Davis	Knox	Roquette
DeLance	Kuhl	Sgutt
Doyle, of Foster	Moritz	Tostenson

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,

March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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. 152.

A bill for an act to specify and authorize a state flag.

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.

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 depositories.

Which the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 94 ayes, 1 nay, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, f Griggs  
Ardrus  
Benson  
Bjornson

Messrs.—

Geiger  
Gorder  
Hanson  
Harty  
Hawkinson  
Hecalen

Messrs.—

Nestor  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland

Messrs.—	Messrs.—	Messrs.—
Boerner	Heinemeyer	O'Shea
Bond	Hersrud	Paulson
Boyd	Hoge	Peart
Brusletten	Homes	Pendray
Burnett	Hill, of Bottineau	Ployhay
Burns	Hill, of Cass	Price
Carey	Hyland	Putnam
Christenson	Johnson	Ray
Collins	Jordal	Sauer
Cunningham	Kane	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sorlie
Dean	Kyllo	Stern
DeLance	Lageson	Stranahan
DeNault	Law	Streeter
Dosseth	Lee	Tande
Doyle, of McIntosh	Martin	Thompson
Edwards	McClellan	Tostenson
Englund	Moen, of Benson	Tuttle
Fassett	Moen, of Cavalier	Ulsaker
Fox	Moritz	Walters
France	Morrison	Wambem
Fraine	Narum	Whitmer
Fried	Nelson, of Richland	Williams.
Fritz	Nelson, of Walsh	Mr. Speaker
Gardiner		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Knox	Roquette
Doyle, of Foster	Reeve	Stutt
Johns	Robinson	

Mr. Tollefson voted in the negative.

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the rules be suspended and that the House return to the twelfth order of business.

Which motion was lost.

Senate Bill No. 304.

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.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 93 ayes, 2 nays, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nelson of Walsh
Akesson	Geiger	Nestos
Anderson, of Griggs	Order	Norheim
Anderson, of Ramsey	Hanson	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Benson	Hawkinson	Olgard of Nelson
Ejornson	Hedalen	Olgard of Richland
Boerner	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	Johnson	Ray
Collins	Jordal	Sauer
Cunningham	Kane	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sorlie
Dean	Kylo	Stern
DeLance	Lageson	Stranahan
DeNault	Lee	Streeter
Dosseth	Law	Tande
Doyle, of McIntosh	Martin	Thompson
Edwards	McClellan	Tostenson
Englund	Moen of Benson	Tuttle
Fassett	Moen of Cavalier	Ulsaker
Fox	Morrison	Walters
Fraine	Moritz	Warbom
Fried	Narum	Whitmer
Fritz	Nelson of Richland	Mr. Speaker

Messrs. Tollefson and Williams voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Knox	Roquette
France	Reeve	Sgutt
Johns	Robinson	

So the bill passed and the title was agreed to.

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 third time.

Mr. Sorlie 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 70 ayes, 19 nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Heinemeyer	O'Connor of Gd. Forks
Anderson, of Griggs	Hersrud	O'Connor of Pembina
Anderson, of Ramsey	Hoge	Olsgard of Nelson
Benson	Homnes	Olsgard of Richland
Bjornson	Hill, of Bottineau	O'Shea
Bond	Hill, of Cass	Paulson
Boyd	Hyland	Pearl
Collins	Johnson	Ray
Cunningham	Jordal	Sauer
Davidson	Kane	Scott
Davis	Knutson	Scheer
Dean	Kuhl	Sorlie
DeLance	Lageson	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Thompson
Englund	McClellan	Tollefson
Fassett	Moen, of Benson	Tostenson
Fox	Moen, of Cavalier	Tuttle
Fritz	Morrison	Ulsaker
Gardiner	Moritz	Walters
Geiger	Narum	Wambem
Gorder	Nestor	Whitmer
Harty	Norheim	Williams
Hawkinson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	DeNault	Law
Andrus	Dosseth	Nelson, of Richland
Boerner	Fried	Nelson, of Walsh
Brusletten	Hanson	Pendray
Burnett	Hedalen	Putnam
Carey	Kyllo	Tande
Christenson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Roquette
Doyle, of Foster	Ployhar	Sgutt
France	Price	Stern
Fraine	Reeve	Mr. Speaker
Johns	Rob'nson	

So the bill passed and the title was agreed to.

The Speaker called Mr. Sorlie to the chair.

Mr. Dosseth moved  
That Senate Bill No. 31 be indefinitely postponed.  
Which motion was lost.

MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 118.

A bill for an act to amend subdivioisns 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.

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.



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. 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 the Senate has amended as follows:

By inserting after the word "States" in line 8 of the printed bill the following words: "or members of the National Guard of North Dakota."

Also by inserting in line 9, after the word "Senate" the following words: "two of whom shall be from the county wherein the institution is located."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

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 third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 87 ayes, 10 nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	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

Messrs.—	Messrs.—	Messrs.—
Benson	Hersrud	Paulson
Bjornson	Homnes	Peart
Boerner	Hill, of Bottineau	Pendray
Brusletten	Hill, of Cass	Ployhar
Bond	Hyland	Price
Boyd	Johnson	Putnam
Burnett	Jordal	Ray
Burns	Kane	Sauer
Carey	Knutson	Scott
Christenson	Kuhi	Scheer
Collins	Kyllo	Sgutt
Cunningham	Lageson	Sorlie
Davidson	Law	Stern
Davis	Lee	Stranahan
Dean	Martin	Streeter
DeNault	McClellan	Ulsaker
Doyle, of McIntosh	Moen, of Benson	Tande
Fassett	Moen, of Cavalier	Tollefson
France	Morrison	Tostenson
Fraine	Moritz	Walters
Fried	Narum	Wamben
Gardiner	Nelson, of Richland	Whitmer
Cciger	Nelson, of Walsh	Williams
Gorder	Nestos	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeLance	Fox	O'Shea
Dosseth	Fritz	Thompson
Edwards	Hoge	Tuttle
Englund		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Knox	Robinson
Johns	Reeve	Roquette

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 31 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 83 ayes, 10 nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Gardiner	Nestos
Akesson	Geiger	Norheim
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Andrus	Hanson	Olgard of Nelson
Benson	Harty	Olgard of Richland
Bjornson	Hawkinson	O'Shea
Boerner	Hedalen	Peart
Bond	Heinemeyer	Pendray
Boyd	Hersrud	Ployhar
Brusletten	Hoge	Price
Burnett	Homnes	Putnam
Carey	Hill, of Bottineau	Ray
Christenson	Hill, of Cass	Sauer
Collins	Hyland	Scott
Cunningham	Johnson	Sorlie
Davis	Jordal	Stern
Dean	Kane	Stranahan
DeLance	Law	Streeter
DeNault	Lee	Tande
Doyle, of McIntosh	Martin	Thompson
Edwards	McClellan	Tuttle
Englund	Moen of Benson	Ulsaker
Fassett	Moen of Cavalier	Walters
Fox	Moritz	Wambem
France	Morrison	Whitmer
Fraine	Narum	Williams
Fried	Nelson of Richland	Mr. Speaker
Fritz	Nelson of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Kyllo	Paulson
Davidson	Lageson	Scheer
Dosseth	O'Connor of Gd. Forks	Tollefson
Knutson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Kuhl	Roquette
Doyle, of Foster	Reeve	Sgutt
Johns	Robinson	Tostenson
Knox		

So the bill passed and the title was agreed to.

Mr. Hoge moved

That the further consideration of Senate Bill No. 44 be indefinitely postponed.

Which motion prevailed, and

The further consideration of Senate Bill No. 44 was indefinitely postponed.

The Speaker in the chair.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 306.

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.

Also

Senate Bill No. 27.

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.

Also

Senate Bill No. 153.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the future amendment thereof.

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. 339.

A bill for an act to prescribe legal rates for the publication of political announcements.

Also,

Senate Bill No. 326.

A bill for an act to amend Section 1350, Revised Codes of 1905, relating to the laying out, altering or discontinuing roads.

And the Speaker signed the same in the presence of the House.

Senate Bill No. 211.

A bill for an act to amend Sections 1, 3, 5, 8 and 13 of to regulate the public service of stallions in North Dakota Chapter 161 of the Session Laws of 1909, entitled, an act

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 66 ayes, 8 nays, 29 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Englund	Morrison
Akesson	Fassott	Moritz
Anderson, of Griggs	France	Narum
Anderson, of Ramsey	Fraine	Nelson, of Walsh
Andrus	Fritz	Nestos
Benson	Geiger	Norheim
Bjornson	Hanson	O'Connor of Gd. Forks
Boerner	Harty	Olgard of Nelson
Bond	Heinemeyer	O'Shea
Boyd	Hersrud	Paulson
Brusletten	Hoge	Peart
Burns	Homnes	Pendray
Carey	Hill, of Bottineau	Price
Christenson	Hyland	Sorlie
Cunningham	Kane	Stern
Davidson	Kuhl	Stranahan
Davis	Kyllo	Streeter
DeLance	Lageson	Tande
DeNault	Lee	Tostenson
Doyle, of Foster	McClellan	Walters
Doyle, of McIntosh	Moen, of Benson	Wambem
Edwards	Moen, of Cavalier	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Fried	Olgard of Richland	Tollefson
Hawkinson	Putnam	Ulsaker
Hill, of Cass	Ray	

Absent and not voting.

Messrs.—

Burnett  
Collins  
Dean  
Dosseth  
Fox  
Gardiner  
Gorder  
Hedalen  
Johns  
Johnson

Messrs.—

Jordal  
Knox  
Knutson  
Law  
Martin  
Nelson of Richland  
O'Connor of Pembina  
Ployhar  
Reeve  
Robinson

Messrs.—

Roquette  
Sauer  
Scott  
Scheer  
Sgutt  
Thompson  
Tuttle  
Whitmer  
Williams

So the bill passed and the title was agreed to.

Mr. Hyland moved

That the vote by which Senate Bill No. 211 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Sorlie moved

That the further consideration of Senate Bill No. 313 be indefinitely postponed.

Which motion was lost.

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 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.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd

Messrs.—

Fried  
Fritz  
Gardiner  
Geiger  
Gorder  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud

Messrs.—

Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olgard of Nelson  
Olgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray

Messrs.—	Messrs.—	Messrs.—
Brusletten	Hoge	Ployhar
Burnett	Homnes	Putnam
Burns	Hill, of Bottineau	Ray
Carey	Hill, of Cass	Reeve
Christenson	Hyland	Roquette
Collins	Johnson	Sauer
Cunningham	Jordal	Scott
Davidson	Kane	Scheer
Davis	Knutson	Sorlie
DeLance	Kyllo	Stern
DeNault	Lageson	Stranahan
Dosseth	Law	Streeter
Doyle, of Foster	Lee	Tande
Edwards	McClellan	Tollefson
Englund	Moen, of Benson	Tostenson
Fassett	Moen, of Cavalier	Wambem
Fox	Morrison	Williams
France	Moritz	Mr. Speaker
Fraine	Nelson, of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dean	Martin	Stranahan
Doyle, of McIntosh	Narum	Thompson
Hanson	Nelson, of Walsh	Tuttle
Johns	Price	Ulsaker
Knox	Robinson	Walters
Kuhl	Sgutt	Whitmer

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,

March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the House has amended as follows:

In line 11 of the printed bill, after the word "office" strike out "as designated by the governor, for two, four and six years respectively," and insert in lieu thereof "for a term of two years."

In line 14, strike out the word "six" and insert "two" in lieu thereof.

End of section 8, insert "provided, however, that this act shall not apply to the soldiers' home."

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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.

Also,



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.

Also,

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.

Which the House has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to request the return of House Bill No. 414.

Very respectfully,

J. W. FOLEY,  
Secretary.

Senate Bill No. 313.

A bill for an act to amend section 2586 of the Revised Codes of North Dakota for 1905, relating to salaries of judges of the county court.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 48 ayes, 33 nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akeson  
Anderson, of Griggs  
Anderson, of Ramsey  
Benson  
Bjornson  
Boerner  
Bond

Messrs.—

Hersrud  
Hoge  
Homnes  
Hyland  
Jordal  
Kane  
Law  
Lee

Messrs.—

O'Shea  
Peart  
Price  
Putnam  
Scott  
Stern  
Stranahan  
Streeter

Messrs.—	Messrs.—	Messrs.—
Davidson	Martin	Tande
Davis	McClellan	Thompson
Dosseth	Moen of Benson	Tuttle
Fassett	Morrison	Ulsaker
Fox	Nelson of Walsh	Wambem
Fraine	Nestos	Whitmer
Hawkinson	Norheim	Williams
Heinemeyer	Olsgard of Nelson	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Englund	Nelson of Richland
Burnett	France	O'Connor of Gd. Forks
Carey	Fried	Olsgard of Richland
Christenson	Fritz	Paulson
Collins	Gardiner	Pendray
Cunningham	Geiger	Ray
Dean	Gorder	Sauer
DeLance	Harty	Scheer
DeNault	Hedalen	Sorlie
Doyle, of McIntosh	Lageson	Tollefson
Edwards	Moritz	Tostenson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Johnson	O'Connor of Pembina
Boyd	Knox	Ployhar
Burns	Knutson	Reeve
Doyle, of Foster	Kuhl	Robinson
Hanson	Kyllo	Roquette
Hill, of Bottineau	Moen of Cavalier	Sgutt
Hill, of Cass	Narum	Walters
Johns		

So the bill was lost.

Mr. Fraine moved

That the vote by which Senate Bill No. 313 was lost be reconsidered.

Mr. Sorlie moved

As an amendment,

That the motion to reconsider be laid on the table.

Which motion was lost.

The question being upon the motion to reconsider,

The same prevailed.

Mr. Fraine moved

That Senate Bill No. 313 be placed upon its final passage.

Which motion prevailed.

Senate Bill No. 305.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 89 ayes, 5 nays, 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	Hanson	Olgard of Nelson
Anderson, of Ramsey	Harty	Olgard of Richland
Andrus	Heinemeyer	Oshea
Benson	Hersrud	Paulson
Boerner	Hoge	Pearl
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Price
Burnett	Hyland	Putnam
Burns	Johnson	Ray
Carey	Jordal	Sauer
Christenson	Kane	Scott
Collins	Knutson	Scheer
Cunningham	Kyllo	Sorlie
Davidson	Lageson	Stern
Davis	Law	Stranahan
Dean	Lee	Streeter
DeLance	Martin	Tande
DeNault	McClellan	Thompson
Doyle, of McIntosh	Moen of Benson	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	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hawkinson	Mr. Speaker,
Dosseth	Hedalen	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Knox	Robinson
Gorder	Kuhl	Roquette
Johns	Reeve	Sgutt

So the bill passed and the title was agreed to.

Senate Bill No. 313.

A bill for an act to amend section 2586 of the Revised Codes of North Dakota for 1905, relating to salaries of judges of the county court.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 63 ayes, 29 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Norheim
Anderson, of Griggs	Gorder	Nelson of Walsh
Anderson, of Ramsey	Hawkinson	Nestos
Andrus	Hedalen	O'Connor of Gd. Forks
Benson	Heinemeyer	O'Connor of Pembina
Bjornson	Hersrud	Olgard of Nelson
Boerner	Hoge	O'Shea
Bond	Homnes	Pearl
Christenson	Hill, of Bottineau	Ployhar
Collins	Hill, of Cass	Price
Cunningham	Hyland	Putnam
Davidson	Jordal	Sauer
Davis	Kane	Scott
DeLance	Knutson	Stern
Dosseth	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen of Cavalier	Whitmer
Fox	Morrison	Williams
Fraine	Narum	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	Ray
Boyd	Johnson	Scheer
Brusletten	Kyllo	Sorlie
Burnett	Lageson	Tollefson
Carey	Moen of Benson	Tostenson
Dean	Moritz	Tuttle
DeNault	Nelson of Richland	Ulsaker
France	Olgard of Richland	Walters
Fried	Paulson	Wambem
Gardiner	Pendray	

## Absent and not voting:

Messrs.—

Burns  
Doyle, of Foster  
Hanson  
Harty

Messrs.—

Johns  
Knox  
Kuhl  
Reeve

Messrs.—

Robinson  
Roquette  
Sgutt

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 313 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,

March 2, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the House has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In line 18, page 2 of the printed bill, after the word "where" insert the words "at least."

In line 25, page 2 of the printed bill, after the word "section" insert the following: "except that notices must be served personally or left at the abode of such occupants as may have failed to sign the original petition and whose land borders on such proposed road or highway."

In line 5, page 3 of the printed bill, after the word "that" insert the words "at least."

In line 7, page 3 of the printed bill, after the word "petition" insert the following, "and notice served personally or left at the abode of those who have failed to sign original petition."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

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.

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.—

Aashelm  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten

Messrs.—

Fritz  
Gardiner  
Geiger  
Gorder  
Harty  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau

Messrs.—

Nelson of Walsh  
Nestor  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
Paulson  
Peart  
Pendray  
Ployhar  
Price

Messrs.—	Messrs.—	Messrs.—
Burnett	Hill, of Cass	Putnam
Carey	Hyland	Ray
Christenson	Johnson	Sauer
Collins	Jordal	Scott
Cunningham	Kane	Scheer
Davidson	Knutson	Sorlie
Davis	Kylo	Stern
Dean	Lageson	Stranahan
DeLance	Law	Streeter
DeNault	Lee	Tande
Doyle, of McIntosh	Martin	Thompson
Dosseth	McClellan	Tostenson
Edwards	Moen of Benson	Tuttle
Englund	Moen of Cavalier	Ulsaker
Fassett	Morrison	Walters
Fox	Moritz	Wambem
France	Narum	Whitmer
Fraine	Norheim	Williams
Fried	Nelson of Richland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Robinson
Doyle, of Foster	Kuhl	Roquette
Hanson	O'Shea	Stutt
Hawkinson	Reeve	Tollefson
Johns		

So the bill passed and the title was agreed to.

Mr. DeLance moved

That the vote by which Senate Bill No. 369 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed,

Senate Bill No. 356.

A bill for an act to amend Article 3 of Chapter 75 of the Civil Code of North Dakota, being Section 6186 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 87 ayes, 4 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Moritz
Akesson	Fritz	Narum

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gardiner	Nelson, of Richland
Anderson, of Ramsey	Geiger	Nelson, of Walsh
Andrus	Gorder	Nestos
Benson	Hanson	Norheim
Bjornson	Harty	O'Connor of Gd. Forks
Boerner	Hawkinson	O'Connor of Pembina
Bond	Hedalen	Olsgard of Nelson
Boyd	Heinemeyer	Olsgard of Richland
Brusletten	Hersrud	O'Shea
Burnett	Hoge	Paulson
Burns	Homnes	Peart
Carey	Hill, of Bottineau	Pendray
Christenson	Hill, of Cass	Ployhar
Collins	Hyland	Price
Cunningham	Johnson	Putnam
Davilson	Jordal	Ray
Davis	Kane	Scott
Dean	Knutson	Scheer
DeLance	Kyllo	Stern
Dosseth	Lageson	Stranahan
Doyle, of McIntosh	Law	Streeter
Edwards	Lee	Tande
Englund	Martin	Thompson
Fassett	McClellan	Walters
Fox	Moen, of Benson	Wambem
France	Moen, of Cavalier	Williams
Fraine	Morrison	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
DeNault	Sorlie	Tostenson
Sauer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Reeve	Tollefson
Johns	Robinson	Tuttle
Knox	Roquette	Ulsaker
Kuhl	Sgutt	Whitmer

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which Senate Bill No. 356 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 261.

A bill for an act regulating the practice in county court 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 94 ayes, no nays, 9 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	O'Connor of Pembina
Andrus	Hawkinson	Olsgard of Nelson
Benson	Hedalen	Olsgard of Richland
Bjornson	Heinemeyer	O'Shea
Boerner	Hersrud	Paulson
Bond	Hoge	Pearl
Boyd	Homnes	Pendray
Brusletten	Hill, of Bottineau	Ployhar
Burnett	Hill, of Cass	Price
Carey	Hyland	Putnam
Christenson	Johnson	Ray
Collins	Jordal	Sauer
Cunningham	Kane	Scott
Davidson	Knutson	Scheer
Davis	Kuhl	Sorlie
Dean	Kyllo	Stern
DeLance	Lageson	Stranahan
DeNault	Law	Streeter
Dosseth	Lee	Tande
Doyle, of McIntosh	Martin	Thompson
Edwards	McClellan	Tostenson
Englund	Moen of Benson	Tuttle
Fassett	Moen of Cavalier	Ulsaker
Fox	Moritz	Walters
France	Morrison	Wambem
Fraine	Narum	Whitmer
Fried	Nelson of Richland	Williams
Fritz	Nelson of Walsh	Mr. Speaker
Gardiner		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Roquette
Doyle, of Foster	Reeve	Sgutt
Johns	Robinson	Tollefson

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which Senate Bill No. 261 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 367.

A bill for an act defining the crime of fornication and prescribing the punishment therefor.

Was read the third time.

Mr. Martin moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

Senate Bill No. 109.

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, 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.

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.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Carey  
Christenson  
Collins  
Cunningham  
Davidson  
Davis  
Dean

Messrs.—

Geiger  
Gorder  
Hanson  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hill, of Bottineau  
Hill, of Cass  
Hoge  
Homnes  
Hyland  
Johnson  
Jordal  
Kane  
Knutson  
Kyllo  
Lageson

Messrs.—

Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Sauer  
Scheer  
Scott  
Sorlie  
Stern  
Stranahan

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Robinson
Doyle, of Foster	Kuhl	Roquette
Johns	Reeve	Sgutt

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which Senate Bill No. 109 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 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	Geiger	Norheim
Akesson	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	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Peart

Messrs.—	Messrs.—	Messrs.—
Boyd	Homnes	Pendray
Brusletten	Hill, of Bottineau	Ployhar
Burnett	Hill, of Cass	Price
Carey	Hyland	Putnam
Christenson	Johnson	Ray
Collins	Jordal	Sauer
Cunningham	Kane	Scott
Davidson	Knox	Scheer
Davis	Knutson	Sorlie
Dean	Kyllo	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	Ulsaker
Fox	Moritz	Walters
France	Narum	Wambem
Fraine	Nelson, of Richland	Whitmer
Fried	Nelson, of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Johns	Robinson
Burns	Kuhl	Roquette
Hanson	Reeve	Sgutt

So the bill passed and the title was agreed to.

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 third time.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Johnson	Robinson
Doyle, of Foster	McClellan	Roquette
Johns	Reeve	Sgutt

So the bill passed and the title was agreed to.

Mr. Anderson of Griggs moved

That the vote by which Senate Bill No. 1 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 95 ayes, no nays, 8 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
Bond	Hoge	Pendray
Boyd	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Roquette
Carey	Hyland	Sauer
Christenson	Jordal	Scott
Collins	Kane	Scheer
Cunningham	Knox	Sgutt
Davidson	Knutson	Sorlie
Davis	Kuhl	Stern
Dean	Kylo	Stranahan
DeLance	Lageson	Streeter
DeNault	Law	Tande
Dosseth	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	McClellan	Tostenson
Englund	Moen of Benson	Tuttle
Fassett	Moen of Cavalier	Ulsaker
Fox	Morrison	Walters
France	Moritz	Wambem
Fraine	Narum	Whitmer
Fried	Nelson of Richland	Williams
Fritz	Nelson of Walsh	Mr. Speaker
Gardiner	Nestos	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Johnson	Reeve
Doyle, of Foster	Putnam	Robinson
Johns	Ray	

So the bill passed and the title was agreed to.

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 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	Gardiner	Nelson, of Walsh
Akesson	Geiger	Nestos
Anderson, of Griggs	Gorder	Norheim
Anderson, of Ramsey	Hanson	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Benson	Hawkinson	Olsgard of Nelson
Bjornson	Hedalen	Olsgard of Richland
Boerner	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	Johnson	Ray
Collins	Jordal	Reeve
Cunningham	Kane	Robinson
Davidson	Knox	Sauer
Davis	Kuhl	Scott
Dean	Kylo	Streeter
DeLance	Lageson	Tande
Dosseth	Law	Thompson
Doyle, of Foster	Lee	Tollefson
Doyle, of McIntosh	Martin	Tostenson
Edwards	McClellan	Tuttle
Englund	Moen, of Benson	Ulsaker
Fassett	Moen, of Cavalier	Walters
Fox	Morrison	Wambem
France	Moritz	Whitmer
Fraine	Narum	Williams
Fried	Nelson, of Richland	Mr. Speaker
Fritz		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeNault	Roulette	Sorlie
Johns	Scheer	Stern
Knutson	Sgutt	Stranahan

So the bill passed and the title was agreed to.

Mr. Davis moved

That the vote by which Senate Bill No. 132 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SPECIAL ORDER.

Mr. Thompson moved

That Senate Bill No. 113 be made a special order for 11:30 p. m. this evening.

Which motion prevailed.

Senate Bill No. 139.

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.

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	Gorder	Norheim
Akesson	Hanson	O'Connor of Cad.
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	Putnam
Carey	Jordal	Ray
Christenson	Kane	Reeve
Collins	Knox	Robinson
Cunningham	Knutson	Scott
Davidson	Kuhl	Sorlie
Davis	Kylo	Stern
Dean	Lageson	Stranahan
DeLance	Law	Streeter
DeNault	Lee	Tand
Dosseth	Martin	Thompson
Doyle, of McIntosh	McClellan	Tollefson
Englund	Moen of Benson	Tostenson
Fassett	Moen of Cavalier	Tuttle
Fox	Moritz	Ulsaker
France	Morrison	Walters
Fraine	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Watsn	Williams
Gardiner	Nestos	Mr. Speaker
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burns	Johns	Sauer
Doyle, of Foster	Johnson	Scheer
Edwards	Roquette	Sgutt

So the bill passed and the title was agreed to.

Senate Bill No. 145.

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.

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	Fritz	Norheim
Akesson	Gardiner	O'Connor of G.C. Forks
Anderson, of Griggs	Geiger	O'Connor of Pembina
Anderson, of Ramsey	Gorder	Olgard of Nelson
Andrus	Harty	Olgard of Richla:
Benson	Hawkinson	O'Shea
Bjornson	Hedalen	Peart
Boerner	Heinemeyer	Pendray
Bond	Hersrud	Ployhar
Boyd	Hoge	Price
Brusletten	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Carey	Hill, of Cass	Sauer
Christenson	Hyland	Scott
Collins	Jordal	Scheer
Cunningham	Kane	Sorlie
Davidson	Kyllo	Stern
Davis	Lageson	Stranahan
Dean	Law	Streeter
DeLance	Lee	Tande
DeNault	Martin	Thompson
Dosseth	McClellan	Tollefson
Doyle, of McIntosh	Moen, of Benson	Tostenson
Edwards	Moen, of Cavalier	Tuttle
Englund	Morrison	Ulsaker
Fassett	Moritz	Walters
Fox	Narum	Wambem
France	Nelson, of Richland	Whitmer
Fraine	Nelson, of Walsh	Williams
Fried	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Johnson	Reeve
Doyle, of Foster	Knox	Robinson
Hanson	Kuhl	Roquette
Johns	Paulson	Sgutt

So the bill passed and the title was agreed to.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Johnson	Robinson
Doyle, of Foster	Knox	Rollette
Hanson	Kuhl	Sgutt
Johns	Reeve	

So the bill passed and the title was agreed to.

Senate Bill No. 271.

A bill for an act for the organization of villages in territory embracing more than one county.

Was read the third time.

The question being on the final passage of the bill as amended,

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	Fritz	Nestos
Akesson	Gardiner	Norheim

<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Anderson, of Griggs	Geiger	O'Connor of Gd. Forks
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Andrus	Harty	Olgard of Nelson
Benson	Hawkinson	Olgard of Richland
Bjornson	Hedalen	O'Shea
Boerner	Heinemeyer	Paulson
Bond	Hersrud	Peart
Boya	Hoge	Perndray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Bottineau	Putnam
Burns	Hill, of Cass	Ray
Carey	Hyland	Sauer
Christenson	Johnson	Scott
Collins	Jordal	Scheer
Cunningham	Kane	Sorlie
Davidson	Knutson	Stern
Davis	Kyllo	Stranahan
Dean	Lageon	Streeter
DeLance	Law	Tande
DeNault	Lee	Thompson
Dosseth	Martin	Tollefson
Doyle, of McIntosh	McCellan	Tostenson
Edwards	Moen, of Benson	Tuttle
Englund	Moen, of Cavalier	Ulsaker
Fassett	Moritz	Walters
Fox	Morrison	Wambem
France	Narum	Whitmer
Fraine	Nelson, of Richland	Williams
Fried	Nelson, of Walsh	Mr. Spake:

Absent and not voting:

<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Doyle, of Foster	Kuhl	Robinson
Hanson	Price	Roquette
Johns	Reeve	Sgutt
Knox		

So the bill passed and the title was agreed to.

Senate Bill No. 208.

A bill for an act to provide for and the making of improvements at the North Dakota School of Forestry to assist in the maintenance thereof, and making appropriation therefor.

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,

The roll was called and there were 82 ayes, 5 nays, 16 absent and not voting.

Those who voted in the affirmative were:

<b>Messrs.—</b>	<b>Messrs.—</b>	<b>Messrs.—</b>
Akesson	Fried	Nelson, of Richland
Anderson, of Griggs	Fritz	Nelson, of Walsh

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Gardiner	Nestos
Andrus	Geiger	Norheim
Benson	Gorder	O'Connor of Gd. Forks
Bjornson	Harty	O'Connor of Pembina
Boerner	Hawkinson	Olsgard of Nelson
Bond	Hedalen	Olsgard of Richland
Boyd	Heinemeyer	O'Shea
Brusletten	Hersrud	Paulson
Burnett	Hill, of Bottineau	Peart
Carey	Hill, of Cass	Pendray
Christenson	Hoge	Ployhar
Collins	Homnes	Putnam
Cunningham	Hyland	Ray
Davidson	Jordal	Sorlie
Davis	Kane	Stern
Dean	Knutson	Stranahan
DeLance	Kylo	Streeter
DeNault	Lageson	Tande
Dosseth	Law	Thompson
Doyle, of McIntosh	Lee	Tollefson
Edwards	Moen, of Benson	Ulsaker
Englund	Moen, of Cavalier	Walters
Fassett	Morrison	Whitmer
Fox	Moritz	Williams
France	Narum	Mr. Speaker
Fraine		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	McClellan	Tostenson
Martin	Sauer	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Kuhl	Scheer
Doyle, of Foster	Price	Scott
Hanson	Reeve	Sgutt
Johns	Robinson	Tuttle
Johnson	Roquette	Wambem
Knox		

So the bill passed and the title was agreed to.

Mr. Martin gave notice that he would tomorrow at 3 o'clock p. m. move to reconsider the vote by which Senate Bill No. 208 passed.

Senate Bill No. 161.

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.

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	Fritz	Nestos
Akeson	Gardiner	Norheim

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Geiger	O'Connor of Gd. Forks
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Andrus	Harty	Olsgard of Nelson
Benson	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	Sauer
Christenson	Johnson	Scheer
Collins	Jordal	Sorlie
Cunningham	Kane	Stern
Davison	Knutson	Stranahan
Davis	Kylo	Streeter
Dean	Lageson	Tande
DeLance	Law	Thompson
DeNault	Lee	Tollefson
Dosseth	Martin	Tostenson
Doyle, of McIntosh	McClellan	Tuttle
Edwards	Moen, of Benson	Ulsaker
Englund	Moen, of Cavalier	Walters
Fassett	Moritz	Wambem
Fox	Morrison	Whitmer
France	Narum	Williams
Fraine	Nelson, of Richland	Mr. Speaker
Fried	Nelson, of Walsh	

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Kuhl	Roquette
Hanson	Price	Scott
Johns	Reeve	Sgutt
Knox	Robinson	

So the bill passed and the title was agreed to.

Senate Bill No. 316.

A bill for an act to amend Section 2272, Revised Codes of 1905, relating to storage companies.

Was read the third time.

Mr. Sorlie moved

That the further consideration of the bill be indefinitely postponed.

Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

Senate Bill No. 238.

A bill for an act authorizing the board of university and school lands to make examination of all state and school lands to determine the extent, depth and 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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 87 ayes, 5 nays, 11 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gard'r.	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina
Anderson, of Griggs	Gorder	Olsgard of Nelson
Anderson, of Ramsey	Harty	Olsgard of Richland
Andrus	Hedalen	Paulson
Benson	Heinemeyer	Pearl
Bjornson	Hersrud	Pendray
Boerner	Hoge	Ployhar
Bond	Homnes	Price
Boyd	Hill, of Bottineau	Ray
Brusletten	Hill, of Cass	Sauer
Burnett	Johns	Scott
Carey	Jordal	Scheer
Christenson	Kane	Sgutt
Collins	Knutson	Sorlie
Cunningham	Kylo	Stern
Davidson	Lageson	Stranahan
Davis	Law	Streeter
Dean	Lee	Tande
DeLance	Martin	Thompson
DeNault	McClellan	Tollefson
Dosseth	Moen, of Benson	Tostenson
Edwards	Moen, of Cavalier	Tuttle
Englund	Morrison	Ulsaker
Fassett	Moritz	Walters
Fox	Narum	Wambem
France	Nelson, of Richland	Whitmer
Fraine	Nestos	Williams
Fried	Norheim	Mr. Speaker
Fritz		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Johnson	Putnam
Hawkinson	O'Shea	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Reeve
Doyle, of Foster	Kuhl	Robinson
Hanson	Nelson, of Walsh	Roquette
Hyland		

So the bill passed and the title was agreed to.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Price	Roquette
Doyle, of Foster	Reeve	Sgutt
Hanson	Robinson	Tuttle
Knox		

So the bill passed and the title was agreed to.

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 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	Gardiner	Nestos
Akesson	Geiger	Norheim
Anderson, of Griggs	Gorder	O'Connor of Gd. 1 crks
Anderson, of Ramsey	Harty	O'Connor of Pembina
Andrus	Hawkinson	Olsgard of Nelson
Benson	Hedalen	Olsgard of Richland
Bjornson	Heinemeyer	O'Shea
Boerner	Hersrud	Paulson
Bond	Hoge	Pearl
Boyd	Homnes	Pendray
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Carey	Hyland	Ray
Christenson	Johnson	Sauer
Collins	Jordal	Scott
Cunningham	Kane	Scheer
Davidson	Knutson	Sorlie
Davis	Kuhl	Stern
Dean	Kyllo	Stranahan
DeLance	Lageson	Streeter
DeNault	Law	Tande
Dosseth	Lee	Thompson
Doyle, of McIntosh	Martin	Tollefson
Edwards	McClellan	Tostenson
Englund	Moen of Benson	Ulsaker
Fassett	Moen of Cavalier	Walters
Fox	Morrison	Wambem
France	Narum	Whitmer
Fraine	Nelson of Richland	Williams
Fried	Nelson of Walsh	Mr. Speaker
Fritz		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Robinson
Doyle, of Foster	Moritz	Roquette
Hanson	Ployhar	Scutt
Johns	Reeve	Tuttle

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which Senate Bill No. 348 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 301.

A bill for an act to amend and re-enact Section 237 of the Revised Codes of the state of North Dakota for the year 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.—
Aasheim	Fritz	Nestos
Akesson	Gardiner	Norheim
Anderson, of Griggs	Geiger	O'Connor of Gd. Forks
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Andrus	Harty	Olsgard of Nelson
Benson	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	Paulson
Boerner	Heinemeyer	Peart
Bond	Hersrud	Pendray
Boyd	Hoge	Price
Brusletten	Homnes	Putnam
Burnett	Hill, of Bottineau	Ray
Carey	Hill, of Cass	Sauer
Christenson	Hyland	Scott
Collins	Johnson	Scheer
Cunningham	Jordal	Sorlie
Davidson	Kane	Stern
Davis	Knutson	Stranahan
Dean	Kyllo	Streeter
DeLance	Lageson	Tande
DeNault	Law	Thompson
Dosseth	Lee	Tollefson
Doyle, of McIntosh	Martin	Tostenson
Edwards	McCiellan	Tuttle
Englund	Moen, of Benson	Ulsaker
Fassett	Moen, of Cavalier	Walters
Fox	Morrison	Wambem
France	Narum	Whitmer
Frane	Nelson, of Richland	Williams
Fried	Nelson, of Walsh	Mr. Speaker

Mr. O'Shea voted in the negative.

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Reeve
Doyle, of Foster	Kuhl	Robinson
Hanson	Moritz	Roquette
Johns	Ployhar	Scutt

So the bill passed and the title was agreed to.

## Senate Bill No. 347.

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.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Knox	Robinson
Doyle, of Foster	Kuhl	Roquette
Hanson	Moritz	Stutt
Johns	Reeve	

So the bill passed and the title was agreed to.

Mr. Anderson of Ramsey 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 Senate Bill No. 277.

A bill for an act relating to trespassing while hunting game.

And recommend the same be amended as follows:

In line —, section 1 of the printed bill, strike out the words "alongside of" and insert in lieu thereof the following words: "On each side of his land adjoining."

Section 1, line 6, strike out the words "be required to place" and insert in lieu thereof the words "have placed."

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.

Mr. Sorlie moved

That the rules be suspended and Senate Bill No. 277 be placed upon its third reading and final passage as amended.

Which motion prevailed.

Senate Bill No. 277.

A bill for an act relating to trespassing while hunting game.

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, 2 nays, 13 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Nelson of Walsh
Akesson	Gardiner	Nestos
Anderson, of Griggs	Geiger	Norheim
Anderson, of Ramsey	Gorder	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Benson	Hedalen	Olsgard of Nelson
Bjornson	Heinemeyer	Olsgard of Richland
Boerner	Hersrud	O'Shea
Bond	Hoge	Paulson
Boyd	Homnes	Pearl
Brusletten	Hill, of Bottineau	Pendray
Burnett	Hill, of Cass	Ployhar
Burns	Hyland	Price
Carey	Johnson	Putnam
Christenson	Jordal	Ray
Collins	Kane	Sauer
Cunningham	Knutson	Scott
Davidson	Kyllo	Scheer
Davis	Lageson	Sorlie
Dean	Law	Stern
DeNault	Lee	Stranahan
Dosseth	Martin	Streeter
Doyle, of McIntosh	McClellan	Tande
Edwards	Moen of Benson	Tostenson
Englund	Moen of Cavalier	Ulsaker
Fassett	Morrison	Walters
Fox	Moritz	Wambem

Messrs.—  
France  
Fraire  
Fried

Messrs.—  
Narum  
Nelson of Richland

Messrs.—  
Whitmer  
Williams

Messrs. DeLance and Thompson voted in the negative.  
Absent and not voting:

Messrs.—  
Doyle, of Foster  
Hanson  
Hawkinson  
Johns  
Knox

Messrs.—  
Kuhl  
Reeve  
Robinson  
Roquette

Messrs.—  
Sgutt  
Tollefson  
Tuttle  
Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Martin moved

That the vote by which Senate Bill No. 277 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Williams moved

That the House do now concur in the Senate concurrent resolution relating to the Yellowstone river.

Which motion prevailed, and

The resolution was concurred in.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 293.

A bill for an act to regulate the practice of naturopathy in the state of North Dakota.

Was read the first and second times, and

Referred to the committee on public health.

Senate Bill No. 220.

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 state of North Dakota.

Was read the first and second times, and

Referred to the committee on elections and election privileges.

Mr. Davidson moved

That Senate Bill No. 113 be made a special order for 10:30 o'clock a. m. tomorrow.

Which motion prevailed.

Mr. Hoge moved

That the House take a recess until 10 o'clock a. m. tomorrow.

Which motion prevailed, and

The House took a recess until 10 o'clock a. m. tomorrow.

E. H. GRIFFIN,  
Chief Clerk.

FIFTY-NINTH DAY AFTER RECESS AND  
SIXTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

The House re-assembled at 10 o'clock a. m. pursuant to recess taken.

CONSIDERATION OF MESSAGES FROM THE  
SENATE.

Mr. Hoge moved

That the House do now concur in the Senate amendments to House Bill No. 271.

Which motion prevailed.

Mr. Hoge moved

That House Bill No. 271 be placed upon its final passage as amended by the Senate.

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 appro-

priation 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 as amended by the Senate,

The roll was called and there were 78 ayes, 3 nays, 22 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nelson of Walsh
Akesson	Gorder	Norheim
Anderson, of Griggs	Hanson	O'Connor of Gd. Forks
Anderson, of Ramsey	Harty	O'Connor of Pembina
Andrus	Hawkinson	O'Shea
Boerner	Hedalen	Paulson
Bond	Heinemeyer	Peart
Boyd	Hersrud	Pendray
Brusletten	Hoge	Ployhar
Burnett	Hill, of Bottineau	Price
Burns	Hill, of Cass	Putnam
Christenson	Hyland	Roquette
Collins	Johns	Sauer
Cunningham	Johnson	Scott
Davidson	Kane	Scheer
Davis	Knox	Sorlie
Dean	Knutson	Stern
DeLance	Kuhl	Stranahan
DeNault	Kyllo	Streeter
Dosseth	Lageson	Tande
Doyle, of Foster	Law	Tuttle
Englund	Lee	Ulsaker
Fassett	Martin	Walters
Fox	Morrison	Wambem
Fritz	Moritz	Williams
Gardiner	Narum	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Carey	Nelson of Richland

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	McClellan	Reeve
Doyle, of McIntosh	Moen of Benson	Robinson
Edwards	Moen of Cavalier	Sgutt
France	Nestos	Thompson
Fraine	Olsgard of Nelson	Tollefson
Fried	Olsgard of Richland	Tostenson
Homnes	Ray	Whitmer
Jordal		

So the bill passed and the title was agreed to.

Mr. DeNault moved

That the House do now concur in the Senate amendments to House Bill No. 398.

Which motion prevailed.

Mr. DeNault moved

That House Bill No. 398 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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 76 ayes, no nays, 27 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Narum
Akesson	Gorder	Norheim
Anderson, of Griggs	Hanson	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Benson	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	Paulson
Boerner	Heinemeyer	Pearl
Bond	Hersrud	Pendray
Boyd	Hoge	Putnam
Brusletten	Hill, of Bottineau	Roquette
Burnett	Hill, of Cass	Sauer
Burns	Hyland	Scott
Carey	Johns	Scheer
Christenson	Johnson	Sorlie
Davidson	Kane	Stern
Davis	Knutson	Streeter
Dean	Kuhl	Tande
DeLance	Kyllo	Tollefson
DeNault	Lageson	Tostenson
Dosseth	Law	Tuttle
Doyle, of Foster	Lee	Ulsaker
Edwards	Martin	Walters
Fassett	Moен, of Benson	Wambem
Fox,	Morrison	Williams
Fritz	Moritz	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Homnes	Ployhar
Collins	Jordal	Price

Messrs.—	Messrs.—	Messrs.—
Cunningham	Knox	Ray
Doyle, of McIntosh	McClellan	Reeve
Englund	Moen, of Cavalier	Robinson
Franco	Nelson, of Richland	Sgutt
Fraine	Nelson, of Walsh	Stranahan
Fried	Nestos	Thompson
Gardiner	Olsgard of Nelson	Whitmer

So the bill passed and the title was agreed to.

The chief clerk announced that the Speaker was about to sign:

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. 123.

A bill for an act making an appropriation for a storehouse on the Rock Island Military Wood reservation near Devils Lake, North Dakota.

Also,

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.

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. 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.

Also,

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.

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.

And the Speaker signed the same in the presence of the House.

Mr. Ployhar moved

That the House do now concur in the Senate amendments to House Bill No. 72.

Which motion prevailed.

Mr. Ployhar moved

That House Bill No. 72 be placed upon its final passage as amended by the **Senate**.

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 as amended by the Senate,

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	O'Connor of Pembina
Anderson, of Griggs	Harty	Olsgard of Nelson
Andrus	Hawkinson	Olsgard of Richland
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hersrud	Peart
Bond	Hoge	Pendray
Boyd	Hill, of Bottineau	Ployhar
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Robinson
Burns	Johns	Roquette
Carey	Jordal	Sauer
Christenson	Kane	Scott
Collins	Knox	Scheer
Davidson	Knutson	Sorlie
Davis	Kuhl	Stern
Dean	Kylo	Streeter
DeLance	Lageson	Tande
DeNault	Law	Thompson
Dosseth	Lee	Tollefson
Doyle, of Foster	Martin	Tostenson
Edwards	Moen of Benson	Tuttle
Englund	Morrison	Ulsaker
Fassett	Moritz	Walters
Fox	Narum	Wambem
Fritz	Nelson of Richland	Whitmer
Gardiner	Nelson of Walsh	Williams
Geiger	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Homnes	Price
Cunningham	Johnson	Ray
Doyle, of McIntosh	McClellan	Reeve
France	Moen of Cavalier	Sgutt
Fraine	Nestos	Stranahan
Fried		

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the House do now concur in the Senate amendments to House Bill No. 206.

Which motion prevailed.

Mr. Davidson moved

That House Bill No. 206 be placed upon its final passage as amended by the Senate.

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.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 82 ayes, no nays, 21 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	Harty	O'Shea
Andrus	Hawkinson	Paulson
Benson	Hedalen	Pearl
Bjornson	Heinemeyer	Pendray
Boerner	Hersrud	Ployhar
Bond	Hill, of Bottineau	Putnam
Boyd	Hill, of Cass	Robinson
Brusletten	Hoge	Roquette
Burnett	Hyland	Sauer
Burns	Knox	Scheer
Carey	Knutson	Scott
Christenson	Kuhl	Sorlie
Collins	Kyllo	Stern
Davidson	Lageson	Streeter
Davis	Law	Tande
Dean	Lee	Thompson
DeNault	Martin	Tollefson
Dosseth	Moen, of Benson	Tostenson
Doyle, of Foster	Morrison	Tuttle
Doyle, of McIntosh	Narum	Ulsaker
Edwards	Nelson, of Richland	Walters
Englund	Nelson, of Walsh	Wambert
Fassett	Norheim	Whitmer
Fox	O'Connor of Gd. Forks	Williams
Fritz	O'Connor of Pembina	Mr. Speaker
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Homnes	Moritz
Cunningham	Johns	Nestos
DeLance	Johnson	Price
France	Jordal	Ray
Fraine	Kane	Reeve
Fried	McClellan	Stutt
Gardner	Moen, of Cavalier	Stranahan

So the bill passed and the title was agreed to.

Mr. Knox moved

That the House do now concur in the Senate amendments to House Bill No. 401.

Which motion prevailed.

Mr. Knox moved

That House Bill No. 401 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

The question being on the final passage of the bill as amended by the Senate,

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	Fried	O'Connor of Gd. Forks
Akesson	Fritz	O'Connor of Pembina
Anderson, of Griggs	Geiger	Olsgard of Nelson
Andrus	Gorder	O'Shea
Benson	Hanson	Paulson
Bjornson	Harty	Pearl
Bond	Hawkinson	Pendray
Boyd	Hedalen	Putnam
Brusletten	Hersrud	Robinson
Burnett	Hill, of Cass	Roquette
Burns	Hoge	Sauer
Carey	Hyland	Scheer
Collins	Johnson	Scott
Cunningham	Knox	Sgutt
Davidson	Knutson	Stern
Davis	Kuhl	Stranahan
Dean	Kyllo	Streeter
DeLance	Lageson	Thompson
DeNault	Lee	Tollefson
Dosseth	Martin	Tuttle
Doyle, of McIntosh	Morrison	Ulsaker
Edwards	Moritz	Walters
Englund	Narum	Whitmer
Fassett	Nelson, of Walsh	Williams
Fox	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Johns	Olsgard of Richland
Boerner	Jordal	Ployhar

Messrs.—	Messrs.—	Messrs.—
Christenson	Kane	Price
Doyle, of Foster	Law	Ray
France	McClellan	Reeve
Fraine	Moen, of Benson	Sorlie
Gardiner	Moen, of Cavalier	Tande
Heinemeyer	Nelson, of Richland	Tostenson
Hornes	Nestos	Wambem
Hill, of Bottineau		

So the bill passed and the title was agreed to.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

House Bill No. 23.

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

Also,

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.

Also,

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.

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. 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.

Also,

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.

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. 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. 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. 35.

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

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. 81.

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the state university of North Dakota.

Also,

House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

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. 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. 352.

A bill for an act providing for a bailiff of the supreme court.

Also,

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 Legis-

lative Assembly of 1909, being chapter 13 of the Revised Codes of 1905, entitled State Library.

Also,

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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

Mr. Sorlie moved

That the House do now concur in the Senate amendments to House Bill No. 260.

Which motion prevailed.

Mr. Sorlie moved

That House Bill No. 260 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

The Speaker called Mr. Hoge to the chair.

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.

The question being on the final passage of the bill,

The roll was called and there were 78 ayes, 4 nays, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Hedalen	Norheim
Akeson	Heinemeyer	O'Connor of Gd. Forks
Anderson, of Griggs	Hersrud	O'Connor of Pembina
Anderson, of Ramsey	Hoge	Olsgard of Nelson



Messrs.—	Messrs.—	Messrs.—
Boerner	Homnes	Olsgard of Richland
Bond	Hill, of Cass	O'Shea
Boyd	Hyland	Paulson
Brusletten	Johns	Peart
Burnett	Jordal	Pendray
Burns	Kane	Price
Carey	Knox	Reeve
Cunningham	Knutson	Robinson
Davison	Kuhl	Roquette
Davis	Kyllo	Sauer
DeLance	Lageson	Scott
DeNault	Law	Sgutt
Edwards	Lee	Sorlie
Englund	Martin	Stern
Fassett	McClellan	Streeter
Fritz	Moen, of Benson	Tande
Gardiner	Moen, of Cavalier	Thompson
Geiger	Moritz	Tuttle
Gorder	Morrison	Ulsaker
Hanson	Narum	Whitmer
Harty	Nelson, of Walsh	Williams
Hawkinson	Nestos	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Walters	Doyle, of Foster	Tollefson
Bjornson		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Andrus	Fox	Ployhar
Benson	France	Putnam
Christenson	Fraine	Ray
Collins	Fried	Scheer
Dean	Hill, of Bottineau	Stranahan
Dosseth	Johnson	Tostenson
Doyle, of McIntosh	Nelson, of Richland	Wambem

So the bill passed and the title was agreed to.

Mr. Kane moved

That the House do now concur in the Senate amendments to House Bill No. 297.

Which motion prevailed.

Mr. Kane moved

That House Bill No. 297 be placed upon its final passage as amended by the Senate.

Which motion prevailed,

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Olgard of Richland	Price
Gard'r	Pendray	Ray
Kane	Ployhar	Reeve
Knox		

So the bill was passed and the title was agreed to.

Mr. Davis moved

That the House do now concur in the Senate amendments to House Bill No. 284.

Which motion prevailed.

Mr. Davis moved

That House Bill No. 284 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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

Messrs.—	Messrs.—	Messrs.—
Fox	Nelson, of Walsh	Wambem
France	Nestos	Whitmer
Fried	Norheim	Williams
Fritz	O'Connor of Gd. Forks	Mr. Speaker
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boyd	Johnson	Moen, of Cavalier
Doyle, of Foster	Jordal	O'Shea
Fraine	Martin	Reeve
Homnes	McCellan	Scutt

So the bill passed and the title was agreed to.

Mr. Price moved

That the House do now concur in the Senate amendments to House Bill No. 351.

Which motion prevailed.

Mr. Price moved

That House Bill No. 351 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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 as amended by the Senate.

The roll was called and there were 56 ayes, 32 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nelson of Richland
Akesson	Hanson	Nelson of Walsh
Anderson, of Griggs	Harty	O'Connor of Gd. Forks
Andrus	Hawkinson	O'Connor of Pembina
Bond	Hedalen	O'Shea
Burnett	Heinemeyer	Peart
Burns	Hersrud	Ployhar
Collins	Hoge	Price
Cunningham	Hill, of Bottineau	Putnam
Davidson	Hill, of Cass	Ray
Davis	Hyland	Robinson
DeLance	Kane	Sauer

Messrs.—	Messrs.—	Messrs.—
DeNault	Knox	Sorlie
Dosseth	Knutson	Stern
Doyle, of McIntosh	Kyllo	Stranahan
Englund	Law	Ulsaker
Fox	McClellan	Wambem
Fritz	Moen of Benson	Williams
Geiger	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Johns	Pendray
Benson	Lageson	Roquette
Boerner	Lee	Scheer
Boyd	Moen of Cavalier	Streeter
Brusletten	Morrison	Tande
Carey	Moritz	Tollefson
Christenson	Nestos	Testenson
Dean	Norheim	Tuttle
Fassett	Olgard of Nelson	Walters
France	Olgard of Richland	Whitmer
Gardiner	Paulson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Homnes	Reeve
Doyle, of Foster	Johnson	Scott
Edwards	Jordal	Sgutt
Fraine	Kuhl	Thompson
Fried	Martin	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Sorlie 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.

The Speaker in the chair.

Mr. Homnes moved

That the House do now concur in the Senate amendments to House Bill No. 25.

Which motion prevailed.

Mr. Homnes moved

That House Bill No. 25 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

## 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.

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 74 ayes, 22 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hanson	O'Shea
Akesson	Hawkinson	Paulson
Anderson, of Griggs	Hedalen	Pearl
Andrus	Heinemeyer	Pendray
Benson	Hersrud	Pitnam
Bond	Hoge	Ray
Boyd	Homnes	Robinson
Burnett	Hill, of Cass	Roquette
Burns	Johns	Sauer
Christenson	Johnson	Scott
Davidson	Jordal	Scheer
DeLance	Knox	Sorlie
DeNault	Knutson	Stranahan
Dosseth	Kuhl	Streeter
Doyle, of McIntosh	Law	Tande
Edwards	Lee	Tollefson
Englund	Martin	Tostenson
Fassett	McClellan	Tuttle
France	Moen, of Cavalier	Ulsaker
Fraine	Narum	Walters
Fried	Nelson, of Walsh	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Pembina	Mr. Speaker
Gorder	Olsgard of Nelson	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Dean	Moen, of Benson
Bjornson	Harty	Morrison
Boerner	Hill, of Bottineau	Moritz
Brusletten	Hyland	Nelson, of Richland
Carey	Kane	O'Connor of Gd. Forks
Collins	Kyllo	Olsgard of Richland
Cunningham	Lageson	Ployhar
Davis		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Reeve	Stern
Fox	Sgutt	Thompson
Price		

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 25 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,  
March 3, 1911.

Mr. Speaker:

I have the honor to return herewith,

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. 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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

The chief clerk announced that the Speaker was about to sign:

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. 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. 81.

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the state university of North Dakota.

Also,

House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

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. 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. 352.

A bill for an act providing for a bailiff of the supreme court.

Also,



## 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.

Also,

## 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.

And the Speaker signed the same in the presence of the House.

Mr. Price moved

That the House do now concur in the Senate amendments to House Bill No. 216.

Roll call demanded.

The question being on the motion to concur in the Senate amendments to House Bill No. 216,

The roll was called and there were 56 ayes, 38 nays, 9 absent and not voting.

Those who voted in the affirmative were:

## Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Andrus  
Anderson, of Ramsey  
Boerner  
Brusletten  
Burnett  
Carey  
Christenson  
Davidson  
Davis  
DeLance  
Fassett  
Fox  
Fritz  
Gorder  
Hanson  
Harty

## Messrs.—

Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Jordal  
Knox  
Knutson  
Kuhl  
Law  
Lee  
Moen, of Cavalier  
Nelson, of Richland  
Nestos

## Messrs.—

Norhelm  
Olsgard of Nelson  
Olsgard of Richland  
Peart  
Ployhar  
Price  
Putnam  
Ray  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Ulsaker  
Wambem  
Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Gardiner	O'Shea
Bjornson	Geiger	Paulson
Boyd	Kane	Pendray
Collins	Kyllo	Robinson
Cunningham	Lageson	Roquette
Dean	Martin	Streeter
DeNault	McClellan	Tande
Doyle, of McIntosh	Moen, of Benson	Tollefson
Edwards	Morrison	Tuttle
Englund	Moritz	Walters
France	Narum	Whitmer
Fraine	Nelson, of Walsh	Williams
Fried	O'Connor of Gd. Forks	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Doyle, of Foster	Reeve
Burns	Johnson	Thompson
Dosseth	O'Connor of Pembina	Tostenson

Which motion prevailed, and

The Senate amendments to House Bill No. 216 were concurred in.

Mr. Price moved

That the House do now concur in the Senate amendments to House Bill No. 215.

Which motion prevailed.

Mr. Price moved

That House Bill No. 215 be placed upon its final passage as amended by the Senate.

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 as amended by the Senate,

The roll was called and there were 65 ayes, 27 nays, 11 absent and not voting.

## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akesson	Hawkinson	Olsgard of Nelson
Anderson, of Griggs	Hedalen	Olsgard of Richland
Andrus	Heinemeyer	Paulson
Benson	Hersrud	Price
Bond	Hoge	Ployhar
Brusletten	Homnes	Putnam
Burnett	Hill, of Bottineau	Robinson
Carey	Hill, of Cass	Sauer
Christenson	Hyland	Scheer
Collins	Johns	Sgutt
Davidson	Johnson	Sorlie
Davis	Knox	Stern
DeLance	Knutson	Stranahan
Edwards	Kuhl	Streeter
Englund	Kyllo	Tande
Fassett	Law	Tuttle
Fox	Lee	Ulsaker
Fritz	Moen, of Cavalier	Wambem
Geiger	Nelson, of Richland	Williams
Gorder	Nestos	Mr. Speaker
Hanson	Norheim	

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fraine	Morrison
Bjornson	Fried	Narum
Boerner	Gardiner	Nelson, of Walsh
Boya	Kane	O'Shea
Cunningham	Lageon	Pcadray
Dean	Martin	Roquette
DeNault	McClellan	Tollefson
Doyle, of McIntosh	Moen, of Benson	Walters
France	Moritz	Whitmer

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	O'Connor of Pembina	Scott
Dosseth	Peart	Thompson
Doyle, of Foster	Ray	Tostenson
Jordal	Reeve	

So the bill passed and the title was agreed to.

Mr. DeNault moved

That the House do now concur in the Senate amendments to House Bill No. 288.

Which motion prevailed.

Mr. DeNault moved

That House Bill No. 288 be placed upon its final passage as amended by the Senate.

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 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	Olgard of Nelson
Anderson, of Ramsey	Hedalen	Olgard of Richland
Andrus	Hersrud	O'Shea
Benson	Hoge	Paulson
Bjornson	Hill, of Bottineau	Peart
Bond	Hill, of Cass	Pendray
Boyd	Hyland	Price
Brusletten	Homnes	Putnam
Burnett	Johns	Ray
Carey	Jordal	Reeve
Christenson	Kane	Robinson
Cunningham	Knox	Roquette
Davidson	Knutson	Sauer
Davis	Kuhl	Scheer
Dean	Kyllo	Scott
DeLance	Lageson	Sgutt
DeNault	Law	Stern
Dosseth	Lee	Streeter
Edwards	Martin	Tande
Englund	McClellan	Thompson
Fassett	Moen, of Benson	Tollefson
Fox	Moen, of Cavalier	Tostenson
France	Morrison	Tuttle
Fraine	Moritz	Ulsaker
Fritz	Narum	Wambem
Fried	Nelson, of Richland	Walters
Gardiner	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams
Gorder	Norheim	Mr. Speaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Doyle, of McIntosh	Ployhar
Burns	Heinemeyer	Sorlie
Collins	Johnson	Stranahan
Doyle, of Foster		

So the bill passed and the title was agreed to.

The chief clerk announced that the Speaker was about to sign:

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. 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. 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. 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. 310.

A bill for an act to amend and re-enact Section 733 of the Revised Codes of 1905 relating to the registration of voters.

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.

Also

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.

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. 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.

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,

March 3, 1911.

Mr. Speaker:

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

Whereas, the Congress of the United States has designated the city of San Francisco, California, as the place of holding a great international exposition in the year 1915, to commemorate the opening and completion of the Panama Canal, and said Congress has called upon the President of the United States to invite the nations of the world to participate in this exposition, and,

Whereas, it may be that the state of North Dakota will desire to exhibit her resources and advantages at such exposition, therefore,

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

That the governor of this state is hereby authorized to appoint an honorary commission of five citizens of this state, with power to investigate the nature and scope of the said exposition, and make a report to the Thirteenth Legislative Assembly of this state, the desirability of the state of North Dakota making proper exhibits of the resources and advantages of this state at such exposition, together with the nature and character of such proper exhibit and the reasonable expense to be connected therewith.

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 relating to exposition at San Francisco in 1915.

Which motion prevailed, and

The resolution was concurred in.

Mr. Johns moved

That the House do now concur in the Senate amendments to House Bill No. 315.

Which motion prevailed.

Mr. Johns moved

That House Bill No. 315 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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 99 ayes, no nays, 4 absent and not voting.

Those who voted in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doeseth	O'Connor of Pembina	Stern
O'Connor of Gd. Forks	Ployhar	

So the bill passed and the title was agreed to.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment 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. 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.

Also

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.

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.

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. 152.

A bill for an act to specify and authorize a state flag.

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. 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. 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. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

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. 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. 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.

Also,

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.

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. 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.

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. 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. 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.

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. 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.

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.

Also

House Bill No. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

Also,

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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has completed the annexation of Canada by adopting the House resolution.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. France moved

That House Bills No. 215 and 216 be placed upon the calendar for third reading.

Which motion was lost.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:  
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.

Also

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.

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. 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. 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. 52.

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

Also

## 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.

Were delivered to the governor for his approval at the hour of 11:30 o'clock a. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Ployhar moved

That House Bill No. 216 be placed upon its third reading and final passage as amended by the Senate.

Which motion prevailed.

Mr. Ployhar moved

That the third reading and final passage of House Bill No. 216 be made a special order for 2:30 o'clock p. m. today. Which motion prevailed.

Mr. Hedalen moved  
That the House do now concur in the Senate amendments to House Bill No. 269.  
Which motion prevailed.

Mr. Hedalen moved  
That House Bill No. 269 be placed upon its final passage as amended by the Senate.  
Which motion prevailed,

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.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 95 ayes, no nays, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Norheim
Akesson	Gorder	O'Connor of Gd. Forts
Anderson, of Griggs	Hanson	O'Connor of Pembina
Anderson, of Ramsey	Harty	Olgard of Nelson
Andrus	Hawkinson	Olgard of Richlar
Benson	Hedalen	O'Shea
Bjornson	Heinemeyer	Paulson
Boerner	Hersrud	Peart
Bond	Hoge	Pendray
Boyd	Homness	Ployhar
Brusletten	Hill, of Bottineau	Putnam
Burnett	Hill, of Cass	Ray
Burns	Johns	Reeve
Carey	Jordal	Robinson
Christenson	Kane	Scott
Collins	Knox	Scheer
Cunningham	Knutson	Sgutt
Davidson	Kuhl	Sorlie

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

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Fraine	Johnson	Sauer
Fried	Price	Ulsaker
Hyland	Roquette	

So the bill passed and the title was agreed to.

Mr. Hedalen 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.

## REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your conference committee, to whom was referred Senate Bills Nos. 76 and 77, beg leave to report that we have had the same under consideration and recommend the following:

That the House recede from its amendments to the Senate Bills Nos. 76 and 77.

That Senate Bill No. 76 as amended and reported be amended as follows:

In line 5 of section 1 of the printed bill as amended, the word "shall" be stricken out and "may" inserted in lieu thereof.

Also, in line 6, after the word "institution," insert the following: "who shall receive a salary of not to exceed nine hundred dollars per annum and."

Also, add Section 4. Emergency Clause, as contained in the original bill.

And that when so amended recommend that the same do pass.

Also, Mr. Speaker, that Senate Bill No. 77, as amended and reprinted, be amended by inserting the emergency clause as contained in the original printed bill, and that when so amended, recommend that the same do pass.

H. P. JACOBSEN,  
J. L. CASHEL,  
ALFRED STEEL,  
E. A. NESTOS,  
A. W. CUNNINGHAM,  
H. H. FRANCE.



Mr. Nestos moved

That the report of the conference committee as to Senate Bills No. 76 and 77 be adopted.

Which motion prevailed, and

The report of the conference committee on Senate Bills No. 76 and 77 was adopted.

### SPECIAL ORDER.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 94 ayes, 3 nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Burnett  
Burns  
Christenson  
Collins  
Davidson  
Davis  
Dean  
DeNault  
Dossseth  
Doyle, of Foster  
Edwards  
Englund  
Fassett  
Fox  
Fraire  
Fried

Messrs.—

Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
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

Messrs.—

O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Robinson  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tollefson  
Tostenson  
Tuttle  
Ulsaker

Messrs.—	Messrs.—	Messrs.—
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		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Carey	Doyle, of McIntosh

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cunningham	France	Reeve
DeLance	Hawkinson	Roquette

So the bill passed and the title was agreed to.

Mr. Christenson moved

That the House do now concur in the Senate amendments to House Bill No. 31.

Which motion prevailed.

Mr. Christenson moved

That House Bill No. 31 be placed upon its final passage as amended by the Senate.

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 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.—
Aasheim	Hanson	O'Connor of Gd. Forks
Akesson	Harty	O'Connor of Pembina
Anderson, of Griggs	Hawkinson	Olgard of Nelson
Anderson, of Ramsey	Hedalen	Olgard of Richland
Andrus	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Peart
Bond	Homnes	Pendray
Brusletten	Hill, of Bottineau	Putnam

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Fraine	Poyhar
Boyd	Martin	Price
Davis	McClellan	Reeve
Doyle, of McIntosh	Moen of Benson	Roquette

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,  
March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has adopted the report of the conference committee on Senate Bill No. 76 and Senate Bill No. 77 and passed the bills as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

The chief clerk announced that the Speaker was about to sign:

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. 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.

Also

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.

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.

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. 152:

A bill for an act to specify and authorize a state flag.

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. 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. 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. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

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. 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. 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.

Also

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.

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. 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.

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. 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. 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.

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. 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.

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.

Also,

House Bill No. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

Also

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.

And the Speaker signed the same in the presence of the House.

Mr. Johns moved

That the House comply with the request of the Senate for the return of House Bill No. 414.

Which motion prevailed.

Mr. Sorlie moved

That the House do now concur in the Senate amendments to House Bill No. 237.

Which motion prevailed.

Mr. Sorlie moved

That House Bill No. 237 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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 by the Senate,

The roll was called and there were 81 ayes, 5 nays, 17 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, or Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Boerner  
Bond  
Brusletten  
Burnett  
Burns  
Christenson  
Collins  
Cunningham  
DeNault  
Dosseth  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
Fox  
France  
Fraine

Messrs.—

Gorder  
Hanson  
Hedalen  
Heinemeyer  
Hoge  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
Moen, of Benson  
Moen, of Cavalier  
Morrison  
Moritz  
Narum

Messrs.—

O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Robinson  
Scott  
Scheer  
Sgutt  
Sorlie  
Streeter  
Tande  
Thompson  
Tollefson  
Tostenson  
Tuttle  
Walters



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

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Davilson	Sauer
Carey	Hersrud	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hawkinson	Reeve
Davis	Homnes	Roquette
Dean	Jordal	Stern
DeLance	Martin	Stranahan
Doyle, of Foster	McClellan	Ulsaker
Harty	Olsgard of Nelson	

So the bill passed and the title was agreed to.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that 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.

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. 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. 352.

A bill for an act providing for a bailiff of the supreme court.

Also,

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 1905, entitled State Library.

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. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

Also

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 taxes.

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. 81.

A bill for an act to appropriate money for maintenance, equipment and permanent improvements at the state university of North Dakota.

Were delivered to the governor for his approval at the hour of 12:00 o'clock m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Fassett moved  
That the House do now concur in the Senate amendments to House Bill No. 155.  
Which motion prevailed.

Mr. Fassett moved  
That House Bill No. 155 be placed upon its final passage as amended by the Senate.  
Which motion prevailed.

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

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 85 ayes, no nays, 18 absent and not voting.

Those who voted in the affirmative were:

## Messrs.—

Aasheim  
Akeson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Davidson  
Davis  
DeLance  
DeNault  
Dosseth  
Edwards  
Englund

## Messrs.—

Geiger  
Gorder  
Hanson  
Harty  
Hedalen  
Hersrud  
Hoge  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
Lee  
Moritz

## Messrs.—

O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Robinson  
Sauer  
Scott  
Scheer  
Sgutt  
Sorlie  
Streeter  
Tande  
Thompson  
Tollefson  
Tostenson

Messrs.—	Messrs.—	Messrs.—
Fassett	Morrison	Tuttle
Fox	Narum	Walters
France	Nelson of Richland	Wambem
Fraine	Nelson of Walsh	Whitmer
Fried	Nestos	Williams
Fritz	Norheim	Mr. Speaker
Gardiner		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bjornson	Heinemeyer	Olsgard of Nelson
Cunningham	Homnes	Reeve
Dean	Martin	Roquette
Doyle, of Foster	McClellan	Stern
Doyle, of McIntosh	Moen of Benson	Stranahan
Hawkinson	Moen of Cavalier	Ulsaker

So the bill passed and the title was agreed to.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that 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.

Were delivered to the governor for his approval at the hour of 12:00 o'clock m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Nestos moved

That the House do not concur in the Senate amendments to House Bill No. 293, and ask for a conference committee.

Mr. Williams moved

As an amendment,

That the House do now concur in the Senate amendments to House Bill No. 293.

Mr. Aasheim moved

That the House take a recess until 1:30 p. m. this afternoon.

Which motion prevailed, and

The House took a recess.

## AFTER RECESS.

The House re-assembled at 1:30 o'clock p. m., pursuant to recess taken.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

The question being on the motion of Mr. Williams that the House do now concur in the Senate amendments to House Bill No. 293,

Which motion prevailed, and

The amendments to House Bill No. 293 were concurred in.

## REPORTS OF STANDING COMMITTEES.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred 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.

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 elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

## Senate Bill No. 353.

A bill for an act to provide for the expression by the qualified voters of the several political parties of their choice for nomination 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 committeemen.

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. 351.

A bill for an act to provide for party registration of electors desiring to vote at the primary election in this state.

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 forestry made the following report:

Mr. Speaker:

Your committee on forestry to whom was referred  
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

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. J. MOEN,  
Chairman.

Mr. Sorlie 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  
Senate Bill No. 325.

A bill for an act entitled, 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.

Have had the same under consideration and recommend that the same be referred to committee of the whole to be considered when final action has been taken on House bill dividing Fifth judicial district.

GEO. P. HOMNES,  
Chairman.

Mr. Sorlie moved

That Senate Bill No. 325 be placed on the calendar for third reading.

Which motion prevailed:

Also,

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 308.

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.

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. 331.

A bill for an act to amend section 6796, Revised Codes of 1905, relating to limitations of actions or proceedings to foreclose real estate mortgages.

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 appropriations made the following report:

Mr. Speaker:

A minority of your committee on appropriations to whom was referred

Senate Bill No. 137.

A bill for an act making an appropriation to compensate F. C. Heffron for services as assistant attorney general, es-



pecially authorized to enforce the prohibitory law of this state.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. SGUTT,  
J. C. BESSESEN,  
FRANK J. FOX,  
ALEX STERN,  
JAMES COLLINS,  
E. C. ANDRUS.

Also

Mr. Speaker:

A majority of your committee on appropriations to whom was referred

Senate Bill No. 137.

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.

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

FRANK E. PLOYHAR,  
Chairman.  
C. E. DAVIDSON,  
FRANK H. HYLAND,  
W. R. BOND,  
NELS OLSGARD,  
T. N. PUTNAM,  
E. C. OLSGARD,  
C. E. KNOX,  
W. B. DENAULT,  
ROBERT NORHEIM,  
O. J. SORLIE,

Mr. Ray moved

That the minority report of the committee be adopted.

Which motion prevailed, and

The further consideration of Senate Bill No. 137 was indefinitely postponed.

Also

Mr. Speaker:

Your committee on judiciary 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.

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:

The committee on judiciary made the following report:  
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.

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. 295.

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.

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.

The committee on highways, bridges and ferries made the following report:

Mr. Speaker:

Your committee on highways, bridges and ferries to whom was referred

## 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.

Have had the same under consideration and recommend that the same be amended as follows:

In section 7 of engrossed bill, change \$5.00 to \$3.00.

In section 12 of engrossed bill change rate of speed in incorporated cities or villages from eight miles to twelve miles per hour.

And when so amended recommend the same do pass.

E. H. STRANAHAN,  
Chairman.

Mr. Stranahan moved

That the rules be suspended and the report of the committee be 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 appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 32.

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 original bill: Section 1, in line 3, strike out the word "fifteen" and insert in lieu thereof the words "twenty-seven."

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted and Senate Bill No. 32 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 appropriations to whom was referred Senate Bill No. 328.

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.

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  
Senate Bill No. 274.

A bill for an act making an appropriation for the Dickinson experiment station located in the city of Dickinson.

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  
Senate Bill No. 141.

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.

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  
Senate Bill No. 371.

A bill for an act making disposition of certain moneys  
now in the hands of the treasurer of the state of North Da-  
kota, or that may hereafter come into his hands by reason  
of the act of congress approved May 23, 1908, making an  
appropriation for the national forest reserve, located in  
the county of Billings, state of North Dakota.

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  
Senate Bill No. 259.

A bill for an act making an appropriation to compensate  
P. G. Johnson for services as assistant attorney general, es-  
pecially authorized to enforce the prohibitory law of this  
state.

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  
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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 1, after line 6 of the engrossed bill, and insert the following:

"For sidewalks, relaying floors, repainting buildings, etc. ....	\$1,500.00
For furnishing girls' building, superintendents' room and office .....	3,000.00
For increased water supply .....	1,000.00
For putting in steam laundry .....	1,500.00
Total .....	\$7,000.00

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the rules be suspended and the report of the committee be adopted and the bill placed upon the calendar for third reading.

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  
Senate Bill No. 218.

A bill for an act to amend and re-enact Section 7047 of the Revised Codes of North Dakota for the year 1905, relating to references and trials by referees.

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

GEO. P. HOMNES,  
Chairman.

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

The committee on coal lands and mining made the following report:

Mr. Speaker:

Your committee on coal lands and mining to whom was referred

Senate bill No. 355:

A bill for an act to amend Chapter 214 of the Session Laws of 1907, relative to assessment of coal mines.

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

C. E. DAVIDSON,  
Chairman.

Mr. Davidson 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. 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 be indefinitely postponed.

E. C. OLSGARD,  
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 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 indefinitely postponed.

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.

The committee on elections and election privileges made the following report:

Mr. Speaker:

A minority of your committee on elections and election privileges to whom was referred

Senate Bill No. 220.

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 state of North Dakota.

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

L. W. SAUER,  
A. G. ANDERSON,  
C. W. CAREY,  
W. R. BOND,

Also

Mr. Speaker:

A majority of your committee on elections and election privileges to whom was referred

Senate Bill No. 220.

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 state of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

After the enacting clause, strike out all of the bill and insert the following:

Section 1. The State of North Dakota is hereby divided into three Congressional districts, each of which is entitled to elect one representative to the congress of the United States.

Section 2. First District Defined.) The counties of Pembina, Cavalier, Towner, Ramsey, Walsh, Nelson, Grand Forks, Steele, Traill, Cass, Ransom, Sargent and Richland, shall constitute the First Congressional District.

Section 3. Second District Defined.) The counties of Bottineau, Rolette, McHenry, Pierce, Benson, Sheridan, Wells, Eddy, Foster, Griggs, Stutsman, Barnes, Kidder, Burleigh, Emmons, Logan, McIntosh, La-Moure and Dickey, shall constitute the Second Congressional District.

Section 4. Third District Defined.) The counties of Divide, Burke, Renville, Ward, Mountrail, Williams, McKenzie, McLean, Dunn, Mercer, Oliver, Billings, Stark, Morton, Hettinger, Bowman and Adams, shall constitute the Third Congressional District.

And when so amended recommend the same do pass.

W. R. BOND.  
Chairman.

Mr. Sorlie moved

That the majority report of the committee be adopted.

Mr. Bond moved

That the minority report of the committee be adopted.

Mr. Thompson moved

A call of the House.

Which motion prevailed.

The roll was called by the chief clerk.

All members present except Messrs. Benson, Brusletten, Burns, Fraine, Homnes, Martin, Norheim, Olsgard of Nelson and Roquette.

The sergeant-at-arms was given the names of the absent members with instructions to bring all absent members before the bar of the House.

Mr. Doyle of Foster moved

That the further proceedings under the call be dispensed with.

Which motion prevailed, and

The call was dispensed with.

The question being upon the motion to adopt the majority report of the committee,

The same prevailed, and

The majority report of the committee on Senate Bill No. 220 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. 363.

A bill for an act to amend and re-enact 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.

Senate Bill No. 363.

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. 358.

A bill for an act to amend Section 6188 of the Revised Codes of North Dakota, for the year 1905, relating to duties of registers of deeds.

Have had the same under consideration and recommend that the same be amended as follows:

On line 7, of the second paragraph of the engrossed bill, after the word "of" and before the word "office," strike out the word "this" and insert in lieu thereof the word "his," and in next to last line of the bill before the word "money," strike out the word "same," and insert in lieu thereof the word "sum," and insert a comma after the word "property," and before the word "secured," and when so amended recommend that the same do pass.

W. J. PRICE,  
Chairman.

## Mr. Price moved

That the rules be suspended and the report 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

Senate Bill No. 364.

A bill for an act to prohibit lobbying and to regulate the employment of legislative counsel and legislative agents by persons or corporations.

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. 298.

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.

Have had the same under consideration and recommend that the same be amended as follows:

By striking out in the title the following: "amend Section 390 of the Revised Codes of North Dakota for 1905 and," and insert a new section as follows: "Section 2. Repeal.) All acts and parts of acts in conflict with this act are hereby repealed," and strike out Section 2 and insert in lieu thereof "Section 3. Emergency.) An emergency exists in that at this time there is no provision for the adequate payment for the performance of the duties of the deputy state treasurer and the deputy state auditor, 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.

Mr. Price moved

That the rules be suspended and the report be 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 Senate Bill No. 6.

A bill for and act to create October 12th in each year a legal holiday to be known as "Columbus Day."

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.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 3, 1911.

Mr. Speaker:

I have the honor to request the return of House Bill No. 278 and House Bill No. 137.

Very respectfully,  
J. W. FOLEY,  
Secretary.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred  
Senate Bill No. 354.

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.

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. 324.

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 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. 323.

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 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.  
There being no objections,  
The House returned to the seventh order of business.

### MOTIONS AND RESOLUTIONS.

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

A joint resolution to provide for the payment of witness fees and mileage of witnesses called to testify before the special committee of the House of Representatives appointed to investigate the impeachment charges

against Hon. John F. Cowan, Judge of the District Court of the Second Judicial District.

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

Whereas, a large number of witnesses were subpoenaed by the special committee appointed by the House of Representatives to investigate the impeachment charges against Hon. John F. Cowan, Judge of the District Court of the Second Judicial District of the State of North Dakota, and in response to such subpoenas appeared and testified; and,

Whereas, the fees and expenses of such witnesses may be properly charged to legislative expenses.

*Be It Resolved*, that sufficient money is hereby set aside out of the general funds of the state of North Dakota to pay the expenses of such witnesses at the rate of \$2.00 per day for the time spent in travel and attendance before such committee, and five cents per mile for each mile necessarily traveled by such witnesses in attending at the hearing before such committee and returning.

*Be It Further Resolved*, that such witness fees and mileage shall be audited and ordered paid by the state auditing board upon the certificate of the chairman of the board of managers of the impeachment fund against Hon. John F. Cowan, as to the attendance and mileage of such witnesses, and when so audited, the state auditor shall issue his warrants upon the state treasurer for the payment thereof.

Mr. Thompson moved that the resolution be referred to the committee on appropriations.

Which motion prevailed, and

The resolution was so referred.

Mr. Nestos moved

That the house do now adjourn.

Which motion prevailed.

And the House adjourned.

E. H. GRIFFIN,  
Chief Clerk.



## SIXTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,

March 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.

Mr. Streeter moved

That the prayer of the chaplain for the last day be printed in the Journal.

Which motion prevailed.

## PRAYER OF REV. LINCOLN A. SHUTE.

Gracious God, we praise Thee for our nation, its civilization and institutions. We rejoice that the foundations of our glorious Republic were laid in prayer and faith in God. We praise Thee that through the years of sunshine and prosperity, and in times of crisis and darkness the blessing of Almighty God has been upon our national life, and that by His guidance we have been brought to our present position of national greatness, prosperity and power. We pray for the continuance of the blessing of God upon our nation and commonwealth. We pray for the divine blessing upon the President of the United States and those associated with him in authority; upon the members of our national congress, that they may be men of pure hearts and clear and clean thinking. We invoke Thy divine blessing upon our Governor and all the officers of state, that they may be divinely inspired and directed in the management of the affairs of our commonwealth, so that all the interests of our people, moral, spiritual and material, may be conserved and brought to the highest degree of efficiency. Let the blessing of God be upon our government, our civilization and the institutions of our nation and state, to the end that the rising generation may be developed in principles of righteousness and usefulness. And may the blessing of God, without whom it is not worth

while that we should be, be continued throughout our whole national and state life, so that our nation may fulfill to the end of time its divine mission of good among the nations of the earth.

We thank Thee for the fellowship of these last weeks and pray that it may be blessed of God to the personal good of each one and for the welfare of the state, that we all may be more worthy and efficient citizens. We pray for thy blessing upon the enactments of this Legislative Assembly, that all the actions here taken, which have been enacted wisely and through pure motives (and we trust there has been no other), may be used of God for the furtherance of all the interests of our State. If any enactment has been evil, we pray that it may be overruled in the good providence of God for the good of the people; and out of the experience of these legislative days may there come wisdom and determined purpose that will result in still more wise and and worthy legislation in future years.

We pray for the exaltation of law and order; that, in this land where law is the only king, our laws may be enforced with firmness and justice for the blotting out of crime and wrong, and for the establishment of peace and righteousness within our borders.

Above all, we humbly ask that all the members of this body and each of us may be saved from sin, made pure in heart and holy in life; that we may be enabled so to perform life's duties and to be true to all its responsibilities, that at the close of our earthly career we may be able to say, as did the Man of Galilee: "I have finished the work thou didst give me to do," and that when we all appear, as appear we must, at the Great Assize of life in the last day to give account to the Judge of the living and the dead for every word and thought and action of these weeks and of life, we may receive His approval, "Well done," and have His welcome home into that heavenly land where sin and sickness and sorrow and heartaches and disappointments shall be unknown, where God shall have wiped away every tear from every face and where we may have the privilege of eternal development of life and good. And for all this we humbly pray through Jesus Christ, our Savior and Redeemer. Amen.

### 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 57th day after recess and 58th day have carefully examined the same and recommend that the same be corrected as follows:

On page 87 on line 3, strike out words "Governor's office," and insert "Senate Chamber."

On page 96 on line 45, strike out words, "Governor's office," and insert "Senate Chamber."

On page 127, after line 32, insert the title of House Bill No. 369.

On page 139, take out all of line — and insert in lieu thereof, "Absent and not voting."

On page 152, after the last line, insert the words "Dissemination of information."

On page 30, after line 3, strike out the word "Insurance," and insert in lieu thereof the word "Institutions."

On page 29 after line 32, insert:

The committee on Education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 304.

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.

Have had the same under consideration and recommend that the same be amended as follows:

Of the printed bill, section 1, line 2, strike out the word "and." Same section, line 3, strike out the words "all pupils in each year of the high schools."

Strike out all of section 2.

Strike out all of section 5.

Re-number the sections.

And when so amended recommend the same do pass.

E. C. OLSGARD,  
Chairman.

On page 35, after line 26, insert:

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

House Bill No. 53.

A bill for an act providing for the management and control of, and 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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "A Bill" in the printed bill and insert in lieu the following:

For an Act Appropriating \$5,000.00 Annually for the Support and Maintenance of the Agricultural Sub-experiment Station Located at Hettinger.

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

Section 1. Appropriation.) There is hereby annually appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of five thousand dollars, to be paid quarterly to the treasurer of the North Dakota Agricultural College on the first days of April, July, October and January of each year, upon the order of the state auditor, who is hereby directed to draw his order for the same for the use of the government experiment station at Hettinger.

Section 2. Emergency.)

And when so amended recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the rules be suspended and the report of the committee be adopted and the bill placed on the calendar for third reading.

Which motion prevailed, and

The report of the committee was adopted.

On page 36, after line 31, insert:

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

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.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5 of the printed bill, after the word "by," strike out the word "fifteen" and insert in lieu thereof the words "twenty-five."

And when so amended recommend that the same do pass.

W. J. PRICE,  
Chairman.

On page 40, after line 16, insert:

Also

Mr. Speaker:

Your committee on elections and election privileges to whom was referred 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.

Have had the same under consideration and recommend that the same be amended as follows:

That all of said bill, after the words "A Bill" be stricken out, and the following be substituted in lieu thereof, to-wit:

'For an Act to Provide for Party Registration of Electors Desiring to Vote at any Primary Election in this State; and 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.'

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

Section 1. Party Registration Required, When.) A party registration of the voters in their respective political parties shall be taken in each election precinct of this state in the following manner: In the months of April and May of each even-numbered year, in which a primary is held, the assessor of each district shall at the time that he makes his assessment of the real and personal property within his district, taken down in a party enrollment book the name of each voter in his district, grouping alphabetically and according to the precinct of such voters in substantially the following form:

.....County.  
 .....City.  
 .....Ward.  
 .....Election Precinct.

Date.	Enrolled Number.	Name.	P. O. Address.	Age.	Nativity.	Str. No.	Party Affili.
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And also have each voter sign a registration blank "A," which shall be in the following form:

State of North Dakota, }  
 County of ..... } ss.

I, the undersigned elector, do solemnly swear (or affirm) that my name and signature as signed below is my true name and signature. If I have not personally signed it, it is because....., and it was signed at my request by the attesting officer. My age is

..... years, and occupation .....;  
 nativity .....; naturalized or declared my intention  
 in ..... court, in ..... county,  
 ..... state, on ..... 19.....  
 as appears by the naturalization papers exhibited herewith. Present resi-  
 dence is in section ....., township ....., range .....,  
 ..... county, North Dakota; or (if town or city)  
 at No. ...., ..... street, in the city  
 of ....., postoffice address .....  
 I belong to the ..... party; that I have resided in this  
 state for one year immediately preceding this election.

In testimony whereof I sign my name two times.

- (1) .....
- (2) .....

Note.—If unable to sign, let the officer write his name and so state.

Sec. 2. Registration and Enrollment Books, How Furnished.) These party enrollment books and blanks shall be prepared and furnished by the secretary of state and by him sent to each county auditor in the state, and by each county auditor distributed to each assessor. The assessors shall complete their work of taking the party registration in the months of April and May of each even-numbered year, and shall return the blanks and enrollment books to the county auditor of the respective counties on or before thirty days before each primary election day, and shall receive as compensation the sum of ten cents (10c) for entry of the name of each party voter in addition to the compensation now allowed by law for his work as such assessor. He shall cause the names to be entered in the party enrollment book alphabetically and according to the respective precincts of the voters within that district.

Any voter who is unavoidably absent from the assessor's district during the time of taking the party registration may go before any notary public and sign and verify a registration blank of his county.

Sec. 3. When Person May Cause Name to be Enrolled on Primary Day.) Any person who was a qualified voter in any election precinct in this state on the day of enrollment and registration provided for in this act, and who failed to have his name enrolled on that day by reason of sickness or unavoidable absence from the election precinct, and who is a qualified voter in said district at the time of the primaries thereafter held therein, or who may have become twenty-one years of age after the day of enrollment may have his name enrolled by the election board on any primary day upon making oath as provided in the general election law in relation to registration of electors on election days. Any person who was a qualified voter in any election precinct in this state on the day of enrollment provided for in this act, and who was duly enrolled as provided herein, who has had occasion to transfer his place of residence to an election precinct other than that in which he was enrolled, may be entitled to a new enrollment on primary day in such election precinct and be entitled to a vote therein, provided that he has resided in the election precinct to which he has lately removed for a period to comply with the general laws governing residence of electors. He may obtain from the assessor of the precinct in which he formerly resided, a certificate stating that he was duly enrolled in such precinct and that he has changed his residence therefrom to such other precinct and that he is entitled to enrollment therein.

The county auditor shall cause duplicates to be made of all the party enrollment books on file in his office and cause a copy of the party enrollment book for each precinct to be delivered to the inspector of elections of such precinct at the same time that the other election supplies and ballot boxes are delivered to such inspector, as now provided by law.

The inspector and judges at such primary elections shall require each voter to vote the party ballot under which he was registered.

Section 4. Amendment.) That section 4 of Chapter 109 of the Laws of North Dakota for 1907, relating to county and legislative candidates, petitions, filing fee and pledge, under the primary election law, is hereby amended to read as follows:

Section 4. County and Legislative Candidates. Petition, Filing Fee and Pledge.) Every candidate for a county or district office shall, not more than forty days nor less than thirty days, and before 4 o'clock p. m. of the thirtieth day prior to any primary election, present to the county auditor a petition giving his name, postoffice address, the title of the office to which he aspires, and the party which he represents, containing the names of five per cent of the total vote cast for the candidate of the party which he represents for the same position at the last general election, such names to be procured from at least one-fifth of the precincts of his district; provided, however, that in no case shall there be more than two hundred names; and provided further, that the petitions of all candidates for members of the legislative assembly may, in addition to the requirements hereinbefore provided, contain the following pledge, namely: "I, the undersigned, a candidate for the office of member of the legislative assembly of the state of North Dakota, do obligate myself to the people of the state of North Dakota and to the people of my legislative district, that during my term of office I will support and vote for that candidate for United States senator in congress of the party of which I am a member who has received a majority of such party votes, or who by law receives the party nomination, for that position at the primary election next preceding the election of United States senator in congress." In case such legislative candidate signs the foregoing pledge, he shall be entitled to have printed below his name upon the primary and general election ballot the following words, to-wit: "Pledged to the people's choice for United States senator." In case such legislative candidate does not sign the foregoing pledge there shall be printed below his name upon the primary election and general election ballot the following words, to-wit: "Not pledged to the people's choice for United States senator."

Each name on the petition shall be that of a qualified voter and be subscribed under a party heading. Each signer of a nomination paper shall sign but one such paper for the same office; he shall add his residence with the street number, if any, and the date of signing. Upon the receipt of such petition by the county auditor and the payment to him of the filing fee of three dollars (\$3.00), excepting candidates for county commissioners, district assessors, surveyor, coroner, county constables and county justices of the peace, who shall pay no filing fee, and when accompanied by an affidavit, as provided in section 3 of Chapter 109 of the 1907 Session Laws, relating to petitions required, fees and filings, affidavit of candidate, such county auditor shall place the name of such applicant upon the primary election ballot in the columns of his party; as hereinbefore provided.

When a legislative district is composed of more than one county, the petition herein provided for shall be filed with the county auditor of the county where the candidate resides, and such county auditor shall certify to the county auditors of the other counties comprising such legislative districts the names of the candidates filing such petitions. The filing fees received as above by the county auditor shall be turned over by him to the county treasurer to be covered into the general fund.

And when so amended recommend the same do pass.

C. E. DAVIDSON,  
Acting Chairman.

On page 42, after line 17, insert:

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

## House Bill No. 450.

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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the word "the," in the third line of the title of the original bill, and insert in lieu thereof the word "any." Strike out the word "treasurer" in the same line. In section 1, strike out the words "the state treasurer, as provided for in section 231," and insert in lieu thereof after the word "of," "any state office," and after the word "it," strike out the word "shall," and insert the word "may." In section 2, strike out the word "ten" and insert the word "fifteen."

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

On page 45, after line 13, insert:

Also

Mr. Speaker:

Your committee on state affairs to whom was referred

## 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.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything 'after' the words "A Bill," and insert in lieu thereof the following:

"For an Act to Amend Section 1 of Chapter 124 of the Session Laws of 1909, of the State of North Dakota, relating to Fire Escapes Required on School Houses of More Than One Story.

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

Section 1. Amendment.) Section 1 of Chapter 124 of the Session Laws of 1909 of the State of North Dakota is hereby amended to read as follows:

Section 1. Fire Escapes Required.) Two or more stationary fire escapes consisting of iron stairways, shall 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.

Section 2. Emergency.) An emergency exists in this, that a great many school houses in this state are not provided with stationary fire escapes, consisting of iron stairways, attached to the outside of each one and every story, above the first story, of those school houses in this state having more than one story, therefore this act shall be in force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

W. J. PRICE,  
Chairman.

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

Also

Mr. Speaker:

Your committee on revision and correction of the Journal of the 58th day and 59th day have carefully examined the same and recommend that the same be corrected as follows:

On page 8, on line 21, strike out the words "Governor's office," and insert in lieu thereof "Senate Chamber."

On page 16 on line 10, strike out the words "Governor's Office," and insert in lieu thereof the words "Senate Chamber."

On page 21, after line 6, insert the words, "Mr. Burns was absent and not voting."

On page 67, after line 25, insert the words, "Mr. Doyle of Foster was absent and not voting."

On page 88 on line 35, insert the words "Mr. Sgutt."

On page 134 after line 40, insert the words "Messrs. Martin and Tollefson voted in the negative."

On page 139, after line 28, insert "Mr. Tollefson voted in the negative."

On page 66 on line 28, take out the word "none" and insert the word "one."

And when so amended recommend that the same be approved.

FRANK H. HYLAND,  
Chairman.

#### 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. 264.

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.

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.



## REPORT OF SELECT COMMITTEE.

## IN MEMORIAM.

Your committee appointed by the Speaker to draft and present suitable resolutions in memory of the late Marshall H. Jewell, report as follows:

Marshall H. Jewell was born on April 29, 1857, at Hector, in the State of New York. He died at his residence in the city of Bismarck, North Dakota, on February 10, 1911, at 10.25 o'clock p. m., and was buried in the cemetery near the city of Bismarck, leaving his widow, Kate T. Jewell, and two sons, Paul, aged fifteen, and Ralph, aged twelve years.

On the ninth day of November, 1910, he was stricken with enlargement of the heart, superinduced by overwork, and lingered, most of the time confined to his bed, until death.

In 1878, at the age of twenty-one years, he became a resident of Bismarck, then in the Territory of Dakota, and immediately thereafter engaged in the publication of the Bismarck Tribune. From 1881 until his death he had the sole management and editorial charge of that paper, and no man has ever been more intimately connected with the growth and development of the state of North Dakota than he. He was an able advocate of the division of Dakota Territory and the formation of the State of North Dakota, and has done as much to advance the interests of the state as any other single person in its history. Earnest in his advocacy of its future greatness, he demonstrated to a marked degree the truth of that old saying, "The pen is mightier than the sword."

As an editorial writer he had in the state few equals, and no superiors. Eloquent, logical, and, above all, at all times an optimist, with a firm faith in the future, he was a constant advocate of the natural advantages of North Dakota.

At every session of the Legislative Assembly, though not a member, he was a prominent factor and the guiding inspiration and advocate of many of the statutory provisions of our laws.

Marshall H. Jewell was of the true metal, in which there is no alloy or greed. He was everywhere a gentleman. He met every occasion in life with a simple and quiet courtesy. He possessed to a large extent "the great endearment of prudent and temperate speech." His conversation was sparkling, witty and full of variety, but no spark from him was ever a cinder in the eye of his friends.

He never made a brow look dark.

He never caused a tear to flow, save when he died, and of no man could it more truthfully be said: "His life was gentle and the elements so mixed in him, that Nature might stand up and say to all the world, this was a man."

Among his last words were: "Flowers, not crape; songs, not sorrow; I wish may mark the deposit of my body in its last resting place."

Resolved that this memorial be spread and printed in the journal of the House, and an engrossed copy thereof sent to his widow as a mark of the love and respect we bore deceased.

E. A. WILLIAMS,  
D. R. STREETER,  
JAMES COLLINS.

Mr. Streeter moved -

That the report be adopted.

Which motion prevailed by an unanimous rising vote,

And the report of the special committee was adopted.

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**MOTIONS AND RESOLUTIONS.**

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

*Resolved*, That the speaker be directed to appoint E. H. Griffin, Chief Clerk, and J. I. Roop, Assistant Chief Clerk, and two assistant clerks to correct the journal of the 60th day, and to compare the journal of the session with the written journal, they to receive the sum of \$6.00 per day for the time necessary to complete same.

Which motion prevailed, and  
The resolution was adopted.

The Speaker appointed as such committee, Messrs. E. H. Griffin, chief clerk; J. I. Roop, assistant chief clerk; J. F. Charmley and E. B. Johnson.

Mr. Price moved

That the House return House Bill No. 137 and House Bill No. 278 as requested by the Senate.

Which motion prevailed, and  
The bills were returned.

Mr. Homnes moved

That the rules be suspended and the vote by which Senate Bill No. 307 was lost be reconsidered.

Which motion prevailed.

Mr. Homnes moved

That Senate Bill No. 307 be placed upon its final passage.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 68 ayes, 34 nays, 1 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Akesson  
Anderson, of Griggs  
Benson

Messrs.—

Gorder  
Hanson  
Harty

Messrs.—

Nelson, of Walsh  
Nestos  
Norheim

Messrs.—	Messrs.—	Messrs.—
Bjornson	Heinemeyer	O'Connor of Gd. Forks
Bond	Hersrud	O'Connor of Pembina
Christenson	Hill, of Bottineau	Olsgard of Nelson
Collins	Hill, of Cass	O'Shea
Davidson	Hoge	Paulson
Davis	Homnes	Pearl
DeLance	Hyland	Ployhar
DeNault	Johns	Putnam
Dosseth	Jordal	Ray
Doyle, of Foster	Kane	Reeve
Doyle, of McIntosh	Knox	Robinson
Edwards	Kuhl	Sauer
Englund	Lageson	Scheer
Fassett	Law	Sgutt
Fox	Lee	Stranahan
Fraine	McClellan	Streeter
Fried	Moen, of Benson	Thompson
Fritz	Moen, of Cavalier	Williams
Gardiner	Moritz	Mr. Speaker
Geiger	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Scott
Anderson, of Ramsey	Johnson	Sorlie
Andrus	Knutson	Stern
Boerner	Kyllo	Tande
Boyd	Martin	Tollefson
Brusletten	Morrison	Tostenson
Burnett	Nelson, of Richland	Tuttle
Carey	Olsgard of Richland	Ulsaker
Cunningham	Pendray	Walters
Dean	Price	Wambem
France	Roquette	Whitmer
Hawkinson		

Mr. Burns being absent and not voting.

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,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

## 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.

Also .

## 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.

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.

Which the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

## House Bill No. 447.

A bill for an act creating a commisison 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 the Senate has failed to pass.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith,

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.

Also,

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.

Also

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.

Also,

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.

Also,

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.

Also,

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.

Also,

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 appointment and obligations of jailers, and the manner of fixing compensations to be allowed for jailer's services.

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. 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.

Also

House Bill No. 427.

A bill for an act to withdraw from sale or rent certain school land in Dunn county.

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. 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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 235 and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Gilbert, Gibbens and Duncan.

Very respectfully,

J. W. FOLEY,  
Secretary.

### SPECIAL ORDER.

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.

Was read the third time.

The question being on the final passage of the bill:

The roll was called and there were 65 ayes, 32 nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	O'Connor of Gd. Forks
Akesson	Heinemeyer	O'Connor of Pembina
Anderson, of Griggs	Hersrud	Olsgard of Nelson
Andrus	Hoge	Peart
Bond	Homnes	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hill, of Cass	Putnam
Christenson	Hyland	Robinson
Davidson	Johns	Sauer
DeLance	Johnson	Scheer
Dosseth	Knox	Sgutt
Doyle, of Foster	Knutson	Sorlie
Edwards	Kuhl	Stern
Fassett	Kyllo	Stranahan
Fox	Lageson	Thompson
Fritz	Law	Tollefson
Gardiner	Lee	Tostenoz
Geiger	McClellan	Ulsaker
Gorder	Moen, of Benson	Walters
Hanson	Moen, of Cavalier	Williams
Harty	Nestos	Mr. Speaker
Hawkinson	Norheim	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Fraine	Paulson
Bjornson	Fried	Pendray
Boerner	Kane	Ray
Boyd	Martin	Roquette
Carey	Morrison	Scott
Cunningham	Moritz	Streeter
Dean	Narum	Tande
DeNault	Nelson, of Richland	Tuttle
Doyle, of McIntosh	Nelson, of Walsh	Wambem
Englund	Olsgard of Richland	Whitmer
France	O'Shea	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Collins	Jordal
Burns	Davis	Reeve

So the bill was lost.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:



## 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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 210 and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. McDowell, Pierce and Allen.

Very respectfully,

J. W. FOLEY,  
Secretary.

The Speaker appointed as House members as conference committee on Senate Bill No. 235, Messrs. Johnson, Hyland and Lee.

Mr. Homnes moved

That the rules be suspended and the vote by which Senate Bill No. 280 was lost be reconsidered.

Which motion prevailed.

Mr. Homnes moved

That Senate Bill No. 280 be placed upon its final passage.

Which motion prevailed.

House Bill No. 280.

A bill for an act to divide the state of North Dakota into three congressional districts.

Was read the third time.

The question being on the final passage of the bill:

The roll was called and there were 61 ayes, 28 nays, 14 absent and not voting.

## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	McClellan
Anderson, of Griggs	Fritz	Moen of Benson
Anderson, of Ramsey	Gardiner	Moen of Cavalier
Andrus	Geiger	Nestos
Benson	Gorder	Norheim
Bjornson	Hanson	O'Connor of Gd. Forks
Bond	Harty	O'Connor of Pembina
Brusletten	Hawkinson	Ployhar
Collins	Hedalen	Price
Cunningham	Heinemeyer	Putnam
Davidson	Hersrud	Robinson
Dean	Hill, of Bottineau	Sauer
DeLance	Hill, of Cass	Scheer
DeNault	Homnes	Stern
Dosseth	Knox	Stranahan
Doyle, of Foster	Knutson	Tostenson
Doyle, of McIntosh	Kuhl	Ulsaker
Edwards	Kyllo	Wambem
Englund	Law	Williams
Fassett	Lageson	Mr. Speaker
Fox		

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Moritz	Ray
Boerner	Morrison	Roquette
Boyd	Narum	Sorlie
Burnett	Nelson of Richland	Streeter
Carey	Nelson of Walsh	Tande
Christenson	Olsgard of Richland	Thompson
France	Olsgard of Nelson	Tuttle
Hoge	O'Shea	Tollefson
Johns	Pendray	Whitmer
Kane		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Jordal	Reeve
Davis	Lee	Scott
Fraine	Martin	Sgutt
Hyland	Paulson	Walters
Johnson	Peart	

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 280 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. 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. 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.

Also,

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.

And find the same correctly enrolled.

A. A. DAVIS,  
Chairman.

## MOTIONS AND RESOLUTIONS.

Mr. Whitner introduced the following concurrent resolution:

Whereas, there is now pending in congress the consideration of certain measures looking toward the enlargement and expansion of the postal service system by including the delivery and transportation of parcels and packages, known as the Parcels Post Bill, and,

Whereas, it is the belief of this Legislative Assembly that the enactment of such laws would work a great and invaluable benefit, not only to the country at large, but especially to the ultimate consumer of moderate means and to the farming population; and,

Whereas, it would have a tendency to reduce the cost and prices of the necessities of life by reducing the present exorbitant express rates by becoming effective competition with said express companies, and,

Whereas, it is the belief of this legislative assembly that a vast majority of the people of the state of North Dakota favor said measure; therefore, be it

*Resolved by the House of Representatives of the Twelfth Legislative Assembly, the Senate 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 have said bill passed by the present Congress, and enacted into law.

*Resolved, Further,* That copies of this resolution, duly signed by the respective officers of both houses, be sent to each of said senators and representatives in congress.

Mr. Tuttle moved  
That the resolution be adopted.

Mr. Roquette moved, as an amendment,  
That the resolution be laid on the table.  
Which motion prevailed, and  
The resolution was laid on the table.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:  
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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also

Mr. Speaker:

I have the honor to request the return of House Bill No. 119.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Price moved

That the House return House Bill No. 119 as requested by the Senate.

Which motion prevailed.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 332.

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.

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.

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. 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. 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

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. 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.

Also

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.

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. 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.

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 repeal Sections 2872, 2873, 2874, 2875, 2876, 2877, 2878, 2879, 2880, 2881, 2882 and 2883 of the Revised Codes of 1905.

And the Speaker signed the same in the presence of the House.

Mr. Doyle of Foster introduced the following resolution and moved its adoption:

Whereas, on December 24th, 1804, at Ghent, was concluded a treaty of peace between America and Great Britain, and

Whereas in 1914 a century will have ended in the course of which there has been no resort to arms between English speaking nations, and

Whereas, the peaceful settlement of whatever differences may have arisen between us and Great Britain have been an example to the world as to the needlessness of war, and

Whereas, there has been organized a national committee for the celebration of the one hundredth anniversary of peace among English speaking peoples, 1914-15, a committee which will be representative of every section and locality of our country, and

Whereas, Great Britain and Canada have expressed a willingness and a desire to associate themselves with other English speaking communities in the celebration of this great event,

*Be It Resolved*, That this body give its approval to this great project, and that there be named by the governor a committee of three members to co-operate with this national committee in its work of preparing a plan of celebration.

Which motion prevailed, and  
The resolution was adopted.

Mr. Doyle of Foster introduced the following resolution and moved its adoption:

Whereas, every great nation except the United States of America has a National Health Department for the scientific study of disease, and,

Whereas, as it has been proven that America can completely conquer disease in a short time as has been demonstrated in the Panama zone, and,

Whereas, our own state in the past year has had her own bitter experience with infantile paralysis and other infectious disease of children, and,

Whereas, the greatest minds of our nation are studying ways and means to conserve our children, and,

Whereas, other states have passed such resolutions, therefore,

*Be It Resolved*, That the House of Representatives in North Dakota endorse the movement to establish a National Bureau of Health, and,

*Be It Further Resolved*, That a copy of this resolution be forwarded by the chief clerk of the House of Representatives to our senators and representatives in congress.

Which motion prevailed, and  
The resolution was adopted.

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

Whereas, The Tenth Legislative Assembly appointed a committee to investigate the transfer of the northwest quarter section thirty-six, in township one hundred forty-eight, north of range fifty-one (NW $\frac{1}{4}$  36-148-51), Traill county, to the Great Northern Railway Company, and

Whereas, This said committee made a full and complete report to the said Tenth Legislative Assembly, which is as follows:

Mr. Speaker: Your committee appointed to inquire into the present condition and transfer of the northwest quarter of section thirty-six, in town-

ship one hundred forty-eight, north of range fifty-one west (NW¼ 36-148-51), Traill county, North Dakota, by the board of university and school lands to the Great Northern Railway company, beg leave to report as follows:

We find that application was made for this purchase on May 15, 1901, by the agent of the Great Northern Railway company; that the application was answered by the commissioners of public lands in a letter dated May 16, 1901, which is as follows:

"R. A. Wilkinson,

"Right of Way and Tax Commissioner, St. Paul:

"Dear Sir: We are in receipt of yours of the 15th inst., in which you state that your company desires to acquire gravel pit in the northwest quarter of section 36, township 148, range 51, Traill county. Replying thereto, will say that this land can only be purchased as provided by section 158 of the constitution of the State of North Dakota.

"Very truly yours,

D. J. LAXDAL, Commissioner."

Bismarck, N. D., May 16, 1901.

This said letter is hereto attached, together with all other correspondence on file in relation to this transaction.

That on the 10th day of January, 1902, the transfer was consummated by the giving of what purported to be a deed for said land to said railway company for a consideration of \$4,278.75, said deed being signed by a full membership of the said board of university and school lands, the above transfer being authorized by a majority of said board at a special meeting held Tuesday, December 3, 1901. A copy of said minutes and deed are hereto attached.

We, your committee, find that the transfer was unauthorized by law, and against the provisions of section 158 of the constitution, which provides the method of sale of school land.

Second, your committee find that that the above land was situated about one-half mile from the right of way of the Great Northern Railroad tracks; that said 160 acres consists of about 80 acres of superior farming land and a valuable gravel pit of about 80 acres; that the value of said 80 acres of farm land was reasonably worth \$35.00 per acre or \$2,800.00; that the remaining 80 acres was reasonably worth to said railroad company for gravel pit purposes \$100.00 per acre or \$8,000; that the pretended deed also conveyed 8.71 acres for a right of way across the northeast quarter of section thirty-six (36) for right of way purposes to the gravel pit on said section; that the 8.71 acres so deeded was reasonably worth \$35.00 per acre, or \$307.00. We find that the reasonable value of the land so irregularly conveyed was \$11,107.00 and it was conveyed for \$6,828.25 less than the reasonable value thereof.

We further find that as early as ten years prior to the application for purchase of said land that the said Great Northern Railway company was a trespasser on said land, viz: That it had caused to be constructed a spur track from its main line to said gravel pit and that from time to time thereafter without any semblance of legal or moral right it had caused the gravel on said land to be removed and converted to its own use approximately one-half of the gravel pit in extent, viz., Forty acres has been removed; that one-half of said 40 acres approximately, or twenty acres approximately, was removed prior to the date of application to purchase.

Further, that that portion of the land bearing gravel is now worthless to the state for the reason that said railway company has caused it to be so cut up and broken as to be useless for any other purpose.



We find: That the consideration accepted was \$6,828.25 less than the reasonable value of said land.

Second. That a transfer was made in defiance of the constitution of the state.

Third. That the Great Northern Railway company, beginning ten years prior to the application to purchase said land and continuing thereafter, did without warrant or any legal right, trespass upon said lands and cause to be removed the gravel from said lands and take it for its own use and benefit.

On the above findings of fact, we, your committee, offer the following resolution and move its adoption:

That the attorney general of the state be authorized and requested to institute an action against said railway company to cancel the transfer unlawfully made and to recover the value of the waste by said railway company, committed on the northwest quarter (NW $\frac{1}{4}$ ) of section 36, township 148, range 51, and legal interest thereon.

Whereas, it appears that the reason no action has been taken in this matter, was that no provision had been made to have the purchase money returned to the purchaser.

*Therefore, Be It Resolved by the House of Representatives, the Senate Concurring Therein,* That the attorney general is hereby authorized and instructed to make a tender to the said Great Northern Railway company of the amount paid to the state for said land, and at once bring an action to set aside the title and recover damages for waste by said railway company, committed on the northwest quarter section 36-148-51. And the state auditor is hereby authorized to draw a warrant for said sum on the state treasurer.

**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,**

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 63 and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. LaMoure and Cashel.

Very respectfully,

**J. W. FOLEY,**  
Secretary.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that  
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. 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.

Also

House Bill No. 118.

A bill for an act to amend subdivioisns 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.

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.

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. 152.

A bill for an act to specify and authorize a state flag.

Also

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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. 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. 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. 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. 210.

A bill for an act to encourage elementary education in North Dakota and appropriate money therefor.

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. 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.

Also,

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.

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. 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.

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. 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. 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.

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. 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.

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.

Also

House Bill No. 331.

A bill for an act defining the duties of county commissioners, relating to the designation of official newspapers.

Also

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.

Were delivered to the governor for his approval at the hour of 3:15 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Davidson moved

That House Bill No. 275 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Johnson	Reeve
France	Moen of Cavalier	Robinson
Homnes	Norhelm	Tostenson
Johns	Putnam	

So the bill passed and the title was agreed to,

Mr. Englund moved

That House Bill No. 177 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 47 ayes, 36 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Olsgard of Richland
Akesson	Hawkinson	O'Shea
Anderson, of Griggs	Hoge	Paulson
Anderson, of Ramsey	Jordal	Pendray
Benson	Kane	Price
Boerner	Knox	Sauer
Bond	Kuhl	Scheer
Boyd	Law	Sgutt
Carey	Lageson	Stern
Davidson	Martin	Stranahan
Davis	McClellan	Streeter
Dean	Moen of Benson	Tande
DeLance	Moen of Cavalier	Tuttle
Dosseth	Moritz	Ulsaker
Englund	Morrison	Whitmer
Fox	Narum	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Andrus	Gardiner	O'Connor of Pembina
Bjornson	Geiger	Olsgard of Nelson
Brusletten	Gorder	Putnam
Burnett	Harty	Ray
Christenson	Hedalen	Robinson
Collins	Heinemeyer	Roquette
DeNault	Hersrud	Scott
Doyle, of Foster	Hill, of Bottineau	Sorlie
Doyle, of McIntosh	Johns	Walters

Messrs.— Fassett Fried Fritz	Messrs.— Knutson Kyllo Nelson of Walsh	Messrs.— Wambem Williams Mr. Speaker
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Absent and not voting:

Messrs.— Burns Cunningham Edwards Fraine Hanson Homnes Hill, of Cass	Messrs.— Hyland Johnson Lee Nelson of Richland Nestos Norheim O'Connor of Gd. Forks	Messrs.— Peart Ployhar Reeve Thompson Tollefson Tostenson
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So the bill was lost.

### MESSAGE FROM THE SENATE.

The following message was received from the senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Englund moved

That House Bill No. 355 be placed upon its final passage as amended by the Senate.

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 tuber-



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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Lee	Norheim
Doyle, of Foster	Martin	O'Connor of Gd. Forks
Fox	Nelson, of Richland	Reeve
Homnes	Nestor	

So the bill passed and the title was agreed to.

Mr. DeNault moved

That the further consideration of House Bill No. 222 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Mr. Sorlie moved

That the further consideration of House Bill No. 293 be indefinitely postponed.

Roll call demanded.

The question being on the motion to indefinitely postpone House Bill No. 293,

The roll was called and there were 27 ayes, 62 nays, 14 absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gardiner	O'Connor of Pembina
Anderson, of Ramsey	Geiger	Olsgard of Richland
Burnett'	Hanson	Paulson
Carey	Harty	Robinson
Davidson	Hawkinson	Sauer
Davis	Heinemeyer	Sorlie
Doyle, of Foster	Knutson	Tande
Doyle, of McIntosh	Lageson	Tollefson
Edwards	Moen of Cavalier	Wambem

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Pendray
Akesson	Hersrud	Ployhar
Andrus	Hoge	Price
Benson	Hill, of Bottineau	Putnam
Bjornson	Johns	Ray
Boerner	Jordal	Reeve
Boyd	Kane	Roquette
Brusletten	Knox	Scheer
Christenson	Kuhl	Scott
Cunningham	Kylo	Sgutt
Dean	Law	Stern
DeLance	McClellan	Stranahan
DeNault	Moen of Benson	Streeter
Dosseth	Moritz	Thompson
Fassett	Morrison	Tuttle
Fox	Narum	Ulsaker
France	Nelson of Richland	Walters
Fraine	Nelson of Walsh	Whitmer
Fried	Olsgard of Nelson	Williams
Fritz	O'Shea	Mr. Speaker
Gorder	Peart	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hill, of Cass	Nestos
Burns	Hyland	Norhelm
Collins	Johnson	O'Connor of Gd. Forks
Englund	Lee	Tostenson
Homnes	Martin	

So the motion was lost.

The Speaker appointed as conference committee on House Bill No. 210 Messrs. Kuhl, Hanson and Doyle of Foster.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended:

By changing word "reserved" to "received."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

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 beginning and duration thereof.

Which the Senate has amended as follows:

In line 8, section 1, strike out "Dickey" and insert "McIntosh."  
In line 10 strike out "McIntosh," and insert "Dickey."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Brusletten moved

That the House do now concur in the Senate amendments to House Bill No. 416.

Which motion prevailed, and

The Senate amendments were concurred in.

Mr. Hoge moved

That the House do now concur in the Senate amendments to House Bill No. 443.

Which motion prevailed, and

The Senate amendments were concurred in.

Mr. Williams moved

That House Bill No. 293 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

## 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.

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 66 ayes, 23 nays, 14 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Olgard of Richland
Akesson	Hedalen	O'Shea
Anderson, of Griggs	Hersrud	Peart
Andrus	Hoge	Pendray
Benson	Hill, of Bottineau	Ployhar
Bjornson	Johns	Price
Boerner	Jordal	Ray
Bond	Kane	Reeve
Boyd	Knox	Scott
Christenson	Knutson	Scheer
Cunningham	Kuhl	Stern
Dean	Law	Stranahan
DeLance	Lee	Streeter
Dosseth	McClellan	Tande
Edwards	Morrison	Thompson
Fassett	Moritz	Tollefson
Fox	Moen, of Benson	Tuttle
France	Moen, of Cavalier	Ulsaker
Fraine	Olgard of Nelson	Walters
Fried	Narum	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	O'Connor of Pembina	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Englund	Paulson
Burnett	Gorder	Putnam
Carey	Harty	Robinson
Davidson	Hawkinson	Roquette
Davis	Heinemeyer	Sauer
DeNault	Kyllo	Sorlie
Doyle, of Foster	Lageson	Wambem
Doyle, of McIntosh	Nelson, of Richland	

Absent and not voting:

Messrs.—

Anderson, of Ramsey  
Burns  
Collins  
Hanson  
Homnes

Messrs.—

Hill, of Cass  
Hyland  
Johnson  
Martin  
Nestos

Messrs.—

Norhelm  
O'Connor of Gd. Forks  
Sgutt  
Tostenson

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which House Bill No. 293 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Speaker appointed as a conference committee on Senate Bill No. 63, Messrs. Brusletten, Johns and Burnett.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in House resolution regarding Killdeer Mountain.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Ployhar moved

That the House do now concur in the Senate amendments to House Bill No. 300.

Which motion prevailed, and

The Senate amendments were concurred in.

Mr. Ployhar moved

That House Bill No. 300 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

## 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.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Johnson	Norheim
Heinemeyer	Lee	O'Connor of Gd. Forks

Messrs.—  
Homnes  
Johns

Messrs.—  
Martin

Messrs.—  
Sgutt

So the bill passed and the title was agreed to.

Mr. Gorder moved  
That the House do now concur in the Senate amendments  
to House Bill No. 335.

Which motion prevailed.

Mr. Gorder moved  
That House Bill No. 335 be placed upon its final passage  
as amended by the Senate.

Which motion prevailed.

The Speaker called Mr. Fraine to the chair.

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 as  
amended by the Senate,

The roll was called and there were 86 ayes, no nays, 17  
absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Cunningham  
Davidson  
Dean  
DeLance

Messrs.—

Fraine  
Fried  
Fritz  
Gardiner  
Geiger  
Gorder  
Harty  
Hawkinson  
Hedalen  
Hersrud  
Hoge  
Jordal  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson  
Law  
McClellan

Messrs.—

O'Shea  
Paulson  
Peart  
Pendray  
Poyhar  
Price  
Putnam  
Ray  
Reeve  
Robinson  
Roquette  
Sauer  
Scott  
Scheer  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson



Messrs.—	Messrs.—	Messrs.—
DeNault	Moen of Benson	Tollefson
Dosseth	Moen of Cavalier	Tostenson
Doyle, of Foster	Morrison	Tuttle
Doyle, of McIntosh	Moritz	Ulsaker
Edwards	Narum	Walters
Englund	Nelson of Richland	Wambem
Fassett	Nelson of Walsh	Whitmer
Fox	Olgard of Nelson	Williams
France	Olgard of Richland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Davis	Hyland	Norheim
Hanson	Johns	O'Connor of Gd. Forks
Heinemeyer	Johnson	O'Connor of Pembina
Homnes	Lee	Sgutt
Hill, of Bottineau	Martin	Mr. Speaker
Hill, of Cass	Nestos	

So the bill passed and the title was agreed to.

Mr. Hill moved

That the House do now concur in the Senate amendments to House Bill No. 380.

Which motion prevailed.

Mr. Hill moved

That House Bill No. 380 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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 80 ayes, no nays, 23 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
Anderson, of Ramsey	Hersrud	Paulson
Andrus	Hoge	Peart

Messrs.—	Messrs.—	Messrs.—
Benson	Homes	Pendray
Bjornson	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Ray
Carey	Jordal	Reeve
Christenson	Kane	Roquette
Collins	Knox	Sauer
Davidson	Knutson	Scott
Davis	Kuhl	Scheer
Dean	Kyllo	Sorlie
Doyle, of Foster	Lageson	Stern
Doyle, of McIntosh	Law	Stranahan
Edwards	Lee	Streeter
Englund	McClellan	Tande
Fassett	Moen, of Benson	Tollefson
France	Moen, of Cavalier	Tostenson
Fraine	Morrison	Tuttle
Fried	Moritz	Ulsaker
Fritz	Narum	Walters
Gardiner	Nelson, of Richland	Wambem
Geiger	Nelson, of Walsh	Whitmer
Gorder	Nestos	Williams
Harty	O'Connor of Pembina	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Boerner	Dosseth	O'Connor of Gd. Forks
Bond	Fox	Price
Brusletten	Hanson	Putnam
Burnett	Hyland	Robinson
Burns	Johns	Sgutt
Cunningham	Johnson	Thompson
DeLance	Martin	Mr. Speaker
DeNault	Norheim	

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the House do now concur in the Senate amendments to House Bill No. 145, and that a conference committee be appointed.

Which motion prevailed.

The Speaker appointed as a conference committee on House Bill No. 145 Messrs. Ployhar, Boyd and Nelson of Walsh.

Mr. Brusletten moved

That the House do now concur in the Senate amendments to House Bill No. 416.

Which motion prevailed.

Mr. Brusletten moved

That House Bill No. 416 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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 beginning and duration 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 83 ayes, no nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	Nestos
Akesson	Harty	O'Connor of Pe
Anderson, of Griggs	Hawkinson	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland
Bjornson	Heinemeyer	O'Shea
Boerner	Hersrud	Paulson
Boyd	Hoge	Pearl
Brusletten	Hill, of Bottineau	Pendray
Burnett	Hyland	Ployhar
Carey	Johns	Putnam
Christenson	Johnson	Ray
Collins	Jordal	Reeve
Cunningham	Kane	Robinson
Davidson	Knox	Sauer
Dean	Knutson	Scott
DeLance	Kuhl	Sorlie
DeNault	Kyllo	Stern
Doyle, of McIntosh	Lageson	Stranahan
Edwards	Law	Streeter
Englund	Lee	Tande
Fassett	McClellan	Tostenson
Fox	Moen, of Benson	Tuttle
France	Moen, of Cavalier	Ulsaker
Fraine	Morrison	Walters
Fried	Moritz	Wambem
Fritz	Narum	Whitmer
Gardiner	Nelson, of Richland	Williams
Geiger	Nelson, of Walsh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hanson	Roquette
Benson	Homnes	Scheer
Bond	Hill, of Cass	Sgutt
Burns	Martin	Thompson

Messrs.—	Messrs.—	Messrs.—
Davis	Norheim	Tollefson
Dosseth	O'Connor of Gd. Fork	Mr. Speaker
Doyle, of Foster	Price	

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which House Bill No. 416 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. 443.

Which motion prevailed.

Mr. Hoge moved

That House Bill No. 443 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nelson, of Walsh
Anderson, of Griggs	Geiger	Nestos
Anderson, of Ramsey	Gorder	O'Connor of Pembina
Bjornson	Harty	Olsgard of Richland
Boerner	Hedalen	O'Shea
Bond	Helnemeyer	Paulson
Boyd	Hersrud	Peart
Brusletten	Hoge	Pendray
Burnett	Hill, of Bottineau	Putnam
Carey	Hill, of Cass	Ray
Christenson	Johns	Reeve
Collins	Jordal	Robinson
Cunningham	Kane	Sauer
Davidson	Knox	Scott
Davis	Knutson	Sorlie

Messrs.—	Messrs.—	Messrs.—
Dean	Kuhl	Stern
DeLance	Kyllo	Stranahan
DeNault	Lageson	Streeter
Dosseth	Law	Tande
Doyle, of McIntosh	Lee	Tollefson
Edwards	McClellan	Tostenson
Englund	Moen, or Benson	Tuttle
Fassett	Moen of Cavalier	Ulsaker
Fox	Morrison	Walters
France	Moritz	Wambem
Fraine	Narum	Whitmer
Fried	Nelson, of Richland	Williams
Fritz		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hornes	Ployhar
Andrus	Hyland	Price
Benson	Johnson	Roquette
Burns	Martin	Scheer
Doyle, of Foster	Norheim	Sgutt
Hanson	O'Connor of Gd. Forks	Thompson
Hawkinson	Olsgard, of Nelson	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Hoge moved

That the vote by which House Bill No. 443 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

### THIRD READING OF SENATE BILLS.

Mr. Sorlie moved

That the further consideration of Senate Bill No. 124 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

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 88 ayes, no nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gorder	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
Bjornson	Heinemeyer	O'Shea
Boerner	Hersruu	Paulson
Bond	Hoge	Peart
Boyd	Hill, of Bottineau	Pendray
Brusletten	Hill, of Cass	Price
Burnett	Johns	Putnam
Carey	Johnson	Ray
Christenson	Jordal	Reeve
Collins	Kane	Robinson
Cunningham	Knox	Sauer
Davidson	Knutson	Scott
Davis	Kuhl	Scheer
Dean	Kyllo	Sorlie
DeLance	Lageson	Stern
DeNault	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	McClellan	Thompson
Englund	Moen, o. 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	Whitmer
Gardiner	Nestos	Williams
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Andrus	Hanson	Ployhar
Benson	Homnes	Roquette
Burns	Hyland	Sgutt
Dosseth	Martin	Tande
Doyle, of Foster	Norheim	Mr. Speaker

So the bill passed and the title was agreed to.

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 39 ayes, 42 nays, 22 absent and not voting.

## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hanson	Nestos
Ejornson	Harty	O'Connor of Gd. Forks
Boerner	Hedalen	O'Connor of Pembina
Bond	Homnes	Olsgard of Nelson
Brusletten	Hill, of Bottineau	Olsgard of Richland
Burnett	Hyland	Pendray
Christenson	Kane	Ray
DeNault	Knox	Sauer
Doyle, of Foster	Knutson	Sorlie
Fassett	Kyllo	Tande
Fried	Lee	Wambem
Fritz	Moen of Benson	Whitmer
Gardiner	Nelson of Richland	Williams

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	O'Shea
Akesson	Fraine	Paulson
Anderson, of Griggs	Hawkinson	Ployhar
Boyd	Heinemeyer	Putnam
Carey	Hersrud	Reeve
Collins	Hoge	Robinson
Cunningham	Johns	Scott
Davis	Lageson	Scheer
Dean	Law	Stern
DeLance	McClellan	Stranahan
Dosseth	Morrison	Streeter
Doyle, of McIntosh	Moritz	Tollefson
Edwards	Narum	Tuttle
Englund	Nelson of Walsh	Ulsaker

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anirus	Johnson	Price
Benson	Jordal	Roquette
Burns	Kuhl	Sgutt
Davidson	Martin	Thompson
Fox	Moen of Cavalier	Tostenson
Geiger	Norheim	Walters
Order	Peart	Mr. Speaker
Hill, of Cass		

So the bill was lost.

Mr. Streeter moved

That the vote by which Senate Bill No. 340 was lost 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,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In line 6 after the word "real," in the original bill, insert "and personal property take down in an," and after "book" in line 7, insert "the"; and also in line 15 after the word "sign," insert "and swear to before the assessor or notary public as the case may be." Also on page 2, after line 15, insert "verification to be in the usual form."

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

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

Which the Senate has amended as follows:

In section 2 of the printed bill strike out all after the title of the section down to the word "such" in line 8.

Very respectfully,

J. W. FOLEY,  
Secretary.



Also

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

By striking out the word "trees" in the engrossed bill.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

In section one, line 28, of the printed bill, after the word "though," insert the following words: "a portion of."

In section one, line 29 of the printed bill, strike out the word "entirely."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the President has

named as conferees on the part of the Senate on House Bill No. 145, Messrs. LaMoure, Duncan and Pierce.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Ployhar moved  
That the House recall Senate Bill No. 102 from the Senate.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to request the return of House Bill No. 11.

Very respectfully,

J. W. FOLEY,  
Secretary.

Senate Bill No. 218.

A bill for an act to amend and re-enact Section 7047 of the Revised Codes of North Dakota for the year 1905, relating to references and trials by referees.

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.—
Akesson	Hedalen	O'Connor of Pembina
Anderson, of Ramsey	Heinemeyer	Olgard of Nelson
Bjornson	Hersrud	O'Shea
Boyd	Hoge	Paulson
Brusletten	Homnes	Peart
Burnett	Hill, of Bottineau	Pendray
Carey	Hill, of Cass	Ployhar

Messrs.—	Messrs.—	Messrs.—
Christenson	Hyland	Price
Cunningham	Johns	Putnam
Davidson	Johnson	Ray
Davis	Jordal	Reeve
Dean	Kane	Robinson
DeLance	Knox	Roquette
DeNault	Knutson	Sauer
Dosseth	Kuhl	Scott
Doyle, of Foster	Kyllo	Scheer
Doyle, of McIntosh	Lageson	Sgutt
Edwards	Law	Sorlie
Englund	Lee	Stern
Fassett	Martin	Stranahan
Fox	McClellan	Streeter
France	Moen, of Benson	Tande
Fraine	Moen, of Cavalier	Thompson
Fried	Morrison	Tollefsen
Fritz	Moritz	Tostenson
Gardiner	Narum	Tuttle
Geiger	Nelson of Richland	Ulsaker
Gorder	Nelson, of Walsh	Walters
Hanson	Nestos	Wambem
Harty	Norheim	Whitmer
Hawkinson	O'Connor of Gd. Forks	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Boerner	Collins
Anderson, of Griggs	Bond	Olsgard of Richland
Andrus	Burns	Mr. Speaker
Benson		

So the bill passed and the title was agreed to.

The Speaker in the chair.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that

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.

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. 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.

Were delivered to the governor for his approval at the hour of 4:15 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Bjornson moved

That the House recall Senate Bill No. 68 from the Senate.  
Which motion prevailed.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 3, 1911.

Mr. Speaker:

I have the honor to request the return of House Bill No. 445.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Fried moved

That the House return House Bill No. 445 and House Bill No. 11 as requested by the Senate.

Which motion prevailed.

Senate Bill No. 303.

A bill for an act to amend Sections 4695 and 4698 of the Revised Codes of North Dakota for 1905, relating to foreign corporations.

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	Gorder	O'Connor of Gd. Forks
Anderson, of Ramsey	Hanson	O'Connor of Pembina
Andrus	Harty	Olsgard of Nelson
Benson	Hawkinson	Olsgard of Richland
Bjornson	Hedalen	O'Shea
Boerner	Heinemeyer	Paulson
Bond	Hersrud	Pearl
Boyd	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burnett	Hill, of Bottineau	Putnam
Care	Hill, of Cass	Ray
Christenson	Hyland	Robinson
Collins	Johnson	Roquette
Cunningham	Johns	Sauer
Davidson	Jordal	Scott
Davis	Kane	Scheer
Dean	Knox	Sgutt
DeLance	Knutson	Sorlie
DeNault	Kylo	Stern
Dosseth	Lageson	Stranahan
Doyle, of Foster	Law	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	Walters
Fried	Nelson, of Richland	Wambem
Fritz	Nelson, of Walsh	Whitmer
Gardiner	Nestos	Williams
Gciger	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Akesson	Kuhl	Price
Anderson, of Griggs	Lee	Reeve
Burns		

So the bill passed and the title was agreed to.

## REPORT OF BOARD OF MANAGERS.

Mr. Speaker:

The board of managers selected by the House of Representatives for the purpose of conducting the impeachment proceedings against the Honorable John F. Cowan, judge of the Second judicial district of North Dakota, submit

herewith articles of impeachment in said matter for the approval of the House of Representatives.

GEO. P. HOMNES,  
R. A. NESTOS,  
W. V. O'CONNOR,  
ROBERT NORHEIM,  
A. P. HANSON.

THE STATE OF NORTH DAKOTA TO JOHN F. COWAN GREETING:

Comes now to the House of Representatives of the State of North Dakota, in the name and by the authority of said state and all the people thereof, and presents to the state of North Dakota, the following Articles of Impeachment against the Hon. John F. Cowan, judge of the District Court, of the Second Judicial District of North Dakota.

ARTICLES OF IMPEACHMENT.

Articles exhibited by the house of representatives of the Twelfth Legislative Assembly of the state of North Dakota in the name of themselves and of all the people of the state of North Dakota, against John F. Cowan, the judge of the district court in and for the Second Judicial District of the state of North Dakota, in maintenance and support of their impeachment against him for habitual drunkenness, crimes, corrupt conduct and malfeasance and misdemeanor in office.

CHARGE I.

That said John F. Cowan is now and has been since on or about the 1st day of January, 1901, the duly elected, qualified and acting judge in and for the Second Judicial District of the state of North Dakota, has been continually during all said time and is now guilty of habitual drunkenness.

Specification 1. That during all of said period the said John F. Cowan being judge as aforesaid has been habitually addicted to the excessive use of intoxicating liquor and at regularly occurring and frequent intervans, h:is been actually under the influence of intoxicating liquor to the extent that his mental faculties and physical powers were impaired to a noticeable degree, and regularly at numerous and frequent occasions he has actually been under the influence of intoxicating liquor to the extent that he did not have the control of his mental faculties and physical powers; that during all of said time his periods of intoxication have been so frequent and protracted as to materially interfere with the performance of the ordinary duties incident to his said office, this in violation and disregard to the duties of his said office and to the great prejudice of the peace and good order of the state and the dignity thereof.

CHARGE II.

That John F. Cowan, being judge as aforesaid, and during his said incumbency of said office, has been guilty of crimes and offenses against the laws of the state of North Dakota, which crimes and offenses are specified as follows:

Specification 1. That on or about the 18th day of June, 1909, in the city of Rugby, in the county of Pierce, in the state of North Dakota,

he, the said John F. Cowan did appear and was found intoxicated in a public place, to-wit: in the court room in the court house in the city of Rugby in the presence of large numbers of people, this wilfully and in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation and disregard of the duty and dignity of his said office as judge, and to the great scandal of the community, and to the detriment of the peace, dignity and good order of the state of North Dakota.

Specification 2. That on or about the 18th day of June, 1909, he, the said John F. Cowan did appear and was found intoxicated in a public place, to-wit: in the Hotel Cramond, a public inn, tavern or hotel in said city of Rugby, this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignity of his said office as judge, and to the detriment of the morals and good order of said community and against the peace and dignity of the state of North Dakota.

Specification 3. That on or about the 10th day of July, 1910, the said John F. Cowan did appear and was found intoxicated in a public place, to-wit: in the lobby of a public hotel, and at various places and points on the streets in the village of Lakota, North Dakota, this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignity of his said office as judge, and to the great detriment of the morals, peace and good order of the people of the state of North Dakota and contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 4. That on or about the 15th day of January, 1909, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the court room in the court house in the city of Devils Lake, North Dakota, during a session of the district court in and for the county of Ramsey in said state, and in the presence of large numbers of people; this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignities of his said office as judge, and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 5. That on or about the 10th day of November, 1909, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the court room in the court house in the city of Minnewaukon, North Dakota, during a session of the district court in and for the county of Benson, North Dakota, in the presence of large numbers of people assembled in said court room, this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignities of his said office as judge, and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 6. That on or about the 10th day of December, 1907, he, the said John F. Cowan did appear and was found intoxicated in a public place, to-wit: in the court room in the court house in the city or village of Minnewaukon, Benson county, North Dakota, during a session of a term of the district court in and for said county, and in the presence of large numbers of people there assembled, this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignities of his said office as judge, and to the detriment of the morals, good order and dignity of the state of North Dakota.

Specification 7. That on or about the first day of November, 1908, he, the said John F. Cowan did appear and was found intoxicated in a public place, to-wit: in a public hotel known as the Vanderhoff Hotel, at Devils Lake, in the county of Ramsey, North Dakota, this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignities of said office as judge, and to the detriment of the morals, good order and dignity of the state of North Dakota.

Specification 8. That on or about the 10th day of May, 1908, he, the said, John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the Vanderhoff Hotel, a public hotel or inn situated at Devils Lake, North Dakota, both in the lobby of the said hotel and in a room thereof where he, the said John F. Cowan, assumed to and did hold court as in chambers in the presence of large numbers of people assembled in connection with the business of the court being so held; this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, good order and dignity of the state of North Dakota.

Specification 9. That on or about the 15th day of August, 1908, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the court room in the court house in the city of Devils Lake, Ramsey county, North Dakota, during a session of the district court in and for said county and in the presence of a large number of people assembled in connection with the business of said court, this in violation of the provisions of Section 9392 of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 10. That on or about the 4th day of August, 1908, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the court room in the court house in the city of Devils Lake, Ramsey county, North Dakota, during a session of the district court in and for said county and in the presence of a large number of people there assembled, this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 11. That on or about the 29th day of June, 1910, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: at various places on the public streets of Devils Lake, Ramsey county, North Dakota, in the presence of a large number of people upon said streets, this in violation of the provisions of Section 9392 of the Revised Codes of 1905, and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 12. That on or about the 10th day of October, 1910, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the public part of the post office in the city of Devils Lake, Ramsey county, North Dakota, in the presence of a large number of people there assembled, this in violation of the provisions of Section 9392 of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 13. That on or about the 24th day of October, 1910, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the court room in the court house in the city of Devils Lake, Ramsey county, North Dakota, during a session of the district court in and for said county in the presence of a large number of people assembled there, this in violation of the provisions of Section 9392 of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 14. That on or about the 8th day of November, 1910, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: at various points and places on the public streets of the city of Devils Lake, Ramsey county, North Dakota, and in the presence of a



large number of people upon said streets, this in violation of the provisions of Section 9392, of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 15. That on or about the 8th day of November, 1910, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the office of the county auditor in the court house in the City of Devils Lake, Ramsey county, North Dakota, in the presence of a large number of people there assembled, this in violation of the provisions of Section 9392 of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 16. That on or about the 7th day of November, 1910, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: at a public livery barn in the city of Devils Lake, Ramsey county, North Dakota, commonly known as Gordon's Livery Barn, in the presence of a large number of people there assembled, this in violation of the provisions of Section 9392 of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 17. That on or about the 15th day of June, 1909, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the office of the clerk of the district court of Pierce county, North Dakota, in the presence of persons assembled there, this in violation of the provisions of Section 9392 of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

Specification 18. That on or about the 20th day of August, 1909, he, the said John F. Cowan, did appear and was found intoxicated in a public place, to-wit: in the public street of the village of Hansboro, North Dakota, in the presence of a large number of persons assembled there, this in violation of the provisions of Section 9392 of the Revised Codes of 1905 and in violation of the duties and dignities of his said office as judge and to the detriment of the morals, dignity and good order of the state of North Dakota.

### CHARGE III.

That he, the said John F. Cowan, while he was such district judge as aforesaid, was wilfully and wrongfully guilty of acts and conduct which grossly disturbed the public peace and openly outraged public decency and was injurious to public morals.

Specification 1. That he, the said John F. Cowan, being such district judge as aforesaid, did wilfully and wrongfully, knowingly and openly, habitually frequent places notoriously known to be places where intoxicating liquors were then being sold, disposed of, given away and dispensed as a beverage contrary to law and where intoxicating liquors were then being drank contrary to law, and he, said John F. Cowan, did in such places, purchase and procure for himself and others intoxicating liquors as a beverage for himself and others contrary to law and did in such places regularly and frequently and habitually drink intoxicating liquors as a beverage and did notoriously frequent and resort to such places for the purpose of obtaining and drinking intoxicating liquors as a beverage contrary to law, this in violation and disregard of the duties and dignity of his said office of judge aforesaid, and to the great detriment and disturbance of the morals, peace and good order of the people of the state; and did thereby openly outrage public decency and injure the public morals contrary to the statute in such cases made and pro-

vided and against the peace and dignity of the state of North Dakota.

Specification 2. That he, the said John F. Cowan, while such judge of the district court as aforesaid, during all the time of his incumbency of his office and until the present time did wilfully and wrongfully, notoriously and openly, habitually frequent and resort to a certain place, where intoxicating liquors were, as he, said John F. Cowan, well know, unlawfully sold, bartered, given away, disposed of and dispensed as a beverage and wherein intoxicating liquors were then and there drunk as a beverage, contrary to law, to wit: a drug store commonly known as Ness' Drug Store in the city of Devils Lake, Ramsey county, North Dakota, and he, the said John F. Cowan, did so frequent and resort to said place for the purpose of unlawfully obtaining intoxicating liquor and did frequently and regularly therein unlawfully obtain the same as a beverage, and did regularly, habitually and frequently therein drink intoxicating liquors as a beverage, this in violation and disregard of the duties and dignity of his said office of judge of the district court and to the great detriment of the morals, peace and good order of the people of the state of North Dakota; and did by his acts and conduct aforesaid disturb the public peace, and grossly outrage public decency and injure public morals contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 3. That he, said John F. Cowan, while such judge of the district court as aforesaid, during all the time of his incumbency of his office and until the present time did wilfully and wrongfully, notoriously and openly, habitually frequent and resort to a certain place, where intoxicating liquors were, as he, said John F. Cowan well know, unlawfully sold, bartered, given away, disposed of and dispensed as a beverage and wherein intoxicating liquors were then and there drunk as a beverage, contrary to law; to-wit: a drug store commonly known as Bond's Drug Store in the city of Devils Lake, Ramsey county, North Dakota, and he, the said John F. Cowan, did so frequent and resort to said place for the purpose of unlawfully obtaining intoxicating liquor and did frequently and regularly therein unlawfully obtain the same as a beverage, and did regularly, habitually and frequently therein drink intoxicating liquors as a beverage, this in violation and disregard of the duties and dignity of his said office as judge of the district court and to the great detriment of the morals, peace and good order of the people of the state of North Dakota; and did by his acts and conduct aforesaid, disturb the public peace, and grossly outrage public decency and injure public morals contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 4. That he, the said John F. Cowan, while such judge of the district court as aforesaid, during all the time of his incumbency of his office and until the present time, wilfully and wrongfully, notoriously and openly, did habitually frequent and resort to a certain place, where intoxicating liquors were, as he, said John F. Cowan, well knew, unlawfully sold, bartered, given away, disposed of and dispensed as a beverage and wherein intoxicating liquor were then and there drunk as a beverage, contrary to law, to-wit: a drug store commonly known as Green's Drug Store in the city of Devils Lake, Ramsey county, North Dakota, and he, said John F. Cowan, did so frequent and resort to said place for the purpose of unlawfully obtaining intoxicating liquor and did frequently and regularly therein unlawfully obtain the same as a beverage, and did regularly, habitually and frequently therein drink intoxicating liquors as a beverage, this in violation and disregard of the duties and dignity of his said office of judge of the district court and to the great detriment of the morals, peace and good order of the people of the state of North Dakota: and did by his acts and conduct aforesaid, disturb the public peace, and grossly outrage public decency and injure

public morals, contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 5. That he, said John F. Cowan, while such judge as aforesaid, during all the time of his incumbency of his office and until the present time, did, wilfully and wrongfully, notoriously and openly, habitually frequent and resort to a certain place, where intoxicating liquors were, as he, the said John F. Cowan, well knew, unlawfully sold, bartered, given away, disposed of and dispensed as a beverage and wherein intoxicating liquors were then and there drunk as a beverage, contrary to law, to-wit: a hotel commonly known as the Vanderhoff Hotel in the city of Devils Lake, Ramsey county, North Dakota, and he, said John F. Cowan, did so frequent and resort to said place for the purpose of unlawfully obtaining intoxicating liquor and did frequently and regularly therein unlawfully obtain the same as a beverage, and did regularly, habitually and frequently therein drink intoxicating liquors as a beverage, this in violation and disregard of the duties and dignity of his said office as judge of the district court and to the great detriment of the morals, peace and good order of the state of North Dakota; and did by his acts and conduct aforesaid, disturb the public peace, and grossly outrage public decency and injure public morals contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 6. That he, the said John F. Cowan, while such judge of the district court as aforesaid, during all the time of his incumbency of his office and until the present time, wilfully and wrongfully, notoriously and openly, did habitually frequent and resort to a certain place, where intoxicating liquors were, as he, the said John F. Cowan well knew, unlawfully sold, bartered, given away, disposed of and dispensed as a beverage and wherein intoxicating liquors were then and there drunk as a beverage, contrary to law, to-wit: a drug store commonly known as Moran's Drug Store in the city of Devils Lake, Ramsey county, North Dakota, and he, the said John F. Cowan, did so frequent and resort to said place for the purpose of unlawfully obtaining intoxicating liquor and did frequently and regularly therein unlawfully obtain the same as a beverage, and did regularly, habitually and frequently therein drink intoxicating liquors as a beverage, this in violation and disregard of the duties and dignity of his said office of judge of the district court and to the great detriment of the morals, peace and good order of the people of the state of North Dakota; and did by his said acts and conduct aforesaid, disturb the public peace, and grossly outrage public decency and injure public morals, contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 7. That he, said John F. Cowan, while such judge as aforesaid, during all the time of his incumbency of his office and until the present time, did, wilfully and wrongfully, notoriously and openly habitually frequent and resort to a certain place, where intoxicating liquors were, as he, the said John F. Cowan, well knew, unlawfully sold, bartered, given away, disposed of and dispensed as a beverage and wherein intoxicating liquors were then and there drunk as a beverage, contrary to law, to-wit: a place commonly known as Otto Chiostris' Restaurant, in the city of Devils Lake, Ramsey county, North Dakota, and he, pose of unlawfully obtaining intoxicating liquor and did frequently and said John F. Cowan, did so frequent and resort to said place for the purpose of unlawfully obtaining the same as a beverage, and did regularly, habitually and frequently therein drink intoxicating liquors as a beverage, this in violation of the duties and dignity of his said office as judge of the district court and to the great detriment of the morals, peace and good order of the state of North Dakota; and did by his acts

and conduct aforesaid, disturb the public peace, and grossly outrage public decency and injure public morals contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

#### CHARGE IV.

That said John F. Cowan, while he was judge of the district court as aforesaid, on or about the first day of December, A. D., 1909, in Minnewaukon in the county of Benson in the state of North Dakota, was wilfully and wrongfully guilty of acts and conduct which grossly injured the person of another and which grossly disturbed the public peace and which openly outraged public decency and was injurious to public morals.

Specification 1. That he, said John F. Cowan, while such judge of the District court aforesaid, in the dwelling of one Thomas McDonald in Minnewaukon in the county of Benson in the state of North Dakota, on or about the first day of December, 1909, did wilfully and wrongfully utter and speak in the presence and hearing of Edith McDonald, who was then and there a member of said Thomas McDonald's household, and divers other persons whose names are unknown to this House of Representatives, certain indecent, obscene, lewd and lascivious words and sentences (which indecent, obscene, lewd and lascivious words and sentences then and there uttered and spoken were so obscene and foul that they ought not to be set forth at large herein) and did then and there and thereby grossly insult, outrage, and offend the said Edith McDonald and other members of the household of said Thomas McDonald, this in violation and disregard of the duties and dignity of his said office of judge of the district court aforesaid to the detriment of the morals, peace and good order of the people of the state of North Dakota and contrary to the statutes in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 2. That at the time and place set forth in the next preceding specification of this charge the said John F. Cowan in the said dwelling of Thomas McDonald, and in the presence and hearing of the members of said McDonald's household, did wilfully and wrongfully engage and indulge in disorderly and boisterous conduct in this, that he, with certain companions whose names are unknown to this house of representatives, did then and there drink intoxicating liquor until he became drunk, and did spew and vomit on the floor and furniture of a room of said McDonald's dwelling; and he, said Cowan, and his said companions did then and while so indulging in intoxicating liquor use lewd, profane, indecent and obscene and lascivious language and conduct themselves in a grossly indecent, disorderly and boisterous manner to the great scandal and offense of said McDonald's household, all in violation and disregard of the duty and dignity of his said Cowan's office as judge of the district court aforesaid and to the great detriment of the morals, peace and good order of the people of this state.

#### CHARGE V.

That said John F. Cowan, while holding the office of judge of the district court aforesaid, at Rugby in the county of Pierce in the state of North Dakota on or about the 10th day of June, 1909, committed the crime of assault:

Specification 1. That said John F. Cowan at Rugby in the county of Pierce and state of North Dakota on or about the 10th day of June, 1909, in a public place, to-wit: in the office of the clerk of the district court of Pierce county, North Dakota, at a time when he, said Cowan, was at Rugby for the purpose of presiding as judge at a term of the district court in and for said Pierce county, did wilfully and unlawfully in and

upon the person of one Nellie Schulz commit an assault and did then and there unlawfully and wrongfully by force seize the person of said Nellie Schulz and attempt to embrace and kiss her against her will. This in violation of the duty and dignity of his said office of judge aforesaid and to the great detriment of the morals, peace and good order of the people of the state of North Dakota, and contrary to the statute in such case made and provided and against the peace and dignity of the state of North Dakota.

#### CHARGE NO. VI.

That the said John F. Cowan during the incumbency of his said office as judge as aforesaid, has been guilty of malfeasance in office and of crimes, and offenses against the laws of the state of North Dakota, which malfeasance, crimes and offenses have greatly hindered and injured the rights of litigants in his court and greatly impeded the administration of justice.

Specification 1. The said John F. Cowan during his said term of office continuously omitted, refused and neglected to perform the duty imposed upon him by law to decide motions, applications and special proceedings submitted to and pending before him, as such judge, within thirty days after the same were submitted, and to decide issues of fact tried before him for more than sixty days after the same were submitted to him for decision, and not being prevented by sickness or other unavoidable casualty has wilfully, and unlawfully failed and refused to make decisions of such motions, special proceedings, applications and issues of fact for periods of time many months exceeding sixty days after the same were submitted to him for decision. All against the peace and dignity of the state of North Dakota and the statute in such case provided and in violation of the official duty of said John F. Cowan as judge.

Specification 2. That long before the 7th day of March, 1906, there was pending in the district court of Pierce county, North Dakota, one of the counties of the second judicial district, a case entitled Thomas H. Oxendahl, administrator of Thomas Jacobson, plaintiff, against Anna Holes and Clifford Holes, defendants, which said case was tried before said John F. Cowan a judge and finally submitted him for decision on the said 7th day of March, 1906, and which said case he, the said Cowan, has failed, neglected and refused to decide, and the same remains pending undecided to this date, against the peace and dignity of the state, and the statutes in such case provided and his official duty as judge.

Specification 3. That on the 24th day of February, 1902, and long prior thereto there was pending in the district court of Ramsey county, North Dakota, an action entitled the State of North Dakota vs. Sam Goldberg, which case was, on the said 24th day of February, 1902, duly tried and submitted for decision to the said John F. Cowan who has ever since, failed, refused and neglected to decide the same and the same now remains undecided, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 4. That on the 24th day of February, 1902, there was duly pending in the district court of Ramsey county, North Dakota an action entitled the State of North Dakota, plaintiff, vs. William Coburn, defendant, which case was tried and on the 24th day of February, 1902, submitted to the said John F. Cowan for decision and the said Cowan has ever since failed, refused and neglected to decide the same and the same has never been decided to this date, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 5. That long prior to June 1st, 1902, there was pending in the District Court of Rolette county, North Dakota, an action entitled William Brown, plaintiff, vs. Michael Leonard, Jr., defendant, which case was duly tried and on the 1st day of June, 1902, submitted to the said John F. Cowan as judge for decision, but he failed, refused and neglected to decide the same until the 31st day of May, 1910, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 6. That long prior to February 7th, 1902, there was pending in the district court of Rolette county, North Dakota, an action entitled William H. Brown vs. the County of Rolette, which action was duly tried and on the 7th day of February, 1902, duly submitted for decision to the said John F. Cowan, judge, but he failed, refused and neglected to decide the same until the 23rd day of May, 1910, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of his duty as judge.

Specification 7. That long prior to the 25th day of March, 1902, there was pending in the district court of Ramsey county, North Dakota, an action entitled L. Sargent vs. George W. Jamison, which action was duly tried and on the 25th day of March, 1902, duly submitted for decision to the said John F. Cowan, judge, who failed, refused and neglected to decide the same until about the 15th day of May, 1910, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 8. That long prior to the 1st day of March, 1903, there was pending in the district court of Ramsey county, North Dakota, an action entitled William H. Brown, plaintiff, vs. Louis Comonow, and others, which action was duly tried and on or about the 1st day of March, 1903, submitted for decision to the said John F. Cowan, judge, who failed, refused and neglected to decide the same until the 20th day of April 1904, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 9. That on the 18th day of May, 1904, there was an action pending in the district court of Ramsey county, North Dakota, entitled, Alexander Carden vs. George Orvis, in which action there was submitted to the said John F. Cowan, judge, on the 18th day of May, 1904, a motion for a new trial, which motion the said Cowan failed, refused and neglected to decide until the 24th day of August, 1906, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 10. That on the 25th day of June, 1904, and long prior thereto there was pending in the district court of Benson county, North Dakota, an action entitled E. E. Hermon vs. E. S. Rolfe, et. al, which action was duly tried and on the said 25th day of June, 1904, submitted for decision to the said John F. Cowan, judge, who failed, refused and neglected to decide the same until the 25th day of October, 1909, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 11. That on and prior to the 1st day of December, 1905, there was pending in the district court of Benson county, North Dakota, an action entitled Kitsy Burdick vs. John Denoyer, et al, which action was duly tried and on the first day of December, 1905, submitted to the said John F. Cowan, judge, for decision, which action he failed, refused and neglected to decide until the month of December 1907, this against

the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 12. That on and prior to April 14, 1905, there was pending in the county of Ramsey an action entitled Ole L. Uglund vs. Chas. L. Kolb and M. H. Brennan, which action was duly tried and submitted to the said John F. Cowan as Judge for decision on April 14, 1905, and which action he failed, refused and neglected to decide until October 25, 1909, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 13. That on the 4th day of March, 1901, and prior thereto there was pending in the district court of Williams county, North Dakota, an action entitled Joseph Cartier vs. John Bruegger, which action was duly tried and on the 4th day of March, 1901, submitted to the said John F. Cowan as judge for decision and which action he failed, refused and neglected to decide until the 18th day of August, 1906, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 14. That on and prior to the 11th day of August, 1905, there was pending in Benson county, North Dakota, an action entitled G. H. Kilgore, vs. H. A. Smith, which action was submitted to the said John F. Cowan, judge, for decision upon a demurrer therein on the 11th day of August, 1905, which decision he has ever since failed, refused and neglected to render and the same never has been rendered but is still pending, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 15. That in the month of August, 1905, and prior thereto there was pending in the district court of Benson county, North Dakota, an action entitled A. M. Powell vs. P. D. Norton, and the International Harvester Company, which action was duly tried and on or about the 15th day of August, 1905, submitted for decision to the said John F. Cowan, as judge, who has ever since failed, refused and neglected to decide the same and it still remains pending undecided and this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 16. That in the month of November, 1905, there was pending in the district court of Rollette county an action entitled Melvin Small vs. Nels. Baxtrom, et al., which action was duly tried and submitted for decision to the said John F. Cowan as judge, on or about the 15th day of November, 1905, and which action he failed, refused and neglected to decide until in the month of January, 1908, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 17. That on the 2nd day of June, 1906, and long prior thereto there was pending in the district court of Ramsey county, North Dakota, an action entitled William Dewar, et al., vs. Bartlet School District, in which action there was duly submitted to the said John F. Cowan as judge on the 2nd day of June, 1906, a motion with respect to an injunction which motion he, the said John F. Cowan, failed, refused and neglected to decide until the 8th day of June, 1907, against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 18. That on and prior to the 7th day of May, 1906, there was pending in the district court of Ramsey county, North Dakota, an action entitled J. I. Case Threshing Machine Company, vs. Adam Marr, in which action a motion for a new trial was duly submitted to the said John F. Cowan as judge, on or about the 7th day of May, 1906, which motion he failed, refused and neglected to decide until the month of May, 1909, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 19. That on the 16th day of February, 1906, there was pending in the district court of Ramsey county, North Dakota an action entitled Charles H. Burlan vs. Adam Scharf, which action was duly tried and on the 16th day of February, 1906, submitted to the said John F. Cowan as judge, for decision and which action he failed, refused and neglected to decide until the 3rd day of June, 1907, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 20. That in the month of August, 1906, and prior thereto there was pending in the district court of Ramsey county, North Dakota, an action entitled Devils Lake Pressed Brick and Stone Company vs. The Farmers Mill & Elevator Association, which action was duly tried and duly submitted for decision to the said John F. Cowan as judge in the month of August, 1906, and which he failed, refused and neglected to decide until on or about the 22nd day of June, 1907, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 21. During all the year 1906 there was pending in the district court of Ramsey county, an action entitled Jerry McCarthy vs. Michael Shea, which action was duly tried and submitted to the said John F. Cowan, judge, for decision sometime during the said year, 1906, and which action he has ever since failed, refused and neglected to decide and the same has never been decided, but is still pending, this against the peace and dignity of the state of North Dakota, the statute in such case made and provided and in violation of the official duties of the said John F. Cowan as judge.

Specification 22. In the month of March and long prior thereto there was pending in the district court of Pierce county an action in which William Brown was plaintiff and George H. Gilmore et al., was defendant, which action was duly tried and on or about the 15th day of March, 1906, submitted for decision to said John F. Cowan as judge, and ever since said time he, the said Cowan, has failed, neglected and refused to decide the same, and it still remains pending and undecided, this against the peace and dignity of the state of North Dakota and in violation of the statute and the official duty of said judge.

Specification 23. That on the 30th day of July, 1906, and long prior thereto, an action was pending in the district court of Ramsey county, in which Hans Martinson was plaintiff and Mary Regan was defendant, which action was duly tried and on or about said 30th day of July, 1906, was duly submitted to the said John F. Cowan as judge for decision, and he failed, neglected and refused to decide the same until the 10th day of May, 1907, this against the peace and dignity of the state of North Dakota, in violation of the statute and in violation of the duty of the said Cowan as judge.

Specification 24. That on the 21st day of November, 1906, and long prior thereto, there was pending in the district court of Benson county an action entitled J. D. Zion, L. S. Levy and H. M. Levy against J. C. O'Connell, which action was duly tried and on the said 21st day of No-



ember, 1906, submitted for decision to the said John F. Cowan as judge, who has ever since failed, neglected and refused to decide the same, and the same now remains pending and undecided, this against the peace and dignity of the state of North Dakota and in violation of the statute and the official duty of said judge.

Specification 25. That in the month of July, 1907, and long prior thereto, there was pending in the district court of Rolette county an action entitled W. L. Maichaud vs. Augeline Deslierres, which action was on or about the said month of July, 1907, duly submitted to the said John F. Cowan as judge for the determination of a motion for a new trial, and he, the said Cowan, has ever since failed, neglected and refused to decide the same, and the same now remains undetermined, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the official duty of said Cowan as judge.

Specification 26. That in the month of December, 1907, and long prior thereto, there was pending in the district court of Towner county, an action entitled Hansboro State Bank vs. Carl Oberg, which action was in the month of December, 1907, duly submitted to the said John F. Cowan as judge, upon an application then made to vacate a judgment entered in said action, and the said Cowan has ever since failed, neglected and refused to decide the said motion, and the same now remains undecided this against the peace and dignity of the state of North Dakota, and in violation of the statute and the official duty of said Cowan as judge.

Specification 27. That on the 16th day of December, 1907, and long prior thereto, there was pending in the district court of Rolette county an action entitled Dominick Leonard vs. Michael Leonard Jr., et al., which action was on the said 16th day of December, 1907, duly submitted to the said John F. Cowan as judge, for a decision on a motion for a new trial, and ever since said time, he, the said Cowan, has failed, neglected and refused to decide said motion, and the same now remains undecided and undisposed of, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan as judge.

Specification 28. That in the month of May, 1907, and long prior thereto, there was pending in the district court of Ramsey county, an action entitled Maple Bay Wind Stacker Company vs. S. A. Hann, and on or about the said 7th day of May, 1907, a motion for a new trial in said action was duly submitted for decision to the said John F. Cowan as Judge, who ever since said time has failed, neglected and refused to decide the same, and which now remains undecided, this against the peace and dignity of the state of North Dakota and in violation of the statute and the duty of the said Cowan as judge.

Specification 29. That on the 18th day of October, 1908, and long prior thereto, there was pending in the district court of Ramsey county an action entitled Ellen Cline vs. Margaret Duffy, which action was duly tried and on or about the 18th day of October, 1908, submitted for decision to the said John F. Cowan as judge, who failed, refused and neglected to decide the same until the 24th day of May, 1909, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan as judge.

Specification 30. That in the month of February, 1908, there was pending in the district court of Ramsey county an action in which one Blank was plaintiff and one Nelson was defendant, the first names of said parties being to the House of Representatives unknown, and on or about the 15th day of February, 1908, a motion to dismiss said action was duly made and submitted for decision to the said John F. Cowan as judge and he, the said Cowan, has ever since failed, neglected and refused to decide the same, and the same now remains undecided, this against the peace and dignity of the state of North Dakota and in violation of the statute and the duty of said Cowan as judge.

Specification 31. That on the 14th day of August, 1908, and long prior thereto, there was pending in the district court of Ramsey county an action entitled Hawkinson Lumber Company vs. Samuel Wineman et al., which action was duly tried and on or about the 14th day of August, 1908, submitted for decision to the said John F. Cowan, as judge, and he failed, refused and neglected to decide the same until in the month of May, 1909, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan a judge.

Specification 32. That in the month of July, 1908, there was pending in the district court of Ramsey county, an action entitled Ellen Cline vs. Margaret Duffy, which action was tried and on or about the said 28th day of July, 1908, was duly submitted for decision to the said John F. Cowan as judge, who failed, refused and neglected to decide the same until the 29th day of December, 1908, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan as judge.

Specification 33. That on the 8th day of April, 1908, and long prior thereto, there was pending in the district court of Ramsey county an action entitled Farmers Bank of Crary vs. Albert Maxwell, which action was duly tried and on or about the 8th day of April, 1908, submitted for decision to the said John F. Cowan as judge, who has ever since failed, neglected and refused to decide the same, and it now remains undecided, this against the peace and dignity of the State of North Dakota, and in violation of the statute and the duty of said Cowan a judge.

Specification 34. That on the 17th day of July, 1908, and long prior thereto, there was pending in the district court of Ramsey county an action entitled Ed Smith vs. the County of Ramsey, which action was duly tried and on or about the said 17th day of July, 1908, submitted for decision to the said John F. Cowan as judge, and he has ever since failed, refused and neglected to decide the same, and it now remains undisposed of and undecided, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan as judge.

Specification 35. That on April 11, 1908, and long prior thereto, there was pending in the district court of Ramsey county an action entitled D. N. Maceschern vs. Joseph Jilek, which action was duly tried and on or about the 11th day of April, 1908, submitted for decision to the said John F. Cowan as judge, and he has ever since failed, neglected, and refused to decide the same, and it now remains undecided and undisposed of, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of the said Cowan as judge.

Specification 36. That in the month of March, 1909, and long prior thereto, there was an action pending in the district court of Ramsey county, entitled F. S. Chamberlain vs. Charles Doyon, which action was duly tried and on or about the month of March, 1909, submitted for decision to the said John F. Cowan as judge, who has ever since failed, neglected and refused to decide the same, and it is now undecided and undisposed of, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of the said Cowan as judge.

Specification 37. That in the month of August, 1908, and long prior thereto, there was pending in the district court of Ramsey county, an action entitled E. P. McKee vs. Peter Haley, which action was duly tried and about the month of August, 1908, submitted for decision to the said John F. Cowan as judge, who has ever since failed, neglected and refused to decide the same, and it is now undecided and undisposed of,

this against the peace and dignity of the state of North Dakota, and in violation of the statute and duty of said Cowan as judge.

Specification 38. That in the month of August, 1908, and long prior thereto, there was pending in the district court of Ramsey county, an action entitled Rock Island Plow Company vs. Herman Stenseth, which action was tried and on or about the month of August, 1908, duly submitted for decision to the said John F. Cowan as judge, who has ever since failed, neglected and refused to decide the same, and it now remains undecided and undisposed of, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan as judge.

Specification 39. That on the 18th day of May, 1909, and long prior thereto, there was pending in the district court of Towner county, an action entitled William Beck vs. James McIntyre, which action was on or about the said 18th day of May, 1909, submitted for decision upon a demurrer to the said John F. Cowan as judge, who has ever since failed, neglected and refused to decide the same, and it is now undecided and undisposed of, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan as judge.

Specification 40. That on the 9th day of November, 1909, and long prior thereto, there was pending in the district court of Ramsey county an action entitled Mary L. Nelson vs. W. H. Arnold, which action was duly tried and on or about the 9th day of November, 1909, submitted for decision to the said John F. Cowan as judge, who has ever since failed, neglected and refused to decide the same, and it now remains undecided and undisposed of, this against the peace and dignity of the state of North Dakota, and in violation of the statute and the duty of said Cowan as judge.

Specification 41. That on the 20th day of April, 1908, and long prior thereto, there was pending in the district court of Ramsey county, an action entitled "Davis Ruben vs. Delia Thomas," which action was duly tried, and on or about the 20th day of April, 1908, was submitted for decision to the said John F. Cowan, as judge, and he, the said Cowan, failed, refused and neglected to decide the same until the 26th day of May, 1909. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

Specification 42. That on the 6th day of July, 1909, and long prior thereto, there was pending in the district court of Rolette county, an action entitled "Joseph Duffy vs. Axel Egeland," which action was duly tried, and on or about the said 6th day of July, 1909, submitted for decision to the said John F. Cowan as judge, and he failed, refused and neglected to decide the same until the 4th day of October, 1910. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

Specification 43. That in the month of July, 1910, and long prior thereto, there was pending in the district court of Towner county, an action entitled "Harris E Leach vs. the County of Rolette," which action was duly submitted for the decision of a demurrer, to the said John F. Cowan as judge, in the month of July, 1910; and he, the said Cowan, has ever since failed, refused and neglected to decide or rule upon the said demurrer, and the same remains now undecided. This against the peace and dignity of the state, in violation of the statutes in such case provided and of the official duty of the said Cowan as judge.

Specification 44. That in the month of March, 1910, and long prior thereto, there was pending in the district court of Ramsey county, an action entitled, "F. H. Stolze vs. Edmore School District," which action was duly tried, and in the month of March, 1910, submitted for decision to the said John F. Cowan, as judge, and he has ever since failed, refused and neglected to decide the same, and it now remains undeterm-

ined and undecided. This against the peace and dignity of the state, in violation of the statutes in such case provided and of the official duty of the said Cowan as judge.

Specification 45. That on the 18th day of June, 1910, and long prior thereto, there was pending in the district court of Ramsey county an action entitled, "Anderson Mercantile Company vs. John T. Anderson, et al." which action was on or about the 18th day of June, 1910, submitted for decision to the said John F. Cowan as judge, upon a motion for a new trial therein, which motion he has ever since failed, neglected and refused to decide, and the same now remains undisposed of. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

Specification 46. That on the 11th day of August, 1909, and long prior thereto, there was pending in the district court of Ramsey county an action entitled, "F. H. Stolze vs. J. A. Hughes, et al.," which action was duly tried and on or about the said 11th day of August, 1908, submitted for decision to the said John F. Cowan, as judge, who failed, refused and neglected to decide the same until the 26th day of February, 1909. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

Specification 47. That in the month of September, 1904, and long prior thereto, there was pending in the district court of Nelson county, an action entitled, "A. Deparis vs. Libby M. Sheets," which action was about the said month of September, 1904, tried before the said John F. Cowan as judge presiding over the said district court of Nelson county, and submitted to him for decision; and he has ever since failed, neglected and refused to decide the same, and it now remains undecided and undisposed of. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

Specification 48. That in the month of April, 1905, and long prior thereto, there was pending in the district court of Ramsey county, an action entitled, "William P. Montreith vs. Frank Goldammer," which action was duly tried, and about the said month of April, 1905, submitted for decision to the said John F. Cowan, as judge; and he has ever since failed, refused and neglected to decide the same, and it now remains undecided and undisposed of. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

Specification 49. That on July 16, 1907, and long prior thereto, there was pending in the district court of Rolette county, an action entitled "George Sommers vs. M. E. Wagner & Co., which action was duly tried, and on or about the 16th day of July, 1907, submitted for decision to the said John F. Cowan, as judge, who failed, refused and neglected to decide the same until the 4th day of June 1909. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

Specification 50. That in the month of October, 1905, and long prior thereto, there was pending in the district court of Ward county, North Dakota, an action entitled, "Catherine Ehr vs. Emil L. Jensen," which action was duly tried and on or about the month of October, 1905, submitted for decision to the said John F. Cowan, as judge, he, the said Cowan, having presided over the said district court of Ward county at the time of the trial thereof. That the said Cowan failed, refused and neglected to decide the said action until the 9th day of July, 1907. This against the peace and dignity of the state, in violation of the statutes in such case provided, and of the official duty of the said Cowan as judge.

## CHARGE NO. VII.

That said John F. Cowan while such judge of the district court aforesaid was guilty of malfeasance and misdemeanor in office and crimes and offenses against the laws of the state of North Dakota and the same are specified as follows:

Specification No. 1. That said John F. Cowan, while judge as aforesaid, and while acting in his capacity as such did at the end of every three months from and after on or about the first day of January, 1905, for the purpose and with the intent to unlawfully obtain and procure to be paid to him his official salary as such judge in violation of law, wilfully, unlawfully and fraudulently make and present to the auditor of the state of North Dakota a certificate in writing signed by him, said John F. Cowan, in his official capacity as judge of the district court aforesaid, in substance and to the effect that no motion, application or question or issue of fact submitted to him, said Cowan, remained at the date of such certificate undecided contrary to the provisions of Section 5450 of the Revised Codes of 1899, (being now 7039 of the Revised Codes of 1905) and this he did with the intent to deceive the auditor of the state of North Dakota and to make said auditor believe that he, said Cowan, had complied with the provisions of the statute last above mentioned and by means thereof to cause and procure the payment to him, said Cowan, of his salary from time to time, although he, said Cowan, at the time of making and presenting each of said certificates as he well knew had not complied with the provisions of said statute and had pending before him undecided such decisions not being prevented by sickness or other unavoidable casualty, numerous motions, applications and proceedings and questions and issues of fact which had been duly submitted to him for decision more than sixty days prior to the making and presentation of such respective certificate. This in violation of his duties and obligations as judge aforesaid and contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota and the official duty of such judge.

Specification 2. That said John F. Cowan did on or about the 24th day of December, 1904, wilfully, unlawfully and fraudulently make and present and cause to be presented to the then auditor of the state of North Dakota a certificate made and signed by him, said Cowan, in his official capacity as judge of the district court aforesaid, which certificate was in substance and to the effect that no motion, application or question or issue of fact submitted to him, said Cowan, as such judge remained at the time of the making such certificate undecided contrary to the provisions of Section 5450 of the Revised Codes of 1899; that said certificate was then and there false as he, said Cowan, then and there well knew in this that there were in truth and in fact numerous motions and applications made in actions and special proceedings in the district court of the said Second Judicial District of the state of North Dakota, which had been finally submitted to said Cowan as such judge for decision; more than thirty days before the making of said certificate and there were in truth and in fact as he well knew numerous questions and issues of fact which had been submitted to and tried by said Cowan as such judge in actions and special proceedings pending before him more than sixty days before the date of said certificate, all of which motions, applications, questions and issues of fact remained undecided at the date of said certificate as he, said Cowan, well knew, and the decision of which said motions, applications, questions and issues were not prevented by any sickness or other unavoidable casualty; and he, the said Cowan, did by means of said certificate intend to and did unlawfully cause and procure to be paid to him by the state auditor his, said Cowan's salary

as such judge for the months of October, November and December, 1904. That the motions, applications, questions and issues of fact above mentioned which remained undecided at the date said certificates are hereinbefore set forth and described in specifications numbered 1 to 53 of Charge No. 6, and are hereby referred to as part of this specification. All contrary to the statute in such cases made and provided and against the peace and dignity of the state of North Dakota.

Specification 3. That said John F. Cowan in his capacity as judge as aforesaid, did wilfully, unlawfully and fraudulently, on or about the 24th day of December, 1905, make and present and cause to be presented to the state auditor another certificate in the same form and to the same effect as the certificate described in the next preceding Specification herein and with like intent and by purpose and by means thereof did in like manner unlawfully cause and procure the payment to him of his salary for the months of October, November and December, 1905, which certificate was false as he well knew because at the date thereof there remained undecided for more than sixty days after the same had been submitted to him for decision each of the several motions, applications, questions and issues of fact set forth and described in Specifications numbered 1 to 50 of Charge numbered 6, all contrary to the statute and against the peace and dignity of the state and the official duty of such judge.

Specification 4. That said John F. Cowan in his capacity as judge as aforesaid did wilfully, unlawfully and fraudulently, on or about the 24th day of December, 1906, make and present and cause to be presented to the state auditor another certificate in the same form and to the same effect as the certificate described in the next preceding specification herein and with like intent and purpose and by means thereof did in like manner unlawfully cause and procure the payment to him of his salary for the months of October, November and December, 1906. Which certificate was false as he well knew because at the date thereof there remained undecided for more than sixty days after the same had been submitted to him for decision each of the several motions, applications, questions and issues of fact set forth and described in specifications numbered 1 to 50 of Charge numbered 6, all contrary to the statute and against the peace and dignity of the state and the official duty of such judge.

Specification 5. That said John F. Cowan in his capacity as judge as aforesaid did wilfully, unlawfully, and fraudulently on or about the 24th day of December, 1907, make and present and cause to be presented to the state auditor another certificate in the same form and to the same effect as the certificate described in the next preceding specification herein, and with like intent and purpose and by means thereof did in like manner unlawfully cause and procure the payment to him of his salary for the months of October, November and December, 1907. Which certificate was false as he well know because at the date thereof there remained undecided for more than sixty days after the same had been submitted to him for decision each of the several motions, applications, questions and issues of fact set forth and described in specifications numbered 1 to 50 of charge numbered 6. All contrary to the statute, against the peace and dignity of the state, and the official duty of such judge.

Specification 6. That said John F. Cowan in his capacity as judge as aforesaid did wilfully, unlawfully and fraudulently, on or about the 24th day of December, 1908, make and present and cause to be presented to the state auditor another certificate in the same form and to the same effect as the certificate described in the next preceding specification herein and with like intent and purpose and by means thereof did in like manner unlawfully cause and procure the payment to him of his salary for the months of October, November and December, 1908. Which certificate was false as he well knew because at the date thereof there remained undecided for more than sixty days after the same had been

submitted to him for decision each of the several motions, applications, questions and issues of fact set forth and described in specifications numbered 1 to 50 of charge numbered 6. All contrary to the statute, against the peace and dignity of the state and in violation of the official duty of such judge.

Specification 7. That said John F. Cowan in his capacity as judge as aforesaid did wilfully, unlawfully and fraudulently, on or about the 24th day of December, 1909, make and present and cause to be presented to the state auditor another certificate in the same form and to the same effect as the certificate described in the next preceding specification herein, and with like intent and purpose and by means thereof did in like manner unlawfully cause and procure the payment to him of his salary for the months of October, November and December, 1909. Which certificate was false as he well knew because at the date thereof there remained undecided for more than sixty days after the same had been submitted to him for decision each of the several motions, applications, questions and issues of fact set forth and described in specifications numbered 1 to 50 of charge numbered 6, all against the statute, the peace and dignity of the state and in violation of the official duty of such judge.

Specification 8. That said John F. Cowan in his capacity as judge as aforesaid did wilfully, unlawfully and fraudulently, on or about the 24th day of September, 1910, make and present and cause to be presented to the state auditor another certificate in the same form and to the same effect as the certificate described in the next preceding specification herein and with like intent and purpose and by means thereof did in like manner unlawfully cause and procure the payment to him of his salary for the months of July, August and September, 1910. Which certificate was false as he well knew because at the date thereof there remained undecided for more than sixty days after the same had been submitted to him for decision each of the several motions, applications, questions and issues of fact set forth and described in specifications numbered 1 to 50 of charge numbered 6. All against the statute, the peace and dignity of the state and in violation of the official duty of such judge.

#### CHARGE NO. 8.

That said John F. Cowan has continuously during his incumbency of said office of Judge of the district court aforesaid been guilty of malfeasance and misdemeanors in office as follows, that is to say:

Specification 1. That he, said John F. Cowan, while such judge and acting as such did habitually in and during the trial of causes before him, as such judge in the presence of the jurymen, officials of the court, witnesses and spectators, speak and conduct himself in a grossly, unseemly and arbitrary manner and without any cause or provocation, abuse and treat with gross contumely the parties to the litigation, witnesses and counsel appearing before him and intimidate therein and thereby hinder, delay and impede the administration of justice and bring said court and the administration of justice therein into disrepute and contempt.

Specification 2. That said John F. Cowan as such judge did habitually in the trial of causes in his court before a jury unlawfully and arbitrarily conduct himself and speak in such a way as to plainly indicate and show to the jurors his bias prejudice and partiality in the cause on trial with the intent to influence and with the actual effect of influencing the minds of the jurors in deciding the cause on trial.

Specification 3. That said John F. Cowan as judge did habitually during all the time of his incumbency of said office act and conduct himself toward litigants, properly before him in court, and attorneys

properly before him and exercising the rights of their office, in a domineering, abusive and insulting manner, and did by his said domineering, abuse and insults directed to the litigants and attorneys, attempt to and actually intimidate them and prevent them from properly presenting and having presented their rights in the court in which he presided, thus impeding the administration of justice and bringing the court over which he presided into disrepute and contempt.

And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further articles, or other accusation of impeachment against the said John F. Cowan, and also reserving to themselves all right of amending, adding to, amplifying and correcting these articles of impeachment, and also of replying to his answers which he shall make unto the articles herein preferred against him, and of offering proof to the same and every part thereof, and to all and every article, accusation, or impeachment which shall be exhibited by them as the case shall require, do demand that the said John F. Cowan may be put to answer the charges of habitual drunkenness, crimes, malfeasance, corrupt conduct and misdemeanors herein charged against him, and that such proceedings, examinations, trials, and judgments may be thereupon had and given as may be agreeable to law and justice.

The foregoing articles were approved and adopted by the House of Representatives of North Dakota March 3, 1911.

J. M. HANLEY,  
Speaker House of Representatives.

Attest: E. H. GRIFFIN,  
Clerk, House of Representatives.

Mr. Doyle of Foster moved

That the reading of the charges against the Hon. John F. Cowan be dispensed with.

Which motion prevailed.

Mr. Doyle of Foster moved

That the impeachment charges reported by the board of managers be approved and adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

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. 305.

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.

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. 139.

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.

Also

## Senate Bill No. 356.

A bill for an act to amend Article 3 of Chapter 75 of the Civil Code of North Dakota, being Section 6186 of the Revised Codes of North Dakota of 1905.

And the Speaker signed the same in the presence of the House.

The Speaker called Mr. Fraine to the chair.

## Senate Bill No. 104.

A bill for an act providing for correcting errors and deficiencies in city plats.

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.—

Aresson  
Anderson, f Griggs

Messrs.—

Hanson  
Harty

Messrs.—

O'Connor of Gd. Forks  
O'Connor of Pembina

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hawkinson	Olgard of Nelson
Arkus	Heclalen	Olgard of Richland
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Peart
Bond	Homnes	Pendray
Boyd	Hill, of Bottineau	Ployhar
Burnett	Hill, of Cass	Price
Carey	Hyland	Putnam
Christenson	Johns	Ray
Collins	Johnson	Robinson
Cunningham	Jordal	Roquette
Davidson	Kane	Sauer
Davis	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sorlie
DeNault	Kylo	Stera
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	Walters
Fried	Nelson, of Richland	Wambem
Fritz	Nelson, of Walsh	Whitmer
Gardiner	Nestos	Williams
Geiger	Norhelm	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Burns	Reeve
Brusletten	Lageson	Sgutt

So the bill passed and the title was agreed to.

Senate Bill No. 296.

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 or utility to such cities and the inhabitants thereof.

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	Gorder	O'Connor of Pembina
Akesson	Hanson	Olsgard of Nelson
Anderson, of Griggs	Harty	Olsgard of Richland
Anderson, of Ramsey	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hoge	Peart
Boerner	Homnes	Pendray
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Ray
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Cunningham	Kuhl	Scheer
Davidson	Kyllo	Sgutt
Davis	Lageson	Sorlie
DeLance	Law	Stern
DeNault	Lee	Stranahan
Dosseth	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

## Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Andrus	Hawkinson	Knutson
Dean	Hersrud	Reeve
Doyle, of Foster		

So the bill passed and the title was agreed to.

Mr. Stern moved

That the vote by which Senate Bill No. 296 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The conferees on Senate Bill No. 63 agreed on the amendments made by the House.

L. L. BRUSLETTEN,

Mr. Brusletten moved

That the report of the conference committee be adopted.

Which motion prevailed, and  
The report was adopted.

Mr. Martin moved

That the further consideration of Senate Bill No. 241  
be indefinitely postponed.

Which motion was lost.

Senate Bill No. 241.

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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 73 ayes, 10 nays, 20  
absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aashelm	Fried	Nelson of Richland
Akesson	Gardiner	Nestos
Anderson, of Griggs	Geiger	Norheim
Anderson, of Ramsey	Gorder	O'Connor of Gd. Forts
Andrus	Hanson	O'Connor of Pembina
Benson	Harty	Olgard of Nelson
Bond	Hawkinson	Olgard of Richland
Boyd	Hedalen	O'Shea
Brusletten	Hersrud	Paulson
Burnett	Hoge	Peart
Carey	Homnes	Pendray
Christenson	Hill, of Bottineau	Price
Collins	Hill, of Cass	Putnam
Cunningham	Johnson	Sauer
Davidson	Jordal	Scott
Davis	Kane	Stranahan
Dean	Knox	Streeter
DeLance	Lageson	Tande
DeNault	Law	Thompson
Doyle, of Foster	Lee	Tostenson
Edwards	Moen of Benson	Tuttle
Englund	Morrison	Ulsaker
Fassett	Moritz	Walters
France	Narum	Wambem
Fraine		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Ray	Roquette
Dosseth	Reeve	Tollefson
Fritz	Robinson	Whitmer
Martin		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Knutson	Scheer
Burns	Kuhl	Sgutt
Doyle, of McIntosh	Kyllo	Sorlie
Fox	McClellan	Stern
Heinemeyer	Moen of Cavalier	Williams
Hyland	Nelson of Walsh	Mr. Speaker
Johns	Ployhar	

So the bill passed and the title was agreed to.

Mr. Brusletten moved

That the vote by which Senate Bill No. 241 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Ployhar moved

That Senate Bill No. 82 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill as amended by the Senate,

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	O'Connor of Pembina
Akesson	Harty	Olgard of Nelson
Anderson, of Griggs	Hawkinson	Olgard of Richland
Anderson, of Ramsey	Hedalen	O Shea
Andrus	Heinemeyer	Paulson
Bjornson	Hersrud	Peart
Bond	Hoge	Pendray
Brusletten	Homnes	Ployhar
Burns	Hill, of Bottineau	Price
Carey	Hill, of Cass	Putnam
Christenson	Hyland	Ray
Collins	Johnson	Robinson

Messrs.—	Messrs.—	Messrs.—
Cunningham	Jordal	Sauer
Davidson	Kane	Scott
Davis	Knox	Scheer
Dean	Knuts on	Sgutt
DeNault	Kuhl	Sorlie
Dosseth	Kylo	Streeter
Doyle, of McIntosh	Lageson	Tande
Edwards	Lee	Thompson
Englund	McClellan	Tollefson
Fassett	Moen, of Benson	Tostenson
Fox	Moen, of Cavalier	Tuttle
France	Morrison	Ulsaker
Fraine	Moritz	Walters
Fried	Narum	Wambem
Fritz	Nestos	Whitmer
Gardiner	Norheim	Williams
Geiger	O'Connor of Gd. Forks	Mr. Speaker
Gorder		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Doyle, of Foster	Nelson, of Walsh
Boerner	Johns	Reeve
Boyd	Law	Roquette
Burns	Martin	Stern
DeLance	Nelson, of Richland	Stranalan

So the bill passed and the title was agreed to.

Mr. DeNault moved

That the vote by which Senate Bill No. 82 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,

March 3, 1911.

Mr. Speaker:

I have the honor to return Senate Bill No. 102 as requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

## MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has amended as follows:

"Section 9. Provided however, that the provisions of this act shall not apply to the present term of officers elected or appointed prior to the taking effect of this act."

Very respectfully,

J. W. FOLEY,  
Secretary.

Senate Bill No. 134.

A bill for an act making an appropriation for the Williston Experimental station, located at the city of Williston, Williams county.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 79 ayes, 3 nays, 21 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Bjornson  
Bond  
Burnett  
Burns

Messrs.—

Gorder  
Hanson  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes

Messrs.—

Nelson, of Walsh  
Nestos  
Norheim  
O'Connor of Gd. Forks  
Olsgard of Nelson  
O'Shea  
Paulson  
Pendray

Messrs.—	Messrs.—	Messrs.—
Carey	Hill, of Bottineau	Price
Christensor.	Hyland	Putnam
Collins	Johns	Ray
Cunningham	Johnson	Reeve
Davis	Jordal	Robinson
Dean	Kane	Roquette
DeLance	Knox	Sauer
DeNault	Knutson	Scott
Dosseth	Kuhl	Sgutt
Doyle, of Foster	Kyllo	Sorlie
Edwards	Lageson	Stern
Englund	Lee	Stranahan
Fassett	McClellan	Tostenson
Fox	Moen, of Benson	Tuttle
Fraine	Moen, of Cavalier	Ulsaker
Fried	Morrison	Walters
Fritz	Narum	Wambem
Gardiner	Nelson, of Richland	Williams
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Brusletten	Tollefson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Hill, of Cass	Ployhar
Boerner	Law	Scheer
Boyd	Martin	Streeter
Davidson	Moritz	Tande
Doyle, of McIntosh	O'Connor of Pembina	Thompson
France	Olsgard of Richland	Whitmer
Harty	Peart	Mr. Speaker

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,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

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.

Also

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.

Also,

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.

Also,

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.

Also

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.

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.

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. 277.

A bill for an act to prohibit the marriage of insane, epileptic, or feeble-minded persons.

Which the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Senate Bill No. 268.

A bill for an act to amend Section 28 of Chapter 92, of the Session Laws of North Dakota for 1909.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 87 ayes, 1 nay, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hanson	O'Connor of Pembina
Anderson, of Griggs	Harty	Olgard of Richland
Anderson, of Ramsey	Hawkinson	Olgard of Nelson
Andrus	Heinemeyer	O'Shea
Benson	Hoge	Paulson
Bjornson	Homnes	Peart
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
Collins	Knox	Scheer
Davidson	Knutson	Scott
Davis	Kyllo	Sorlie
Dean	Lageson	Stern

Messrs.—	Messrs.—	Messrs.—
DeLance	Law	Stranahan
Dosseth	Lee	Streeter
Doyle, of McIntosh	McClellan	Tande
Edwards	Moen, of Benson	Thompson
Englund	Moen, of Cavalier	Tollefson
Fassett	Morrison	Tostenson
Fox	Moritz	Tuttle
Fraine	Narum	Ulsaker
Fritz	Nelson, of Walsh	Wambem
Gardiner	Nestos	Whitmer
Geiger	Norheim	Williams
Gorder	O'Connor of Gd. Forks	Mr. Speaker

Mr. Nelson of Richland voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Francis	Martin
Christenson	Fried	Pendray
Cunningham	Hedalen	Ployhar
DeNault	Hersrud	Sgutt
Doyle, of Foster	Kuhl	Walters

So the bill passed and the title was agreed to.

Mr. Englund moved

That the vote by which Senate Bill No. 268 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 285.

A bill for an act establishing a temporary educational commission and appropriating one thousand dollars for the expenses thereof.

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	Geiger	O'Connor of Gd. Forks
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
Boerner	Hersrud	Pendray

Messrs.—	Messrs.—	Messrs.—
Bond	Hoge	Price
Boyd	Homnes	Putnam
Brusletten	Hill, of Cass	Ray
Burnett	Hyland	Reeve
Burns	Johns	Robinson
Carey	Johnson	Roquette
Christenson	Jordal	Scott
Collins	Kane	Scheer
Cunningham	Knutson	Sorlie
Davidson	Kuhl	Stern
Dean	Kyllo	Stranahan
DeLance	Lageson	Streeter
DeNault	Law	Tande
Dosseth	Lee	Thompson
Doyle, of Foster	McClellan	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.—
Bjornson	Hill, of Bottineau	Ployhar
Davis	Knox	Sauer
Doyle, of McIntosh	Martin	Sgutt
Hawkinson	Peart	

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the vote by which Senate Bill No. 285 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,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

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.

Which the Senate has laid on the table.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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 election of national committeemen for different political parties.

Which the Senate has failed to pass.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Doyle of McIntosh moved

That the further consideration of Senate Bill No. 284 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 29.

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.

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	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
Bond	Hill, of Cass	Peart
Boyd	Hyland	Ployhar
Brusletten	Johns	Price
Burnett	Jordal	Putnam
Burns	Kane	Ray
Carey	Knox	Reeve
Christenson	Knutson	Robinson
Cunningham	Kuhl	Roquette
Davis	Kyllo	Scott
DeLance	Lageson	Scheer
DeNault	Law	Sgutt
Dosseth	Lee	Sorlie
Doyle, of Foster	Martin	Stern
Edwards	McClellan	Stranahan
Englund	Moen of Benson	Streeter
Fassett	Moen of Cavalier	Thompson
France	Morrison	Tollefson
Fraine	Moritz	Tuttle
Fritz	Narum	Ulsaker
Gardiner	Nelson of Richland	Walters
Geiger	Nelson of Walsh	Wambem
Gorder	Nestos	Whitmer
Hanson	Norheim	Williams
Harty	O'Connor of Gd. Forks	Mr. Speaker
Hawkinson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Dean	Johnson
Bjornson	Doyle, of McIntosh	Pendray
Boerner	Fox	Sauer
Collins	Fried	Tande
Davidson	Hill, of Bottineau	Tostenson

So the bill passed and the title was agreed to.

The Speaker in the chair.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeNault	O'Shea	Sauer
Harty	Ployhar	Sgutt
Knox	Ray	Tande
Law	Robinson	Tostenson

So the bill passed and the title was agreed to.

The Speaker appointed as conference committee on game and fish bill, Messrs. DeNault, Hersrud and Johns.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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.

Also

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.

Also

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.

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. 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. 351.

A bill for an act to amend and re-enact section 164 of the Revised Codes of North Dakota for 1905.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The Chief Clerk announced that the Speaker was about to sign

## 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. 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. 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. 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.

Also,

## 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.

Also

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.

And the Speaker signed the same in the presence of the House.

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 third time.

The question being on the final passage of the bill

The roll was called and there were 46 ayes, 38 nays, 19 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Doyle, of McIntosh	Kuhl
Anderson, of Ramsey	Edwards	McClellan
Andrus	Fassett	Moen, of Cavalier
Bjornson	Fox	Nelson, of Richland
Boerner	France	O'Connor of Pembina
Bond	Fried	O'Shea
Boyd	Fritz	Putnam
Brusletten	Gorder	Ray
Burnett	Heinemeyer	Reeve
Christenson	Hersrud	Roquette
Collins	Hill, of Bottineau	Sauer
Cunningham	Hyland	Scott
Davidson	Johns	Streeter
Dean	Johnson	Tuttle
DeNault	Knox	Williams
Doyle, of Foster		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Kyllo	Price
Akesson	Law	Scheer

Messrs.—	Messrs.—	Messrs.—
Carey	Lee	Stern
DeLance	Moen, of Benson	Stranahan
Dosseth	Morrison	Tande
Englund	Moritz	Thompson
Fraine	Narum	Tollefson
Gardiner	Nelson, of Walsh	Tostenson
Geiger	Olsgard of Nelson	Ulsaker
Hawkinson	Olsgard of Richland	Wambem
Hoge	Paulson	Whitmer
Hill, of Cass	Peart	Mr. Speaker
Jordal	Ployhar	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Kane	O'Connor of Gd. Forks
Burns	Knutson	Pendray
Davis	Lageson	Robinson
Hanson	Martin	Sgutt
Harty	Nestos	Sorlie
Hedalen	Norheim	Walters
Homnes		

So the bill was lost.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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. 398.

A bill for an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Also,

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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

Mr. Ployhar moved a call of the House.

Which motion prevailed.

The roll was called by the chief clerk.

All members present except Messrs. Benson, Burns, Davis, Hanson, Homnes, Kane, Knutson, Lageson, Martin, Nestos, Norheim, O'Connor of Grand Forks, Robinson, Sgutt, Sorlie and Walters.

The sergeant-at-arms appeared with the absentees.

Mr. Ployhar moved

That further proceedings under the call of the House be dispensed with.

Which motion prevailed.

Mr. Streeter gave notice that he would at 8 o'clock this evening move to reconsider the vote by which Senate Bill No. 106 was lost.

Mr. Doyle of McIntosh moved

That the rules be suspended and that the vote by which House Bill No. 216 was lost be reconsidered.

Mr. Ployhar raised the point of order that it did not take the suspension of the rules to reconsider House Bill No. 216.

The Speaker declared the point not well taken.

Mr. Ployhar appealed from the decision of the chair.

The question being, shall the chair be sustained.

Which motion prevailed, and

The chair was sustained.

The question being on the motion to suspend the rules and reconsider the vote by which House Bill No. 216 was lost.

Which motion was lost.

Mr. Cunningham moved

That the House proceed with the calendar.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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. 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. 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.

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. 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. 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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

### THIRD READING OF SENATE BILLS.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 95 ayes, no nays, 8 absent and not voting.

Those who voted in the affirmative were:

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

## Absent and not voting:

## Messrs.—

Benson,  
Dossseth  
France

## Messrs.—

Hornes  
Hill, of Cass  
Johnson

## Messrs.—

Martin  
Norheim

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the further consideration of Senate Bill No. 352 be indefinitely postponed.

Mr. Sorlie moved the previous question.

The question being, shall the main question be now put,  
The same prevailed.

The question being on the motion to indefinitely postpone Senate Bill No. 352,

The same prevailed, and

The further consideration of Senate Bill No. 352 was indefinitely postponed.

Mr. Price moved

That Senate Bill No. 13 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 99 ayes, no nays, 4 absent and not voting.

Those who voted in the affirmative were:

## Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson

## Messrs.—

Gardiner  
Gelger  
Gorder  
Hanson  
Harty  
Hawkinson

## Messrs.—

Nestos  
Norheim  
O'Connor of Gd. Forks  
O'Connor of Pembina  
Olsgard of Nelson  
Olsgard of Richland

## Messrs.—

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

## Messrs.—

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

## Messrs.—

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

Absent and not voting:

## Messrs.—

Martin  
Ployhar

## Messrs.—

Sgutt

## Messrs.—

Tollefson

So the bill passed and the title was agreed to.

The chief clerk announced that the Speaker was about to sign:

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. 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.

Also



## 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.

And the Speaker signed the same in the presence of the House.

## REPORT OF THE BOARD OF MANAGERS.

Mr. Speaker: The Managers selected by the House of Representatives to conduct impeachment proceedings against the Hon. John F. Cowan, judge of the Second Judicial District of North Dakota, have the honor to inform you that they have this day presented at the bar of the Senate the articles of impeachment approved by the House; that the Senate has received the same and we are instructed by the Senate to inform the House that the Senate will take action in said proceedings as provided by law and will duly inform the House of its actions.

GEO. P. HOMNES,  
Chairman.

## Senate Bill No. 366.

A bill for an act to amend and re-enact Section six (6) of Chapter 210 of the Laws of North Dakota for the year of 1909.

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.—
Akeson	Geiger	Nelson, of Richland
Anderson, of Griggs	Gorder	Nelson, of Walsh
Anderson, of Ramsey	Harty	Nestos
Andrus	Hawkinson	O'Connor of Pembina
Benson	Hedalen	Olgard of Nelson
Bjornson	Heinemeyer	Olgard of Richland
Boerner	Hersrud	O'Shea
Bond	Hoge	Paulson
Boyd	Homnes	Peart
Brusletten	Hill, of Bottineau	Pendray
Burnett	Hill, of Cass,	Ployhar
Carey	Hyland	Price
Christenson	Johnson	Putnam
Collins	Jordal	Ray
Cunningham	Kane	Scott
Davidson	Knox	Scheer
Davis	Knutson	Sorlie
Dean	Kuhl	Tande

## Messrs.—

DeLance  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
Fox  
France  
Fritz  
Fried  
Gardiner

## Messrs.—

Kyllo  
Lageson  
Law  
Lee  
McClellan  
Moen, of Benson  
Moen, of Cavalier  
Morrison  
Moritz  
Narum

## Messrs.—

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

## Absent and not voting:

## Messrs.—

Aashelm  
Burns  
DeNault  
Dossseth  
Doyle, of Foster  
Fraine  
Hanson

## Messrs.—

Johns  
Martin  
Norhelm  
O'Connor of Gd. Forks  
Reeve  
Robinson

## Messrs.—

Roquette  
Sauer  
Sgutt  
Stern  
Stranahan  
Streeter

So the bill passed and the title was agreed to.

The chief clerk announced that the Speaker was about to sign:

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. 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.

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. 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. 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. 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.

And the Speaker signed the same in the presence of the House.

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 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.—

Akesson  
Bjornson  
Bond  
Boyd  
Burnett  
Christenson  
Cunningham  
Davidson  
Davis  
Dean  
DeLance  
DeNault  
Dossseth  
Doyle, of Foster  
Doyle, of McIntosh  
Edwards  
Englund  
Fassett  
Fox  
France

Messrs.—

Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Jonnes  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Jordal  
Kane  
Knox  
Kyllo  
Lageson  
Law  
Lee  
Moen of Benson  
Morrison

Messrs.—

Olsgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Sauer  
Scheer  
Sorlie  
Stern  
Stranahan  
Streeter  
Tande  
Thompson  
Tollefson  
Tostenson  
Tuttle

Messrs.—	Messrs.—	Messrs.—
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Walsh	Walters
Fritz	Nestos	Wambem
Gardiner	Norheim	Whitmer
Geiger	O'Connor of Gd. Forks	Williams
Gorder	O'Connor of Pembina	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Collins	Moritz
Anderson, of Griggs	Hanson	Narum
Anderson, of Ramsey	Harty	Olgard of Nelson
Andrus	Knutson	Reeve
Benson	Kuhl	Robinson
Boerner	Martin	Roquette
Brusletten	McClellan	Scott
Burns	Moen of Cavalier	Sgutt
Carey		

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the House take a recess for 30 minutes.

Which motion prevailed and

The House took a recess.

The House reassembled pursuant to recess taken.

Senate Bill No. 325.

A bill for an act entitled, 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.

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	Olgard of Nelson
Anderson, of Ramsey	Harty	Olgard of Richland
Andrus	Hawkinson	O'Shea
Benson	Hedalen	Paulson
Bjornson	Heinemeyer	Peart
Boerner	Hersrud	Pendray
Bond	Hoge	Ployhar
Boyd	Homnes	Price

Messrs.—	Messrs.—	Messrs.—
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Robinson
Burns	Johns	Roquette
Carey	Johnson	Sauer
Christenson	Jordal	Scott
Collins	Kane	Scheer
Cunningham	Knox	Sgutt
Davidson	Knutson	Sorlie
Davis	Kuhl	Stern
Dean	Kyllo	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	Morrison	Walters
France	Moritz	Wambem
Fraine	Narum	Whitmer
Fried	Nelson, of Richland	Williams
Fritz	Nelson, of Walsh	Mr. Speaker
Gardiner	Nestos	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	Norheim	Reeve
Hill, of Bottineau	Ray	

So the bill passed and the title was agreed to.

Senate Bill No. 295.

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.

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, 8 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	Harty	O'Shea
Andrus	Hedalen	Paulson
Benson	Hersrud	Peart
Bjornson	Hoge	Pendray
Boerner	Homnes	Ployhar

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hawkinson	O'Connor of Pembina
Burns	Heinemeyer	Sgutt
Fried	Hill, of Cass	

So the bill passed and the title was agreed to.

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 third time.

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	Gardiner	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina
Anderson, of Griggs	Gorder	Olsgard of Nelson
Andrus	Hanson	Olsgard of Richland

Messrs.—	Messrs.—	Messrs.—
Benson	Harty	Norheim
Bjornson	Hedalen	O'Shea
Boerner	Heinemeyer	Peart
Bond	Hersrud	Pendray
Boyd	Hoge	Ployhar
Brusletten	Hill, of Bottineau	Price
Burnett	Hyland	Putnam
Burns	Johns	Reeve
Carey	Johnson	Robinson
Christenson	Knox	Roquette
Collins	Knutson	Sauer
Cunningham	Kuhl	Scott
Davidson	Kylo	Scheer
Davis	Lageson	Sorlie
Dean	Law	Stern
DeLance	Lee	Streeter
DeNault	Martin	Tande
Dosseth	McClellan	Thompson
Doyle, of Foster	Moen, of Benson	Tollefson
Edwards	Moen, of Cavalier	Tuttle
Englund	Morrison	Ulsaker
Fassett	Moritz	Walters
Fox	Narum	Whitmer
France	Nelson, of Richland	Williams
Fried	Nelson, of Walsh	Mr. Speaker
Fritz	Nestor	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Hill, of Cass	Sgutt
Doyle, of McIntosh	Jordal	Stranahan
Fraine	Kane	Tostenson
Hawkinson	Paulson	Wambem
Homnes	Ray	

So the bill passed and the title was agreed to.

Senate Bill No. 141.

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.

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	Gardiner	O'Connor of Pembina
Akesson	Geiger	Olsgard of Nelson

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hanson	Hornes	Lageson
Hawkinson	Johns	Robinson

So the bill was passed and the title was agreed to.

Senate Bill No. 274.

A bill for an act making an appropriation for the Dickinson experiment station located in the city of Dickinson.

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	Gardiner	O'Shea
Akesson	Geiger	Paulson
Anderson, of Griggs	Gorder	Pendray



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

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That Senate Bill No. 32 be placed upon its final passage as amended.

Which motion prevailed.

Senate Bill No. 32.

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.

Was read the third time.

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	Hanson	Olsgard of Richland
Akesson	Harty	O'Shea
Anderson, of Ramsey	Hedalen	Paulson
Andrus	Heinemeyer	Pearl
Bjornson	Hersrud	Pendray
Boerner	Hoge	Ployhar
Bond	Homnes	Price
Boyd	Hill, of Bottineau	Putnam
Brusletten	Hill, of Cass	Ray
Burnett	Hyland	Reeve
Burns	Kane	Robinson
Carey	Knox	Roquette
Christenson	Knutson	Sauer
Collins	Kuhl	Scott
Cunningham	Kyllo	Schéer
Davidson	Lageson	Sgutt
Davis	Law	Sorlie
Dean	Lee	Stern
DeLance	Martin	Stranahan
DeNault	McClellan	Streeter
Dosseth	Moen of Benson	Tande
Doyle, of Foster	Morrison	Thompson
Englund	Moritz	Tollefson
Fassett	Narum	Tostenson
Fox	Nelson of Richland	Tuttle
France	Nelson of Walsh	Ulsaker
Fraine	Nestos	Wambem
Fried	Norheim	Whitmer
Fritz	O'Connor of Gd. Forks	Williams
Gardiner	Olsgard of Nelson	Mr. Speaker
Geiger		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gorder	Jordal
Benson	Hawkinson	Moen of Cavalier
Doyle, of McIntosh	Johns	O'Connor of Pembina
Edwards	Johnson	Walters

So the bill passed and the title was agreed to.

Mr. Anderson of Ramsey moved  
That the House do now concur in the Senate amendments  
to House Bill No. 232.

Which motion prevailed.

### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has been presented with the charges and specifications of impeachment against the Honorable John F. Cowan, judge of the Second judicial district of this state, and has fixed Tuesday, March 28th, as the date for the convening of the Senate for the trial of the charges which have been formally presented this day.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Price moved

That the House do now concur in the Senate amendments to House Bill No. 434.

Which motion prevailed.

Mr. Price moved

That House Bill No. 434 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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.—
Aashelm	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	Hedalen	Olsgard of Richland

Messrs.—	Messrs.—	Messrs.—
Benson	Heinemeyer	O'Shea
Bjornson	Hersrud	Paulson
Boerner	Hoge	Peart
Bond	Homnes	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burnett	Hyland	Ray
Burns	Johnson	Reeve
Carey	Jordal	Robinson
Christenson	Kane	Roquette
Collins	Knox	Sauer
Cunningham	Knutson	Scott
Davidson	Kuhl	Scheer
Davis	Kyllo	Stutt
Dean	Lageson	Sorlie
DeLance	Law	Stern
Dosseth	Lee	Stranahan
Doyle, of Foster	Martin	Streeter
Doyle, of McIntosh	McClellan	Thompson
Edwards	Moen of Benson	Tollefson
Englund	Moen of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters
Frane	Narum	Wambem
Fried	Nelson of Richland	Whitmer
Fritz	Nelson of Walsh	Williams
Gardiner	Nestos	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeNault	Johns	Tande
France	Pendray	Tostenson
Hawkinson		

So the bill passed and the title was agreed to.

Mr. DeLance moved

That the House do now concur in the Senate amendments to House Bill No. 433.

Which motion prevailed.

Mr. DeLance moved

That House Bill No. 433 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Cunningham	Hawkinson	Scheer
DeNault	Johns	Sgutt
Fox		

So the bill passed and the title was agreed to.

Mr. Davidson moved

That the House do now concur in the Senate amendments to House Bill No. 259.

Which motion prevailed.

Mr. Davidson moved

That House Bill No. 259 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Harty	O'Shea
Geiger	Hawkinson	Paulson
Gorder	Homnes	Peart
Hanson		

So the bill passed and the title was agreed to.

Mr. Lee moved

That the House do now concur in the Senate amendments to House Bill No. 232.

Which motion prevailed.

Mr. Lee moved

That House Bill No. 232 be placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

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 77 ayes, 2 nays, 26 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fassett	Moen, of Benson
Akesson	Fox	Moen, of Cavalier
Anderson, of Ramsey	France	Morrison
Andrus	Fraine	Moritz
Benson	Gardiner	Narum
Bjornson	Gorder	Nelson, of Richland
Boerner	Harty	Nelson, of Walsh
Bond	Hedalen	Nestos
Boyd	Heinemeyer	Norheim
Brusletten	Hersrud	O'Connor of Gd. Forks
Burnett	Hoge	O'Connor of Pembina
Burns	Homnes	Ployhar
Carey	Hill, of Bottineau	Price
Christenson	Hill, of Cass	Putnam
Collins	Hyland	Ray
Cunningham	Johns	Sauer
Davidson	Johnson	Scott

Messrs.—	Messrs.—	Messrs.—
Davis	Kane	Streeter
Dean	Knox	Tande
DeLance	Knutson	Ulsaker
DeNault	Kylo	Walters
Dosseth	Lageon	Wambem
Doyle, of McIntosh	Law	Whitmer
Edwards	Lee	Williams
Englund	McClellan	Mr. Speaker

Messrs. Hawkinson and Sorlie voted in the negative.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Olsgard of Nelson	Scheer
Doyle, of Foster	Olsgard of Richland	Sgutt
Fried	O'Shea	Stern
Fritz	Paulson	Stranahan
Geiger	Pearl	Thompson
Hanson	Pendray	Tollefson
Jordal	Reeve	Tostenson
Kuhl	Robinson	Tuttle
Martin	Roquette	

So the bill passed and the title was agreed to.

Mr. Bond moved

That the further consideration of Senate Bill No. 351 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

Senate Bill No. 308.

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.

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:

Line 11, strike out "the 4th Tuesday in November," and insert "2nd Tuesday in December."

Line 26, strike out "2nd Monday in December" and insert "2nd Wednesday in November."

Which motion prevailed.



Mr. Hoge moved

That the rules be suspended and Senate Bill No. 308 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	Gardiner	O'Connor of Gd. Forks
Akesson	Geiger	O'Connor of Pembina
Bjornson	Gorder	Olgard of Nelson
Boerner	Harty	Olgard of Richland
Bond	Hawkinson	O'Shea
Boyd	Hedalen	Ployhar
Brusletten	Heinemeyer	Price
Burnett	Hersrud	Putnam
Carey	Hoge	Ray
Christenson	Homnes	Sauer
Collins	Hill, of Bottineau	Scheer
Cunningham	Hill, of Cass	Scott
Davidson	Hyland	Sgutt
Davis	Kane	Sorlie
Dean	Knox	Stern
DeLance	Knutson	Stranahan
DeNault	Kuhl	Streeter
Doyle, of Foster	Kylo	Tande
Doyle, of McIntosh	Lageson	Thompson
Edwards	Law	Tollefson
Englund	Lee	Tostenson
Fassett	Martin	Tuttle
Fox	McClellan	Ulsaker
France	Moen, of Benson	Walters
Fraine	Morrison	Wambem
Fried	Nelson, of Walsh	Whitmer
Fritz	Nestos	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Johnson	Paulson
Anderson, of Ramsey	Jordal	Peart
Andrus	Moen, of Cavalier	Pendray
Benson	Moritz	Reeve
Burns	Narum	Robinson
Dosseth	Nelson, of Richland	Roquette
Hanson	Norheim	Mr. Speaker
Johns		

So the bill passed and the title was agreed to.

Mr. Edwards moved

That the House do now concur in the Senate amendments to House Bill No. 442.

Which motion prevailed.

Mr. Edwards moved

That House Bill No. 442 be placed upon its final passage. Which motion prevailed.

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.

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 95 ayes, no nays, 8 absent and not voting.

Those who voted in the affirmative were:

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

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hawkinson	Olsgard of Richland	Tande
Knox	Pendray	Tuttle
Norheim	Sgutt	

So the bill passed and the title was agreed to.

Mr. Nestos moved

That the House request the return of Senate Bill No. 128.

Which motion prevailed.

The Speaker called Mr. Price to the chair.

Mr. O'Connor of Grand Forks moved

That the vote by which Senate Bill No. 352 was lost be reconsidered.

Which motion was lost.

## THIRD READING OF SENATE BILLS.

## Senate Bill No. 353.

A bill for an act to provide for the expression by the qualified voters of the several political parties of their choice for nomination 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 committeemen.

Was read the third time.

The question being on the final passage of the bill:

The roll was called and there were 86 ayes, 13 nays, 4 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Nestos
Akesson	Hanson	Norheim
Anderson, of Griggs	Hawkinson	O'Connor of Gd. Forks
Anderson, of Ramsey	Hedalen	O'Connor of Pembina
Andrus	Heinemeyer	Olsgard of Richland
Benson	Hersrud	Paulson
Bjornson	Homnes	Pearl

Messrs.—	Messrs.—	Messrs.—
Bond	Hill, of Bottineau	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Ray
Christenson	Johnson	Reeve
Collins	Jordal	Robinson
Cunningham	Kane	Roquette
Davidson	Knox	Sauer
Davis	Knutson	Scott
Dean	Kuhl	Sgutt
DeNault	Kyilo	Sorlie
Dosseth	Lageson	Stern
Doyle, of Foster	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	Martin	Thompson
Fassett	McClellan	Tollefson
France	Moen, of Benson	Tostenson
Fraine	Moen, of Cavalier	Tuttle
Fried	Morrison	Ulsaker
Fritz	Moritz	Wambem
Gardner	Narum	Whitmer
Geiger	Nelson, of Richland	Williams
Gorder	Nelson, of Walsh	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boerner	Hill, of Cass	Ployhar
DeLance	Olsgard of Nelson	Scheer
Englund	O'Shea	Tande
Fox	Pendray	Walters
Hoge		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Boyd	Carey	Mr. Speaker
Burns		

So the bill passed and the title was agreed to.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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.

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. 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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

Senate Bill No. 331.

A bill for an act to amend section 6796, Revised Codes of 1905, relating to limitations of actions or proceedings to foreclose real estate mortgages.

Was read the third time.

The question being on the final passage of the bill:

The roll was called and there were 87 ayes, 8 nays, 8 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	O'Connor of Gd. Forks
Akeson	Hawkinson	O'Connor of Pembina
Anderson, of Ramsey	Hedalen	Olsgard of Nelson
Andrus	Heinemeyer	Olsgard of Richland
Benson	Hersrud	O'Shea
Bjornson	Hoge	Paulson
Boerner	Homnes	Peart
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burns	Johns	Ray
Carey	Johnson	Reeve
Collins	Jordal	Robinson
Cunningham	Kane	Roquette
Davison	Knox	Sauer
Davis	Knutson	Scott
Dean	Kuhl	Scheer
DeLance	Lee	Sorlie
DeNault	Martin	Stern
Dosseth	McClellan	Stranahan
Doyle, of Foster	Moen, of Benson	Streeter
Doyle, of McIntosh	Moen, of Cavalier	Tande
Edwards	Morrison	Thompson
Englund	Moritz	Tollefson
Fassett	Narum	Tuttle

Messrs.—	Messrs.—	Messrs.—
Fox	Nelson, of Richland	Ulsaker
France	Nelson, of Walsh	Walters
Fraine	Nestos	Whitmer
Fritz	Norheim	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Kyllo	Pendray
Christenson	Lageson	Wambem
Fried	Law	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Gorder	Tostenson
Gardiner	Hanson	Mr. Speaker
Geiger	Sgutt	

So the bill passed and the title was agreed to.

Senate Bill No. 362.

A bill for an act to amend Section 231 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 66 ayes, 9 nays, 28 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	Hedalen	Olgard of Richland
Andrus	Heinemeyer	O'Shea
Boerner	Hersrud	Paulson
Bond	Hoge	Peart
Boyd	Homnes	Price
Burnett	Hill, of Bottineau	Putnam
Carey	Hill, of Cass	Reeve
Christenson	Kane	Scott
Collins	Knox	Scheer
Davidson	Knutson	Sorlie
Davis	Kyllo	Stern
Dean	Law	Stranahan
Doyle, of McIntosh	Lee	Streeter
Edwards	McClellan	Tande
Englund	Moen, of Cavalier	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Wambem
Fraine	Nelson, of Walsh	Whitmer
Geiger	Nestos	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Cunningham	Fried	Pendray
Doyle, of Foster	Gardiner	Ray
France	Lageson	Walters

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johns	Ployhar
Bjornson	Johnson	Robinson
Brusletten	Jordal	Roquette
Burns	Kuhl	Sauer
DeLance	Martin	Sgutt
DeNault	Moen, of Benson	Thompson
Dosseth	Narum	Tollefson
Fritz	Nelson, of Richland	Tostenson
Hawkinson	O'Connor of Pembina	Mr. Speaker
Hyland		

So the bill passed and the title was agreed to.

There being no objections,  
The House returned to the seventh order of business.

## MOTIONS AND RESOLUTIONS. .

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

Whereas, The committee in the investigation of the state treasurer's office in its report to the Legislative Assembly filed on February 27th, 1911, sets forth certain irregularities in and about the conduct of the business of said office into which it had not sufficient time to inquire, and,

Whereas, said committee in its report recommended that a committee be appointed to carry on the examination of said office.

*Therefore, Be It Resolved by the House of Representatives, the Senate Concurring,* That a committee of three, two members of the House and one of the Senate, be appointed to carry on the examination of the state treasurer's office in conformity with the resolution authorizing the appointment of the committee which has just reported in this matter, and the committee to be appointed aforesaid is especially instructed to examine the office with reference to possible loss to the state of interest on state funds. Such committee is authorized to employ the assistance of a skilled accountant.

Be it further *Resolved,* That such committee make its report to the governor not less than sixty days after the close of the present session, a copy of such report shall be mailed to each of the members of the legislative assembly, such reports also to be submitted to the next legislative assembly.

Be it further *Resolved,* That as compensation for this work each member of such committee be allowed five dollars per day.

Which motion prevailed, and  
The resolution was adopted.

Mr. Kylo moved

That the further consideration of Senate Bill No. 361 be indefinitely postponed.

Which motion prevailed, and

The further consideration of the bill was indefinitely postponed.

The chief clerk announced that the Speaker was about to sign:

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.

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. 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.

And the Speaker signed the same in the presence of the House.

Mr. France moved

That the further consideration of Senate Bill No. 188 be indefinitely postponed.

Mr. Akesson moved the previous question.

The question being shall the main question be now put,  
The same prevailed.

The question being on the motion to indefinitely postpone Senate Bill No. 188,

The same was lost.

### MESSAGE FROM THE SENATE.

The following message was received from the senate:



SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to request the return of House Bill No. 337.

Very respectfully,

J. W. FOLEY,  
Secretary.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 58 ayes, 25 nays, 20 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Harty	Norheim
Anderson, of Griggs	Heinemeyer	O'Connor of Pembina
Anderson, of Ramsey	Hoge	Olsgard of Nelson
Andrus	Homnes	Paulson
Benson	Hill, of Bottineau	Ployhar
Boerner	Hyland	Price
Bond	Kane	Putnam
Boyd	Knutson	Ray
Collins	Kylo	Scheer
Davidson	Lageson	Scott
Davis	Law	Stern
DeLance	Lee	Stranahan
Fassett	Martin	Streeter
Fox	McClellan	Tande
Fraine	Moen, of Benson	Ulsaker
Fried	Moritz	Walters

Messrs.—	Messrs.—	Messrs.—
Gardner	Narum	Wambert
Geiger	Nelson, of Walsh	Whitmer
Gorder	Nestos	Williams
Hanson		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Edwards	O'Shea
Bjornson	Englund	Pearl
Burnett	France	Pendray
Carey	Hawkinson	Reeve
Christenson	Hedalen	Robinson
Cunningham	Hill, of Cass	Sauer
Dosseth	Morrison	Sorlie
Doyle, of Foster	Olsgard of Richland	Tuttle
Doyle, of McIntosh		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Brusletten	Johson	Roquette
Burns	Jordal	Sgutt
Dean	Knox	Thompson
DeNault	Kuhl	Tollefson
Fritz	Moen, of Cavalier	Tostenson
Hersrud	Nelson, of Richland	Mr. Speaker
Johns	O'Connor of Gd. Forks	

So the bill passed and the title was agreed to.

Mr. Geiger moved

That the vote by which Senate Bill No. 188 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.

March 3, 1911.

Mr. Speaker:

I have the honor to request the return of House Bill No. 444.

Very respectfully,

J. W. FOLEY,  
Secretary.

## Senate Bill No. 220.

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 state of North Dakota.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 71 ayes, 20 nays, 12 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Olsgard of Nelson
Anderson, of Griggs	Gardiner	Olsgard of Richland
Andrus	Gorder	Peart
Benson	Hanson	Pendray
Bjornson	Harty	Ployhar
Boerner	Hedalen	Price
Boyd	Heinemeyer	Putnam
Brusletten	Hill, of Bottineau	Ray
Burnett	Hill, of Cass	Reeve
Christenson	Hyland	Robinson
Collins	Johns	Roquette
Cunningham	Kane	Scheer
Davidson	Knox	Sorlie
Davis	Knutson	Stern
Dean	Martin	Stranahan
DeLance	Moen of Benson	Streeter
DeNault	Moen of Cavalier	Tande
Dosseth	Moritz	Tuttle
Doyle, of Foster	Narum	Ulsaker
Doyle, of McIntosh	Nelson of Richland	Walters
Edwards	Nelson of Walsh	Wambem
Fox	Nestos	Whitmer
France	O'Connor of Gd. Forks	Williams
Fraine	O'Connor of Pembina	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Hawkinson	McClellan
Anderson, of Ramsey	Hoge	Morrison
Bond	Homnes	Norheim
Carey	Johnson	O'Shea
Englund	Lageson	Sauer
Fassett	Law	Scott
Geiger	Lee	

Absent and not voting:

Messrs.—  
Burns  
Fritz  
Hersrud  
Jordal

Messrs.—  
Kuhl  
Kyllo  
Paulson  
Sgutt

Messrs.—  
Thompson  
Tollefson  
Tostenson  
Mr. Speaker

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,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 32 and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. LaMoire, Baker and Gunderson.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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.

Also

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.

Also

## House Bill No. 53.

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.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith,

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. 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.

Also

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith:

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. 157.

A bill for an act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Also

House Bill No. 255.

A bill for an act to require coroners to conduct and hold inquests in cases of railroad accidents.

Also

House Bill No. 230.

A bill for an act to amend Chapter 120 of the Session Laws of 1909.

Also,

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 364.

A bill for an act to amend Sections 620 and 650 of the Revised Codes, 1905, relating to elections.

Also

House Bill No. 393.

A bill for an act to prevent unfair discrimination in the purchase of dairy products.

Also

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.

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.

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.

Which the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith:

House Bill No. 282.

A bill for an act to regulate clearance of obstructions on railroads.

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. 86.

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.

Also

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.

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.

Which the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary,

Senate Bill No. 328.

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.

Was read the third time.



The question being on the final passage of the bill,

The roll was called and there were 69 ayes, 16 nays, 18 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Geiger	Nelson, of Richland
Akesson	Gorder	Nelson, of Walsh
Anderson, of Griggs	Hanson	Nestos
Anderson, of Ramsey	Harty	Norheim
Andrus	Hedalen	O'Connor of Gd. Forks
Bjornson	Heinemeyer	O'Connor of Pembina
Boerner	Hersrud	Olgard of Nelson
Bond	Hoge	Olgard of Richland
Boyd	Honnes	O'Shea
Brusletten	Hill, of Bottineau	Peart
Burnett	Hill, of Cass	Ray
Burns	Hyland	Roquette
Carey	Johns	Scheer
Christensen	Kane	Sorlie
Collins	Knox	Stern
Cunningham	Knutson	Stranahan
Davidson	Kuhl	Streeter
Davis	Kyllo	Tande
Dean	Lee	Ulsaker
DeLance	Martin	Wambem
Edwards	McClellan	Whitmer
Fassett	Morrison	Williams
Fox	Moritz	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Johnson	Putnam
Doyle, of McIntosh	Lageson	Reeve
Englund	Moen, of Benson	Robinson
Franco	Moen, of Cavalier	Tuttle
Gardiner	Price	Walters
Hawkinson		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Benson	Jordal	Sauer
DeNault	Law	Scott
Doyle, of Foster	Narum	Sgutt
Fraine	Paulson	Thompson
Fried	Pendray	Tollefson
Fritz	Ployhar	Tostenson

So the bill passed and the title was agreed to.

The Speaker appointed as a conference committee on Senate Bill No. 32, Messrs. DeLance, Hyland and Bond.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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. 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.

Also,

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 beginning and duration thereof.

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. 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. 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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The Chief Clerk announced that the Speaker was about to sign

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. 206.

A bill for an act establishing a Missouri Slope agricultural fair at Mandan and making appropriation therefor.

Also,

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 beginning and duration thereof.

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. 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.

Also,

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.

And the Speaker signed the same in the presence of the House.

Senate Bill No. 355.

A bill for an act to amend Chapter 214 of the Session Laws of 1907, relative to assessment of coal mines.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 88 ayes, 4 nays, 11 absent and not voting.

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	Olsgard of Nelson
Benson	Hersrud	Olsgard of Richland
Bjornson	Hoge	O'Shea
Boerner	Homnes	Pearl
Bond	Hill, of Bottineau	Pendray
Boyd	Hill, of Cass	Ployhar
Brusletten	Hyland	Price
Burnett	Johns	Putnam
Carey	Johnson	Ray
Christenson	Kane	Reeve
Collins	Knox	Robinson
Cunningham	Knutson	Roquette
Davidson	Kuhl	Sauer
Davis	Kyilo	Scheer
Dean	Lageson	Sorlie
DeLance	Law	Stern
DeNault	Lee	Stranahan
Dosseth	McClellan	Streeter
Doyle, of Foster	Moен of Benson	Tande
Englund	Moен of Cavalier	Thompson
Fassett	Morrison	Tostenson
Fox	Moritz	Ulsaker

Messrs.—  
 Fraine  
 Gardiner  
 Geiger  
 Gorder  
 Hanson  
 Harty

Messrs.—  
 Narum  
 Nelson of Richland  
 Nelson of Walsh  
 Nestos  
 Norheim

Messrs.—  
 Walters  
 Wambem  
 Whitmer  
 Williams  
 Mr. Speaker

Those who voted in the negative were:

Messrs.—  
 Anderson, of Griggs  
 Doyle, of McIntosh

Messrs.—  
 France

Messrs.—  
 Tuttle

Absent and not voting:

Messrs.—  
 Andrus  
 Burns  
 Edwards  
 Fried

Messrs.—  
 Fritz  
 Jordal  
 Martin  
 Paulson

Messrs.—  
 Scott  
 Sgutt  
 Tollefson

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,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 13 and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. LaMoure, Kennedy and Putnam.

Very respectfully,

J. W. FOLEY,  
 Secretary.

Mr. France moved

That the further consideration of Senate Bill No. 259 be indefinitely postponed.

Which motion prevailed.

And the further consideration of the bill was indefinitely postponed.

The Speaker appointed as a conference committee on Senate Bill No. 13, Messrs. Price, Hedalen and Putnam.

### REPORT OF CONFERENCE COMMITTEE.

*To the Senate and House:*

Your conference committee, appointed for the consideration of House Bill No. 145, beg leave to report that they have had the same under consideration and recommend:

That the Senate recede from its amendment in line 7 of section 1 of the printed bill to the extent of \$25,000.00, making said line 7 read as follows to-wit:

"seven, for a building for industrial arts, \$25,000.00;

That the bill be so amended and that when so amended, that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report of the conference committee on House Bill No. 145 be adopted.

Which motion prevailed.

Mr. Ployhar moved

That the rules be suspended and House Bill No. 145 be considered engrossed and placed upon its final passage as amended by the conference committee.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill as amended by the conference committee,

The roll was called and there were 97 ayes, no nays, 6 absent and not voting.

Those who voted in the affirmative were:

Messrs.—  
Aasheim  
Akesson

Messrs.—  
Harty  
Heinemeyer

Messrs.—  
Olgard of Nelson  
Olgard of Richland

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Hersrud	O'Shea
Anderson, of Ramsey	Hoge	Paulson
Andrus	Homnes	Peart
Benson	Hill, of Bottineau	Pendray
Bjornson	Hill, of Cass	Ployhar
Boerner	Hyland	Price
Bond	Johns	Putnam
Boyd	Johnson	Ray
Brusletten	Jordal	Reeve
Burnett	Kane	Robinson
Burns	Lnox	Roquette
Carey	Knutson	Sauer
Christenson	Kuhl	Scott
Cunningham	Kyllo	Scheer
Davidson	Lageson	Sgutt
Davis	Law	Sorlie
DeNault	Lee	Stern
Dosseth	Martin	Stranahan
Doyle, of Foster	McClellan	Streeter
Doyle, of McIntosh	Moen of Benson	Tandø
Edwards	Moen of Cavalier	Thompson
Englund	Morrison	Tollefson
Fox	Moritz	Tostenson
France	Narum	Tuttle
Fraine	Nelson of Richland	Ulsaker
Fried	Nelson of Watsn	Walters
Fritz	Nestos	Wambem
Gardiner	Norheim	Whitmer
Geiger	O'Connor of Gd. Fort	Williams
Gorder	O'Connor of Pembina	Mr. Speaker
Hanson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	DeLance	Hawkinson
Dean	Fassett	Hedalen

So the bill passed and the title was agreed to.

Senate Bill No. 371.

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 national forest reserve, located in the county of Billings, state of North Dakota.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 92 ayes, 7 nays, 4 absent and not voting.

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carey	DeNault	Fried
Christenson	Dosseth	Moen, of Cavalier
DeLance		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hawkinson	Knutson	Kuhl
Johnson		

So the bill passed and the title was agreed to.

Mr. Fraine moved

That the House take a recess for ten minutes.

Which motion prevailed, and

The House took a recess.

The House re-assembled pursuant to recess taken.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:



SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith

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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to return herewith.

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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate has adopted the report of the conference committee on House Bill No. 145 and passed the bill as amended by the committee.

Very respectfully,

J. W. FOLEY,  
Secretary.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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.

Also,

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.

Also,

House Bill No. 427.

A bill for an act to withdraw from sale or rent certain school land in Dunn county.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The chief clerk announced that the Speaker was about to sign:

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.

Also,

House Bill No. 427.

A bill for an act to withdraw from sale or rent certain school land in Dunn county.

Also

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.

Also,

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 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 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.

Also,

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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman,

The Chief Clerk announced that the Speaker was about to sign

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.

Also

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.

And the Speaker signed the same in the presence of the House.

Mr. Streeter moved

That the vote by which Senate Bill No. 106 was lost be reconsidered.

Mr. Olgard of Nelson moved the previous question.

The question being, shall the main question be now put,  
The same prevailed.

The question being on the motion to reconsider the vote by which Senate Bill No. 106 was lost.

Which motion was lost.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has adopted the resolution regarding state treasurer's office.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 220 and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Simpson, Elken, Davis, Kennedy and Pierce to serve with a committee of five from the House.

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 and House of Representatives of the Legislative Assembly of the State of North Dakota:*

That the report of the committee appointed to investigate the affairs of the state treasurer's office, and the report of the expert accountants as to the condition of said office shall be made in duplicate, and one copy thereof shall be delivered to the state's attorney of Burleigh county, North Dakota.

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

Very respectfully,

J. W. FOLEY,  
Secretary.

The Speaker appointed as a conference committee on Senate Bill No. 220, Messrs. Fraine, Homnes, Williams, Doyle of Foster and Bond.

#### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your conference committee appointed on Senate Bill No. 210 beg leave to report as follows:

We have had Senate Bill No. 210 under consideration and beg leave to recommend that the same be amended as

follows, and when so amended, we recommend that the same do pass:

In section 3, line 5, of the printed bill, between the words "than" and "two," insert the following: "One thousand inhabitants with a capital stock of less than ten thousand dollars; in cities, towns or villages containing over one thousand inhabitants and less than two." In same section line 44, strike out the word "twenty" and insert the word "ten" in lieu thereof. In line 49 of the same section, substitute the word "ten" in place of the word "twenty."

WESLEY McDOWELL,  
Chairman.

Mr. Doyle of Foster moved

That the report of the conference committee on Senate Bill No. 210 be adopted.

Which motion prevailed.

Mr. Speaker:

The House members appointed on the conference committee to consider the amendment to Senate Bill No. 32 have agreed with the committee from the Senate to

Change the words "fifteen thousand" as amended in the engrossed bill to read "twenty thousand," in line nine and recede from the House amendments.

J. LAMOURE,  
Chairman.

Mr. Hyland moved

That the rules be suspended and the roll be called on conference committee report on Senate Bill No. 32.

Which motion prevailed.

The question being on the adoption of the report of the conference committee on Senate Bill No. 32,

The roll was called and there were 101 ayes, no nays, 2 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 Richlan
Anderson, of Ramsey	Hawkinson	O'Shea
Andrus	Hedalen	Paulson
Benson	Heinemeyer	Peart
Bjornson	Hersrud	Pendray
Boerner	Hoge	Ployhar
Bond	Hill, of Bottineau	Price
Boyd	Hill, of Cass	Putnam

Messrs.—	Messrs.—	Messrs.—
Brusletten	Hyland	Ray
Burnett	Johns	Reeve
Burns	Johnson	Robinson
Carey	Jordal	Roquette
Christenson	Kane	Sauer
Collins	Knox	Scott
Cunningham	Knutson	Scheer
Davidson	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	Nestor	Williams
Gardiner	Norheim	Mr. Speaker
Geiger	O'Connor of Gd. Forks	

Messrs. Davis and Homnes were absent and not voting.

Which motion prevailed, and

The report of the conference committee was adopted.

#### MESSAGE FROM THE SENATE.

The following message was received from the Senate:

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith:

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 the Senate has passed unchanged.

Very respectfully,

J. W. FOLEY,  
Secretary.

## MESSAGE FROM THE GOVERNOR.

The following message was received from the Governor:

GOVERNOR'S OFFICE,

BISMARCK, NORTH DAKOTA,

March 3, 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. 23.

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

Also

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. 35.

A bill for an act to amend Section 1571 of the 1905 Revised Codes of North Dakota.

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. 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. 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. 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. 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.

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. 170.

A bill for an act to amend Section 10243 of the Revised Codes of North Dakota for 1905.

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.

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. 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. 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.

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.

Also

House Bill No. 207.

A bill for an act to regulate the sale of nursery stock to provide for a nursery inspector.

Also

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. 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.

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. 273.

A bill for an act to regulate the size and construction of caboose cars.

Also,

House Bill No. 299.

A bill for an act authorizing county mutual insurance companies to borrow money.

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. 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.

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. 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. 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. 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. 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. 352.

A bill for an act providing for a bailiff of the supreme court.

Also,

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.

Also,

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.

I have the honor to be,

Very respectfully,

JOHN BURKE,  
Governor.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 301.

A bill for an act to amend and re-enact Section 237 of the Revised Codes of the state of North Dakota for the year 1905.

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. 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.

Also

Senate Bill No. 241.

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.

Also,

Senate Bill No. 238.

A bill for an act authorizing the board of university and school lands to make examination of all state and school lands to determine the extent, depth and 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.

Also,

Senate Bill No. 161.

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.

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. 109.

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, 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.

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. 304.

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.

Also

Senate Bill No. 369.

(Title.)

And the Speaker signed the same in the presence of the House.

Senate Bill No. 363.

A bill for an act to amend and re-enact 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.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 101 ayes, no 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	Olsgard of Nelson
Anderson, of Ramsey	Harty	Olsgard of Richland
Andrus	Hedalen	O'Shea
Benson	Heinemeyer	Paulson
Bjornson	Hersrud	Pearl
Boerner	Homnes	Pendray
Bond	Hoge	Ployhar
Boyd	Hill, of Bottineau	Price
Brusletten	Hill, of Cass	Putnam
Burratt	Hyland	Ray
Burns	Johns	Reeve
Carey	Johnson	Robinson
Christenson	Jordal	Roquette
Collins	Kane	Sauer

Messrs.—	Messrs.—	Messrs.—
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	Tuttle
Fassett	Morrison	Ulsaker
Fox	Moritz	Walters
Fraine	Narum	Wamborn
France	Nelson, of Richland	Whitmer
Fried	Nelson, of Walsh	Williams
Fritz	Nestos	Mr. Speaker
Gardiner	Norheim	

Messrs. Hawkinson and Tostenson were absent and not voting.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill as amended by the conference committee,

The roll was called and there were 91 ayes, 4 nays, 8 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	O'Connor of Pembina
Anderson, of Ramsey	Hawkinson	Olgard of Richland
Andrus	Hedalen	O'Shea
Renson	Heinemeyer	Paulson
Boyd	Hersrud	Peart
Brusletten	Hoge	Pendray
Burnett	Homnes	Ployhar
Burns	Hill, of Bottineau	Putnam
Carey	Hill, of Cass	Ray
Christenson	Hyland	Reeve
Collins	Johns	Robinson



Messrs.—	Messrs.—	Messrs.—
Cunningham	Johnson	Roquette
Davidson	Kane	Sauer
Davis	Knox	Scott
Dean	Knutson	Scheer
DeLance	Kuhl	Sgutt
DeNault	Kyllo	Sorlie
Dosseth	Law	Stern
Doyle, of McIntosh	Lee	Stranahan
Edwards	McClellan	Streeter
Englund	Moen, of Benson	Tande
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Ulsaker
France	Moritz	Walters
Fraine	Narum	Wambem
Fried	Nelson, of Richland	Whitme
Fritz	Nelson, of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Lageson	Tollefson	Tostenson
Thompson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Doyle, of Foster	Oisgard of Nelson
Boerner	Jordal	Price
Bond	Martin	

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,

March 3, 1911.

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

Mr. Speaker:

Whereas, John Wigby and Lawrence Casey, bill clerk and assistant of the Senate, have been receiving only \$4.00 per day for work for which the House of Representatives pays \$5.00 per day, and

Whereas, C. E. Forrest, assistant journal clerk of the House has been performing services for which like positions in the senate are paid \$5.00 per day, and

Whereas, these positions are equally important with any positions in either the House or Senate, now therefore,

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

That the sum of \$1.00 per day additional be allowed each of the three named persons to make fair and equitable compensation for the services they have performed.

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. 128, which the House has requested returned.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Davidson moved

That the House do now concur in the Senate concurrent resolution relating to salaries of Messrs. Wigby, Casey and Forrest.

Which motion prevailed, and  
The resolution was concurred in.

Senate Bill No. 318.

A bill for an act to amend and re-enact Section 738 of the Revised Codes of 1905, relating to votes cast by persons not registered.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 94 ayes, 7 nays, 2 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Geiger	Nestos
Anderson, of Rainsey	Gorder	Norhelm
Anderson, of Griggs	Hanson	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Benson	Hawkinson	Olgard of Nelson
Bjornson	Hedalen	Olgard of Richland
Boerner	Heinemeyer	O'Shea

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

#### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Robinson	Thompson
Nelson of Walsh	Tande	Tollefson
Pendray		

Messrs. Doyle of McIntosh and Hersrud were absent and not voting.

So the bill passed and the title was agreed to.

### REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

Your conference committee appointed to act with conference committee from the Senate on Senate Bill No. 235 recommend that the House recede from such amendments to said bill as are not herein set forth:

In line 16, section 1 of the printed bill, after the word "secretary" insert the following: "who shall receive as compensation for his services not to exceed the sum of one hundred dollars per month for keeping and maintaining the secretary's office."

In line 25, section 2 of the printed bill, strike out after the word "for" the balance of section and insert in lieu thereof the following: "carrying out the provisions of this section as said board may deem most expedient."

In line 3, section 5 of the printed bill, after the word "commissioner" insert the following: "How Appointed. Powers and Duties Of.)"

Also in line 3, same page and section, strike out after the word "the" the word "board," and insert in lieu thereof the word "governor."

In line 3, section 5 of the printed bill, after the word "shall" insert the following: "on or before the first day of April, 1911."

In line 4, section 5 of the printed bill, after the word "commissioner," insert the following: "who shall serve for a term of two years or until his successor has been appointed."

In line 5, section 5 of the printed bill, strike out after the word "therefore" the word "to," and all of line 6, and insert in lieu thereof the following: "the sum of."

Line 10, section 4 of the printed bill, after the word "direction," insert the following: "He shall not be engaged in or have any other business that will in any way interfere with his duties as such chief game warden. It shall be his duty to devote all of his time to the practical and actual work of enforcing the provisions of this act in seasons requiring the actual work of deputy wardens in the field."

In line 14, section 4 of the printed bill, after the word "faithful" insert the following: "performance of his duties, and the."

Line 3, section 6 of the printed bill, strike out the word "three" and insert in lieu thereof the word "four."

In line 4, section 6 of the printed bill, strike out the period after the word "district," the word "In" following to be written "in," and after the word "warden" on the same line, strike out the comma and insert in lieu thereof a period.

Line 6, section 6 of the printed bill, strike out the word "four," and insert in lieu thereof the word "five."

Strike out in section 6 all of line 7 and the words in line 8 preceding the word "such," and insert in lieu thereof the following: "which months shall be designated by the Game and Fish Board of Control. Provided, however, the Board of Control may, and they are hereby authorized to appoint one of the above mentioned regular deputy game wardens in each district to serve for a period of one year, if in their judgment such action is necessary and for the better protection of the game of the state. Provided, further, the chief game warden in each district may appoint one or more resident county game wardens in each county in their respective districts, who shall serve for such a time and in such a manner as the chief game warden may direct. They shall serve as such resident county game wardens without compensation, except as provided in section 24, Chapter 128, Session Laws of 1909."

In line 14, section 6 of the printed bill, strike out the word "month" and insert in lieu thereof the word "week." Also on the same line, strike out after the word "the," the following words: "secretary of the board of control," and insert in lieu thereof the following: "chief game warden."

In line 17, same section, strike out the word "month" and insert in lieu thereof the word "week."

In line 10 of section 7 of the printed bill, strike out after the word "state," the following words: "district game and fish wardens" and insert in lieu thereof the following: "chief game wardens and fish commissioner."

In line 13, section 10 of the printed bill, strike out the word "turtle-dove." Also on line 14, same section, strike out the words "ruffed grouse."

Line 22 of section 10, of the printed bill strike out the words "and swan."

In line 26 of section 14 of the printed bill, strike out the word "or" after the words "red horse," and insert after the word "carp," the words "or pickerel."

In line 32 of section 14 of the printed bill, strike out the period and insert in lieu a comma and the following words: "and for the distribution of the products of said fish hatchery."

Section 14. Claims Against the Game and Fish Fund Verified How.) No bill, claim, account or demand against the game and fish fund shall be audited, allowed or paid until a full itemized statement in writing shall

be filed with the secretary of the board. And where charges are made for money expended in attending meetings of the board or for money expended in the performance of official duties, all items of one dollar or more shall be covered by a sub-voucher signed by the party to whom the money was paid. The sub-voucher shall show the date, at which price, and for what the money was paid. The sub-voucher shall be forwarded with the statement, and said statement shall be verified by the oath of the party making it. All statements, bills or claims filed with the secretary, when duly certified to by the president of said board, shall be mailed to the state auditor. The state auditing board shall audit such claims and draw warrants upon the state treasurer for the amounts so allowed, to be paid out of the game and fish fund.

And re-number sections consecutively.

And when so amended, that it do pass.

W. B. DENAULT,  
JOHN G. JOHNS,  
MARTIN HERSRUD.

Conferees for House.

F. S. TALCOTT,  
W. B. OVERSON,  
J. E. STEVENS,

Conferees for Senate.

Mr. DeNault moved

That the report of the conference committee on Senate Bill No. 235 be adopted.

Mr. Sorlie moved

That the report of the conference committee on Senate Bill No. 235 be not adopted.

Which motion was lost.

The question being on the motion to adopt the report,  
The same prevailed, and

The report of the conference committee on Senate Bill No. 235 was adopted.

Mr. DeNault moved

That Senate Bill No. 235 be placed upon its final passage as amended by the conference committee.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill as amended by the conference committee,

The roll was called and there were 58 ayes, 30 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	McClellan
Akesson	Fritz	Moen of Benson
Anderson, of Griggs	Geiger	Moen of Cavalier
Anderson, of Ramsey	Gorder	Narum
Andrus	Hanson	Nelson of Richland
Boyd	Harty	Nelson of Walsh
Brusletten	Hawkinson	O'Connor of Pembina
Burnett	Heinemeyer	Olsgard of Nelson
Burns	Hoge	Olsgard of Richland
Carey	Hill, of Cass	O'Shea
Christenson	Johns	Peart
Collins	Kane	Pendray
Dean	Knox	Ployhar
DeNault	Kuhl	Price
Doyle, of McIntosh	Kylo	Putnam
Edwards	Lageson	Reeve
Englund	Law	Robinson
Fassett	Lee	Roquette
Fox	Martin	Stern
France		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Benson	Knutson	Streeter
Bjornson	Morrison	Tande
Boerner	Moritz	Tollefson
Cunningham	Paulson	Tostenson
Davidson	Ray	Tuttle
Dosseth	Sauer	Ulsaker
Gardiner	Scott	Walters
Hedaler	Scheer	Wambem
Hyland	Sorlie	Whitmer
Johnson	Stranahan	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bond	Hersrud	Norheim
Davis	Homnes	O'Connor of Gd. Forks
DeLance	Hill, of Bottineau	Sgutt

Messrs.—

Doyle, of Foster  
Fraine

Messrs.—

Jordal  
Nestos

Messrs.—

Thompson  
Williams

So the bill passed and the title was agreed to.

Mr. Olsgard of Nelson moved

That the vote by which Senate Bill No. 235 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. 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. 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. 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.

Also

Senate Bill No. 218.

A bill for an act to amend and re-enact Section 7047 of the Revised Codes of North Dakota for the year 1905, relating to references and trials by referees.

Also

Senate Bill No. 211.

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.

Also

Senate Bill No. 347.

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.

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. 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 and reference of laws.

Also,

Senate Bill No. 313.

A bill for an act to amend section 2586 of the Revised Codes of North Dakota for 1905, relating to salaries of judges of the county court.

Also,

Senate Bill No. 209.

A bill for an act entitled, an act regulating the business of corporations issuing bonds, notes or other evidences of indebtedness and providing for the examination of such corporations.



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. 277.

A bill for an act relating to trespassing while hunting game.

And the Speaker signed the same in the presence of the House.

Senate Bill No. 358.

A bill for an act to amend Section 6188 of the Revised Codes of North Dakota, for the year 1905, relating to duties of registers of deeds.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 95 ayes, 1 nay, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
Akesson  
Anderson, of Griggs  
Anderson, of Ramsey  
Andrus  
Benson  
Bjornson  
Boerner  
Bond  
Boyd  
Brusletten  
Burnett  
Burns  
Carey  
Christenson  
Collins  
Cunningham  
Davidson  
Davis  
Dean

Messrs.—

Gardiner  
Geiger  
Gorder  
Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Hill, of Bottineau  
Hill, of Cass  
Hyland  
Johns  
Johnson  
Kane  
Knox  
Knutson  
Kuhl  
Kyllo  
Lageson

Messrs.—

O'Connor of Gd. Forks  
O'Connor of Pembina  
Olgard of Nelson  
Olgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployhar  
Price  
Putnam  
Ray  
Reeve  
Robinson  
Roquette  
Sauer  
Scott  
Scheer  
Sorlie  
Stern

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

Mr. Tostenson voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Jordal	SGutt
Hanson	Norheim	Thompson
Homnes		

So the bill passed and the title was agreed to.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

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. 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. 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. 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.

Also,

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.

Also,

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.

Also,

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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

Also,

Mr. Speaker:

Your committee on enrollment respectfully report that:

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. 25.

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

Also

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.

Also,

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.

Also

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.

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.

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. 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. 31.

A bill for an act to amend Section 2247 of the Revised Code of 1905, defining public warehouses.

Also

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. 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.

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. 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. 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. 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.

Also,

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.

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. 398.

A bill for an act to provide for a commission system of government in cities which shall adopt the provisions of this act.

Also,

House Bill No. 427.

A bill for an act to withdraw from sale or rent certain school land in Dunn county.

Also,

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 beginning and duration thereof.

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. 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. 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.

Also

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.

Also,

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.

Also,

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.

Also,

## 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.

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. 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.

Were delivered to the governor for his approval at the hour of 9:00 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

## Senate Bill No. 364.

A bill for an act to prohibit lobbying and to regulate the employment of legislative counsel and legislative agents by persons or corporations.

Was read the third time.

The question being on the final passage of the bill,

The roll was called and there were 77 ayes, 18 nays, 8 absent and not voting.



## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fried	Moritz
Anderson, of Ramsey	Fritz	Nelson, of Walsh
Andrus	Geiger	Nestos
Benson	Gorder	Norheim
Boerner	Hanson	O'Connor of Gd. Forks
Bond	Harty	O'Connor of Pembina
Boyd	Hedalen	Olgard of Richland
Brusletten	Heinemeyer	Paulson
Burnett	Hersrud	Ployhar
Burns	Hoge	Price
Carey	Homnes	Sauer
Christenson	Hill, of Bottineau	Scott
Collins	Hyland	Scheer
Cunningham	Johns	sgutt
Davidson	Johnson	Sorlie
Davis	Kane	Stern
Dean	Knutsen	Stranahan
DeNault	Kyilo	Streeter
Dosseth	Lageson	Thompson
Doyle, of Foster	Law	Tollefson
Edwards	Lee	Tuttle
Englund	Martin	Ulsaker
Fassett	McClellan	Wambem
Fox	Moen, of Benson	Whitmer
France	Moen, of Cavalier	Mr. Speaker
Fraine	Morrison	

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Akesson	Knox	Putnam
Anderson, of Griggs	Narum	Ray
DeLance	Olgard of Nelson	Roquette
Gardiner	O'Shea	Tande
Hawkinson	Peart	Tostenson
Hill, of Cass	Pendray	Walters

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Kuhl	Robinson
Doyle, of McIntosh	Nelson, of Richland	Williams
Jordal	Reeve	

So the bill passed and the title was agreed to.

Senate Bill No. 298.

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.

Was read the third time.

The question being on the final passage of the bill as amended,

The roll was called and there were 63 ayes, 33 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Ramsey	Gorder	O'Connor of Gd. Forks
Andrus	Harty	O'Connor of Pembina
Benson	Hawkinson	O'Shea
Boerner	Hedalen	Paulson
Bond	Heinemeyer	Peart
Burnett	Hersrud	Price
Christenson	Hoge	Putnam
Collins	Hill, of Bottineau	Ray
Davis	Hill, of Cass	Reeve
Dean	Hyland	Robinson
DeLance	Johnson	Roquette
DeNault	Jordal	Scott
Dosseth	Kuhl	SGutt
Doyle, of McIntosh	Lee	Stern
Edwards	Martin	Stranahan
Englund	McClellan	Streeter
Fassett	Morrison	Tande
France	Narum	Thompson
Fried	Nelson, of Richland	Tostenson
Fritz	Nestos	Tuttle
Geiger	Norheim	Mr. Speaker

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Olgard of Nelson
Akesson	Johns	Olgard of Richland
Anderson, of Griggs	Kane	Pendray
Bjornson	Knox	Sauer
Boyd	Knutson	Scheer
Brusletten	Kyllo	Sorlie
Burns	Lageson	Tollefson
Carey	Moen, of Benson	Ulsaker
Cunningham	Moen, of Cavalier	Walters
Davidson	Moritz	Wamborn
Fox	Nelson, of Walsh	Whitmer

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Homnes	Ployhar
Fraine	Law	Williams
Hanson		

So the bill passed and the title was agreed to.

Mr. Price moved

That the vote by which Senate Bill No. 298 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. 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.

Also,

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

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. 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.

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. 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.

Also,

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.

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 the Speaker signed the same in the presence of the House.

Senate Bill No. 287.

A bill for an act prescribing the duties of the county auditor upon receipt of tax levies certified to him.

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.—
Akesson	Harty	Olsgard of Nelson
Anderson, of Griggs	Hedalen	Olsgard of Richland
Anderson, of Ramsey	Heinemeyer	O'Shea
Andrus	Hersrud	Paulson
Benson	Hogo	Peart
Bjornson	Hill, of Bottineau	Pendray
Bond	Hill, of Cass	Ployhar
Boyd	Hyland	Price
Brusletten	Johns	Putnam
Burnett	Johnson	Ray
Burns	Jordal	Reeve
Carey	Kane	Robinson
Christenson	Knox	Roquette
Collins	Knutson	Sauer
Cunningham	Kuhl	Scott
Davidson	Kyllo	Scheer
Dean	Lagezon	Sgutt
Davis	Law	Sorlie
DeLance	Lee	Stern
DeNault	Martin	Stranahan
Doyle, of McIntosh	McClellan	Streeter

Messrs.—	Messrs.—	Messrs.—
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	Walters
Fritz	Nestos	Wambem
Gardine.	Norhelm	Whitmer
Geiger	O'Connor of Gd. Forks	Williams
Gorder	O'Connor of Pembina	Mr. Speaker
Hansen		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Dosseth	Hawkinson
Boerner	Doyle, of Foster	Homnes

So the bill passed and the title was agreed to.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 90.

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.

Also

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.

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.

Also

Senate Bill No. 268.

A bill for an act to amend Section 28 of Chapter 92, of the Session Laws of North Dakota for 1909.

And the Speaker signed the same in the presence of the House.

Senate Bill No. 244.

A bill for an act prohibiting public administrators from acting as attorneys in the estates of decedents.

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:

Line 1, strike out the word "Act" and insert in lieu thereof "charge fee."

Which motion prevailed.

Mr. Sorlie moved

That the rules be suspended and Senate Bill No. 244 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 98 ayes, no nays, 5 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	Harty	O'Shea
Anderson, of Ramsey	Hawkinson	Paulson
Andrus	Hedalen	Peart
Bjornson	Heinemeyer	Pendray
Boerner	Hersrud	Ployhar
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
Collins	Jordal	Scheer
Cunningham	Kane	Scott
Davidson	Knox	Sgutt
Davis	Knutson	Sorlie
Dean	Kuhl	Stern
DeLance	Kyllo	Stranahan
DeNault	Lageson	Streeter
Dosseth	Law	- ande

Messrs.—	Messrs.—	Messrs.—
Doyle, of McIntosh	Lee	Thompson
Edwards	Martin	Tollefson
Englund	McClellan	Tostenson
Fassett	Moen, of Cavalier	Tuttle
Fox	Morrison	Ulsaker
France	Moritz	Walters
Fraire	Narum	Wambem
Fried	Nelson, of Richland	Whitmer
Fritz	Nelson, of Walsh	Williams
Gardiner	Nestos	Mr. Speaker
Geiger	O'Connor of Pembina	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Moen, of Benson	O'Connor of Gd. Forks
Doyle, of Foster	Norheim	

So the bill passed and the title was agreed to.

There being no objections,  
The House returned to the seventh order of business.

### MOTIONS AND RESOLUTIONS.

Mr. Boyd offered the following concurrent resolution and moved its adoption:

Whereas, Eggert Erlendson was originally employed by the House as assistant clerk and later consented to a transfer to the proof-reading force, and

Whereas, notwithstanding the fact that the proof readers of the Senate receive five dollars per day, he has been receiving only four dollars per day for the same services, which, however, he has performed with ability and efficiency, therefore,

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

That he be paid one dollar per day additional compensation for such services as proof reader.

**Which motion prevailed, and**  
The resolution was adopted.

Mr. Streeter presented the following resolution and moved its adoption:

Whereas, the members of the House of Representatives of the twelfth legislative assembly of the state of North Dakota recognize the uniform courtesy shown by Daniel Slattery, superintendent of the capital, and

Whereas, he has at all times been both gentlemanly and painstaking in his efforts to meet the demands made upon him, therefore, be it,

*Resolved*, That the members of the twelfth legislative assembly hereby express their thanks and appreciation to Daniel M. Slattery for such courtesies and conveniences extended during this session.

**Which motion prevailed, and**

The resolution was adopted.

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

Whereas, the State Historical Society of North Dakota has discovered the site of an Hidatsa village where one of the sons of Verendrye, the French explorer, first saw the Missouri river, on the occasion of the first recorded visit of a white man to what is now North Dakota, in 1738; and

Whereas, President Taft has by executive order set aside the above mentioned tract of land as a national reserve, it being on the unallotted lands of the Fort Berthold reservation;

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

That our senators and representatives in congress be instructed to secure as a permanent reserve, by purchase or otherwise, the above described tract of land on the Fort Berthold reservation.

**Which motion prevailed, and**  
The resolution was adopted.

#### REPORT OF JOINT COMMITTEE.

*To the Twelfth Legislative Assembly of the State of North Dakota:*

Your joint committee, appointed for the purpose of examining the records of the state auditing board in order to ascertain the business methods used, the economy practiced and adherence to law by the state auditing board in its auditing and allowances of bills and expense of government, beg leave to report that upon its appointment by the President of the Senate and the Speaker of the House, the committee met and organized by electing Representative Reeve as chairman of the committee, and Senator Williams as secretary. We immediately began to ascertain the methods used by the auditing department and after an investigation of the system practiced we concluded that it would be altogether more than the committee could do to make a systematic examination of the entire proceedings of the auditing board. It therefore was concluded that it would be better to select certain months in the different years and to examine the accounts as audited by the board for these months with care. We began our investigation by taking the month of January, 1908, and we examined the accounts of parts of four months of the years 1908, 1909, 1910. We found some irregularities in the accounts of nearly every month which we examined, and we attach hereto a statement of some of the accounts, specifying the irregularities which we found. In order that the legislative assembly may ascertain for themselves and know of these irregularities, we submit herewith the constitution and statutes governing the duties of the state auditing board:

Section 186 of the Constitution reads as follows: "No money shall be paid out of the state treasury except upon appropriation by law and upon warrant drawn by the proper officer, and no bills, claims, accounts or demands against the state, or any county or other political subdivision, shall be audited, allowed or paid until a full itemized statement in writing shall be filed with the officer or officers, whose duty it may be to audit the same."

Section 237 of the Revised Codes of 1905 prescribes the duties of the auditing board and reads as follows: "State Auditing Board. Duties.) The Governor, State Auditor and Attorney General shall constitute a board to be known as the State Auditing Board, this board shall hold regular



monthly meetings on the first day of every month and such other times as shall be deemed necessary, in the executive office at the seat of government. The State Auditor shall act as secretary of the board and shall receive and file all claims presented to him for payment in the order in which presented, and bring them before the board at its next meeting. It shall be the duty of this board to audit all claims which may come before it, and no warrant shall be drawn on the state treasury by the state auditor in payment of any claim except such as have been duly passed upon and approved by the state auditing board." Chapter 261 of the laws of 1907, prescribes how claims against the state are made and verified and reads as follows: "Claims against State. Chapter 261, Laws of 1907. Section 1. Amendment. Section 394 of the Revised Codes of North Dakota for 1905 is hereby amended to read as follows:

Section 394. Claims Against the State Verified. How.) No bill, claim, account or demand against the state, except in cases of salaries fixed by law, shall be audited, allowed or paid until a full itemized statement in writing shall be filed with the officer, or officers, whose duties it may be to audit the same, and where charges are made for money expended in the performance of official duties, all items of one dollar or more shall be covered by a sub-voucher signed by the party to whom the money was paid. The sub-voucher shall show the date, at what place, and for what the money was paid. The sub-voucher shall be forwarded with the statement and said statement shall be verified by the oath of the party making it, substantially in the following form:

STATE OF NORTH DAKOTA }  
 County of ..... } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid, and that the goods therein charged were actually delivered and of the value charged.

(Sign here) .....

Subscribed and sworn to this.....day of ..... A. D. 191..

Sec. 2. Exception.) This act shall not apply to charges for expenses as a member of any board of trustees or management of any state institution, except as the form of oath prescribed.

Sec. 3. Repeal.) All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

Sec. 4. Emergency.) Whereas, the law in effect now makes it necessary to use two forms of vouchers, which is impractical, therefore this act shall be in force from and after its passage and approval.

Your committee is of the opinion that it is practically impossible for the state auditing board to carry out the provisions of this chapter in every instance, we believe, however, that this is a wise measure and should be followed by the state auditing board as closely as possible. We find a great many bills which were not accompanied by sub-vouchers, and we believe that the state auditing board should exercise the greatest care possible to see that the provisions of this chapter be complied with in every instance possible. Another form of irregularity which we found was the allowance of claims by the state auditing board where the claimant had not sworn to the account. The law very definitely prescribes that all accounts should be sworn to before being allowed by the auditing board; and we believe that it is the duty of said board to refuse to audit or allow any account until the same is verified by the oath

of the claimant. We found many accounts which had been allowed and paid which were not signed by the governor.

It is the opinion of the committee, however, that this irregularity is rather an oversight and probably carelessness, more than a neglect of duty. We attach to this report a synopsis showing numbers of vouchers and the irregularities set forth pertaining to same.

We also refer to vouchers number 86543, numbers 92352 and number 84754, copies of same attached hereto. These are accounts presented to the auditing board by Attorney General Miller and duly approved by the board. These accounts are not itemized and have no sub-vouchers attached. It is the opinion of the committee that these bills should have been properly itemized before being allowed, the itemized statement attached to said vouchers have been procured from the attorney general by this committee. Voucher No. 84745 covers trip to Washington, D. C., for purpose of submitting coal rate cases being State of North Dakota vs. N. P., Soo and G. N. Railway Companies. Your committee is undecided as to the necessity of this trip and we submit questions and answers there to as propounded to Attorney General Miller, also copy of letter from Edward Engerud setting forth practice in the United States Supreme Court on motions to advance cases on the calendar.

Q. Mr. Miller, on October 1st, 1909, you went to Washington, D. C., and returned October 21st, 1909. Now, what was your business in Washington at that time?

A. My business in Washington was to argue a motion before the Supreme Court in regard to the coal cases.

Q. Was not the stipulation sent you before that time?

A. Yes, but it is one of the rules of the court that no case shall be put forward without the making of a formal motion before the court so in order to have the case advanced a reason must be given for having this case take precedence over the other cases on the calendar.

Q. How long were you in Washington?

A. Now I cannot tell you how long I was in Washington, but when I left here the motion was set to come up at a certain time, but there was no way of knowing whether or not it would be reached, so at Chicago or some place on the way, in accordance with my request for same, I received a notice that the case would not be reached until Monday or Tuesday of the next week.

Q. So that the time from October 1st to 21st was entirely occupied with this business?

A. No, on my way to Washington I spent a day at Chicago and two or three days in Washington that were not absolutely necessary. I was at the same time attending a Deep Water Ways Convention as I was a delegate from the State of North Dakota, that and the coal business was the only business I had and I was there two or three days longer than required by this case. The expenses for the two or three days is not charged in this bill or in any other.

The following is copy of letter of Hon. Edward Engerud:

Hon. J. P. Reeve,

Bismarck, North Dakota.

Dear Sir: In response to your inquiry as to the practice in the United State Supreme Court on motions to advance cases on the calendar will say:

Section 949 of the United States Revised Statutes of 1878, provides that any case in which a state is a party in the United States Supreme Court, the State is entitled to have the case advanced on the calendar and take precedence over all civil actions between private parties on the showing of sufficient cause. All ordinary motions in the United States Supreme Court are made in writing as required in paragraph 1 of rule 6 of that

court. Motions to advance a case must be printed under rule 26, subdivision 6. Such motions under the rules above cited must set forth the facts involved in the case and the reason for advancing. In cases of public importance, involving the governmental operations of the state the motion to advance is granted as a matter of course. It is not necessary nor usual to present any argument in support of such motion other than the statement of facts printed in the motion. It is not usual or necessary for counsel to present such motions in person or orally. The usual practice is to mail the motion papers to the clerk of the court, who procures the necessary order therein for advancement. Where the parties stipulate for the advancement and the fact showing the rights thereto, as is usually done, there is no occasion for any argument, in fact there is nothing to argue, and court would not care for argument.

Trusting this answers your inquiry, I am,

Yours respectfully,

(Signed) EDWARD ENGERUD.

Voucher No. 92351 by the Attorney General is for expenses allowed by the auditing board on a trip to Fargo. There are no sub-vouchers attached and nothing in the bill to indicate whether or not this trip was made upon business for the state. This committee, however, has no knowledge that this trip was not made upon state business.

There seems to be great diversion of opinion as to whether or not any account for personal expense should be allowed state officials who are receiving their expense in lump sums under the provisions of chapter 216 of the laws of the state of North Dakota of 1909, which provides that the different state officials enumerated therein shall receive certain sums of money per annum for the purpose of defraying their personal expense, such amounts to be payable monthly without the filing of any itemized statement. Your committee finds that this item of personal expense was allowed by the state auditing board to the different state officials for the months of January and February, and up to March 8th, 1909, which was before the time that this provision of the chapter was signed by the governor, thereby making it a law. Upon inquiry we find that the state auditor before issuing the various warrants for these claims requested the attorney general for an opinion as to the legality of such claims, the attorney general in a written opinion (a copy of which is hereto attached), held that such claims were legal and that it was the intent of the Eleventh Legislative Assembly that different items of expense allowed the different state official should apply to the year of 1909 in full. Your committee interviewed the attorney general upon this question, and we submit herewith for your consideration a list of questions which the chairman asked the attorney general, together with his answers to the same.

Q. As attorney general of the state, the legal adviser of the state officers, and a member of the state auditing board, in your opinion does chapter 216 of the laws of 1909 contravene section 186 of the constitution?

A. I do not think it contravenes with the constitution.

Q. In case it is your opinion that chapter 216 of the session laws of 1909, does not contravene section 186 of the constitution, do you consider that the amounts allowed should be classed as an increase in salary to the officers named in the act?

A. No.

Q. If it is your opinion that the amounts authorized by chapter 216 of the laws of North Dakota for 1909, is to be considered an increase of salary for the officers enumerated therein this chapter 216 of the laws of North Dakota for 1909 contravenes section 84 of the constitution?

A. I have already answered this, by the answer that this expense has already been allowed by the legislature and the legislative act passed allowing these various sums as expense to the various state officials.

Q. As attorney general of the state, legal adviser of the state officers, and a member of the state auditing board, what reason do you assign as a member of the state auditing board for approving the vouchers drawn on the state funds as per the provisions of chapter 216 of the laws of North Dakota?

A. The law provides that a certain sum of \$750.00 per annum or for each year, and provides that this sum be paid monthly at the same time as the salary.

Q. Did you consider it lawful for the various officials to draw their money for the two months before the act was approved?

A. My judgment was then and now is that the only logical and sensible conclusion is that this meant that each official would get \$750.00 per year, not so much per month.

Our attention has been called to the account of Peter Roth, who it is claimed drew four (4) months' salary as clerk in the secretary of state's office while not actually at work in the office.

We have looked the matter up and ascertain that Peter Roth drew pay for September, October, November and December, 1910, and that during said time he was employed as cashier of a bank at New Salem, North Dakota; we find further, that Mr. Roth was granted a leave of absence of ninety (90) days by Secretary of State Blaisdell, and that he was in the office of secretary of state on Sundays of each week and occasionally during the week days. We took this matter up personally with each individual member of the auditing board, and they state that they held up the account for some time, but that Mr. Blaisdell recommended the allowance of the salary and gave as his reason therefor that Mr. Roth was a good and efficient clerk and had been employed in the office for eight (8) years without a vacation, also that Mr. Roth was needed in the office during that time and that even though he was not in the office only occasionally, that he, as a matter of fact, supervised the business of the office. The auditing board allowed Mr. Roth a salary of \$125.00 per month for four (4) months, and the account was approved by the department and also by the auditing board. We do not consider the allowance of this item as very business like or economical.

Your committee finds that the deputy game wardens have not followed the law in many instances relative to the procuring of sub-vouchers, and at least such sub-vouchers are not on file in the state auditor's office. The state auditing board informs your committee that under the provisions of the present law they have no jurisdiction over the bills of the game and fish commission or the deputy game wardens. When the present law came into effect there was some conflict of opinion between the state auditing board and the game and fish board upon this question, and the state auditing board informs your committee that they took this matter up with the attorney general, and he held (as per copy of opinion hereto attached), that the state auditing board had no jurisdiction over these bills, and the only reason that these bills passed through the hands of the state auditing board at all is because of the constitutional provision as to the manner in which money shall be paid out by the state.

Your committee suggests and recommends that the present laws governing the fish and game board and deputies be so amended that the state auditing board shall have complete supervision over the expenditures of all money derived from this fund.

We attach hereto copies of vouchers of special wardens for the months of July, August, September and October, also voucher number 92349, of the secretary of fish and game. None of these accounts are sworn to except the account of the secretary. There are no sub-vouchers attached to any of the vouchers and we find what purports to be a voucher is merely a list of names of the special wardens, together with the amount of their salary set opposite their respective names. So far as the record of the state

auditing board will show, not one of the special wardens has sworn to the account as provided by law.

Your committee finds in looking over the bills of the department of state oil inspectors, that the board has allowed the deputies telephones at the various points. We find upon investigating this matter that these telephones in most instances were used by the different deputies for state business and also for their private business, and while they should have been allowed something for telephone, your committee believes that the bills should have been pro rated as between the state and the individual business.

It also appears that the members of the legislature are not submitting proper mileage to the mileage and per diem committee, and we submit the attached figures covering a partial list of the members of the Twelfth Legislature for your consideration, the comparative figures were taken from the 1909 mileage and per diem committee report, as shown on page 130 of House Journal for 1909, and the 1911 mileage and per diem committee report.

We have also referred to railway time cards, and call your attention particularly to the fact that there is daily passenger service from Devils Lake to Casselton, North Dakota, also a daily passenger train from Minot direct to Bismarck, and there were no snow blockades between December 28, 1910, and January 3rd, 1911.

We do not care to comment further on this matter, except to suggest that very few of us would pay from \$5.00 to \$15.00 of our own cash in order to ride on the cars, when we save no time, and in most cases the actual time consumed would be greater.

Your committee recommends that chapter 261 of the session laws of 1907, be amended so that the provisions requiring sub-vouchers shall not apply to state officers when on business outside of the state, as we deem this provision impractical and unnecessary in this respect.

Your committee respectfully submits this report and asks for its discharge.

J. P. REEVE,  
Chairman.  
JOHN E. WILLIAMS,  
Secretary.  
R. T. KRETSCHMAR,  
J. L. CASHEL,  
OLE PAULSON,  
S. J. DOYLE.

March 3, 1911.

Mr. J. P. Reeves, Chairman State Board of Auditors Investigating Committee, Bismarck, North Dakota:

Dear Sir: I have been advised by one of the members of your committee that in your report about to be presented, you have incorporated an opinion from Edward Engerud, Esq., in which Mr. Engerud states that it is his opinion that to submit a motion for the advancement of cases in the supreme court of United States, personal appearance by the moving party is not necessary, because such motions were merely formal and submitted on briefs.

In connection with this subject, I desire to advise your committee that if Mr. Engerud has furnished the committee any such opinion, the same is erroneous. I am familiar with the practice before the supreme court of United States, and know it to be the practice in said court to require the attorney for the moving party to be personally present and submit the motion.

I might further say to your committee that even if my personal presence had not been required under the practice in that court, which it was, I would, in my judgment, have been derelict as attorney for the

state in so important a case, had I taken any chances on a failure to get the cases advanced by not using every method possible to obtain a speedy trial thereof. To illustrate the importance of the case to the general public, I attach hereto a letter from the secretary of the Commercial Club of Fargo, calling my attention to a resolution of that body requesting me to use every possible means to obtain a speedy and successful result. Other commercial bodies in the state, and prominent business men importuned me likewise.

Respectfully submitted,

ANDREW MILLER,  
Attorney General.

Voucher No. 74228—Account of refund of elevator licenses. Approved by the governor but is not sworn to.

Voucher No. 74046—Sheriff's bill amounting to \$70.50 for the transportation of patient Andrew P. Nelson from Minot, N. D., to the Insane Asylum at Jamestown, N. D. No sub-voucher attached.

Voucher No. 74043—Sheriff's bill amounting to \$64.50 for transportation of patient Mary T. Miller from Minot, N. D., to the Insane Asylum at Jamestown, N. D. No sub-voucher attached.

Voucher No. 74059—Sheriff's bill amounting to \$145.00 for transportation of convicts Earle William Gusby, and John M. Ardery from Minot, N. D., to the penitentiary at Bismarck. No sub-voucher attached.

Voucher No. 77586—October, 1908, expense list of the N. D. Agricultural College amounting to \$330.43, bears the approval stamp of the auditing board but is not signed by the governor.

Voucher No. 74047—Sheriff's bill amounting to \$70.50 for transportation of patient John McDiarmid from Minot, N. D., to the insane asylum at Jamestown, N. D. No sub-voucher attached.

Voucher No. 74044—Sheriff's bill amounting to \$64.50 for transportation of patient Anna M. Broyles from Minot, N. D., to the Insane Asylum at Jamestown. No sub-voucher attached.

Voucher No. 74048—Sheriff's bill amounting to \$70.50 for transportation of patient Alifiry Ruvinska from Minot, N. D. to the insane asylum at Jamestown. No sub-voucher attached.

Voucher No. 74268—March, 1908, expense list of the N. D. Academy of Science amounting to \$286.59, bears approval of the auditing board, but is not signed by the governor.

Voucher No. 75748—Dated June 18, 1908, expense of C. W. Paulson of the board of management of the normal school at Valley City. Sworn to but not signed by notary.

Voucher No. 75747—Dated June 9, 1908, expenses of Walter R. Reed of the board of management of the state normal school at Valley City. Not sworn to.

Voucher No. 75746—Dated June 18, 1908, expenses of Walter R. Reed of the board of management of the state normal school at Valley City. Voucher not sworn to.

Voucher No. 77594—October, 1908. Expense list of the N. D. state reform school amounting to \$2,105.75, bears the approval stamp of the auditing board, but is not signed by the governor.

Voucher No. 77593—September, 1908. Expense list of the N. D. state reform school amounting to \$139.79, bears the approval stamp of the auditing board, but is not signed by the governor.

Voucher No. 77592—November, 1908. Expense list of the N. D. state reform school amounting to \$28.75, bears the approval stamp of the auditing board but is not signed by the governor.

Voucher No. 74076—Dated January 13, 1908. Expense for blind asylum amounting to \$7.00. Voucher not sworn to.

Voucher No. 77661—December, 1908. Clerk hire of the assistant attorney general amounting to \$150.00. Not signed by the governor.

Voucher No. 74060—Sheriff's bill amounting to \$145.00 for transportation of convicts Chas. Sankey and John Phillips from Minot, N. D. to the state penitentiary at Bismarck, N. D. No sub-voucher attached.

Voucher No. 77590—October, 1908, expense list of N. D. agricultural college amounting to \$3,641.35, bears the approval stamp of the auditing board, but is not signed by the governor.

Voucher No. 77589—October, 1908, expense list of the N. D. agricultural college amounting to \$876.90, bears the approval stamp of the auditing board but is not signed by the governor.

Voucher No. 77588—October, 1908, expense list of N. D. agricultural college amounting to \$382.36, bears the approval stamp of the auditing board but is not signed by the governor.

Voucher No. 77587—October, 1908, expense list of the N. D. agricultural college amounting to \$2,645.65, bears the approval of the auditing board but is not signed by the governor.

Voucher No. 74056—Sheriff's bill amounting to \$94.50 for transportation of convict John Gustof from Minot, N. D., to Bismarck, N. D. No sub-voucher attached.

Voucher No. 74056—Sheriff's bill amounting to \$145.00 for transportation of convicts Albert Frantz and Joseph Remper from Minot, N. D. to Bismarck, N. D. No sub-voucher attached.

Voucher No. 74062—Sheriff's bill amounting to \$164.25 for the transportation of insane patient from Minot, N. D. to Mendota, Wisconsin. No voucher attached.

Voucher No. 74054—Warrant of admission to insane asylum of Gundhild Sambo. Expenses of sheriff from Rolla to Jamestown not acknowledged; \$6.00 allowed for which no sub-vouchers attached.

Voucher No. 74053—Warrant of admission to insane asylum of Mary Florentin. Expenses of sheriff from Rolla to Jamestown. Voucher not acknowledged.

Voucher No. 75748—Expense account of C. W. Paulson (member of board of management of the state normal school of Valley City) amounting to \$14.00 not acknowledged.

Voucher No. 77414—Sheriff's bill for transportation of convicts from Hettinger to Bismarck, amounting to \$99.50 not sworn to and no sub-vouchers attached.

Voucher No. 77489—November, 1908. Expense list of normal school amounting to \$1,935.65. Bears approval stamp of auditing board but is not signed by the governor.

Voucher No. 77585—November, 1908. Expense list of North Dakota penitentiary amounting to \$5,018.72. Bears approval stamp of the auditing board but is not signed by the governor.

Voucher No. 77583—October, 1908. Expense list of the state Hospital for the insane amounting to \$7,410.00. Bears approval stamp of the auditing board but is not signed by the governor.

STATE OF NORTH DAKOTA, Dr., To ANDREW MILLER, BISMARCK,  
NORTH DAKOTA.

Nov. 27, 1910, expense to Fargo—trip:

R. R. fare to Fargo .....	\$ 4.85
Pullman ticket .....	.95
Diner .....	1.50
Hotel room at Fargo .....	4.00
Two days .....	6.00

Nov. 29:

R. R. fare to Bismarck .....	4.85
Pullman .....	.95
Diner .....	1.50
Total .....	<u>\$24.50</u>

The state auditing board approves at \$24.50.

JOHN BURKE,  
President State Auditing Board.

Dec. 21, 1910.

STATE OF NORTH DAKOTA, }  
County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein stated; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

ANDREW MILLER.

Subscribed and sworn to before me this 21st day of December, A. D. 1910.

CARL O. JORGENSON,

I, Carl O. Jorgenson, deputy state auditor to D. K. Brightbill, do hereby certify that the attached is a true and correct copy of all that pertains to voucher No. 92351, paid by State Auditor's check No. 92351, and now on file in the auditor's office.

CARL O. JORGENSON,

Bismarck, North Dakota, January 18, 1911.

ADDITIONAL STATEMENT ASKED FOR BY COMMITTEE.

Expense statement as near as I can now recollect:

OCTOBER 1 TO OCTOBER 21, 1909.

R. R. Fare Bismarck to St. Paul, .....	\$12.75
St. Paul to Chicago, .....	10.00
Chicago to Washington .....	26.50
Certificate admission to Supreme Court .....	10.00
Railroad fare Washington to Chicago .....	24.50
Railroad fare Chicago to St. Paul .....	10.00
St. Paul to Bismarck .....	12.50
Stenographic work .....	6.00
All other expenses .....	132.75
Total .....	<u>250.00</u>

I, Carl O. Jorgenson, deputy state auditor to D. K. Brightbill, do hereby certify that the attached is a true and correct copy of all that pertain to Voucher No. 84745, paid by state auditor's check No. 84745, and now on file in the auditor's office.

CARL O. JORGENSON.

Bismarck, North Dakota, January 18, 1911.



November 2, 1909.

State of North Dakota, Dr.

To Andrew Miller, Bismarck.

Nov. 2, 1909—

To personal expenses in connection with trip to Washington,

D. C., in submitting coal rate cases being ..... \$250.00

State of North Dakota vs. N. P., Soo, and Gt. Northern Ry. Co.'s.

The State Auditing Board approves at \$250.00, John Burke, president State Auditing Board; Nov. 2, 1909.

Goods received, services performed, Andrew Miller.

STATE OF NORTH DAKOTA, }  
County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein stated; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

ANDREW MILLER.

Subscribed and sworn to before me this 15th day of February, A. D. 1910.

CARL O. JORGENSON,

ADDITIONAL ITEMIZED EXPENSE ASKED BY COMMITTEE.

Feb. 15 to Feb. 30, 1910—

Railroad fare Bismarck to St. Paul .....	\$ 12.75
St. Paul to Chicago .....	10.00
Chicago to Washington .....	26.50
Railroad fare Washington to Chicago .....	26.50
Chicago to St. Paul .....	10.00
St. Paul to Bismarck .....	12.75
All other items ..	87.75
<b>Total .....</b>	<b>\$200.00</b>

I, Carl O. Jorgenson, deputy state auditor to D. K. Brightbill, do hereby certify that the attached is a true and correct copy of all that pertains to Voucher No. 86543, paid by State Auditor's check No. 86543, and now on file in the auditor's office.

CARL O. JORGENSON,

STATE OF NORTH DAKOTA, Dr.

To ANDREW MILLER, BISMARCK, N. D.

February 15, 1910.

Advance to cover expense of trip to Washington, D. C., to try coal rate cases for State of North Dakota..... \$200.00

The State Auditing Board approves at \$200.00; Burke, president State Auditing Board; Feb. 15, 1910.

STATE OF NORTH DAKOTA, }  
 County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein stated; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

ANDREW MILLER.

Subscribed and sworn to before me this 2nd day of November, A. D. 1909.  
 CARL O. JORGENSON,

ADDITIONAL ITEMIZED STATEMENT ASKED BY THE COMMITTEE.

December 3 to December 20, 1910—

Railroad fare Bismarck to St. Paul .....	\$12.75
St. Paul to Chicago .....	10.00
Chicago to Washington .....	26.50
Washington to Chicago .....	26.50
Chicago to St. Paul .....	10.00
St. Paul to Bismarck .....	12.75
All other items .....	116.25
Total .....	\$228.50

I, Carl O. Jorgenson, deputy state auditor to D. K. Brightbill, do hereby certify that the attached is a true and correct copy of all that pertains to Voucher No. 92352, paid by State Auditor's check No. 92352, and now on file in the auditor's office.

CARL O. JORGENSON,

Bismarck, North Dakota, January 18, 1911.

STATE OF NORTH DAKOTA, }  
 County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

ANDREW MILLER.

Subscribed and sworn to before me this 2nd day of December, A. D. 1910.  
 CARL O. JORGENSON,

STATE OF NORTH DAKOTA, Dr.

To ANDREW MILLER, BISMARCK, N. D.

December 4 to December 20, 1910—

Expense trip to Washington, D. C., in connection with R. E.

Cobb Co. et al, vs. State of North Dakota, Intervenor, et al \$228.50  
 The State Auditing Board approves at \$228.50; John Burke, president  
 State Auditing Board; December 21, 1910.

STATE OF NORTH DAKOTA, }  
County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein stated; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

ANDREW MILLER.

Subscribed and sworn to before me this 21st day of December, A. D. 1906.  
CARL O. JORGENSEN,

(COPY.)

STATE OF NORTH DAKOTA, Dr.

To D. K. BRIGHTBILL, STATE AUDITOR, BISMARCK, N. D.

April 1, 1909.

To annual personal expense appropriation under House Bill No. 110, to be paid monthly ..... \$750.00

STATE OF NORTH DAKOTA, }  
County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true and that I reside at Bismarck, North Dakota.

D. K. BRIGHTBILL,

Subscribed and sworn to before me this 2d day of April, A. D. 1909.

CARL O. JORGENSEN,  
Notary Public.

My commission expires September 12th, 1910.

Check No. ...., \$125.00 January and February expense.

Check No. 80059, \$62.50, March expense.

This bill filed according to holding of Attorney General—see opinion filed in auditor's office..

(COPY.)

STATE OF NORTH DAKOTA, Dr.

April 1, 1909.

To E. C. COOPER, Insurance Commissioner, Bismarck, N. D.

To annual personal expense appropriation under H. B. No. 110, to be paid monthly ..... \$750.00

This claim is in accordance form by Attorney General. See opinion on file.

STATE OF NORTH DAKOTA, }  
County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true and that I reside at Bismarck, North Dakota.

E. C. COOPER,

Subscribed and sworn to before me this 2d day of April, A. D. 1909.

CARL O. JORGENSON,  
Notary Public.

STATE OF NORTH DAKOTA, Dr.

To G. L. BICKFORD, State Treasurer, Bismarck, N. D.

April 1, 1909.

To annual personal expense appropriation under H. B. No. 110,  
to be paid monthly..... \$750.00

No. 79984, \$62.50, March 1909.

STATE OF NORTH DAKOTA, }  
County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true  
and that I reside at Bismarck, North Dakota.

G. L. BICKFORD.

Subscribed and sworn to before me this 2d day of April, A. D. 1909.

CARL O. JORGENSON,  
Notary Public.

Check No. 79483, \$125.00, 3-10-'09—Jan. and Feb., 1909.

(COPY.)

STATE OF NORTH DAKOTA, Dr.

To W. L. STOCKWELL, Supt. of Public Instruction, Bismarck, N. D.

April 1, 1909.

To annual personal expense appropriation under H. B. No. 110,  
to be paid monthly ..... \$750.00

No. 79987, \$62.50, March.

STATE OF NORTH DAKOTA, }  
County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true  
and that I reside at Bismarck, North Dakota.

W. L. STOCKWELL.

Subscribed and sworn to before me this 2d day of April, A. D. 1909.

CARL O. JORGENSON,  
Notary Public.

Check No. 79476, \$125.00 3-12-'09, to cover Jan. and Feb., 1909.

(COPY.)

STATE OF NORTH DAKOTA, Dr.

W. C. GILBRAITH, Bismarck, N. D.

April 1, 1909.

To annual personal expense appropriation under H. B. No. 110,  
to be paid monthly ..... \$750.00

Check No. 79985, \$62.50, March, 1909.

STATE OF NORTH DAKOTA, }  
 County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true and that I reside at Bismarck, North Dakota.

W. C. GILBRAITH,

Subscribed and sworn to before me this 2d day of April, A. D. 1909.

CARL O. JORGENSON,  
 Notary Public.

Check No. 79478, \$125.00, 3-12-09—Jan. and Feb., 1909.

(COPY.)

STATE OF NORTH DAKOTA, Dr.  
 To D. E. MORGAN, Bismarck, N. D.

Salary March, Judge Supreme Court .....	\$416.66
Expense one quarter .....	125.00

(COPY.)

STATE OF NORTH DAKOTA, Dr.  
 To G. L. BICKFORD, Bismarck, N. D.  
 March 13, 1909.

Personal expenses state officials, H. B. 110, 1909—  
 Jan. and Feb., \$750.00 per year ..... \$125.00

(COPY.)

STATE OF NORTH DAKOTA, Dr.  
 STATE OFFICIALS, Bismarck, N. D.  
 March 12, 1909.

State officials expense money for January and February, 1909, according to H. B. No. 210, 11th Legislative Assembly, \$750.00 per year

79475	Andrew Miller, Attorney General.
79476	W. L. Stockwell, Supt. Public Instruction.
79477	D. K. Brightbill, State Auditor.
79478	W. C. Gilbraith, Commr. Agriculture and Labor.

(COPY.)

STATE OF NORTH DAKOTA, Dr.  
 To JOHN BURKE, Governor, Bismarck, N. D.  
 April 1, 1909.

No. 79983 To annual personal expense appropriation under H. B.  
 No. 110, to be paid monthly ..... \$1,500.00

STATE OF NORTH DAKOTA, }  
 County of Burleigh. } ss.

I do solemnly swear that the within account and claim is just and true and that I reside at Bismarck, N. D.

JOHN BURKE,

Subscribed and sworn to before me this 2d day of April, A. D. 1909.

CARL O. JORGENSEN,

Notary.

This bill is in accordance with form by attorney general—see opinion on file.

STATE OF NORTH DAKOTA, Dr.

To ANDREW MILLER, Bismarck, N. D.

April 1, 1909.

To annual personal expense appropriation under H. B. No. 110,  
 to be paid monthly ..... \$750.00

Check No. 79986, \$62.50, March 1909.

STATE OF NORTH DAKOTA, }  
 County of Burleigh. } ss.

I do solemnly swear that the within account is just and true and that I reside at Bismarck, N. D.

ANDREW MILLER.

Subscribed and sworn to before me this 2d day of April, A. D. 1909.

CARL O. JORGENSEN,

Notary.

Check No. 79475, \$125.00, 3-12-09—Jan. and Feb.

STATE OF NORTH DAKOTA, Dr.

Expense Judges of Supreme Court, Quarter Ending March 31, 1909.

Chapter 82, Session Laws 1907.

79875	D. E. Morgan .....	\$125.00
79977	C. J. Fisk .....	125.00
79978	B. F. Spaulding .....	125.00
79979	S. E. Ellsworth, 14 days Jan. (took office 1-18) all of February and all of March .....	102.89
79980	John Carmody, 14 days Jan. (took office 1-18) all of Feb- ruary and all of March .....	102.89

STATE OF NORTH DAKOTA, Dr.

To ALFRED BLAISDELL, Bismarck, N. D.

March 8, 1909.

Jan. and Feb., 1909, expense, according to Session Laws 1909.

\$750.00 per year ..... \$125.00

## LETTERS OF STATE AUDITOR TO ATTORNEY GENERAL.

March 31, 1909.

Mr. Andrew Miller, Attorney General, Bismarck, N. D.:

Dear Sir: House Bill No. 110, passed by the Eleventh Legislative Assembly, reads in part as follows:

"Requiring State Officials to Reside at the Capital and to provide adequate compensation."

This bill provides that the Governor shall receive annually for expense money, \$1,500; the secretary of state, state auditor, state treasurer, attorney general, superintendent of public instruction, commissioner of agriculture and labor, and the insurance commissioner, shall each receive \$750 per year to cover expenses; and the railroad commissioners shall each receive \$400 per year to cover expenses.

The law says regarding payment, "shall each receive the sum of \$750 per annum for the purpose of defraying the personal expenses of such officers, such amount to be payable monthly without the filing of any itemized statement, provided that none of the officers named in paragraph 1 of Section 2 shall receive such expense money unless they reside at the capital of the state."

The emergency clause reads, "Whereas, an emergency exists in that there is no provision of law providing for the payment of the necessary personal expenses of the state officers herein mentioned, therefore, this act shall take effect and be in force from and after its passage and approval." Signed March 8, 1909, by John Burke, governor.

From what date, in your opinion, shall the officers mentioned in House Bill No. 110 receive the money appropriated for personal expenses?

Will it be necessary for the officers mentioned to file monthly a sworn statement upon which the state auditor shall make payment of the expense money mentioned in the bill?

I shall thank you for an opinion at an early date.

Yours very truly,

(Signed) D. K. BRIGHTBILL,  
State Auditor.

April 1, 1909.

D. K. Brightbill, State Auditor, Bismarck, N. D.

Dear Sir: Replying to your favor under date of March 31, requesting my opinion as to House Bill No. 110, requiring State Officers to reside at the capital and to provide adequate compensation.

I am of the opinion that this bill appropriates \$750 per annum for the purpose of defraying the personal expenses of the state officers mentioned therein, and that the sum of \$750 is appropriated for the year 1909, such was unquestionably the intention of the legislature. But it is my opinion that in order to entitle the officers to such amounts, a sworn statement should be filed with the state auditor to the effect that such officer resides at the capital, and when such statement is filed the auditor is authorized to pay such sums monthly.

Yours very truly,

ANDREW MILLER,  
Attorney General.

(COPY.)

## GAME AND FISH FUND, Dr.

To D. J. ARMSTRONG, Sec., Willow City, N. D.

November 30, 1910.

10-25-1910	Stamps 100 .....	\$ 1.00
10-27-1910	Dickinson and return \$27.75, pullman and berth \$6.30, meals, diner, \$4.20 .....	38.25
10-28, 29, 30-1910	Meal, Rugby, \$1.00, Hotels Grand Forks, \$4.00, Fargo Com. \$10.50, Dickinson, \$2.25 .....	17.75
11-23-1910	Hotel, Fargo and Grand Forks, \$10.50; 9 days at \$3.00, \$27.00 .....	37.50
11- 5-1910	Stamps, phone Grafton \$.75, 14th phone Towner \$.35 .....	2.10
11-15-1910	Ink, \$1.00 .....	1.00
11-17-1910	Stamps \$1.00, 23d stamps, \$1.00 .....	2.00
11-26-1910	Express on packages county auditors 4.05; drayage \$.50 .....	4.55
11-27, 28-1910	Com. meet. Fargo and return, \$12.30, hotel \$8.50, pullman, \$2.30 .....	23.10
11-29, 30-1910	Diner, \$3.50; Rugby, \$.50; 4 days at \$3.00, \$12.00 .....	15.00
11-29, 30-1910	Stenographer work and keeping and maintaining office month November, \$75.00; office rent and other expenses, \$25.00 .....	100.00
	<b>Total .....</b>	<b>\$242.25</b>

The State Auditing board approves at \$242.25; John Burke (signed) December 21, 1910.

STATE OF NORTH DAKOTA, }  
County of Bottineau. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

D. I. ARMSTRONG,

Subscribed and sworn to before me this 14th day of December, A. D. 1910.  
(Notarial Seal.)

STATE OF NORTH DAKOTA, Dr.,

To Special Deputies Salary, Month of July.

Abercrombie, July 31, 1910.

P. H. Lee, Beach .....	\$ 25.00
E. J. Sharp, Dickinson .....	25.00
Frank Reed, Bismarck .....	50.00
C. Winterer, Sanborn .....	25.00
H. F. Meeker, Jamestown .....	25.00
C. H. McGee, McHenry .....	25.00
J. C. Schoop, New Rockford .....	25.00
<b>Total .....</b>	<b>\$200.00</b>

The State Auditing Board Approves at \$200.00; Burke, president State Auditing Board, Nov. 21, 1910.



STATE OF NORTH DAKOTA, }  
 County of Bottineau. } ss.

Months of July, August, September and October.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

D. I. ARMSTRONG,  
 Secretary Game and Fish Board of Control.

Subscribed and sworn to before me this 7th day of November, A. D. 1910.

C. W. WILKINS,

Months of July, August, September and October attached. Approved by D. I. Armstrong, Secy., Herman Winterer, President.

District No. 2, OLAF BJORKE, Chief Game Warden.

STATE OF NORTH DAKOTA, Dr.

To Special Deputies Salary, Month of July.

Abercrombie, July 31, 1910.

P. H. Lee, Beach .....	\$ 25.00
E. J. Sharp, Dickinson .....	25.00
Frank Reed, Bismarck .....	50.00
C. Winterer, Sanborn .....	25.00
H. F. Meeker, Jamestown .....	25.00
C. H. McGee, McHenry .....	25.00
J. C. Schoop, New Rockford .....	25.00
 Total .....	 \$200.00

The State Auditing Board Approves at \$200.00; Burke, president State Auditing Board, Nov. 21, 1910.

STATE OF NORTH DAKOTA, }  
 County of Bottineau. } ss.

Months of July, August, September and October.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

D. I. ARMSTRONG,  
 Secretary Game and Fish Board of Control.

Subscribed and sworn to before me this 7th day of November, A. D. 1910.

C. W. WILKINS, Notary Public.

Months of July, August, September and October attached.  
 Approved by D. I. Armstrong, Secy., Herman Winterer, President.

District No. 2, OLAF BJORKE, Chief Game Warden.

STATE OF NORTH DAKOTA, Dr.  
To Special Wardens, Month of August.  
Grafton, August 31, 1910.

Albert Brant, Stanley .....	\$ 50.00
G. N. Gill, Penn .....	50.00
B. M. Harvey Sherwood .....	50.00
C. W. Smith, Kenmare, .....	50.00
Del McCaman, Minto .....	50.00
Dan Connor, Russell .....	25.00
Jack Lakeduck, Max .....	50.00
W. Loughland, Nesson .....	50.00
Henry Frankhauser, Anamoose .....	50.00
Axle Johnson, Washburn, .....	50.00
G. H. Casavau, Schafer .....	50.00
W. R. McKibbon, Grand Forks, Aug. 15 to 31st ..	25.00
Dr. E. A. Fitz Fitzmaurice, Mohall .....	50.00
Total .....	\$600.00

The State Auditing Board approves at \$600.00; Burke, president State Auditing Board, November 21, 1910.

STATE OF NORTH DAKOTA, }  
County of Bottineau. } ss.

Months of July, August, September and October.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

D. I. ARMSTRONG,  
Secretary Game and Fish Board of Control.

Subscribed and sworn to before me this 7th day of November, A. D. 1910.

C. W. WILKINS,  
Notary Public.

STATE OF NORTH DAKOTA, Dr.

To Special Deputies.

Salary, month of August, 1910.

Abercrombie, August 31, 1910.

P. H. Lee, Beach .....	\$ 25.00
E. J. Scharf, Dickinson .....	25.00
John Handtman, Mandan .....	75.00
Frank Reed, Bismarck .....	50.00
H. F. Meeker, Jamestown .....	25.00
C. Winterer, Sanborn .....	25.00
Henry Birkus, Berona .....	25.00
O. J. Day, Edgeley .....	50.00
C. A. Long, Milnor .....	25.00
John L. Bohn, Ellendale .....	50.00
B. W. Clabaugh, Fairmount .....	50.00

## To special wardens, month September.—Continued.

Leandre Vachon, Wahpeton .....	25.00
A. R. Stone, Lisbon .....	50.00
Erick M. Hegge, Hatton .....	25.00
Total .....	\$525.00

The State Auditing Board Approves at \$.....; Burke, president State Auditing Board, November 21, 1910.

## STATE OF NORTH DAKOTA, Dr.

## To Special Wardens Month October

Abercrombie, Oct. 31, 1910.

P. H. Lee, Beach .....	\$ 25.00
E. J. Scharf, Dickinson .....	25.00
John Handtman, Mandan .....	75.00
Frank Reed, Bismarck, .....	50.00
H. F. Meeker, Jamestown .....	25.00
C. Winterer, Sanborn .....	25.00
O. J. Day, Edgeley .....	50.00
C. A. Long, Milnor .....	25.00
John L. Bohn, Ellendale .....	50.00
B. W. Clabaugh, Fairmount .....	50.00
Leandre Vachon, Wahpeton .....	25.00
A. R. Stone, Lisbon .....	50.00
Erick M. Hegge, Hatton .....	25.00
Total .....	\$500.00

The State Auditing Board approves at \$500.00; Burke, president State Auditing Board, Nov. 21, 1910.

## STATE OF NORTH DAKOTA, Dr.

## To Special Wardens Salary Month of September, 1910.

Abercrombie, Sept. 30, 1910.

P. H. Lee, Beach .....	\$ 25.00
E. J. Scharf, Mandan .....	75.00
John Handtman, Mandan .....	75.00
Frank Reed, Bismarck .....	50.00
H. F. Meeker, Jamestown .....	25.00
C. Winterer, Sanborn .....	25.00
O. J. Day, Edgeley .....	50.00
C. A. Long, Milnor .....	25.00
John L. Bohn, Ellendale .....	50.00
B. W. Clabaugh, Fairmount .....	50.00
Leandre Vachon, Wahpeton .....	25.00
A. R. Stone, Lisbon .....	50.00
Erick M. Hegge, Hatton .....	25.00
Total .....	\$500.00

The State Auditing Board approves at \$500.00; Burke, president State Auditing Board; Nov. 21, 1910.

## STATE OF NORTH DAKOTA, Dr.

To Special Wardens, Month of October

Grafton, October 31, 1910.

Albert Brant, Stanley, 91553 .....	\$ 50.00
G. N. Gill, Penn, 91554 .....	50.00
B. M. Harvey, Sherwood, 91555 .....	50.00
C. W. Smith, Kenmare, 91556 .....	50.00
Del McCaman, Minto, 91557 .....	50.00
Jack Lackoduck, Max, 91558 .....	50.00
W. Loughland, Nessen, 91559 .....	50.00
Henry Frankhauser, Anamoose, 91560 .....	50.00
Axel Johnson, Washburn, 91561 .....	50.00
G. H. Casavau, Schafer, 91562 .....	50.00
W. T. McKibbon, Grand Forks, Oct. 15th, 91563 .....	25.00
Dr. A. E. Fitzmaurice, Mohall, 91564 .....	50.00
L. D. McGahan, Minot 91565 .....	75.00
Thorwald, Mastad, Minot, 91566 .....	50.00
Ole Toftuer, Minot, 91567 .....	50.00
D. M. Gillespie, Glenburn, 91568 .....	25.00
Frank Rutten, Crary, 91569 .....	25.00
Thomas Turner, Devils Lake, 91570 .....	60.00
J. J. Robinson, Lakota, 91571 .....	25.00
Ed. Johnson, Grand Forks 91572 .....	25.00
O. K. Saltwold, Edinburg, 91573 .....	25.00
J. J. Franklin, Grand Forks, 91574 .....	25.00
N. F. Charrier, Langdon, 91575 .....	25.00
C. L. George, Langdon, 91756 .....	50.00
Garfield Crites, Grand Forks, 91577 .....	25.00
H. O. Kettleison, Banks, 91578 .....	25.00
W. O. Gorman, Grand Forks 91578 .....	75.00
William Lehman, Willow City, 91578 .....	25.00
Alf Eastgate, Tolna, 91578 .....	50.00
Dan Connor, Russell, 91580 .....	25.00
Total .....	\$1,260.00

The State Auditing Board approves at \$1,260.00; Burke, President of State Auditing Board; Nov. 21, 1910.

## STATE OF NORTH DAKOTA, Dr.

Grafton, August 31, 1910.

To Special Wardens, Month September.

Albert Brant, Stanley, 91481 .....	\$ 50.00
G. N. Gill, Penn, 91482 .....	50.00
B. M. Harvey, Sherwood, 91483 .....	50.00
C. W. Smith, Kenmare, 91484 .....	50.00
Dell McCaman, Minto, 91485 .....	50.00
Dan Conner, Russell, 91486 .....	25.00
Jack Lackoduck, Max, 91487 .....	50.00
W. Loughland, Nessen, 91488 .....	50.00
Henry Frankhauser, Anamoose, 91489 .....	50.00
Axel Johnson, Washburn, 91490 .....	50.00
G. H. Casavau, Schafer, 91491 .....	50.00
W. T. McKibbon, Grand Forks, 91492 .....	50.00
Dr. A. E. Fitzmaurice, Mohall, 91493 .....	50.00

L. D. McGahan, Minot, 91494 .....	75.00
Thorwold Mastad, Minot, 91495 .....	50.00
Ole Toftuer, Minot, 91496 .....	50.00
D. M. Gillespie, Glenburn, 91497 .....	25.00
Frank Rutten, Crary, 91498 .....	25.00
Thomas Turner, Devils Lake, 91499 .....	60.00
J. J. Robinson, Lakota, 91500 .....	25.00
Ed. Johnson, Grand Forks, 91501 .....	25.00
O. K. Saltwold, Edinburg, 91502.....	25.00
J. J. Franklin, Grand Forks, 91503 .....	25.00
N. F. Charrier, Langdon, 91504 .....	25.00
C. L. George, Langdon, 91505 .....	50.00

\$1,085.00

The State Auditing Board approves at \$1,085.00; Burke, president State Auditing Board; Nov. 21, 1910.

(COPY.)

GAME AND FISH FUND,

To D. I. ARMSTRONG, Willow City.

Nov. 30, 1910.

Oct. 25. To stamps .....	\$ 1.00
Oct. 27. Dickinson and return, \$27.75; Pullman and berth, \$6.30; meals, diner, \$4.20 .....	38.25
Oct. 28, 29, 30. Meal, Rugby, \$1.00; hotels, Grand Forks, \$4.00; Fargo Comm. Meet, \$10.50; Dickinson, \$2.25 .....	17.75
Nov. 1, 2, 3. Hotel, Fargo and Grand Forks, \$10.50; 9 days at \$3.00, \$27.00 .....	37.50
Nov. 5. Stamps, \$1.00; phone, Grafton, \$.75; 14th, phone, Towner, \$.35 .....	2.10
Nov. 15. Ink .....	1.00
Nov. 17. Stamps, \$1.00; 23d, stamps, \$1.00 .....	2.00
Nov. 26. Express on packages, county auditors, \$4.05; drayage, \$.50 .....	4.55
Nov. 27, 28. Comm. Meet, Fargo and return, \$12.30; hotel, \$8.50; Pullman, \$2.30 .....	23.10
Nov. 29, 30. Diner, \$2.50; Rugby, \$.50; 4 days at \$3.00, \$12.00....	15.00
Nov. 29, 30. Stenographer work and keeping and maintaining office, month of November, \$75.00; office rent and other expense, \$25.00 .....	100.00
	<hr/>
	\$242.25

The state auditing board approves at \$242.25.

JOHN BURKE,

President State Auditing Board.

Dec. 21, 1910.

STATE OF NORTH DAKOTA, }  
 County of Bottineau. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or

demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

D. J. ARMSTRONG.

Subscribed and sworn to before me this 14th day of Dec., A. D., 1910.

C. W. WILKINS, Notary Public, Bottineau County.

My commission expires Nov 29, 1911.

C. W. WILKINS, Notary Public.

D. I. Armstrong, sec.

H. Winterer.

This is a true and correct copy of the voucher filed in the state auditor's office under No. 92349.

CARL O. JORGENSON,  
Deputy State Auditor.

THE NORTHWESTERN NATIONAL BANK,

Minneapolis, Minn., 10-25-09.

Citizens National Bank, Wahpeton, N. D.,

Dear Sir: We beg to hand you herewith the following items returned, with reasons for non-payment or non-acceptance endorsed on back of bill.

Respectfully yours,  
JOSEPH CHAPMAN, Jr., Cashier.

We debit your account and return.

Treasurer State of North Dakota, \$25.00

See note.

Returned by Northwestern National Bank of Minneapolis

To Citizens National Bank, Wahpeton.

Not Parr.....\$25.00.

Must go to State Auditing Board,  
Will not be paid in present form.

No. 56. STATE GAME AND FISH BOARD OF CONTROL \$25.00

STATE OF NORTH DAKOTA.

The Treasurer State of North Dakota

Pay to .....J. H. HART.....or order,  
Twenty-five ..... Dollars. \$25.00  
Out of any money belonging to the Game and Fish Funds. By order  
of Board.

D. I. ARMSTRONG,  
Secretary.

HERMAN WINTERER,  
President.

Wyndmere, N. D., Nov. 22, 1909.

D. I. Armstrong, Willow City,

Dear Sir: I am having quite a time to get this check cashed, and will ask your assistance. Enclosed you will see what trouble there was, and I will ask your advice.

Yours Truly,  
J. H. HART.

State Auditor's Office,  
Bismarck, N. D.  
November 12, 1909.

First National Bank,  
Wyndmere, North Dakota,

Gentlemen: I herewith return check No. 56, issued to J. H. Hart, by the State Game and Fish Board of Control, for the sum of \$25.00.

It has been held that claims for services rendered the state according to the order of the mentioned board cannot be paid in this way, but that the bills must be audited and approved by the auditing board of the state, and that checks must be issued by the state auditor in payment of such approved claims.

A copy of the opinion of the attorney general is forwarded herewith, and if you will take this up with D. I. Armstrong, secretary of the board at Willow City, he will likely be able to secure settlement of your claim at an early date.

Very truly,  
D. K. BRIGHTBILL,  
State Auditor.

STATE OF NORTH DAKOTA, Dr.  
To J. H. HART, Special Warden, Wyndmere.

To salary as special game warden—

Month of August .....	\$25.00
Month of September .....	25.00
Amount allowed extra by board for good services ...	15.00
	\$65.00
Total .....	\$65.00

The State Auditing Board Approves at \$65.00, John Burke, President State Auditing Board; December 1, 1909.

STATE OF NORTH DAKOTA, }  
County of Richland. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

J. H. HART,

Subscribed and sworn to before me this 29th day of November, A. D. 1909.

J. McGANN,, Notary Public.

My Commission expires Nov. 17, 1911.

Approved by D. I. Armstrong, Secy.

No. 2. STATE GAME AND FISH BOARD OF CONTROL \$96.00  
STATE OF NORTH DAKOTA.

Willow City, May 28, 1909.

The Treasurer State of North Dakota.

Pay to Olaf Bjarke, or order, Ninety-six and 14-100 Dollars \$96.14  
out of the money belonging to the Game and Fish Funds.

D. I. ARMSTRONG, Secretary.

H. WINTERER, President.

No. 7. STATE GAME AND FISH BOARD OF CONTROL. \$162.30  
STATE OF NORTH DAKOTA.

Willow City, June 9, 1909.

The Treasurer State of North Dakota.

Pay to Olaf BJORKE or order One Hundred Sixty-two and 30-100 \$162.30  
out of any money belonging to the Game and Fish Fund.

By order of the board.

D. I. ARMSTRONG, Secretary. H. WINTERER, President.

No. STATE GAME AND FISH BOARD OF CONTROL, \$152.69  
STATE OF NORTH DAKOTA.

Willow City, July 10, 1909.

The Treasurer State of North Dakota.

Pay to Olaf BJORKE, or order, one hundred fifty-two and 69-100  
(\$152.69) out of any money belonging to the Game and Fish funds.

By order of the Board:

D. I. ARMSTRONG, Secretary. HERMAN WINTNER, President.

No. STATE GAME AND FISH BOARD OF CONTROL, \$184.60  
STATE OF NORTH DAKOTA.

Willow City, Aug. 11, 1909.

The Treasurer State of North Dakota.

Pay to Olaf BJORKE, or order, one hundred and eighty-four and 60-100  
out of any of the money belonging to the Game and Fish funds.

By order of the Board:

D. I. ARMSTRONG, Secretary. HERMAN WINTNER, President.

OLAF BJORKE,

CHIEF GAME WARDEN, DISTRICT NO. 2.

Abercrombie, N. D., Nov. 27, 1909.

Hon. D. K. Brightbill, State Auditor, Bismarck, N. Dak.

Dear Sir: I am just in receipt of state warrant No. 85077 for \$595.73,  
the amount corresponding to salary and expenses for the months of April,  
May, June and July, and for which vouchers Nos. 2, 17, 22 and 30 have  
been issued by the State Game and Fish Board of Control.

Herewith please find enclosed said vouchers. Voucher No. 38 for  
\$209.54, August salary and expenses, is still unpaid as is salary and ex-  
penses for the months of September and October. For September,  
\$195.54, and for October, \$164.60.

No voucher has been issued by the board to us for the months of Sep-  
tember and October, but the accounts have been allowed by the board of  
control and approved by the state auditing board.

Very respectfully yours,

OLAF BJORKE,

No. 85077.

Chief Game Warden, District No. 2.

OLAF BJORKE,

CHIEF GAME WARDEN, DISTRICT NO. 2.

Abercrombie, N. D., Aug. 5, 1909.

D. I. Armstrong, Willow City, N. Dak.

Dear Sir: Herewith I respectfully submit my expense account for the  
month ending July 31, 1909.



July 1.	To postage	\$ .77
July 6.	To postage	1.50
July 8, 9, 10 and 11.	Oil for gasoline boat	3.00
	Hire of man 4 days, and boat	8.00
	Provision	4.00
	Hotel expense at Fargo	2.00
	Fare to Abercrombie from Fargo	.80
July 12.	Fare to Wahpeton and return	.70
	Meals	1.00
July 15.	Postage	.20
July 18.	Livery	4.00
July 25.	Ticket to St. Paul and sleeper	6.00
	Meals 26 and 27	3.00
July 30.	Fare to Fargo	.80
July 26.	Return ticket by way of Fargo	7.00
	Meals and bed	2.00
July 31.	Livery from St. John to Fish Lake and return	2.00
	Hotel expenses at Fish Lake	2.75
	Office rent for July	10.00
	Salary for July	125.00
Total amount due		\$184.60

Respectfully yours,

OLAF BJORKE,  
Chief Game Warden, District No. 2.

Paid by Voucher No. 30, Aug. 11, 1909.—D. I. A.

OLAF BJORKE,

CHIEF GAME WARDEN, DISTRICT NO. 2.

Abercrombie, N. D., July 1, 1909.

Mr. D. I. Armstrong, Game and Fish Board of Control, Willow City, N. D.

Dear Sir: I herewith submit statement of personal expenses and salary for the month ending June 30, 1909.

June 1.	Postage	\$ .43
June 4.	Postage	1.57
June 8.	Postage	1.40
June 13.	Livery	2.00
June 14.	Postage	.23
June 15.	Postage	.50
June 16.	Livery	5.00
June 17.	Postage	.41
June 26.	Postage	.77
June 28.	Postage	.92
June 28.	Express	1.40
June 28.	Express	.65
June 30.	Express	.90
June 30.	Postage	1.51
June 30.	Office rent	10.00
June 30.	June salary	125.00
Total		\$152.69

Respectfully yours,

OLAF BJORKE,  
Chief Game Warden, District No. 2.

Paid by Voucher No. 22, \$152.69, July 10, 1909.—D. I. A.

OLAF BJORKE,

CHIEF GAME WARDEN, DISTRICT NO. 2.

Abercrombie, N. D., June 1, 1909.

Hon. D. I. Armstrong, State Game and Fish Board of Control, Willow City, N. D.

Dear Sir: Herewith please find my expense bill for the month of May,

1909.

May 1.	Hotel expenses at Minot .....	\$ 3.00
May 1.	Fare and sleeper to Fargo .....	9.50
May 2.	Hotel expense at Fargo .....	2.00
May 2.	Fare to Abercrombie .....	.80
May 9.	Livery to Wild Rice river .....	2.50
May 10.	Livery to Wild Rice river .....	2.50
May 23.	Livery to go along Red river .....	3.00
	Express on warning cards and stationery .....	4.00
	Office rent .....	10.00
	May salary .....	125.00
	<b>Total .....</b>	<b>\$162.30</b>

Yours truly,

OLAF BJORKE,  
Chief Game Warden, District No. 2.

Paid by Voucher No. 17, amount, \$162.30, June 9, 1909.—D. I. A.

OLAF BJORKE,

STATE GAME WARDEN, DISTRICT NO. 2.

Abercrombie, N. D., May 4, 1909.

D. I. Armstrong, Secretary Board of Control, Willow City, N. D.

Dear Sir: Herewith please find my bill of expense for the month ending April 30, 1909.

April 18.	Livery to Wyndmere .....	\$ 3.00
April 18.	Supper .....	.25
April 18.	Lodging .....	.75
April 19.	Breakfast .....	.50
April 19.	Livery .....	3.00
April 19.	Dinner and supper .....	1.00
April 20.	Stamps .....	1.00
April 23.	Ticket to Wahpeton .....	.35
April 24.	Lodging and breakfast .....	1.00
April 24.	Ticket to Fairmount .....	.35
April 24.	Dinner .....	.50
April 24.	Ticket to Hankinson .....	.35
April 24.	Lodging and supper .....	1.00
April 25.	Ticket to Cayuga .....	.62
April 25.	Ticket to Fairmount .....	.97
April 26.	Hotel bill .....	1.00
April 26.	Bus .....	.25
April 26.	Ticket to Abercrombie .....	.70
April 28.	Ticket to Fargo .....	.80
April 28.	Hotel bill .....	2.50
April 29.	Ticket to Valley City .....	1.45

FRIDAY, MARCH 3, 1911.

2047

April 29. Hotel bill .....	1.00
April 29. Bus and ticket to Minot .....	4.80
April 29. Sleeper .....	2.00
April 30. Salary for half a month .....	62.50
Total .....	\$ 96.14

Yours truly,

OLAF BJORKE,  
Chief Game Warden, District No. 2.

Paid by Voucher No. 2, \$96.14, May 28, 1909.—D. I. A.

No. 27. STATE GAME AND FISH BOARD OF CONTROL. \$601.70  
STATE OF NORTH DAKOTA.

Willow City, Aug. 5, 1909.

The Treasurer, State of North Dakota:

Pay to R. W. Main, or order, six hundred one and 70-100 dollars.  
\$601.70. Out of any money belonging to the Game and Fish funds.

By order of Board:

D. I. ARMSTRONG, Secretary. HERMAN WINTERER, President.

R. W. MAIN,  
State Fish Commissioner.

Cando, N. D., Nov. 29, 1909.

Mr. D. K. Brightbill, Bismarck, N. D.

Dear Sir: You will please find enclosed an order of the state treasurer  
for \$601.70. \$350.00 is salary order for April, May, June and July, and  
\$251.70 expense account; total, \$601.70.

I would be pleased to get straightened out or lined up right, so I would  
not be so much trouble to the Board.

Set me right, and oblige,

Very truly yours,

R. W. MAIN.

R. W. MAIN,  
State Fish Commissioner.

Cando, N. D., December 14, 1909.

Mr. D. K. Brightbill, Bismarck, N. D.

Dear Sir: Please find enclosed expense account which I have sworn  
to as requested, and received check therefor.

The check enclosed is a refund for railroad fare charged therein,  
which I did not pay. It was what they call "complimentary," or in other  
words, I rode on a pass.

May I ask, have my fish-hatchery bills for November been acted on?

Check for \$10.70 turned over to state treasurer, Dec. 17, 1909.—Jor-  
genson, Dep. Auditor.

## EXPENSE ACCOUNT OF R. W. MAIN, STATE FISH COMMISSIONER.

Birchwood Park, N. D., July 1, 1909.

From April 16 to July 1, 1909.—

April 16.	To hotel bill, Fargo (1-2)	\$ 6.75
April 16.	To railroad fare	5.50
April 17.	Hotel bill, Grand Forks	1.50
April 17.	Bus fare	.25
April 18.	Telegram	.50
April 18.	Telegram	.50
April 19.	Stamps	.50
April 19.	Letterheads and envelopes	2.75
April 19.	Railroad fare, Cando to St. P.	9.25
April 19.	Sleeper	2.50
April 19.	Hotel	11.40
April 19.	Railroad fare, St. P. to Cando	9.55
April 21.	Sleeper	2.50
April 23.	Typewriter ribbon	.75
April 23.	Cards and stamps	1.75
April 23.	Session Laws	1.00
April 27.	Railroad fare	1.00
April 28.	Hotel	1.00
April 28.	Railroad fare	1.00
April 30.	Railroad fare, Minot	2.85
April 30.	Bus fare	.25
May 2.	Hotel	5.50
May 2.	Railroad fare	2.85
May 3.	Hotel "Townner"	2.50
May 4.	Stamps	.50
May 10.	Stamps	.25
May 11.	Railroad fare and hotel	5.50
May 31.	Railroad fare and hotel	1.00
May 31.	Two telegrams	.50
June 2.	Railroad fare	1.00
June 4.	Railroad fare	1.00
June	Extra help, 15 days at \$2.50	37.50
June	Board, 2 men, 2 weeks at \$4.00	16.00
June 18.	2 gal. tanks	12.00
June 18.	Steel boat	27.50
June 18.	Freight on boat	15.74
June 18.	Drayage on boat	1.35
June 18.	4 seines	22.10
June 18.	Freight and drayage	1.31
June 18.	Gill net	12.00
June 18.	Express on net	2.85
June 29.	Fish to Bottineau	6.80
June 29.	Livery, Gilbertson	12.60
		<u>\$249.75</u>
	Error in addition	1.95
	Total	<u>\$251.70</u>
	Salary from April 15th to Aug. 1st at \$100.00	350.00
	Total	<u>\$601.70</u>

O. K'd by Board, Devils Lake, July 31, 1909.

Paid by Voucher No. 27.—D. I. A.

July 2, 1909.

Received from R. W. Main twelve and 60-100 dollars for livery and board.  
\$12.60.

M. GILBERTSON.

I owe Mr. Main—

June 10.	Mr. Jorgerson, board, 6 meals and 2 beds .....	\$ 3.10
June 24.	3 meals and 1 bed .....	1.50
May 26.	Drive to town after fish .....	3.00
May 27.	Delivering fish .....	3.00
June 14.	Hired team to drive .....	2.00
		\$ 12.60

St. Paul, Minn., June 1, 1909.

To R. W. Main, Cando, N. D.

Bought of Kennedy Bros. Arms Co.—

2	4x40 Good & Strong nets .....	\$ 5.60
1	150-ft. straight seine .....	15.50
1	14-in. live net .....	1.00
		\$22.10

(Freight bill attached, \$1.05; and drayage, .25.)

Cando, N. D., June 18, 1909.

R. W. Main, St. Johns, to Chas. H. Canfield, Dr.—

To 2 galv. fish tanks .....

\$ 12.00

I shipped these today by freight.

Yours,

CHAS. H. CANFIELD.

St. Paul, Minn., June 29, 1909.

R. W. Main, Cando, N. D.

Bought of Kennedy Bros. Arms Co.—

1 Gill net, 300 feet .....

\$ 12.00

Exp. to St. John, N. D.

(Freight bill attached, \$47.22.)

(Express bill attached, \$2.30.)

The state auditing board approves at \$601.70.

December 1, 1909.

STATE OF NORTH DAKOTA, }  
County of Towner. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

R. W. MAIN,

Subscribed and sworn to before me this 14th day of December, A. D. 1909.

W. T. MOSELEY, Notary Public.

My commission expires Feb. 15, 1912.

January 31, 1908.

State of North Dakota, Dr.

To A. J. Studnicka, Hankinson, N. D.—

Salary and rent for month of January, 1908.

Ask for separate expense bill.

Salary—annual due ..... \$ 83.33

The state auditing board approves at \$83.33.

JOHN BURKE,  
President State Auditing Board.

February 28, 1908.

Departmental Approval—Goods Received, Services Performed.

A. J. STUDNICKA,  
FRANK A. WILLSON.

(COPY.)

Feb. 5, 1908.

STATE OF NORTH DAKOTA, }  
County of ..... } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

A. J. STUDNICKA,

Subscribed and sworn to before me this 31st day of anuary, A. D. 1908.

MAX WHIPPERMAN, Notary Public.

February 29, 1908.

State of North Dakota, Dr.

To A. J. Studnicka, Hankinson, N. D.—

Salary and office rent, month of February ..... \$ 83.33

The state auditing board approves at \$83.33.

JOHN BURKE,  
President State Auditing Board.

April 4, 1908.

Departmental Approval—Goods Received, Services Performed.

FRANK A. WILLSON, Oil Inspector.  
March 4, 1908.

(COPY.)

STATE OF NORTH DAKOTA, }  
County of ..... } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

A. J. STUDNICKA,

Subscribed and sworn to before me this 29th day of February, A. D. 1908.  
 F. O. HUNGER, Notary.

March 31, 1908.

State of North Dakota, Dr.

To A. J. Studnicka, Oil Inspector Deputy, Hankinson, N. D.—

Salary for month of March ..... \$ 83.33

The state auditing board approves at \$83.33.

JOHN BURKE,  
 President State Auditing Board.

May 1, 1908.

Departmental Approval—Goods Received, Services Performed.

FRANK A. WILLSON,

April 2, 1908.

(COPY.)

STATE OF NORTH DAKOTA, }  
 County of Richland, } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

A. J. STUDNICKA,

Subscribed and sworn to before me this 31st day of March, A. D. 1908.

F. O. HUNGER, Notary.

November 10, 1910.

State Oil Inspector, in account with Citizens Telephone Co.—

Tolls, September and October .....	\$ 10.00
Rent, October and November .....	4.00
	<hr/>
	\$ 14.00

Received payment: Mary A. Blais (signed).

Bathgate, October 31, 1910.

Wm. Steele, Prop., to State of North Dakota,  
 To Bathgate Gas Co., Dr.—

To gas from August 29 to October 31, 1910—

Present reading, 34.60  
 Former reading, 33.30

Total used, 1.30 at 2c per ..... \$ 2.60

Received payment, October 31, 1910: Wm. Steele (signed), Gas Accountant.

November 10, 1910.

Frank Willson Dr. to F. H. Howard, P. M.; address, U. S. P. O.—	
Nov. 10. 2c stamps, 300 .....	\$ 6.00
Nov. 10. 1c stamps, 400 .....	4.00
Nov. 10. 2 pg envelopes, 7 .....	1.08
Nov. 10. 1 pg envelopes, 9 .....	.56
Nov. 10. 500 No. 5 envelopes .....	10.62
Nov. 10. Ptg, pkg and reg .....	1.45
Nov. 10. 10 10c stamps .....	1.00
Nov. 10. 10 5c stamps .....	.50
Nov. 10. 10 8c stamps .....	.80
<b>Total</b> .....	<b>\$ 26.01</b>

November 10, received payment in full: F. Howard, P. M.

FARMERS ELEVATOR CO., BATHGATE, N. D.

November 11, 1910.

State of North Dakota, F. M. Willson, Oil Inspector,

To Farmers Elevator Co., Bathgate, N. D.—

Sept. 25, 1910. To 10,780 pounds hard coal at \$9.00.....	\$ 48.50
<b>Total</b> .....	<b>\$ 48.50</b>

Received payment, November 10, 1910: J. O. Mahoney (signed).

Bathgate, N. D., September 19, 1910.

State of North Dakota, Dr.

To F. A. Willson &amp; Son, Bathgate, N. D.—

Oct. 3, 1910. Writing tablet, \$.25; express on books, \$.40 .....	\$ .65
Oct. 3. 2 telegrams, \$.65; pens, \$.10 .....	1.40
Oct. 18. 3 knives for pencil sharpener .....	2.15
Oct. 31. Express on books, \$.30; Nov. 2, 1 doz. pencils' .....	3.05
Paid November 11, 1910: F. A. Willson & Son by S. L. Witmer.	

COPY.

October 31, 1910.

State of North Dakota, Dr.

To Frank A. Willson, Bathgate, N. D.—

Office expense—

Oct. 10, 1910. Telephone .....	\$ .90
Oct. 11. Telephone .....	.60
Oct. 12. Telephone .....	.25
Oct. 13. Telephone .....	.75
Oct. 31. Sept. and Oct. light, voucher 1 .....	2.60
Oct. 31. Sept., Oct. and Nov., telephone, voucher 2 .....	14.00
Oct. 31. Postage and envelopes, voucher 3 .....	26.01
Oct. 31. Willson & Son voucher 4 .....	3.05
Oct. 31. Coal, voucher 5 .....	48.50
<b>Total</b> .....	<b>\$ 96.66</b>

The State Auditing Board approves at \$96.66.

(Signed) BURKE,  
President State Auditing Board.

Dec. 1, 1910.



STATE OF NORTH DAKOTA, }  
 County of Pembina. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

FRANK A. WILLSON.

Subscribed and sworn to before me this 11th day of November, A. D. 1910.  
 R. M. CARSON.

(Notorial Seal.)

COPY.

OIL INSPECTION DEPARTMENT.

State of North Dakota received of Frank A. Willson, at Bathgate, Oct. 1, 1909, Twenty-five and no 1-100 Dollars for work on books and reports.

O. S. BERRY,  
 Grand Forks, Sept. 17, 1909.

F. A. Willson, Bathgate, N. D.:

No. 2. Stamps, 150 .....	\$	3.00
No. 2. Pads, 25 .....		.50
Total .....	\$	3.50

Bathgate, Sept. 23, 1909.

State Oil Inspector's Office,  
 Bathgate, N. D.

St. Hilare Retail Lumber Co.,  
 Sept. 8, 1909. 13900 lbs. hard coal, \$9.25 .....

	\$	64.30
--	----	-------

Oct. 1, 1909, Received Payment  
 (Signed) E. J. HALL, Agent.

Oct. 1, 1909.

Citizens' Telephone Co.,

Sept. 3. Mr. Willson to E. Fitzgerald at Fargo.....	\$	1.35
Sept. 19. Mr. Willson to Stand Oil at Fargo .....		.75
	\$	2.10
Rent for Oct .....		2.00
Total .....	\$	4.10

Paid—Mary A. Blais.

Bathgate, N. D., Sept. 30, 1909.

Oil Inspection Department In Account With "Pink Paper."  
 Sept. 1. To 40 books, receipts for inspection, perforated, numbered and bound, stub and receipt duplicate .....

	\$	23.75
--	----	-------

Received Payment,

O. S. PERRY, (Signed.)

Bathgate, N. D., Oct. 1, 1909.

STATE OF NORTH DAKOTA, OIL INSP. DEPT. Dr. To FRANK A. WILLSON, BATHGATE, N. D.

Sept. 15.	Telegrams and 'phones .....	\$ .95
Sept. 16.	Repairing Elliott cup .....	.85
Sept. 16.	Express .....	.60
Sept. 16.	Postage .....	.77
Sept. 16.	Telephone .....	.75
Sept. 22.	Telephone .....	.45
Sept. 22.	Caldwell, inspector's stamps .....	3.50
Sept. 30.	Telephone .....	4.10
Sept. 30.	Coal .....	64.30
Sept. 30.	Forty bound books, duplicate inspection receipts .....	23.75
Sept. 30.	Perry, work on books and reports .....	25.00
Total .....		\$ 125.02

The State Auditing Board Approves at \$60.72.

JOHN BURKE, (Signed.)

Oct. 4, 1909.

(COPY.)

Item of \$64.30 not approved, Alfred Zuger, Attorney General.

STATE OF NORTH DAKOTA, }  
 County of Pembina. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

FRANK A. WILLSON.

Subscribed and sworn to before me this 2nd day of October, A. D., 1909.

R. M. CARSON.

(Notorial Seal.)

December 31, 1907.

State of North Dakota, Dr.

To E. D. Knotts, Wahpeton, N. D.—

Dec. 31.	Salary as deputy oil inspector .....	\$ 25.00
Dec. 31.	Rent for inspector room .....	15.00
		<u>\$40.00</u>

The state auditing board approves at \$40.00: Burke, President State Auditing Board.

January 15, 1908.

Department approval—Goods received; services performed: Frank A. Willson. January 9, 1908.

STATE OF NORTH DAKOTA, }  
 County of ..... } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of

the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

E. D. KNOTT,

Subscribed and sworn to before me this 3rd day of January, A. D. 1908.

FRANK B. SCHUELLER, Notary Public.

February 29, 1908.

State of North Dakota, Dr.

To E. D. Knotts, Wahpeton, N. D.—

Feb. 29. Salary as deputy oil inspector .....	\$ 25.00
Feb. 29. Office rent, inspector room .....	15.00
Feb. 29. Extra work on inspection .....	10.00
	\$ 50.00

The state auditing board approves at \$50.00: Burke, President State Auditing Board.

Departmental approval—Goods received; services performed: Frank A. Willson, Oil Inspector. March 5, 1908.

(COPY.)

STATE OF NORTH DAKOTA, }  
County of Richland, } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

E. D. KNOTT,

Subscribed and sworn to before me this 4th day of March, A. D. 1908.

FRANK B. McKEAN.

April 1, 1908.

State of North Dakota, Dr.

To E. D. Knapp, Wahpeton, N. D.—

April 1. Salary as deputy oil inspector .....	\$ 25.00
April 1. Rent for inspection rooms .....	15.00
April 1. Extra work as inspector .....	10.00

The state auditing board approves at \$50.00: Burke, President State Auditing Board.

Departmental approval—Goods received; services performed: Frank A. Willson, State Oil Inspector. April 2, 1908.

(COPY.)

STATE OF NORTH DAKOTA, }  
County of Richland, } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or

demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

E. D. KNOTT,  
Subscribed and sworn to before me this 1st day of April, A. D. 1908.  
GEO. E. WALLACE.

STATE OF NORTH DAKOTA.

Department of Justice—Office of the Attorney General.

Bismarck, December 10, 1909.

Hon. D. K. Brightbill, State Auditor, Bismarck, N. Dak.

Dear Sir: The bill of Frank A. Willson, state oil inspector, for fuel used in maintaining his office, has been submitted for an opinion. If the duties of his office are such as to make it necessary to maintain the office it would seem that under Section 3 of Chapter 171, Laws of 1909, he is entitled to have the expense of maintaining the office allowed. We believe that the allowance should be made where it is shown that the expenses were actually and necessarily incurred in maintaining his office.

Very truly yours,

(Signed) C. L. YOUNG,  
Assistant Attorney General.

Office of State Inspector of Oils, State of North Dakota.

FRANK A. WILLSON.

Bathgate, N. D., November 30, 1909.

D. K. Brightbill, State Auditor, Bismarck, N. D.

Dear Sir: Herewith I send bill for fuel, voucher for same having been sent you with other vouchers in September, 1909, report.

I would respectfully request a second consideration of this item.

It is necessary that this department have an office for the transaction of business as the office work requires daily attention and it is equally necessary that such office be lighted and heated.

I have such office in the printing office building at this place, the front room being occupied exclusively by me and containing office desk and files of papers, letters, books, supplies for myself and the various deputies, such as blanks, bottles, thermometers, hydrometers, testing cups, hydrometer jars, pressed bungs, standards and the various articles required by them, some of which are being called for almost daily. The second room is occupied partly by the printing office as composing room and by myself for typewriter, folding tables and for doing up and mailing supplies.

The bill enclosed is for about one-half of the fuel used in the office during the winter, which is probably a fair division of this item of expense.

I base my claim on section 3 of the Act of 1909, attached:

Section 3. Inspection Apparatus Provided. Chemist Employed.) The state inspector of oils shall, immediately upon the appointment and qualification of the deputies named in section 1, procure and furnish to such deputies such apparatus as may be necessary to carry out the provisions of this article. He may also purchase from time to time the apparatus for making tests of illuminating oils, and gasoline as hereinafter provided,

and pay the necessary office, travel and other expenses of the department. For the purpose of making chemical and photometric tests, as hereinafter provided for, there shall be \* \* \*

Fuel during the winter months is undoubtedly a "necessary office expense of the department."

You may not have had your attention called to the necessity for a comfortable office room or the amount of work to be done in it. This office is in constant receipt of letters of inquiry from all sources which must have reply. We receive numerous samples of oil from consumers, retailers and oil companies which must be tested and the results given the inquirer. Deputies find new problems coming up which have to be taken up with railways, oil companies and parties interested. Weekly correction sheets containing hundred of changes in capacity of tank cars must be entered in Gaugers Tank Book, that we may know the correct capacity. The monthly report of from thirty to sixty pages, covering inspection of from twenty to thirty thousand barrels, requires the constant work of two men (for comparisons must be made with gauge book, reports of deputies and oil companies) for ten days and followed up indefinitely even on minor differences. I am well aware that this department is generally considered as a joke, which makes it all the more difficult to carry out the work, but to one who takes it seriously there is a full day's work every day. It is some little compensation to know that not a single explosion has occurred in our state from defective oil and that to a considerable extent life and property has been protected, the legitimate idea behind inspection laws, and the fact that oil inspectors of other states recognize our law to be the best of any state in the Union and fairly well carried out.

Should my present methods not meet with your approval I would ask that you suggest some more economical or better method.

Respectfully,

(Signed) FRANK A. WILLSON.

(COPY.)

STATE OF NORTH DAKOTA, }  
County of Pembina. } ss.

I do solemnly swear that the within account and claim is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged; and that no part of such account, claim or demand has been paid; and that the goods therein charged were actually delivered and of the value charged.

FRANK A. WILLSON.

Subscribed and sworn to before me this 29th day of Nov., A. D. 1909.

ROBERT M. CARSONS,

Notary Public.

My commission expires Oct. 12, 1910.

November 29, 1909.

State of North Dakota, Dr.

To Frank A. Willson, Bathgate, N. D.—

To fuel as per voucher St. Hillaire Lumber Co. (Voucher with

September office expense account) ..... \$ 64.30

The state auditing board approves at \$64.30.

JOHN BURKE,

President State Auditing Board.

January 13, 1910.

District	Name of Representative	As paid in 1909 from sametown	1911 Mileage Should be	1911 has paid for
5	A. A. Davis .....	498	498	600
11	A. L. Peart .....	374	374	454
11	J. E. Hill .....	.....	388	468
12	E. M. Nelson .....	.....	458	518
16	Ole Paulson .....	470	470	590
16	S. J. Tande .....	.....	498	578
17	E. C. Olsgard .....	.....	504	590
19	Wesley Rasset .....	.....	756	870
20	James Kane .....	.....	684	796
21	Bernt Anderson .....	652	652	774
21	F. H. Hyland .....	598	598	722
21	Normal Morrison .....	.....	648	746
22	N. O. Johnson .....	666	666	788
28	H. C. Harty .....	.....	714	892
28	J. L. Gardar .....	.....	728	906
29	W. R. Bond .....	.....	380	636
29	John J. Lee .....	.....	380	636
29	R. A. Nestos .....	.....	380	636
29	A. M. Thompson .....	.....	380	636
34	J. N. Kuhl .....	.....	464	868
34	F. F. Fritz .....	.....	464	868
37	C. W. Carey .....	.....	426	482
41	Geo. P. Homnes .....	.....	624	862
42	L. A. Scott .....	.....	760	862
42	Martin Benson .....	.....	714	816
43	C. E. Davidson .....	.....	544	816
43	J. A. Englund .....	.....	482	736
43	L. W. Sawyer .....	.....	512	764
44	O. C. Dosseth .....	.....	256	738
44	A. J. DeLance .....	.....	538	762
45	T. E. Tostenson .....	.....	328	584
47	James Hill .....	836	836	928

## STATE OF NORTH DAKOTA.

Office of Attorney General.

Bismarck, N. D., March 3, 1911.

Mr. J. P. Reeves, Chairman State Board of Auditors Investigating Committee, Bismarck, North Dakota.

Dear Sir: You requested an opinion from me as to whether or not, under Chapter 128, Laws of 1909, the State Auditing Board has authority to pass upon the reasonableness of claims against the State Game and Fish Board of Control fund, contracted by the State Game and Fish Board of Control. In my opinion it has not.

Very truly yours,

ANDREW MILLER,  
Attorney General.

Mr. Reeve moved

That the report of the joint committee be adopted and the reading of the same be dispensed with and the report printed in the Journal.

Which motion prevailed, and

The report of the joint committee was adopted.

Mr. Nestos moved

That the vote by which Senate Bill No. 128 was lost be reconsidered.

Which motion was lost.

The Chief Clerk announced that the Speaker was about to sign

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.

Also,

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. 3C.

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. 104.

A bill for an act providing for correcting errors and deficiencies in city plats.

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.

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.

Also

Senate Bill No. 271.

A bill for an act for the organization of villages in territory embracing more than one county.

Also,

Senate Bill No. 296.

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 or utility to such cities and the inhabitants thereof.

Also

Senate Bill No. 325.

A bill for an act entitled, 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.

Also

Senate Bill No. 338.

A bill for an act providing for the publication of the names of candidates before the primary.

Also

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.

And the Speaker signed the same in the presence of the House.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 60.

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.

And the Speaker signed the same in the presence of the House.

The question being upon the adoption of the conference committee report on Senate Bill No. 76.

The roll was called and there were 72 ayes, 24 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	France	Nestos
Akesson	Gorder	Norheim
Anderson, of Griggs	Hanson	Olsgard of Nelson
Anderson, of Ramsey	Hedalen	Olsgard of Richland
Andrus	Heinemeyer	O'Shea
Benson	Hersrud	Paulson
Bjornson	Homnes	Pendray
Boerner	Johns	Putnam
Bond	Johnson	Reeve
Brusletten	Jordal	Robinson
Burnett	Kane	Sauer
Burns	Knox	Scott
Carey	Knutson	Sorlie
Christenson	Kuhl	Stern
Cunningham	Kyllo	Streeter
Davidson	Law	Tande
Davis	Lee	Thompson
Dean	McClellan	Tollefson
DeLance	Moen of Benson	Tuttle
Dosseth	Morrison	Ulsaker
Doyle, of McIntosh	Moritz	Walters
Englund	Narum	Wambem
Fassett	Nelson of Richland	Whitmer
Fox	Nelson of Walsh	Williams

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Geiger	O'Connor of Gd. Forks
Collins	Harty	O'Connor of Pembina
DeNault	Hill, of Bottineau	Peart
Doyle, of Foster	Hill, of Cass	Price
Edwards	Hyland	Ray
Fried	Lageson	Roquette
Fritz	Martin	Scheer
Gardiner	Moen of Cavalier	Stranahan

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Fraine	Ployhar	Tostenscn
Hawkinson	Sgutt	Mr. Speaker
Hoge		

Which motion prevailed, and

The report of the conference committee on Senate Bill No. 76 was adopted.

The chief clerk announced that the Speaker was about to sign:

House Bill No. 433.

A bill for an act to amend Section 6237 of the Revised

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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.

Also

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.

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.

Also

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 appointment and obligations of jailers, and the manner of fixing compensations to be allowed for jailer's services.

Also

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.

Also

House Bill No. 29.

A bill for an act to provide for the establishment and maintenance of department of agriculture, manual train-

ing and domestic economy in state, high, graded and consolidated schools.

Also,

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.

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. 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.

Also,

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.

And the Speaker signed the same in the presence of the House.

The question being upon the report of the conference committee on Senate Bill No. 77,

The roll was called and there were 79 ayes, 20 nays, 4 absent and not voting.

## Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Fritz	Nelson of Walsh
Akesson	Gardiner	Nestos
Anderson, of Griggs	Geiger	Norheim
Anderson, of Ramsey	Hanson	Olsgard of Nelson
Andrus	Harty	Olsgard of Richland
Benson	Hawkinson	O'Shea
Bjornson	Hedalen	Paulson
Boerner	Heinemeyer	Pearl
Bond	Hersrud	Pendray
Boyd	Hoge	Putnam
Brusletten	Homnes	Reeve
Burnett	Hill, of Cass	Robinson
Burns	Johns	Roquette
Carey	Johnson	Sauer
Christenson	Jordal	Scott
Cunningham	Kane	Sorlie
Davidson	Knox	Streeter
Davis	Knutson	Tande
Dosseth	Lageson	Thompson
Doyle, of McIntosh	Lee	Tostenson
Edwards	McClellan	Tuttle
Englund	Moen of Benson	Ulsaker
Fassett	Morrison	Walters
Fox	Moritz	Wambem
France	Narum	Whitmer
Fraine	Nelson of Richland	Williams
Fried		

## Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Collins	Kylo	Price
Dean	Law	Ray
Doyle, of Foster	Martin	Scheer
Gorder	Moen of Cavalier	Stern
Hill, of Bottineau	O'Connor of Gd. Forks	Stranahan
Hyland	O'Connor of Pembina	Tollefson
Kuhl	Ployhar	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
DeLance	Sgutt	Mr. Speaker
DeNault		

Which motion prevailed, and

The report of the conference committee on Senate Bill No. 77 was adopted.

*To the Senate and House:*

Your conference committee upon Senate Bill No. 220 beg leave to report that it has had the same under considera-

tion and by a vote of 6 ayes and 4 nays recommend that the House recede from its amendments.

Your committee beg leave to advise, also, that it was unable to agree upon any other proposed plan of congressional division.

J. H. FRAINE,  
Chairman House Committee.  
L. A. SIMPSON,  
Chairman Senate Committee.  
ED PIERCE,  
GEO. P. HOMNES,  
J. E. DAVIS,  
S. J. DOYLE,  
JAMES KENNEDY,  
W. R. BOND,  
E. A. WILLIAMS.

Mr. Homnes moved

That the report of the conference committee on Senate Bill No. 220 be adopted.

Mr. Fraine moved

The previous question.

The question being, shall the main question be now put,  
The same prevailed.

The question being upon the motion to adopt the report of the conference committee on Senate Bill No. 220,

The same was lost.

### REPORTS OF STANDING COMMITTEES.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

A joint resolution to provide for the payment of witness fees and mileage of witnesses called to testify before the special committee of the house of representatives appointed to investigate the impeachment charges against Hon. John F. Cowan, judge of the district court of the Second judicial district.

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

Whereas, a large number of witnesses were subpoenaed by the special committee appointed by the house of representatives to investigate the impeachment charges against Hon. John F. Cowan, judge of the district

court of the Second judicial district of the state of North Dakota, and in response to such subpoenas appeared and testified; and

Whereas, the fees and expenses of such witnesses may be properly charged to legislative expenses,

Be It Resolved that sufficient money is hereby set aside out of the general funds of the state of North Dakota to pay the expenses of such witnesses at the rate of \$2.00 per day for the time spent in travel and attendance before such committee, and 10 cents per mile for each mile necessarily traveled by such witnesses in attending at the hearing before such committee and returning.

Be It Further Resolved, that such witness fees and mileage shall be audited and ordered paid by the state auditing board upon the certificate of the chairman of the board of managers of the impeachment fund against Hon. John F. Cowan, as to the attendance and mileage of such witnesses, and when so audited, the state auditor shall issue his warrants upon the state treasurer for the payment thereof.

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

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report of the committee be adopted.

Mr. Thompson moved, as an amendment,

That the resolution be amended as follows:

Change the words "five cents per mile" to "two and one-half cents per mile;" and add: "Provided that no witness shall receive witness fees unless subpoenaed by the investigating committee."

Which motion prevailed.

The question being on the motion to adopt the report as amended,

The same prevailed, and

The report of the committee was adopted as amended.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate.

BISMARCK, NORTH DAKOTA,  
SENATE CHAMBER,  
March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in House resolution regarding Fort Berthold reserve.

Very respectfully,

J. W. FOLEY,  
Secretary,

Also,

Mr. Speaker:

I have the honor to return herewith

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 the Senate has indefinitely postponed.

Very respectfully,

J. W. FOLEY,  
Secretary.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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.

Also

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.

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 tuber-



culosis, and providing for the levy of a tax to create a fund therefor.

Also

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 appointment and obligations of jailers, and the manner of fixing compensations to be allowed for jailer's services.

Also

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.

Also

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.

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. 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.

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.

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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The chief clerk announced that the Speaker was about to sign:

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. 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. 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. 285.

A bill for an act establishing a temporary educational commission and appropriating one thousand dollars for the expenses thereof.

Also

Senate Bill No. 134.

A bill for an act making an appropriation for the Williston Experimental station, located at the city of Williston, Williams county.

Also

Senate Bill No. 331.

A bill for an act to amend section 6796, Revised Codes of 1905, relating to limitations of actions or proceedings to foreclose real estate mortgages.

Also,

Senate Bill No. 362.

A bill for an act to amend Section 231 of the Revised Codes of 1905.

Also,

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.

And the Speaker signed the same in the presence of the House.

Mr. Price moved

That the vote by which Senate Bill No. 224 was lost be reconsidered.

Which motion prevailed.

Mr. Price moved

That the rules be suspended and Senate Bill No. 224 be placed upon its third reading and final passage.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were 91 ayes, 3 nays, 9 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	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	Pearl
Bond	Homnes	Pendray
Brusletten	Hill, of Bottineau	Ployhar
Burnett	Hill, of Cass	Price
Burns	Hyland	Putnam
Christenson	Johns	Reeve
Cunningham	Johnson	Robinson
Davidson	Kane	Roquette
Davis	Knox	Sauer
Dean	Knutson	Scott
DeLance	Kyllo	Scheer
DeNault	Lageson	Sorlie
Dosseth	Law	Stern
Doyle, of Foster	Lee	Stranahan
Doyle, of McIntosh	Martin	Streeter
Edwards	McClellan	Tande
Englund	Moen, of Benson	Thompson
Gassett	Moen, of Cavalier	Ulsaker
France	Morrison	Walters
Fraine	Moritz	Wambem
Fried	Nelson, of Richland	Whitmer
Fritz	Nelson, of Walsh	Williams
Gardiner	Nestos	Mr. Speake.
Geiger		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Boyd	Carey	Tollefson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Collins	Kuhl	Sgutt
Fox	Narum	Tostenson
Jordal	Ray	Tuttle

So the bill passed and the title was agreed to.

REPORT OF SPECIAL COMMITTEE TO EXAMINE NORTH  
DAKOTA GAME AND FISH BOARD OF CONTROL.

*To the Twelfth Legislative Assembly of the State of North Dakota:*

Gentlemen: Your committee appointed under the concurrent resolution providing for a committee to examine and report on the North Dakota Game and Fish Board of Control, desire to make the following report:

The resolution under which the committee was appointed made no provision for the payment of the expenses of witnesses called in regard to it, conferred no power on your committee to enforce the attendance of witnesses, neither did it authorize the administration of oaths or compulsory production of books and papers. It was the concensus of opinion on the part of your committee, that an attempt should be made to obtain the presence of witnesses voluntarily, and that they should be examined without being sworn, the intention being on the part of the committee in case of a refusal by a material witness to appear and testify, to ask of your body the necessary authority for compelling the appearance of such witnesses. Certain witnesses requested to appear before the committee have failed or neglected to appear, some on account of refusal to advance the necessary expenses in making the trip to Bismarck, others on account of claimed inability through illness, and others have entirely ignored the requests of the committee. Certain necessary delays in obtaining witnesses and the pressure of other business delayed the taking of such testimony as was obtainable until so late a day in the session that it became impracticable to ask this assembly for the necessary authority to compel attendance in time to obtain the testimony of absentees and report before the close of this session. We therefore have decided to make such report as the evidence we have obtained will warrant, and accompany the report by the transcribed testimony of the witnesses, which is hereto attached and made a part of this report.

It is the general expression of opinion on the part of all the witnesses examined, all but three of whom are either members of the Board of Control, state or district wardens, also the opinion of your committee, that the game enforcement under the present law is far better and more efficient than under any other prior law on the same subject in this state. We find on a computation based on an examination of the warrants filed in the office of the state auditor, that for the year 1909 there was expended in the enforcement of this law less than \$12,000, and up to the first of December, 1910, there was spent for the same purpose over \$31,000. In the opinion of the witnesses generally, excluding the three above mentioned who testified on minor and collateral matters, the law with a very few amendments, which amendments your committee believe to have been embodied in legislation already presented to this assembly, should be continued and is well calculated to preserve the game and fish of this state.

It is the conclusion of your committee, based upon an examination of the reports of the Game and Fish Board of Control, and the testimony of the various witnesses herewith presented, that there has been some laxity and lack of method in the administration of this law.

It is with no desire to make undue strictures upon the Game and Fish Board of Control or any of the wardens, that this statement is made, and the specific instances to support this conclusion are hereinafter pointed out, for it is the opinion of your committee that all members of the Board of Control and some of the wardens, have been actuated by a sincere desire to carry out the intent of the law and to preserve and protect the game birds, fish and other game in this state. Your committee would specifically refer to the following instances where at times there

has been laxity of administration or misconception and abuse of power under the law.

First. The State Board of Control have allowed themselves in addition to hotel bills and other expenses, the sum of three dollars per day for their time while actually engaged in meetings of the board. The section of the law regarding paying the Board of Control is not explicit and two different interpretations are put upon it, and this defect should be remedied by appropriate legislation.

Your committee is also of the opinion that the allowance of one hundred dollars per month for the maintenance of the secretary's office is unwarranted under the law, the evidence before the committee showing that this money was paid to a member of the Board of Control for doing the necessary work, and while the amount may not be in excess of the value of the work done, none the less the law expressly forbids any member of the Board of Control from obtaining or receiving any compensation except that prescribed by the game law. The Board of Control evidently had this law in their minds when they made the resolution allowing the said sum of one hundred dollars per month for the maintenance of the office instead of making the said allowance as a salary. Your committee is of the opinion that appropriate legislation should be passed authorizing the president of the Board of Control to engage such clerical help as to the board shall seem necessary, with authority to pay such amounts for help as would be reasonable and just.

Second. Your committee is of the opinion that the Board of Control has not exercised a sufficiently close supervision over the state game wardens and the district wardens, and have delegated too much power to such wardens; it appearing from the testimony that the Board of Control did not know until the last meeting of the state board that so many paid wardens were in the employ of the board. It appears from the testimony and is authorized by law, that the state game wardens exercised all the authority of the Board of Control when the board was not in session, and in the exercise of their authority made appointments and contracted for salaries to be paid which to your committee in some cases seem unnecessary and excessive.

Third. A proper system of reports of district and specially paid wardens to the state wardens, and state wardens to the Board of Control has not been devised, and by reason of this lack the Board of Control is without knowledge of the operations of its agents, the extent or place of their activity, or the efficiency of their services at any time.

Fourth. The Board of Control has failed to see that the provisions of the law have been carried out in the matter of the state game warden having no other occupation or business, it appearing from the evidence that both of said state game wardens had more or less other business than that of the enforcement of the game laws of this state, and in the case of the game warden for the northern part of the state it is apparent on the record that during all the time of his appointment he has been receiving from other sources for the same occupation in which he had theretofore been engaged, the same salary that he had received prior to his appointment as said game warden. It is also in evidence that during a great part of the summer of 1910, such game warden was absent from the state of North Dakota, but it is also apparent that during such absence, his bills for salary and expenses were allowed and paid with the same regularity that they would have been had he been in the state doing the business for which he was being paid.

Fifth. It is the opinion of your committee that sufficient supervision was not exercised by the Board of Control over the accounts for expenses of the various wardens; it appearing that the Game Warden for the southern part of the state was allowed office rent in the sum of twenty dollars per month for desk room in an office of another person, and that the Game Warden for the northern half of the state was allowed

fifteen dollars for desk room and twenty-five dollars per month for the use of a stenographer while the evidence of two of the witnesses above mentioned as having been examined on collateral matters, discloses the fact to be that for the entire office rent the person from whom the state game warden rented office-room paid ten dollars per month, and paid for stenographer, when part of her time was employed by the game warden, twenty-five dollars per month. In other words, this fund paid forty dollars a month for part of an office and partial use of a stenographer where the rent of the entire office and services of the stenographer cost only thirty-five dollars per month.

The Game and Fish Board of Control in the opinion of your committee, were lax in not prescribing rules and regulations whereby the state was districted so that the services could be economically performed. As an instance we cite you to the testimony showing that district wardens from one part of the state were continually travelling in other parts of the state where district wardens were supposed to be operating, there seeming to be no limit as to territory and very little direction to the efforts of any of these wardens.

Sixth. Your committee is also of the opinion that some improper persons were appointed as district wardens, and especial attention is called to the fact that one Deichert was appointed district warden by the Board of Control at its first meeting, when the board and the members thereof knew that the said Deichert's regular occupation at that time was that of travelling salesman for a wholesale liquor house, and that such occupation continued to be his occupation at all times during his employment, and so far as your committee has been able to ascertain is now his employment. Mr. Deichert was notified to appear before the board and testify, but failed to respond, sending in lieu of coming a telegram from his home that he was sick and unable to come.

Seventh. The expense accounts of some of the district wardens appear to your committee to be larger than necessary, reference being made particularly to the livery hire of one Fitzmorris, which in some cases was twelve dollars per day, and for the eleven days of his activities as shown by his report, in one month amounted to one hundred and nine dollars. Some of the district wardens appear to have traveled exclusively by train from one corner of the state to the other; generally no railroad fare was charged by these wardens for the reason, as explained by the witnesses, that mileage was furnished free in return for certain non-resident permits issued without fee. In the opinion of your committee, while the receipts from these non-resident permits if paid for would not have equalled the cost of the mileage used by the wardens, we recommend that in future the practice be not continued.

In so far as your committee is able to ascertain, every state, district and special warden or deputy had other and additional occupation than that of protecting the game and fish of this state. A great discrepancy is observed in the two districts of the state, between the number of paid employes during the year 1910, although there is no evidence brought to the attention of your committee which would indicate a more thorough enforcement of the law in one district than in the other. In the southern half of the state during the year 1910, there were seventeen paid deputies, while in the northern half of the state there were forty-two paid deputies. In view of the fact that rumors were afloat before and at the time of the appointment of your committee and during all the time of its sitting, that the funds of this Game and Fish Board of Control had been used during 1910 for political purposes, some inquiry was made by your committee to ascertain if possible the truth of the rumors. All of the members of the Board of Control who testified, denied that they know of the use of any money for political purposes, nearly all of the witnesses denied that any use had been made of any of the funds of the Game and Fish Board of Control or time of deputies or

wardens for political purposes, and it is the opinion of your committee that no funds were directly used for political purposes, and it is also the opinion of your committee, based upon the evidence of some of the witnesses who either had clearer knowledge thereof or were more frank than the others, that the time of some of the paid employes or agents of the Game and Fish Board of Control, together with such influence as they might have, was directed along political lines, and it is the opinion of your committee that the political bias of certain persons who were appointed in the fall of 1910 was at least a material and weighty argument and cause for their appointment. While very little direct evidence could be obtained on this point, the attention of the assembly is called to the testimony of Mr. Stenwick, a district warden, and to the testimony and vouchers of Mr. Hendrickson, and to the fact that Mr. Hendrickson's vouchers and testimony disclose the fact to be that he was extremely active every day from the time of his appointment up to and including November 8th, 1910, the day of election, and that after that date there is no evidence of any activity whatever on his part.

Your committee is moved to make this report with the above definiteness for the reason that it believes it to be the sense of the people of this state that the funds contributed by sportsmen throughout the state for the preservation, conservation and propagation of the game and fish of this state, should not now or at any future time be used for any political purposes, or to further the political ends or aims of any person or party at any time. It is evidence that about 5 per cent of the population of this state contributes the sum of one dollar per capita per annum towards this sum, and in the natural order of things, the fund will be larger year by year. It is easily to be seen, in view of this fact, that in the future this fund will achieve very considerable proportions, and in the hands of unscrupulous men could be used in a manner that would tend at times to thwart the will of the people in their political preferences.

We recommend that appropriate legislation prescribing stringent rules for the handling of this money and providing proper safeguards against its improper use and prescribing suitable penalties for the violation of such rules and regulations be enacted.

It is proper to say that during the first months of the operation of the board there was a misconception on the part of the board of its authority over these funds, and because of this the board paid out considerable money and allowed sums in the way of claims without the vouchers having been properly authenticated. It is the practice now, however, for the Board of Control to approve by its president and secretary, claims against this fund, which then go to the state auditing board for approval. It has not been, however, the practice of the Board of Control when passing on these bills to require, so far as we can see by an examination of the vouchers, sub-vouchers for expenses. We regret that the lack of time prevents the making of a more satisfactory and definite report and submit this report as our report and ask to be discharged.

Very respectfully,

J. H. FRAINE,  
E. C. OLSGARD,  
MARTIN BENSON,  
L. L. BRUSLETTEN,  
WESLEY E. McDOWELL,  
CHARLES McDONALD,  
E. L. GARDEN.

TESTIMONY.

Mr. Armstrong:

You are at present secretary of the Board?

Yes sir.



As such secretary, have you kept record books?

Yes sir.

You have books containing the records of the meetings of the Board?

Yes sir.

Have you them with you?

Yes sir.

What do these books show?

They tell briefly of the operations of the Board.

You have read section 5, which provides as follows?

Yes sir.

Did you make such a report to the governor?

Yes sir.

Have you a record of the various movements of the various game wardens?

I have the record of the district wardens.

Can you tell me what game warden appointed Mr. Wilkinson?

The Board appointed him.

Mr. Finley?

The Board appointed him.

Adam Holler?

I do not recollect that.

Do you know him?

He was a special acting over across the river. He acted in 1909 and had some misfortune in getting shot.

Fitzmaurice?

Board of Control.

Bohn?

Board of Control.

Harris?

Board of Control.

McCaman?

By Mr. Smith.

Gunn?

By Mr. Smith.

Mr. Scharf?

By Mr. Bjorke.

Mr. Sutton?

By Mr. Smith.

Mr. Eastgate?

Mr. Smith.

Mr. Stenvick?

Board of Control.

Mr. Burt?

Board of Control.

Staale Hendrickson?

Board of Control.

Goarman?

Mr. Smith.

These special wardens in 1910, who appointed them?

The chief game wardens, Mr. Bjorke and Mr. Smith.

Mr. Smith?

Mr. Smith appointed him.

Is he any relation to Mr. Smith?

He is Mr. Smith's father.

Mr. Lee?

By Mr. Bjorke.

Mr. Mecker?

Bjorke.

Winterer?

Bjorke.

McGee?  
 BJORKE.  
 Mr. Schoff?  
 BJORKE.  
 Handtman?  
 BJORKE.  
 Burkus?  
 BJORKE.  
 Day?  
 BJORKE.  
 Mr. Long?  
 BJORKE.  
 Stone?  
 BJORKE.  
 Hegge?  
 BJORKE.  
 Brant?  
**SMITH.**  
 Gill?  
 Smith.  
 Connor?  
 Smith.  
 Lackaduck?  
 Smith.  
 Rufland?  
 Smith.  
 Mastad?  
 Smith.  
 Gillespie?  
 Smith.  
 Turner?  
 Smith.  
 Robinson?  
 Smith.  
 Jackson?  
 Smith.  
 George?  
 Smith.  
 Saltwold?  
 Smith.  
 Crites?  
 Smith.  
 Schman?  
 I do not know.  
 Dettleson?  
**SMITH.**

What if any records was kept of the movements of these men while they drew salary?

I do not think there is any record except those of the district warden.

No expense was allowed to any special warden?

No, just to the chief wardens.

Are their expense bills itemized?

Yes sir.

Does the board pay any attention to what the game wardens have been doing?

Certainly, through the district wardens' report, when the board meets.

Have you these reports with you?

No sir.

Has there ever been any talk as to the number of wardens employed at different times of the year?

Yes. The board brought it up and told them to appoint such men as they needed to enforce the game laws.

Is the salary fixed by the chief wardens?

Yes sir, it is determined by the length of service and the efficiency of their work.

Do these men with salaries of \$25, \$50 and \$75 have any expense bills?

No.

Do they make a report to the district warden?

Yes.

Are those reports filed with you?

No.

The number of these specials was not limited?

No.

How many men that drew salaries of \$25, \$50 and \$75 were there?

Bjorke had seven in July, 1910, fourteen in August, thirteen in September and 18 in October. Smith had five in July, fourteen in August, twenty-seven in September and forty-one in October.

Did you know anything about what these men were doing during those months?

Only by the reports of the district wardens. They merely gave the conditions of the game protection during these months.

Do you think there was any necessity for Smith having 41 men in October and Bjorke only 18?

In some sections of the state there are more places to hunt than in others, that is there are more lakes for ducks and geese and more timber for deer. I do.

Do you think there are more hunters out in October than there is in September?

I do.

What records do the district wardens have of salaries?

I do not know.

Do you know what Stenvick and Hendrickson were doing?

Not any more than from the reports of the district warden.

Do you know anything about the truth of these reports?

No, my office had no check of them.

Do you know of any others that had?

No sir.

You did not see them during that time?

I met them quite often.

Where did you meet them?

Occasionally at Minot.

Do you know what they were doing?

No sir.

Do you know what they were doing in Minot?

Not at the present time.

I notice, Mr. Armstrong, that voucher No. 85265 is one belonging to you, it runs various amounts, as expense of secretary: July, \$8.00; office rent, \$12.50; stenographer, \$37.50. How many months' expenses were contained in this voucher?

Five months and a half.

Is it true, Mr. Armstrong, that you had neither a stenographer nor an office? What have you to say about that?

At the organization of the board they had no office. But later they passed a resolution creating the secretary's office, as the office of the Board of Control, and set the maintenance of this office at \$100. And I was told that I could hire some one or do the work myself, so I did my own stenographer work and had my own office, and only at such times that I could not do the work myself that I hired a stenographer and paid for it myself. The members of the board knew that I was doing my own work.

Were these items of rent and stenographer to make it appear that you were not getting a salary?

No.

What part of your house was your office in?

The front part, down stairs.

Do you know Mr. Deichert?

Yes sir.

Did you know that he was traveling for a wholesale liquor house?

I understood that he was selling drugs.

Do you know whether on any of these trips he was engaged in the sale of liquor?

No sir.

Do you remember of him having been at Leeds?

I have heard of him being there.

But you have no knowledge of him being there?

No sir.

Do you know how much time in every month Mr. Deichert put in?

Was he getting \$100 per month whether he worked or not?

I do not know.

Do you know how much time every month that Mr. Fitzmaurice put in?

I think he put in all of his time.

Do you remember of any month in which he set out the number of days?

No.

He had a large livery bill?

Yes.

What did he charge?

I do not recollect that.

Do you remember whether or not he charged \$12 a day for livery?

No.

Do you recollect a month in which Mr. Fitzmaurice showed by this list, 11 days, and that in those 11 days he had an expense account of \$109?

No.

Do you remember of the board having a discussion on one of his bills?

Yes. It was in connection to him using an automobile. He covered half a dozen counties posting and distributing notices. He had a driver with him.

It was in 1909 that this occurred, and he was out just eleven days. Do you remember anything more about it?

I do not, without looking up the record.

Do you think that would be an unreasonable expense for livery?

I do not think that is an unreasonable expense for an automobile.

What do you think about a man that gets a month's pay for eleven days?

I do not think you will find it so.

Do you know how much time he was supposed to put in?

His entire time. I do not think that he was not working, merely because he did not have any expense in for more than eleven days.

Did the wardens make a practice of charging railroad fare?

Mileage was furnished them by the railroad, but occasionally they were out of mileage and charged it. The mileage was furnished without expense to the board.

What is your average expense?

I do not know.

Does this law provide for the election of a secretary?

Yes sir.

Do you get any other salary except for stenographer and rent?

No sir.

Have you any knowledge of how the game laws of North Dakota are considered by other states?

One of the best states for game protection.

From what source do your funds, that is the fish and game fund, come from?

It comes from resident and non-resident licenses.

How does the fund of North Dakota compare with that of other states?

It is much smaller.

What did the fund amount to in 1909? 1910?

About \$26,000 in 1909 and about \$28,000 in 1910.

Do you know what the revenue was before 1909?

I know it was about \$20,000 for the last two years.

Do you know what was done with it?

The chief game wardens got 30 per cent, the deputies and specials got 40 per cent, the state got 20 per cent and the county auditors got 10 per cent.

Did the chief game wardens show any charge for railroad fare?

No sir.

Did the board get their mileage free?

The mileage was gotten through the chief wardens in appreciation of resident and non-resident licenses given to the presidents of railroads.

I have heard it said that you made a trip to New Orleans?

We have a National Association of Game Commissioners which held a convention at New Orleans last year. The North Dakota board received an invitation, one member was elected as a delegate. He was unable to go so I attended the convention.

In that convention the talk was in regard to game protection?

The object was to get information and ascertain the condition of the game protection in the different states.

In talking it over down there, did you ascertain how our game laws compare with others?

It is practically the same as Minnesota.

Do all of the state receive their funds from licenses?

There are only nine states that do not get appropriations besides the revenue from licenses.

How do the expenditures of the adjoining states compare with those of North Dakota?

Those of North Dakota are very small in comparison to those of other states.

What are the expenditures of other states?

Illinois, \$150,000; Wisconsin, \$200,000, and Iowa, \$131,000.

How does South Dakota operate? Through chief game wardens?

No, they have county organization of some kind.

The money spent by you while acting as secretary of the board, was spent for the protection and propagation of the game and fish?

It was expended for that purpose.

Do you know how many are furnished with free transportation?

I am not prepared to answer that.

Do you know whether that mileage was in the form of annual passes or mileage books?

1,000 mile books.

\$1,950, is that the entire expense of your office?

That is just the maintenance allowed, \$100 per month since the organization of the board, 19½ months.

You had charge of the printing or did the board have charge of it?

I had charge of it.

Was most of the printing done in the state or out?

Mostly in the state.

Do you recollect what the bill of McGill, Warner & Co. was for?

Non-resident licenses.

Where was most of the printing done in the state?

In different parts of the state, at Towner, in the office of the News and Stockman, by Mr. Wright, Fargo, Grafton, Willow City and Fargo.

Were all of these bills approved by the board?

They were all approved by the board?

You say there are nine states without appropriations for the fish and game fund?

Yes sir.

Those states, of which North Dakota is one, have no appropriation besides the revenue from licenses?

No sir.

What states do you know of that have a revenue that have an appropriation?

Minnesota.

What is the gun license in Minnesota?

I do not know.

What kind of propagation do they carry on?

I do not know.

Do you know how much they spend?

I do not.

What other state gets a gun license that gets an appropriation?

Louisiana.

Do you know what appropriation they get?

I do not.

If this money was expended for the protection of game, and you said it was, do you desire to go on record as saying that it is true that it was intended to be spent for the protection of game?

It was intended to be spent for the protection of game.

If any was expended for other purposes you do not know of it?

No sir.

If a witness were to testify that he knew of Mr. Stenvick's whereabouts or practices during the months in which he drew his salary, and those whereabouts were in a town in Montana, and the voucher showed that he had been in various places, what would you know about it?

No more than the report of the chief warden. He went to Montana but he claimed that he hired a man in his place.

It has been construed by the board themselves that they receive the sum of \$3 for each day that they are in attendance at a meeting of the board, and in addition to this their railroad fare and hotel expenses. Is that your construction of that law?

Yes sir.

Do you see anywhere in this law anything that authorizes the payment of the secretary?

Yes sir.

Where is it?

The latter part of section 3.

Any other?

No sir.

Do you consider that this \$100 a month was really a salary to you?

No sir.

The items for stenographer and rent was really intended to compensate you for acting as secretary?

It is for keeping and maintaining the secretary's office.

Who gets the money?

I do.

You had no other business during this time?

I do a little farming.

Did the board ever discuss the necessity of the office of the secretary?

Yes sir, they established the office of secretary and set the maintenance at \$100 per month.

You bought a little office furniture?

No sir, I had all of my office furnishings.

How big is your building or the building that your office is in?

About 20 by 24.  
How much is occupied by your office?  
About 12 by 20.

## TESTIMONY.

Mr. Armstrong:

This would leave a balance of \$4,589.92. Is that about it?

It cannot be right, because we have not paid any bills since December 1. The county auditors have not all remitted to the state auditor, that is, they had not at the time when his report of this was made.

This statement shows a credit of \$47,230 and a debit of \$42,630.18, and unpaid bills listed separately, amounting to \$5,391.48, which if paid would leave a balance of \$4,599.82. In addition to that the report has not been paid for. How much did it cost?

\$500.00. Those bills listed as unpaid are paid.

If this statement is correct and the bills that have been approved since December 28 will be paid, there would not be much of a balance for next year?

No sir.

How many district wardens are there in the state?

Six.

Who are they?

Wilkinson, Burt, Deichert, Finley, Stenvick and Hendrickson.

## TESTIMONY.

Mr. Armstrong:

Does Mr. Wilkinson draw a salary of \$100 a month?

Yes sir.

Had you or had the board any knowledge of what he was doing other than what is shown on his voucher for March, 1910?

No sir; none except the report of Mr. BJORKE.

What was the report, written or verbal?

They made written reports at such times as the board was not in session, and verbal reports when the board was in session, but I do not remember whether the report was written or verbal.

You cannot say anything now, as to what he was doing?

No sir.

Have you any evidence, or can you give any evidence concerning his whereabouts other than that given in the voucher?

No sir.

Is that not true of many of those vouchers?

Yes sir.

That is the entire knowledge of the board?

Yes, sir, except the written or verbal reports of the wardens.

Those reports are in your office?

Yes sir, if they were written.

When the board passed on these vouchers did they pay any real attention to them?

Yes sir, each voucher was taken up separately and discussed and if satisfactory it was passed.

Did the board stand the responsibility of those bills?

Yes, the chief warden knew whether the expense were actual or not. And each bill was sworn to.

## TESTIMONY.

Mr. Griffiths:

You're a member of the board?

Yes sir.

Since its organization?

Yes sir.

You have attended all of its meetings?

All but one.

Which meeting was that?

A meeting at Dickinson.

Now at these board meetings you have noticed the number of deputies and special wardens that were appointed?

We did not always know until they were paid, or when the district warden made his report.

Was there any limit placed upon the number?

Not in the last year.

Did you know how many there were appointed?

Not between meetings.

At what meeting was it that you found how many were appointed?

I cannot remember what meeting it was.

Do you remember of any discussion about the number of specials?

I think there was some discussion about sending some out to look for non-residents.

Do you know whether they were watching the non-residents or not?

No sir.

As a matter of fact you were not very familiar with the operations of those deputies?

No sir.

You knew some of the wardens?

Yes sir.

Deichert?

Yes sir. I have known him for fifteen years.

Where does he live?

Grand Forks.

What has he done during that fifteen years?

He worked for N. C. Olson, wholesale liquor dealer.

How many months has he put in as a game warden?

I think he worked four and a half months in 1909 and eight months in 1910.

Your impression is that he has drawn fourteen and a half months' salary since April 15, 1909, to December, 1910, and was working for N. C. Olson?

Yes sir.

What is your understanding as to the compensation of the secretary?

At the beginning I did not pay any attention to it, but the longer I was in it the more I was convinced that it was too much for no compensation.

Your understanding was that this money was for stenographer and rent and not for compensation?

I understood it was.

Do you know Mr. Wilkinson?

I do.

You do not know what his business is?

No sir.

Do you know how many months he worked?

My understanding was that the board appointed him for the year.

But you do not know whether they did or not?

I do not know.

Do you remember of him being in Mott?

I do not.

Do you know what he was doing?

I do not.

Do you know Mr. Hendrickson?

No sir.

Mr. Stenvick?

Yes.

Mr. Hecker?



No.

Do you know what he was doing?

No.

Was it your habit when you got these reports, to look them over, or did you trust to the district game wardens?

It was the habit of the board to look them over.

That was the only evidence you had as to the whereabouts and activities of these men?

That was the only evidence.

You did not know what they did in these places?

No sir.

Did you ever discuss the necessity of having 59 special game wardens in October, 1910?

I did. But it was the advice of the board that the game wardens should hire such men as were necessary in the protection of game.

Do you know how many bills there are that are not paid?

No sir.

Your report shows up to the first of December?

Yes sir.

What did this report cost?

I do not know.

Do you know the condition of the funds, after everything is paid?

I do not.

What is your business?

I run a tailor shop.

You were appointed as a member of the board by the governor?

Yes sir.

You are familiar with Mr. Deichert?

Yes sir.

Do you consider or have you knowledge, that Mr. Deichert rendered sufficient work?

I think he is one of the best wardens we have.

Did you ever hear anything about a case he had in Leeds, with a butcher whom he had arrested, and who threatened to have him arrested for violation of the prohibition law, if he did not lay down?

No sir.

Did you ever, at any of your board meetings, talk of creating a sentiment throughout the state, through the newspapers?

Yes.

Did you do it?

Yes, but it was without cost. I remember that we at one of the meetings voted thanks to the newspapers for doing this.

The game wardens were the board when the board was not in session?

Yes.

You knew that Deichert was selling liquor?

Yes.

You knew that he was violating the law?

I did not.

He only sold to drug stores?

I think so.

You spoke about him having 27 arrests?

Yes sir.

Was it not through the evidence of specials in some cases?

It might have been.

The record of convictions does not show the activities of this man?

Yes sir.

At any of the board meetings did the board bring up the question of him being a violator of the law?

No sir. Not until after we had adjourned.

Then there were some members who felt that it was wrong?

Yes.

You did not care what he was if he delivered the goods?

Yes sir.

Do you think it fair to assume that he ought to be at least free from the stigma of being a law violator?

I think it would appear better.

Is it true that he is interested in a line of slot machines?

I have been told so, but it was before this board was formed.

#### TESTIMONY.

Mr. Killion:

You are member of the board?

Yes sir.

How long?

Since its organization.

You have heard the testimony of Mr. Armstrong and Mr. Griffiths?

I have.

Referring to the item of 59 deputies and specials being engaged, what was your position, when they were authorized?

The first information that we had in regard to them was when the bills were presented.

When was that?

At the last meeting.

When was that?

I do not remember.

Was it discussed at the meeting.

Yes sir.

Did it meet with the approval of the board?

Yes, but personally I objected to it, but the chief warden stated that he needed them in the protection of the game.

Was there any other reason?

No sir.

I did not, not until the bills came in.

Do you know Mr. Wilkinson?

Yes sir.

Where does he live?

Fargo.

Is he still a game warden?

No, he was until the first of January.

What is his business?

As far as I know he has no other business or occupation than that of game warden.

Do you know Mr. Hendrickson?

Yes.

Do you know what he does?

No.

Do you know when he was appointed?

Yes.

When?

About the first of last year.

Do you know what he has been doing since?

No.

Have you ever seen him anywhere?

I think I have seen him in Minot?

How many times?

Possibly once.

Do you know what he was doing in Minot?

No.

Have you ever seen him in Fargo?

I believe I saw him there during the state fair.

Do you know of his being there at any other time?

I do not recollect that he was.

You know Mr. Deichert?

Yes.

How long have you known him?

Not very long.

You did not know what his business was when he was appointed?

Not until afterward.

Do you know the state of the accounts of this commission?

Only in a general way.

In relation to this salary paid to the secretary, what was your understanding in regard to it?

I was one of the first ones to try to get it for him. I suggested that he keep some kind of a general office, and I made the motion that the office be maintained by the secretary at an expense not to exceed \$100.00 a month.

It was your understanding that he should do the work?

It was my understanding that he could suit himself about it.

He was to be allowed \$100 for the maintenance of the office, regardless of the expense?

Yes.

It was the supposition that this was a salary for the secretary?

It was not.

What was it?

It was to maintain the office; he could either hire it done and pay for it or do it himself.

It was expressed that he could either hire this done and pay for it or do it himself?

That was the understanding.

Did the board have any record of the activities of the various game wardens?

They got the written or verbal reports of the chief wardens as to what the wardens were doing.

Do you remember a deputy by the name of Fitzmaurice?

Yes sir.

Do you remember of his putting in an excessive livery bill in October?

Yes sir.

Do you remember what the bill amounted to?

Somewhere around \$100.00.

Do you remember how many days it was for?

Ten or twelve days.

Do you remember how many days he drove the auto?

Ten or twelve days.

It would not indicate that he was not working if he had no expense bill in?

No. It was the understanding that when a man made a business trip and at the same time be looking after the game, he should not charge any expense to the state.

Where did Fitzmaurice live?

I think he lived at Mohall.

I have heard at times past that some men were appointed for political purposes?

I do not recollect anything of that kind.

Have you heard the statements made?

Yes sir.

You understand the passage in the game law to provide, that when the board is not in session, the chief wardens act as the board?

Yes sir.

Do you think that provision in the law is a wise one?

I do not.

These 59 game wardens in October, did they charge any expense?

No sir.

Do you think that the money that was paid for these game wardens was spent in the protection of game?

I have no reason to dispute it. I had the word of the chief wardens.

The work of the game wardens as a whole is to protect geese, ducks and chickens.

And fur bearing animals. The beaver are well protected, in fact they are becoming so numerous that we have had several letters protesting against the damage that the beaver have done on their land.

There is no effort being made now to protect the game?

Yes sir. We have two chief wardens, and they have several men who are working for rewards.

Do you know any of these men?

Yes.

Which one?

Eastgate.

You do not know what these men are doing?

No.

Are you on a salary?

No.

What was Mr. Bjorke's business?

He had no business that I know of.

What has he done since?

Nothing.

Do you know that?

Just by his statement.

Did the board ever take any steps to find out?

I do not recollect anything of that kind.

Did the board ever make any investigations?

No.

It might be possible that Smith and Bjorke were devoting their time to other things?

Yes.

#### TESTIMONY.

Mr. Bjorke:

You are one of the chief wardens?

Yes sir.

And have been since April, 1909?

Yes sir.

Up to April, 1909, what was your business?

I was district game warden for two years previous.

Up to that time, had you any other business?

Yes sir. I had an interest in machinery and I run a lumber yard.

Who for?

Hennepin Lumber Co.

Was it a salaried business?

Yes sir.

What business have you been engaged in since?

I have had no active business.

Have you had any other occupation that has taken up your time?

I have other interests.

How much of your time does it take up?

My partner tends to them, but he asks me for advice occasionally.

How much time do you take up giving advice to your partner?

I do not know; very little.

You ran for an office last fall?

Yes sir.

It took up some of your time?

Yes sir.

Before the primaries?  
No sir.  
How much of your time did it take up in October?  
About ten or twelve days.  
How much time did you spend in your campaign?  
I do not believe it was more than twelve days.  
Did you have any other work during any of the time that you have been a game warden?  
No sir.  
Is the lumber business paying you for your time?  
Yes sir.  
Do they know that you are interested in the machinery business?  
Yes sir.  
And they allowed you to devote your time to it?  
Yes sir.  
How much time did it take up then?  
Not much time.  
How many deputies did you have in October, 1910?  
Two district men.  
How many specials?  
Seventeen.  
They were all engaged before October?  
Most of them were engaged early in the season, some of them in April, but they were not to go to work until July. There were three of them that were paid in October, but it was for the entire season.  
Who were your district wardens?  
Wilkinson and Burt.  
Do you know where Mr. Wilkinson was working in March, 1910?  
Yes sir.  
Where?  
He was in Bismarck during the flood, looking after the game that was driven off of the bottoms.  
What about the rest of the month?  
He drove around to see that there was no spring shooting.  
Do you know of any other place he was at?  
Gardner and Harmon.  
Do you know how many days it took him to visit these places?  
I could not say, possibly fifteen days.  
Did he charge his expenses while he was away from home?  
Yes.  
I find in this voucher that he charges .75 hotel bill in Argusville, .75 hotel bill in Hawood, \$1.50 in Grand Forks and \$9.75 in Bismarck. In the light of these expenses, how many days would you judge that he was away from home during that month?  
I don't believe he was away from home more than ten days.  
Have you any other knowledge except that which you get from the voucher, as to his whereabouts?  
Yes sir.  
He writes to me quite often.  
Did you get any letters from him during the month of March?  
Yes.  
How many?  
I do not remember.  
As far as you know, he did not go to any other places?  
No.  
Outside of Bismarck the number of days are not to exceed four?  
No.  
At Bismarck, how many days was he here?  
I was here a week and I think he was here as long as I was.

That would make him eleven days in the month of March, 1910, for a salary of \$100.

Yes sir.

The board was not in session at this time?

It met in Grand Forks on March 29.

March 12, is the date on which he charges for being in Grand Forks; what do you think he was doing there?

I do not know.

Did you get any reports from this man?

When he was out he reported.

Do his reports state as to his whereabouts?

It explains what is on the voucher.

I suppose the same state of affairs is true about your other district man?

**The president of the board sends him out once in a while, but he always reports it to me.**

Where have you been during the year and a half, on the road or at home?

I have been on the road part of the time and at home part of the time.

How much time did you spend on the road?

I don't know.

Was you on the road half of the time?

No.

Was it a quarter of your time?

About that much.

That was the time you spent in conducting your fish and game business?

No, sir. I have a good deal of other work to do, answering letters and issuing licenses.

How much correspondence do you get?

From two to twenty letter during the busy season.

How many licenses to you issue?

To 25 counties.

How much do you have to do in regard to the licenses?

I have to keep a record of how many I send out and who they are sent to.

Did you have any charge for assistance?

Sometimes I got legal advice from an attorney.

You paid an attorney for legal advice?

Yes sir.

Did you in your bill show that you paid for legal advice?

No sir.

Did you charge for any clerical help.

No sir.

Did you have an office?

Yes, with the attorney.

How much rent did you pay for it?

I paid him \$10 at first and \$20 the last months.

Did you take the matter up with the board?

Yes.

Who was the attorney?

Mr. Korsvick.

How much room did you have in his office?

I had a nice room, about 10x15.

That was all to yourself?

Yes sir.

Where was that, up stairs?

Yes sir.

How much room did he have?

He had two large rooms adjoining mine.

He rented three rooms altogether?

Yes sir.

Do you know how much rent he paid for them?  
No.  
How did that compare with rent paid for similar offices in Abercrombie?  
About the same.  
Was rent pretty high?  
No.  
Is one room worth \$20?  
I think it is fair.  
You started with two district men?  
I started with three district men.  
Who were they?  
Wilkinson, Burt and Strehlow, but Strehlow only worked one and a half months.  
What months were those?  
April and May I think.  
And they drew \$100 a month during this time?  
There were two months that they only got \$50.  
What months were those?  
June and July.  
What was the reason for cutting the salaries? There was just as much danger of spring shooting as there was this year?  
Yes, but the board insisted on the expenses being held down.  
But in June, 1910, you knew there would be money?  
Yes sir.  
In October, 1909, there was fewer than there was in 1910, for the same reason?  
Yes sir.  
You mean to say that the principal reason for appointing these specials was to spend money?  
No sir. There was more demand than there was in 1909.  
The appointment of these specials was left to you?  
Yes sir.  
Why was the howl stronger in 1910 than it was in 1909?  
Because the interest had grown.  
Had this interest been manufactured?  
Yes sir.  
Who did it?  
The game wardens and men who are interested in the protection and propagation of game.  
It had increased so much that by August, September and October that you had to double your force?  
Yes. Most of these men had been appointed during the summer, they were mostly men who had been fighting for the protection of game for the last two or three years, and had not been paid anything before.  
You did not have any more wardens than you did before, but you just paid more?  
No sir.  
The difference was that you paid out more money?  
Yes, but it was all paid out for services during the year.  
About how much of that \$20 that you paid the lawyer for his office rent, would you consider would be for legal advice?  
Not exceeding \$10 a month. I think it was about \$50 for the season.  
You paid a bill for legal advice?  
Yes.  
The law does not provide for it?  
It provides for the expense of the work.  
You have read the game laws?  
Yes sir.  
You know that the attorney general is the advisor of the board?  
Yes sir.

How many deputies did you have in July?

The same number. But some of them were paid by the month and some were paid by the season. I had about 300 men altogether but most of them only received rewards.

Were they appointed in April?

Most of them were appointed previous to that time, but they were not paid in May, June or July.

Is it not a fact that the game need a good deal of protection when they are nesting?

They need more protection when they get large enough to fly a little.

The shooting season is September and October?

September 7 to November 1.

You said that some of these men were engaged early in the year, but they did not do anything until September?

Oh, yes.

You had more game wardens in 1910 than you did in 1909, why?

At first I appointed only men who I knew had done good work under the old law, but as I became acquainted with men who took an interest in the protection of game, I appointed more. At first we had to work on promises, there was no money in the fund, and it was hard to get men without paying them. The fund established in 1909.

How was this fund collected?

By the sale of permits through the county auditors.

Did the district and deputy wardens sell any licenses?

Yes, I sold non-resident licenses, and issued books of them to other wardens. But no warden sold resident licenses.

How much do you suggest that the fund of the state game and fish board was increased by the soliciting or work of the wardens?

At least one-third.

How much was collected during the last two years?

About \$50,000.

How much more money came into the treasury by reason of the activities of the wardens than would have come in, in your judgment, had there not been as many wardens as there were?

I could not give anything but guesswork on that, but in my judgment we made money by appointing more deputies.

Was there enough increase to pay the cost?

In my district the increase was about \$2,000.

Do you appoint any game wardens for political purposes?

No sir.

How much did you collect in your district in the two years previous?

About \$14,000.

And how much during these two years?

In the neighborhood, of \$22,000 or \$23,000.

During the period previous to the organization of the board the money was divided?

Yes sir.

Do you know how much was paid out for deputies in your district?

Under the old law the deputies received 40 per cent, the district wardens 30 per cent, the state 20 per cent and the county auditors 10 per cent.

Do you know what the amount was?

I can get the record in the office here.

Do you know how the amount paid to deputies in '07 and '08 compares with that paid to deputies in '09 and '10?

It was more than it was under the new law.

These deputy game wardens that you have now, do they have any special district?

They are sent by me to where they are needed.

How many counties are there in your district?

Twenty-five.



You had seventeen deputies in October?  
 Yes sir.  
 Did you make any reports during the two years previous to the organization of the board?  
 None except to the state for collections.  
 Could you say now how much the state got of that?  
 About \$2,800.  
 Was it not more than that? It was at least \$3,000 in the other district?  
 I could not say.  
 In addition to that there was half that amount went to the county auditors? There was paid to that office practically 30 per cent of what was taken in?  
 Yes.  
 How much have you spent outside of your salary, in traveling around?  
 It has been less than \$60 a month.  
 How long has there been game warden enforcement?  
 Since 1903, I think.  
 Who was district warden before you?  
 McCain.  
 You started out in 1909 without any fund at all?  
 Yes.  
 In what condition is that fund now?  
 I do not know.  
 All that have been sent in since the last meeting.  
 Are there any bills that are not paid, that had been contracted at that  
 Not in my district.  
 It should be in September, but there are several licenses sold after that time?  
 The life of this fund depends on the sale of licenses?  
 And the receipts from the sale of confiscated goods.  
 The fact is that the commission has had the receipts for two years?  
 this?  
 Yes sir.  
 Payments have been made from April 15 to December 1, 1910, out of  
 Yes sir.

#### TESTIMONY.

Mr. Thorleson:  
 You know Mr. Casey?  
 Yes.  
 Was your office in the same building as his?  
 It was the front office in the same building.  
 The same one that he has now?  
 Yes.  
 During the past two years have you been intimately acquainted with Mr. Casey?  
 I have been intimately acquainted with him for fourteen years.  
 Do you know his stenographer?  
 Yes.  
 How many did he have during the past two years?  
 He had Miss Childs and Miss Hughes.  
 He did not have two at one time?  
 No.  
 Do you know what salary they got?  
 One of them told me she was getting \$25 a month.  
 Did the other one tell you what she was getting?  
 No. She did not happen to say what she was getting.  
 You do not know from him what they were getting?  
 No.

## TESTIMONY.

Mr. Eastgate:

You live near Stump Lake?

Yes, sir.

You are a deputy warden?

Yes, sir.

Since the organization of the board?

Yes, sir, and for six years previous.

As such game warden will you state during the last two years or from April 15, 1909, what has been your particular line of work?

I have been in charge of the national bird reserve there and also during the last year I have been at the head of various works of the biological survey.

You are an officer of the Audobon society?

I am a warden.

So that your life work, for some years, has been the care and protection of birds?

For twenty-three years.

Do you get a salary?

I got \$25 a month since July, 1909, but before that I got \$1 a month.

How much time do you devote to that work?

I devote, without any exaggeration, ten days a month. During the summer months I have to make trips through the reserve and report the conditions of the birds.

And you have also been a deputy game warden?

Yes, sir.

For how many months?

Eight months last year and eight months this year, that is in 1909 and 1910.

At what salary?

\$25 and \$50 a month.

As deputy game warden for the commission, you have been active in the enforcement of the law?

Yes, sir.

To what extent?

During the opening season—that is, September and October—I was in the field all the time although I was with hunters part of the time. I was where I could observe things. I used my own team during the season.

Did you make any charge for the team?

No, sir, I never charged a cent for it.

In August did you spend any time?

I was out almost all of the time.

During the last few months have you devoted any time to the enforcement of the law?

Yes, sir, during the last forty days I have been out on snowshoes trying to get two men who I suspected of breaking the law. They had been shooting chickens that come in on the lake in the winter time.

You were appointed by Mr. Smith?

Yes, sir.

Are there any other game wardens in your neighborhood?

Not now; there was one.

Who was he?

His name was Chilson.

How much money have you received from the board for services rendered as deputy warden?

\$25 a month last year and \$50 a month this year.

Was you appointed for political purposes?

I don't think so, because Mr. Smith never mentioned politics to me. It is understood that our political views differ in some things.

You have lived in this state for considerable length of time?  
For thirty years.

What is the standing of the fish and game protection at this time as compared with previous years?

Do you want my opinion or that of higher authority?

Your own first.

I have held the office of deputy game warden ever since Mr. Hale was chief warden, and from that time to this. I can say that the conditions in our country have been bettered five hundred per cent.

What do you think of the benefit of the present law?

I don't think that there is anyone that will not say that it is a vast improvement over anything that we have had.

That has always been your opinion of it?

Yes, sir.

What do you think about spring shooting?

I do not approve of it. I do not think that ducks or geese are fit to eat when they come here in the spring; they are poor and tired. And I don't see what anybody wants to shoot them for when they are not fit to eat. Here is a letter in regard to spring shooting:

United States Department of Agriculture.—Bureau of Biological Survey.

Washington, D. C., February 4, 1911.

Hon. J. E. Stevens, Senate Chamber, Bismarck, N. D.

My Dear Sir: I beg to acknowledge receipt of your letter of February 1, and in reply hasten to say that I have been trying to arrange for Mr. Eastgate to go up to Bismarck, and have just written him to communicate with you and arrange to be present at such time as you may indicate.

Permit me to say, that in my opinion, the effort to allow shooting of wild fowl in the spring in North Dakota is most shortsighted and extremely detrimental to the best interests of the state. The wild fowl form an important asset of the state and may be developed into a resource which will bring in a considerable revenue. No provisions could be devised which would more certainly or more quickly drive out the ducks and geese or prevent their increase than the proposal to allow shooting in the spring when the birds are mating and preparing to nest.

The returns from last year show that resident hunting licenses were issued to 26,542 persons, or nearly five per cent of the entire population of the state. These figures show the large number of people interested in game protection, and the importance of conserving the maximum number of birds. The act of 1909 was one of the best game laws ever placed on the statute books of North Dakota, and the beneficial results attending were immediately shown in the number of waterfowl which remained to breed. Precisely the same conditions prevailed in Montana a few years ago upon the passage of a statute protecting the birds in the spring. The federal government has established two national bird reserves in North Dakota—one at Stump lake and one at Chase lake—to aid in the increase of waterfowl. The removal of protection from birds in the spring will seriously interfere with the success of these reservations.

I hope that under no circumstances will the proposed amendment to the existing law be adopted.

Respectfully,  
T. S. PALMER,  
Assistant Chief, Biological Survey.

Is it not true that geese destroy large fields in the spring?

Yes, and I think that the farmer should be protected. He could go out and shoot at them. He won't kill very many; they won't stand for it long; they will move.

Have you any knowledge of the beaver institution, west of the river?

Yes. Some people have told me to fight any bill that would protect the beaver, because they do great damage to their timber; but I do not think it is any hardship to have the beaver on their land. An old ranchman told me that beaver were a source of great good to the stockmen. He said they go up all of these little creeks and construct dams, and thereby provide water for the stock, where otherwise they would have to go elsewhere for water, because these creeks would be too low to get any water out of if the dams were not there. He says: for God's sake, man, if you can, protect the beaver longer for that reason.

Are you familiar with any other territory in the state, other than your own?

I am familiar with the entire northwestern part of the state.

What do you know about the protection of game in that section?

As far as I can find out from good sportsmen, it is more than one hundred per cent better than it has ever been before. The majority of the people respect the law, and know that it was formed for the benefit of the state.

If you were going to send out game wardens, would you put uniforms and badges on them?

No, sir.

Would you send them out without any other occupation?

No, sir. Some would carry a grip, and live as a traveling man; and some would wear a pair of overalls and work in the fields or on a threshing machine or anywhere else; who could look after cases and not have it known to everybody. I think that there should be men stationed at Wahpeton, Grand Forks, Fargo and other places along the border to watch that no game is shipped out of the state.

You were interested in the game protection before April, 1909?

Yes. Always.

What was the license before 1909?

Seventy-five cents.

It is now \$1.

Yes.

Do you think that was a good move?

I certainly do. There is another thing that I would like to see done. That is to license hunting dogs. That will do away with a good many of these curs that are of no use. I think that if a man has a good dog he will be willing to get a picture of it and have the photo attached to the license; then a man cannot use a license for half a dozen dogs.

You are familiar with the game laws of some other states?

I am.

In what way?

I know that the laws regarding game in Minnesota and Maine are considered the best in the Union, but North Dakota is considered equal in the enforcement of the law. Our laws are considered as third best.

There is a bill in the Senate providing that the north tier of townships in every country be set aside for game reserves. What do you think of it?

I think it would be a bad move. In a few years it would take more than the state could afford to keep them going. But I believe that if a man wanted to make a game reserve, a man that did not care to hunt, but just like to have the game around him, one who would feed them in bad weather. I believe that the state should help maintain one of these reserves.

Is there any law that would prevent that now?

No.

How many counties do you have to cover?

Benson, Ramsey, Eddy, Griggs and Nelson. And I have been cussed for getting \$50 a month for looking after that territory. There should be a warden for every five miles of lake front. One Sunday I counted twenty-seven guns on one mile of lake front, and they were all from the city of Fargo.

You spoke of creating a sentiment. How would you create this sentiment?

My first object would be to get men that would use common judgment.

Active men?

Yes. Men who would talk to a man and tell him where he is wrong, and show him why he is working against the best interest of the state. And if that will not create respect in them, arrest them and let them suffer the consequences. You know that there is a certain class of people that the only way you can create sensation in them, is with a club.

In your district, which takes in these counties, did you ever see any other deputy at work?

I met one.

Who was he?

Mr. Deichert.

Where did you meet him?

At Devils Lake.

It was in September?

About the middle of September.

What was he doing?

He was going somewhere in an automobile.

Was he alone?

He had a driver and another man with him.

Was he hunting?

I do not know.

Do you know where he was going; what direction?

I do not remember.

You spoke about dog license. Isn't there a license in most of the towns in the state?

Yes. But the people send their dogs out in the country until the license scare is over, so it doesn't decrease the number of curs very much.

What license would you suggest?

Three dollars for a dog and five dollars for a bitch.

Would it decrease the number of dogs?

Fifty per cent.

How would you enforce that license?

Through the game wardens.

You said Minnesota spends three times as much as North Dakota for game protection?

That is what I understand.

Is that for protection and propagation?

Both.

A very large part for propagation?

I do not know. I know they pay some big salaries to wardens.

Very largely to protect the deer in the woods, is it not?

Their open season is very short, but they keep their men active all the year around.

Do you know what the population of Minnesota is?

I do not.

Something over two million, isn't it?

I should judge it is that much.

Four times greater than the population of North Dakota?

Yes, sir.

Wouldn't that necessitate the spending of more money?

It would not require as much protection as a thinly populated state, because the farm houses are much closer together and you could not do much shooting without being seen.

But the northern part of the state—that is, the timber country—is very hard to protect?

We have some along the Missouri that is just as hard to protect.

You are not very well acquainted with Maine?

Merely from hearsay.

You have spoken of farm reserves. Wouldn't it be necessary for a man to hire men to protect it?

My idea is that the state would stand part of the expense. It would be to the interest of the state, because it is only a matter of a few years until the food on that reserve will be exhausted, and the birds will go elsewhere.

You spoke of the number of guns on Stump lake. That is pretty close to where you live?

Yes.

You would not know if there were any other deputies there?

There might be a dozen there and I would not know it. The lake is very irregular and it is very hard to go from one side to the other.

#### TESTIMONY.

Mr. Finley:

Are you game warden?

I am.

What part of the state?

My territory is Walsh, McHenry, Eddy, Benson and Pierce counties. Where do you live?

Harvey.

What is your compensation?

During June and July of the first year I received \$50 a month and the rest of the time I received \$100 a month.

Do you devote any of your time to any other business?

I have no other business. I travel under the guise of a schoolbook agent when it is necessary. Before I was appointed I was the state representative for the Rand, McNally school books, so I always carry some school books and inquire if any school books are needed. I take an order occasionally.

Are you out on the road most of the time?

All of the time that there is any business for me.

In the winter months do you do anything?

During the past month I have made three arrests, and I have made several trips to Williston, digging up evidence for the conviction of three parties that have been violating the law.

Do you travel on free transportation?

Yes.

Do you charge any of it to the state?

Not a cent of it. There would be times when my transportation had expired and I paid it myself; then I charged it to the state.

How long have you lived in Harvey?

For several years.

Have you ever taken any interest in the protection of game prior to your appointment?

I have always been an enthusiastic sportsman.

What, in your opinion, is the standing of the enforcement of the game laws in comparison with previous years, say two years previous to your appointment?

It would be hard to draw a percentage of the difference, as the attention paid to game enforcement at that time was very slight. The enforcement of the law since the new law has been in effect has been most excellent in my estimation.

Did you appoint any deputies who reported to you?

Yes, sir.

What purpose did you appoint them for?

I appointed them under the direction of the board. It was the plan of the board to have several specials, and that the district wardens were to make a list of the most active ones and they would be rewarded with a small salary. I made such a list of seven men, three of them were appointed.

Who were these three men?

Frankhauser of Anamoose, Ainsworth, Axle Johnson of Washburn.

Did they perform the duties that they were appointed for?

Yes. They earned a great deal more than they were paid.

What is the effect of convictions?

I think that the convictions in my country have been very beneficial. They create a respect for the law in other people. It has always been my principle not to arrest a man until I have sufficient evidence to convict him.

Did you ever run across any other wardens in your district?

I met Mr. Wilkinson.

Are these wardens confined to any particular district?

They are except in cases where the local man is too well known; then a man from another district is sent in. I was sent to Lake Metagotia, because Mr. Deichert was too well known there.

You spoke of being up at Metagotia?

Yes, sir.

And was sent there for a purpose?

Yes, sir.

What was that purpose?

To locate some parties who were fishing with nets.

Did you find them?

No. I think they had taken their nets out because there was so many people there. I rowed around the entire twenty-two miles of shore but did not find any nets. I found places where nets had been set.

Is it not more than that?

Yes. I have it confused with another lake.

Did you stop at the hotel there?

Yes.

Which one?

The one the ladies run.

Did you eat fish for dinner?

No, sir.

Was there fish on the bill of fare?

I do not remember.

Did you go to the other hotels; the one just across the lake?

Yes.

Did you see any fish around there?

Only a few that the people caught.

How many pickerel did you see?

Not more than a dozen.

In appointing deputies did you have any talk with them about their political activities?

No, sir.

Did you have any political activities?

Somewhat.

To what extent?

To the extent that I was instrumental in calling some political meetings. I spent some money in the way of automobile hire.

Did you charge any of that to the state?

No, sir.

Did any of your deputies get their appointment by reason of political activities.

No, sir.

Do you know whether or not any of them were politically active?

One of them was.

Who was that?

Frankhauser.

Did you meet Mr. Stenvick or Mr. Hendrickson in your district last fall?

I did not. But he was in Harvey—Stenvick.

What was he doing?

He was on this way through.

You know something about this beaver situation?

Yes. Possibly more than any other man.

What do you think of it?

I must say that they have become so numerous in some localities that they are a nuisance. A farmer living across the river spoke to me about the damage the beaver had done on his place. They had cut down sixty or seventy large cottonwood trees. He said that if they were standing he could dispose of them to his neighbors for at least \$125.

Do the beaver use the trunk of the tree?

No. They take off the branches and eat the bark off.

Is there any reason why these trees should not be worth as much as when they were standing?

A cottonwood tree that is cut down at that time of the year is of no earthly good. They are full of sap and will not make firewood; they will rot readily if they are put into a building. My idea is to have a short season in which beaver can be trapped, and to issue licenses. When a man puts in an application for a license have him state in what locality he wishes to trap, and it can be ascertained through the different wardens if there are a sufficient number of beaver there to do damage; if not, the license can be denied.

What is the value of a beaver pelt?

Six or seven dollars.

#### TESTIMONY.

Mr. Wilkinson:

You are a district warden?

Yes, sir.

And have been since April, 1909?

Yes, sir.

At \$100 a month?

Part of the time. Some of those months I drew only \$50.

What months were they?

April and May or May and June of the first year.

The rest of the time you got \$100 a month?

Yes, sir.

What was your other business?

Nothing in particular. I traveled under the guise of a machine man.

Was you really engaged in the machine business?

Nothing to speak of.

We don't know anything about that; answer yes or no.



I will say that I was not.

You say that in May and June you only received \$50 a month? April was only half a month.

It must have been May and June then.

I find in voucher 85174, salary for May, 1909, \$100. Would that refresh your memory?

There were two months that I know.

I find in voucher 85175, salary, June, 1909, \$100.

That must be a mistake.

I find in voucher 85176, salary ½ July, \$50. Was it April and July?

There were two months beside those.

The rest of the months you got \$100 a month; and for that \$100 how much have you done in game protection and enforcement?

I have put in most of my time.

You say, most of the time. How much of the time have you worked for the game commission, and what have you done?

I have made several arrests and several appointments. I have worked Sundays and practically all of the time; some days I put in eighteen or twenty hours.

How many days a month.

From thirty to thirty-one.

We had up for discussion one of your bills. I think it was for March, 1910. It showed hotel bill at Bismarck of \$9.75; Argusville, .75; Harwood, .75; and Grand Forks, \$1.50. Were those the only expense items you had that month?

Yes, sir.

Where were you the rest of the month?

I was in Fargo.

You was in Fargo all the rest of that month; now what did you do in Fargo in the matter of game protection?

I distributed game laws, visited the different gun shops and gun clubs, talked to different sportsmen, and answered question in regard to the game laws for different parties.

How many gun shops are there in Fargo?

Five or six.

How many gun clubs?

One.

Those traveling men that you have got, do they report to you?

Every time they go in and out; possibly every day.

In writing or verbal?

Verbal.

In March, 1910, you had twenty of these men?

Possibly more than that.

They were traveling men and worked for someone else?

Yes.

They would hunt you up and report?

I met them on the street usually.

Mr. Wilkinson, a report comes to me that you was working down in Mott for a machine company. Is that true?

No, sir.

Was you working anywhere for a machine company last fall?

No, sir.

How about the fall before?

I was out at Mott in February.

Working?

No, sir. I had a beaver lawsuit at Mott.

Then any report that has been made to this committee or to any other person that you was working for a machine company is not true?

That is right.

The question was asked Mr. Eastgate about his political activities.  
Was you politically active?

Not any more than any citizen.

Will you state what you did or what you did not do; did you drive around the country and make speeches?

No, sir.

Did you post lithographs?

Yes.

How many?

I should judge about fifty.

Where did you post them?

In the city of Fargo.

Did you attend any political meetings?

Yes. I was a member of the county committee.

Did you appoint any deputies?

I appointed some republicans.

Who were they?

Arnold was one.

Any others?

Chesnut.

Any others?

I do not recollect just now.

Do you know whether they were politically active or not?

No.

Was there any arrangements made with them as to whether they should be politically active?

No.

I understand your testimony to be that, so far as you know, you game wardens were not politically active.

That is it.

Who were you appointed by?

By the board.

#### TESTIMONY.

Mr. Hendrickson:

You have been a game warden since August 1, 1910?

Yes.

On salary?

Yes, sir, until January 1.

What was your salary?

\$100 a month.

Who appointed you?

The game board of control.

How did you come to get it?

I was asked if I wanted it and I said I would take it.

Who spoke to you about it?

Stenvick.

In July?

Yes.

Have any talk about politics?

No.

You did not have any understanding with him in regard to politics?

No, sir.

Did you get any instructions as to where your territory would be?

No, sir.

What was the nature of your instructions?

When I was appointed I was given to understand that I was to work under the direction of the board.

How was you given to understand?

The only instructions I had was that I was to work under the direction of the board.

Not under any other game warden?

No.

Your chief game warden would be Mr. Smith?

Yes.

Where was your district?

I did not have any particular district.

What did you do first?

I qualified.

I am talking about the enforcement of the game law.

The first instructions that I got was to go to Williston.

Who gave them to you?

Mr. Smith wrote me about it.

From there where did you go?

I could not say for sure; there were different places; but I know that I visited a number of places during the first two weeks.

Under the direction of Mr. Smith?

Some of them.

Have you the letters that you received from Mr. Smith?

I think I have part of them at home.

Do you know who signed them?

Mr. Smith, I expect.

Do you know his signature?

No sir, not to swear to.

Did you see Mr. Smith?

Yes.

When?

A month or six weeks after I was appointed.

After the season opened?

I think so; I might have seen him in August.

Where?

At Grand Forks.

That is your first recollection of seeing him?

Yes.

Was that when he was on his way back from Montana?

I did not know that he had been in Montana.

I notice in your September bill you started from Bowbells. That is where you live, is it?

I live at Coteau.

And went to Minot from there?

Yes.

And then to Fargo?

I don't remember.

First part of September?

Yes.

First at Fargo; sixth at Minot. Did you see Mr. Smith down there?

No.

Who sent you there?

I might have gone on my own initiative.

Why?

I did not think it made any difference as long as it did not cost the state or anybody else anything for transportation.

Was it in the interest of game?

Yes. I was in Fargo several times during the term but it is pretty safe to say that it was in the interest of game.

In October you was in Bismarck, was you?

I think I was.

Was that in the interest of game?

It may not have been. I might have gone in there to sleep.

Do you remember what you went to these places for: October 10 and 11, Bismarck; 12, Fargo; 13 and 14, Grand Forks; 15, Grafton; 16, Grand Forks?

I don't remember. I might have gone in to sleep. When I was close to Fargo I went in, because I roomed there, and when I was close to Grand Forks I went in; my work was done fifty miles or so from those places.

Is the Aneta line in your district?

Yes.

Here I find 27th, 28th, and 29th, hotel at Fargo. That was the time you was on the Aneta line?

Yes.

Could you tell us what you did in Fargo, Bismarck and Grand Forks on the 11, 12 and 13?

If I was close to Fargo or any of those places, on branch lines, I always went in because I knew I could not get a good bed in any of those small towns.

Do you know of any reason that took you to Bismarck in August?

I do not remember.

Was you sent there?

No.

Was you sent to Fargo?

No.

You had no regular district?

It was not outlined to me.

You never had any instructions as to your district?

No.

How many times did you hear from Mr. Smith?

I got a number of letters from Mr. Smith.

Was it twenty-five?

I must have got that many.

Mr. Hendrickson, were any of these trips prompted by political activities?

Not any more than any other activity that you would think of on a trip like that.

Did you work in any politics.

I always do that.

Did you do anything else besides talking?

No.

You did considerable talking?

Yes.

In every one of these trips politics was of as much interest as game?

No.

There has been some comment on the size of your bills.

Yes.

On November 1, hotel, \$4.40; November 2, hotel, \$5.10; on the 4th, \$3.00; and on the 5th, \$4.00. Do you think these amounts are reasonable?

I think they are very reasonable; too reasonable.

In October your hotel bill run up to \$102.65.

Yes.

Run from \$4.90 to \$2.50 a day?

Yes.

Do you think those are reasonable?

Yes.

In September your hotel bill was \$85.40; \$1.25 a day to \$6 a day?

Yes.

Those are reasonable?

Yes.

On the 5th, \$5 for room and \$4 for lunches?

Yes.

What do you say to that?

There might have been more than one day included in that.

What about lunches?

Look at the signed vouchers and you can find how many days that was for. I wish to say to this committee that there is not one dollar in that, that was not spent for the purpose of game protection.

Are those expenses such as a man would incur in his own business?

I will say that my expenses before I went out as a game warden were fully as much if not more than when I was a game warden.

You were in Fargo on Roosevelt Labor day?

Yes.

That is probably what brought you there?

I was down to that.

That was the reason you went down there?

Probably it was.

There was a question asked Mr. Stenvick in regard to this: That you were in Fargo seeking employment with the republican central committee, and failed; and he met you there and got you this position. Is there any truth in that?

It is about the opposite. The committee offered me \$175 and expenses to go out on the road and boost for the straight ticket, but I did not want it.

Would you mind stating to this committee why you took this position in preference to a better paying position?

Well, to begin with, I was always a lover of sport, and I was looking for just such a job as I got. I thought I could be quite independent with it; and then I would not be hampered all of the time.

Hampered in what way?

I was offered a position with the Equitable Life Insurance Co. but I would have to stay in an office if I took that and the other position had a string on it.

So that was the real reason—because you liked the work?

Yes.

That was the only reason?

I don't know of any other reason.

To whom did you make your report?

To the chief warden.

How often?

Once a week. I did not make any when I was not out.

What did those reports consist of?

They show my weekly expense and where I had been.

Did you appoint any other game wardens or deputies?

No.

No others?

No.

How many did you recommend?

I do not know.

Who were they?

I recommended one from Burlington.

Who was that?

I don't remember the name. I recommended one from Ambrose, one from Macs and one from Williston, I think.

How many were appointed?

Two.

Do you remember the appointment of any that drew salary?

One.

Who was that?

Garfield Crites.

Where does he live?

Grand Forks.

Did you have anything to do with the appointment of Mr. Reed of Bismarck?

I don't think so.

You said you had an offer from certain political parties at a large salary?

Yes. A party came to me in Minot and said: Why don't you resign that democratic appointment of yours? We will give you \$175 a month and you can do some business on the road, while you are boosting for the straight ticket. I said you can take it and go jump in the lake with it; I don't want any job with a string on it.

That was after you were appointed game warden?

Yes.

You would be paid \$175 a month to do what you are doing for the state?

No.

You could boost for the state ticket? It was to be a political appointment?

Sure.

You was expected to do political work?

Yes.

Was you selling life insurance while you was on the road?

If anybody wanted any, you bet you.

What was your business?

Selling life insurance.

That continued to be your business in addition to the game warden business?

I did not work at it but it was my business. For the benefit of the committee I will say that I sold thirteen policies in thirteen months.

What did they amount to?

I could not say. There was none less than \$1,000. The premium would amount to about \$40 for each application that I wrote.

So that the aggregate premium would be something like \$500?

It might have been that much; maybe less.

You have opened a little interesting proposition. You say that you was offered \$175 to do political work for the republican central committee and in making the statement you said it was to do the same work that you were doing then. Who was it that made this proposition to you?

I did not think I would be required to answer that. There were two of them, one was Billy Donnely. They came to see me on that proposition. One had state hotel inspector to give away, and the other had the salary.

They came to see you on that proposition?

Yes.

You had quite a long talk?

Yes.

Was there any talk about what you was going to do under this appointment—this game wardenship?

No.

You were a democrat?

As far as the head of the ticket was concerned.

Did you spend any part of your time during the campaign going around calling political meetings?

I went up from Casselton on the train one day and dropped a few bills off at every station, but I did not get off the train.

Did you carry any lithographs?

No. These was all that I had.  
Is that the only time?  
Yes, that is the only time.  
You have told all that you think would be of value to this committee?  
I don't know.  
Do you think that the fact that a game warden is prodding around considerable means that he is working in the interest of game?  
Providing that he nabs those that are violating the law.  
Had you any idea that your appointment was dictated by law?  
No.  
Did you have any told with Mr. Stenvick?  
Absolutely none.  
Then if he had any politics in mind when he recommended you he kept them to himself?  
Yes.  
You was not in accordance with his political views?  
As far as the head of the ticket was concerned. I mean that I was for Burke for governor.  
And he was, too?  
Yes.  
That might have had something to do with your appointment?  
Not with me. I took it just because it just suited me.  
How long have you lived in North Dakota?  
Eighteen years.  
You lived in that section of the state?  
Yes.  
What political belief?  
Republican.  
You take an interest in the game laws as a citizen?  
Yes.  
Do you hunt?  
Yes.  
Have you always hunted since you have been in the state?  
Yes.  
Were you in any way familiar with the game laws during those eighteen years?  
I am familiar with it for the past twelve years.  
Comparing the period just closed, since the new law has been in effect, how does the enforcement of the game law appeal to you as compared with previous years?  
There is absolutely no comparison. It is so far advanced that there is no comparison.  
What has been your policy in regard to the enforcement of the law since you have been a game warden?  
It has been to have it strictly enforced.  
How does the part that you have played in politics since you have been a warden compare with the part played by various state and county officials?  
I could not say to that; but I don't think there are any public officers that have done less in politics than I have.  
You wish to state to this committee that you was appointed for the purpose of protecting the game?  
I certainly do.  
Where are you stopping now?  
I am stopping at the Grand Pacific.  
What are you paying down there?  
I think the rate is \$2.50 and \$3 a day.  
You have some bills for \$3.45 a day. Did that include your room and board?

I don't know. You know a man can't live very well on \$3.45 a day. Take for instance in Fargo, you pay \$1.50 for a room, and you buy what you want to eat. A steak is sixty cents or seventy cents, and it does not take very much more to make it a dollar. I, being a Norwegian, I have to have a cup of coffee between meals. I generally stop at the best places.

Do you stop at the Gardner when you are on your own business?

Yes. You look over the register and you will find that I have been quite a regular visitor during the past two years.

You were on the road five months?

Yes.

Did you charge any transportation?

No, sir.

I find that your expenses for four months to be \$406. Do you consider those reasonable?

I consider that very low.

You took office the first of August?

Yes.

I find that you have expenses charged for practically every day in August?

Yes.

Was that in the interest of game protection?

Yes.

The same in September and up to the eighth of November?

Yes.

That was election day, and there are no items charged after that?

No, sir.

Was there any special reason for you not going out on the road after that?

The bird season was closed and everybody had about all the hunting that they wanted. The deer seasons open at that time and the men along the river look after the deer violations. So there was no particular necessity for me to go out.

You say that the deer season opens on the eighth?

It opens on the tenth of November.

You were not on the road after the eighth of November?

Not very much. I had heard that the board was going to lay all of the wardens off but two district wardens, so I did not think there was any particular necessity for me to go out.

You drew a salary for that time?

Yes, sir. Which was right and proper.

You would not say that you were on the road until election day and after that there was nothing for you to do?

No. It all depends on how you look at it. If you want to be fair and honest you would not look at it in that way.

Did the board lay you off on the fifteenth of November?

No. They decided to let us continue for a while longer. I was on until the first of January.

#### TESTIMONY.

Mr. Stenvick:

You are a game warden?

Not now.

Was you a game warden in 1910?

Yes, sir.

From when to when, approximately?

From April 1 to December 1.

On salary?

Yes, sir.

District men?



Yes, sir.  
What was your district?  
I always figured that my district was the northwestern part of the state.  
Did you receive any instructions as to your duties?  
Yes, sir.  
Were they in writing or verbal?  
I think I got letters and had several visits with Mr. Smith.  
Your instructions came from Mr. Smith?  
Yes, sir.  
All of them?  
I think they did.  
As such game warden you appointed other game wardens?  
I recommended several.  
It has been said here that you recommended Mr. McCann?  
I did.  
Mr. Hendrickson?  
Yes.  
McGill?  
No, sir.  
Harvey?  
Yes, sir.  
What others?  
I do not remember.  
How many did you recommend all together?  
Five or six.  
Where does Mr. McCann live?  
Minot.  
What did he do?  
I do not know what he did. I think he run a newspaper.  
Did he report to you?  
No. To the chief game warden.  
Do you know whether or not he was active in the enforcement of the law?  
No, sir.  
Do you know whether or not he ever went out in the field?  
I know he said he was going. That is all I know about it.  
What about Mr. Hendrickson?  
He was a pretty good man. He was going all of the time.  
Do you know where he got his instructions?  
No.  
Did he make report to you?  
No, sir.  
Can you say how McCann got his appointment?  
I met him one day when he was going down to the hills to hunt, and I talked it over with him, and told him I would recommend him for warden.  
Are you prepared to say just what the conversation was?  
No. He said he was going south to hunt and I thought he would be a good man so I told him that I would recommend him.  
Did you make any particular statement to him in regard to why he was appointed?  
No.  
Did you make any such statement to any one else as to how he got his appointment?  
I might have.  
Did Mr. McCann try to get an appointment before you appointed him or recommended him?  
I do not know.

Did Mr. Hendrickson talk about his appointment with you?

No.

How did you come to recommend him?

He was running all over the state, and I thought he would make a good warden.

Did you know whether these two men were politically active or not?

They were both politically active.

Do you know anything about their activity in game enforcement?

I know of reports from Staale Hendrickson.

In May the voucher shows that you were in Williston, Sheeley, Rice Lake, Valley City, Bismarck, Minot, Fargo and again in Minot. Are you prepared to say, Mr. Stenvick, that all of these trips were made in the interest of game enforcement?

Yes, sir. When I went to Fargo or Valley City it was either Mr. Smith or Herman Winterer.

Did you see Smith in Fargo?

I do not recollect.

Did you see Winterer in Fargo?

I do not remember that either.

Did you see either of them in Bismarck in July?

I do not know.

Were these trips or had these trips anything to do with political activities?

I never forget politics, although that was not what I went for. I might have talked considerable of politics.

But you do not remember what you did go for?

No.

Bismarck was not in your district?

No.

What were you doing there?

Bjorke wanted me to be in the southern part of the state sometimes.

What did you do in the matter of game enforcement in Bismarck?

Well, just before the season opened up there was a lot of fellows out with dogs, training them, and the man in that section was not on salary, so I did the work.

Mr. Wilkinson was in this district?

Yes.

In May, do you recollect where you were?

No.

In August, do you remember where you was?

I think that was about the time I went into the southern part of the state.

What were you doing at Valley City? Was that in the interest of game enforcement?

Yes, sir.

Did you see Mr. Winterer?

Yes.

At Casselton?

No.

At Bismarck in August, what were you doing?

There was quite a few going out to train dogs.

Who sent you down here?

Bjorke.

At Grand Forks, do you remember of being there?

No. It must have been to see Smith.

Do you remember of seeing Smith in Grand Forks?

Yes, I saw him there and at Grafton.

On the 23d and 24th of August you were in Grand Forks. Do you remember what you was doing there?

No.

At Fargo, Bismarck, Mandan and Valley City—that was in the interest of game enforcement?

Yes, sir.

Had nothing to do with politics?

I talked politics.

In September you was in Minot, Bismarck, Mandan, Jamestown, Valley City, Bismarck, Mandan and Fargo. Was this in the interest of game enforcement?

Yes. I came down in the southern district for BJORKE.

Was you in Bismarck with him in September?

I was in Bismarck with him a couple of times, but I do not recollect just when it was.

Was you ever in Mandan with him?

No.

In October you was again at Bismarck, Mandan, Valley City, McKenzie. They were prompted solely for game enforcement?

Yes, sir.

You mean to say that all of these trips were necessarily made in the interest of game enforcement?

Yes.

They were rompted solely for game enforcement?

Yes, sir.

Had nothing to do with politics?

No, sir.

You know Mr. Dwyer of Minot?

Yes, sir.

Did you make all of these trips?

Yes, sir.

Did you have any mileage?

Sometimes and sometimes not.

What times didn't you have any?

I do not remember.

In several trips you had charged up railroad fare in October?

Not on the Great Northern.

Where is Rogers?

On the Soo, between Minot and Valley City.

Did you travel any on the Great Northern?

I do not know.

Did any of these wardens report to you?

No.

Did you direct them where to go, and what to do?

I think I did a couple of them.

Who were they? Toftour and Staale Hendrickson?

I sent Staale north of Williston and to Stanley and I think I sent him to Towner.

Didn't you know in every one of these cases that you recommended for appointment, that these men were going to be politically active?

I think in most cases.

And you knew in which direction?

Sure.

And that had something to do with their appointment?

I think it did.

Now getting back to McCann. Did you know that he had been an applicant for appointment as game warden?

I do not recollect.

Did you have any distinct understanding with him?

No.

Did you have any understanding with him as to whether or not he was to be politically active in his paper or personally?

No.

As a matter of fact did he ever go out in the interest of game enforcement?

I do not know. Only that he was going to Rice lake.

How long did he stay?

I have no idea.

How long did you work?

Five or six months.

How much money did you draw?

I do not know.

Have you any idea?

\$100 a month and expenses.

This year was the first year?

Yes.

How long have you been in North Dakota?

Nine years.

You live in Minot?

Yes.

What business?

Land business.

And you still are in that business?

Yes.

Is the law pretty well enforced in your district?

Yes.

The following has been reported in connection with the appointment of Staale Hendrickson. I would like to know whether it is true or not: The report is that Hendrickson, last summer, went to Fargo trying to get employment with the republican central committee and failed to make connections, and that you met him and there made arrangements to get his appointment and in return he was to support Governor Burke for governor, and that you spoke of this as putting one over the republican committee.

I do not know anything about that.

Did you make the arrangement in Fargo?

No.

Where did you make the arrangement?

I think it was in Minot.

What time was that?

I cannot tell what time that was without looking it up.

Just before Staale was appointed?

Yes. It was some time last summer.

It was about the first of July?

I cannot say as to that.

Staale was a candidate for nomination for the legislature?

Yes.

He was defeated?

Yes, sir.

Do you or did you devote your time to the enforcement of the game laws?

Yes, sir.

Have any other business of your own?

Real estate business; but I did not pay much attention to it.

Do you know what your average expense was for a month?

No.

Have you any idea?

\$50, \$60 and \$75 a month.

The money spent by you as warden, do you believe it was spent for the enforcement of the game laws?

Yes.

TESTIMONY.

Mr. Cashel:

Senator, you are now president of the First National Bank of Grafton?

Yes sir.

Have been connected with that bank for several years?

Yes sir.

For the last quarter of a century?

Yes.

You know Mr. T. D. Casey?

Yes.

You know that he has office rooms in your building?

Yes.

Do you know what rent he paid?

He paid for his office I think \$10 a month. But now he has moved to the front of the building, and there has been a heating plant put in, and it is my impression that he is now paying \$15.

He moved in November.

Yes. I am not sure about the rent, the cashier tends to that now.

You know about it up to November?

Yes.

\$10 a month?

Yes.

TESTIMONY.

Mr. Benson:

You made a trip to Willow City in January?

I did.

What did you go up there for?

I went up on the invitation of Mr. Armstrong to look over the records.

Will you tell the committee what you found Mr. Armstrong's office to consist of?

His office is located in the same building that he lives in and has the front part of the building, the front part of the building is divided into two parts, and one of these parts is his office. I found his office furniture such as desks and so on.

Will you tell the committee what you found his books to be?

I found, what I consider, everything in good shape. He had an account of the expenditures in items, he had the totals on his ledger. He had an account showing how much every warden had been paid, he had files of the reports of the county auditors and of the chief and district wardens. He had a big stack. I did not go through all of them. The stack was about two feet high and six feet long. He had files of bills and one thing and another pertaining to the office of secretary.

You are acquainted with his bills from month to month, \$100 for office maintenance?

Yes.

In your opinion do you consider that the work, such as you saw it there, was worth that amount of money?

I do not see how it could be done for less, saying nothing about rent.

You had some experience in book keeping or record keeping?

Yes sir. I kept books but not records.

TESTIMONY.

Mr. Rockney:

What is your first name?

R. N.

You are employed in the Senate?

Yes.  
What is your position?  
First assistant secretary.  
Were you at any time during the past two years a game warden?  
No sir.  
Is it true that you were offered a gamewardenship?  
It was suggested to me.  
Who was it suggested by?  
I cannot remember just who it was, there were a number of them at the time but there was no official offer.  
Did you have any definite talk with any other person?  
No sir.  
Was there any talk had with you in which an appointment was offered to you; were there any definite understanding or terms?  
Nothing definite.  
To bring the matter to a point I will say that it was reported that you were offered a gamewardenship if you would uphold certain parties for office?  
I took it that such an appointment would be made if I turned democratic with my paper. But there was nothing out and out.  
You run a newspaper?  
Yes.  
What paper is it?  
The Mohall News.  
That was the extent of the conversation?  
That was about all there was to it.  
Did you run any news items or editorials in regard to game enforcement?  
No, I never have.  
Ever make any comment as to the enforcement of the law?  
No.  
Did you support Burke for governor?  
I supported Johnson for governor.  
Will you state who it was that made this proposition to you?  
There were a number of persons present. I think Mr. Stenvick was there.  
Mr. Stenvick was at that time a game warden?  
I do not know, but I understood that he was one.  
You were not a game warden?  
No.  
You never got a cent from the game commission?  
No sir.  
At the time that this conversation took place did you understand that you would get the gamewardenship in return?  
I did.  
Did you suppose that the offer came from Mr. Stenvick?  
I don't know.  
He was the only man in the company that was from Mohall?  
He was the only one.  
Did you understand, or is it your impression that such an offer came from Mr. Stenvick?  
I took the whole matter as hot air. They wanted me to run on the democratic ticket for superintendent of schools.  
There was some conversation regarding the matter of your making a canvass of the county, supporting the democratic ticket?  
I would not run for county superintendent.  
You have testified concerning a general understanding, that your paper should advocate certain parties for office in return for which you would get a game wardenship. Have you any recollection of what was said there?  
No.

Who said it?

There were a number of democrats there but there was nothing definite said that I can remember.

Did they come to see you on this proposition?

I think their intention was to get me to run for county superintendent.

There was nothing at that time said about this proposition?

It was hinted, that was all.

You are not prepared to say who it was?

I cannot say for sure, there were three or four in the party, but I cannot remember who made the statement or suggestion.

You cannot put definitely into words just what was said?

No sir.

It was some suggestion, I suppose, that would induce you to turn democratic with your paper, and your compensation was to be a game wardenship?

That is the way I understood it at the time.

Was there anything said about the remuneration there was in the office of game warden?

No, but I understood it was \$50.00 a month.

Your idea was that you were to run for county superintendent and support Burke for governor?

Yes.

You were to render no services to the game commission?

That was just hinted.

The division of the county was an all important item there at that time?

Yes.

There was nothing said to you last fall in regard to that?

Only from friends.

#### TESTIMONY.

Mr. Smith:

You are one of the state game wardens?

Yes.

For the northern part of the state?

Yes sir.

And have been since the new law went into effect?

Yes sir. And for two years previous.

That was under the old law?

Yes sir.

You live at Grafton?

Yes sir.

And have lived there for a number of years?

Yes sir.

As such game warden you have appointed other deputies?

Yes sir.

Did you appoint Mr. Stenvick?

No sir.

Do you know who did?

I think the board appointed him.

Do you know when he was appointed?

I do not remember. I will look it up.

Approximately?

March 29, 1910.

What rule or requirement did you prescribe so that you might know just what these deputies were doing?

The deputies had blanks on which they made weekly reports as to their whereabouts, and their expense items. Whenever there was a report coming in of violations of the law in certain sections, I would let them know either by phone or wire, and send them where the violations were occurring.

How close a tab did you have of where these men were?

They use a great deal of their own judgment. They were better informed than I was; they knew what was going on in their territory.

You were appointed chief warden, under the present law, a year ago last April?

Yes.

What was your business at that time?

I own stock in the Grafton Roller Mill Co. I am treasurer of the company. I acted as head miller under Mr. Testico.

At the time of your appointment you acted as treasurer?

Yes.

As treasurer you were on a salary?

I received some compensation.

Did your duties as such treasurer require all of your time?

It required very little of it. I was only called upon at such times as they wanted me to talk over some proposition.

About how much time was that?

I could not say just how much time.

Half of your time?

No.

One-fourth of your time?

No sir.

You, as chief warden appointed various special wardens in your district?

Yes.

How many did you appoint last fall?

How many on salary?

There were forty-two salaried men in district No. 1 during the year of 1910.

These special wardens on salary, how did you keep track of their whereabouts?

At a meeting of the board, I do not remember the date, the chief wardens were requested to choose and appoint some special men, and it was my opinion that it be done through the district wardens, as they were better informed as to who would make good men. They were to recommend them to me. These men were recommended to me at different times. There were four in July, twelve in August, fifteen in September, and eleven in October.

During the time that you have been chief game warden, how much time did you devote to the protection of game?

I consider that I devoted all the time that is required to be a proficient officer. When I was not out working I was around my office. I went to Montana last summer but I left a man in my place. I went out there to adjust a little trouble they were having with the mill.

You stated that at the time you were appointed you were treasurer of the milling company?

Yes.

You hold that position now?

Yes. I own stock in the company.

You said that you were absent from the state some time last summer. How much of the time were you absent?

I do not remember.

Two months?

No I was back and forth.

I have heard the statement made, and I want to ask you of the truth of it, that about a month or so before the campaign you returned to the state, and that you reported that you would have 100 game wardens in the field and there would be something doing in the campaign.

That is absolutely false. Some one that did not know me made that report.



These deputies or specials that have been appointed by you, have you at any time suggested or directed any political activity?

I did not, my letters will show that. In looking over my letters I was surprised that I did not get more politics into them than I did.

Did you take an active part in the campaign?

Not exactly.

Do you maintain an office in Grafton?

Yes.

How much does that cost?

That I had previous to my appointment to this position, and I made the same arrangements that I had for the two years previous.

That was in Mr. Casey's office.

Yes.

I arranged to pay him \$40 a month for his office and for the use of his stenographer. It was much cheaper than I could have got an office for myself and kept a stenographer. I did not have to pay for fuel or light. I considered that I made a good deal by it.

Mr. Smith, did I understand you to say to this committee that your duties are that of treasurer and not head miller?

I am not head miller.

Who is head miller at the Grafton mill?

Jos. Bernard. All of those head millers are under me to a certain extent. I do not wish to convey the idea that I have nothing to do with the mill, for I know more about milling than I do of anything else. At the time that I hired out to this board I made arrangements that the mill work would not interfere in any way with my duties as game warden.

What salary did you get before you was appointed by the board?

Is it necessary for me to state that? I received more salary since I have become interested in the company.

How long since you have been interested?

Since it became the Grafton Roller Mill.

What I am asking is did you receive the same salary now as you did before you were appointed?

I do not see why I should have to state that.

You do not have to answer any of these questions if you do not want to.

It is the same.

You say you had an office and that it was in Casey's office?

Yes sir.

Did you have a sign up?

I had it on my stationery.

Did you have a sign up?

I did not have a sign up.

You are not in that office very often?

When I am in town I am there every day.

Regular office hours?

No.

I think that you testified about going to Montana, have you any recollection of when you went to Montana

It was in May, I cannot remember the day or date.

How many days did you stay?

I could not tell you that.

Do you want to testify now that you was back two times?

I could not tell you off hand.

How long did you stay every time you came back?

I do not remember.

They were short stays?

Yes.

When you was in Montana was it in the interest of the mill?

Yes.

I am now asking you as to a statement I have heard, that you was out there setting up machinery?

I was not setting up machinery.

There was \$7.50 paid for that and it was not being done, so the president wanted me to go out and adjust matters.

Who did you hire to do your work in your absence?

Mr. Casey.

Is this the gentleman in whose office you had your desk room?

Yes.

Pretty busy man, isn't he?

Not as busy as all attorneys would like to be.

He is a man in active practice?

Yes.

During the past summer and fall he was in various parts of the state speaking?

Yes.

He was a candidate for congress on the democratic ticket?

Yes. I think he did not go out until I returned to the state.

Do you know what his total office expense is?

I do not know.

Do you know whether his office rent is over \$10 a month?

No sir. But I think it is.

He rents an office in the First National Bank, of which Mr. Cashel is an officer?

Yes sir.

So that Mr. Cashel could tell us what was paid for the office?

Yes.

You have been in my office, what would you say about the rental value of the two offices? I have four rooms.

I never was in any more than two.

What would you say as to the rental value?

I would consider that Mr. Casey paid a little more than you do.

Do you know what he paid his stenographer?

No.

So that you really did not know how much of his expenses you were paying?

No sir.

You did not appoint Mr. Stenvick?

No sir.

Do you know what he did in the way of appointing others?

Well, I told the district wardens to recommend such men as they thought would make good wardens.

Did he recommend Mr. Hendrickson to you?

No sir.

Did he recommend Mr. McCann?

Yes sir.

Do you know what Mr. McCann did?

He runs a newspaper.

Do you know what he did as game warden?

He did a great deal of newspaper work in the interest of game protection.

Is that what he was appointed for?

I expect so. I left those appointments largely to the district wardens.

Mr. Smith offers the attached letters for evidence.

That was in September or October?

September first, I believe.

I think I stated the date there when his appointment would take effect.

Yes. August 27, 1910.

Where was that letter from?

Grafton.

Did you write it?

I think I did.

You did not get back here before the first of September?

I was back and forth.

You did not know anything of his activities except from the district man's report?

No.

So that so far as you know you know nothing about Mr. McCann's activities?

I know that he has always been a very enthusiastic supporter of game enforcement.

Mr. Smith, I am asking you about his field activity?

I do not know how active he was.

Who did he report to?

Hendrickson.

How often did he report?

He reported weekly.

Do you know what his activities were in the field?

He was always going.

Do you know where he went?

His report will show that.

Do you know where his district was?

In Ward county and wherever there was work for him to do.

None of these wardens are confined to any one district?

There is no check on a district man, he goes where he likes; where it is most important for him to go.

He knows more about where he is needed than anybody else does.

Does he get this out of the air?

He is directed by me.

You did not appoint Mr. Hendrickson?

No sir.

You did not appoint Mr. Deichert?

No sir.

Do you know Mr. Deichert?

Yes.

Did you ever hear of his starting a prosecution against one Lou Christianson?

For what?

Violation of the game law.

I don't remember of anything like that.

So that you do not know whether he started a prosecution and then dropped it?

No sir. I do not recollect anything of that kind.

What was his business?

I understood that he traveled for N. C. Olson.

And that was in the wholesale liquor business?

Yes.

Did you ever have any talk with him?

Very little. He came to me after he was appointed by the board and wanted to know if his position was permanent. I told him I did not know. He said that he was going to quit the other job if this one was permanent.

Would you say that his business of selling liquor did not interfere with his work as game warden?

It did not seem to interfere with his duties.

If you knew that he dropped the prosecution against Lou Christianson because some of Christianson's friends threatened to arrest him for violating the prohibition law, would you say that his selling liquor on the road did not interfere with his duties as game warden?

By knowing him as I have known him I would say that that was a bluff, as he dropped several cases on lack of evidence. He is a very fearless fellow and that is very unlike him.

If you had been informed that such a condition existed and had investigated it and found it to be true, would you say that his business interfered with his duties?

If I found it to be true I would say so, yes.

Did you ever get any complaints concerning Mr. Deichert?

I got some complaints and I have several persons speak well of him. Have you heard any complaints concerning any other game warden?

Yes.

Did you ever investigate any of these complaints?

If I had investigated all of these complaints I would not have had anything else to do.

You did not appoint Mr. Gill?

Yes sir.

Where does he live?

Penn.

On whose recommendation?

I appointed him on the recommendation of Mr. Kelly and Mr. Bloom of Devils Lake.

Who is Mr. Kelly?

He lives in Devils Lake.

Which Kelly is it?

Joseph Kelly.

Mr. Bloom and Mr. Kelly are both interested in the same paper?

I do not know anything about that.

Did you appoint Mr. Harvey?

Yes sir.

Where does he live?

Williston.

On whose recommendation?

I do not recollect that, he was a special before his appointment.

C. W. Smith?

I appointed him.

On whose recommendation?

My own recommendation. That is my father, he has been a special deputy for a great many years.

Dell Caman?

I appointed him.

On whose recommendation?

My own recommendation.

Did you appoint Lee or Mr. Scharf or Mr. Meeker or Schoop, Mr. Handtman or Mr. Burkus?

No.

You appointed Mr. Hegge?

Yes.

Where does he live?

Stanley. He has been a special before without salary.

On whose recommendation?

Stenvick's recommendation.

That was true of Mr. Gill?

Yes.

Dan Connors, did you appoint him?

Yes.

On whose recommendation?

Mr. Deichert's.

Jack Lackaduck?

Whose recommendation secured his appointment?

My own.

Lowland?

He has been a special deputy before.

On whose recommendation?

My own.

Frankhauser?

My own recommendation. He was very active.

Axle Johnson?

He lives at Washburn. Mr. Finley recommended him.

Casavan?

I appointed him.

On whose recommendation?

My own.

Where does he live?

At Shafer.

Mr. McKibbon?

I appointed him.

Where does he live?

Grand Forks.

Who recommended him?

I think Mr. Griffiths recommended him.

How many of these men have you seen personally?

I have seen all of them.

Where?

At different places. I have not visited all of them at their own homes.

Have you had any talk with them?

Some of them.

Have you had any talk or correspondence with them concerning any political activities?

I would say that I haven't.

There has been something said in your presence concerning political activities, I will ask you this question: That in all of these appointments that you made, you had a pretty general understanding that they were going to do something in politics.

I had no understanding at all.

You knew both Mr. Kelly and Mr. Bloon to be interested in politics?

I know that they have taken an interest in politics.

You knew they were of the same political belief?

I expect so.

That is also true of Mr. Stenvick?

Yes.

You knew what he was doing?

I heard at that time that he was talking politics.

You knew as a matter of fact you know Mr. Stenvick was talking politics?

I knew it.

You knew that his appointees had a political view?

I wouldn't say that.

You had a mighty strong suspicion that these men were to be politically active?

I would not be guilty of trying to change a man's mind, after he had made up his mind which way to vote:

Mr. Ed. Johnson drew a salary?

Yes, for two months.

How much?

Twenty-five dollars a month.

You know and I know that Eddie Johnson never done anything in the matter of game protection.

I don't know whether he did or not.

You know how Eddie felt about politics?

I never ask him.

You know how people are without asking them?

I did not know how Eddie was in regard to politics. I never saw him during the campaign.

Did Mr. Deichert say he would make a good man to appoint?

Yes.

Is it on just such statements as that that you make appointments?

No, sir. I know he is a good clean fellow and in my judgment he made a good warden.

Are you prepared to say he did?

I think I am.

If I were to say I was talking to him and he told me that he never did anything, what would you say?

I would say that he was a liar.

I find in September salary \$125 and \$156.40 expense?

That includes Mr. Casey's expense?

Yes.

During your absence did you appoint Mr. Casey game warden?

He did not draw any salary.

I find in July your salary \$125 and expense \$113.50. What were those expenses?

I can not recall them.

It took a great deal for postage in my office.

What was your postage a month?

Probably \$30.

In July, 1910, about what did your postage amount to?

Sometimes I run a bill and sometimes I paid cash. I remember of paying \$65 and \$25 another time, but I do not remember that was in July or not.

Have you kept any books or accounts?

Only an expense account.

You was in Montana in July, 1910?

I don't think I was.

You could tell where this \$113 came from?

I do not think that every little thing should be itemized, as long as it shows the amounts. The postage used in my office was used for my work. Mr. Casey used a stamped envelope with his name on it. Every time I wrote to any of these men I enclosed a stamp, because I did not expect those men who did not get any expenses to answer unless I enclosed a stamp.

At the time that you were appointed game warden were there any other applications for the position?

Yes.

In your district?

I do not know.

What purpose was you appointed for?

I was appointed to enforce the game law in the north half of the state, to maintain an office and to carry on such work as in my judgment would be for the best interests of the state.

Was there any suggestion made that you should sell out and devote your time exclusively to the game warden position?

None whatever.

It is not the regular custom for a man to hold a position in the state, to dispose of his other interests?

I do not think it is.

The state does not advocate any such action?

No sir.

Do you charge any R. R. fare?

Not when I had mileage.

Did you charge any expense when you were in Montana?

None except that which occurred in my office during my absence.

What compensation did you receive under the old law compared with that which you receive now?

It was something over \$3,000 a year.

What has been your compensation during the time the new law has been enforced.

\$125 a month and expenses.

Did you get as much as you get now?

I got more than I get now.

As game warden for the past 19 months, I want to ask you, do you think that the state has received value received for their money?

I think that it is the only time the state has received for their money.

I think that they received more for the money than they have in all the 18 years that we have had a game law put together.

How long have you lived in N. D.?

I have lived here 21 years.

Do you think the game wardens take politics into consideration in appointing deputies any more than the county or state officials?

No sir. I do not.

What has been your observation as to county officials seeking re-election, as to campaign work?

I notice that they are busy in trying to get themselves re-elected to their offices.

You have not heard of any of those district fellows refusing to draw a salary?

No sir.

These letters, they are not by any means the impressions of all the letters that you have written?

No.

I notice that there is a difference in the salaries of these men. Mr. Turner was to get \$60 a month, Mr. McCan was to get \$75 a month, Mr. Thompson \$50 a month.

That was left entirely with me.

What was Stenvick's business?

I do not know what business he had outside of game warden. I heard that he was studying law, although I do not know whether he was or not.

He was the man that recommended a great many of these appointees?

Yes.

Did you appoint Mr. Hendrickson?

No. The board appointed him.

They appointed him on the recommendation of Mr. Stenvick?

I do not know.

What is Mr. Hendrickson's business?

I do not know whether he has any business or not, but I think he writes a little insurance.

His business is largely politics, is it not?

I don't know how he can make a living out of that. I never could.

What salary did Mr. McCan get?

\$75 a month I think.

You do not know anything about the activities of Mr. McCan?

I know that Mr. McCan has been a very valuable man to us in a newspaper way. You know that the game law is harder to enforce than any other law, you take any other law and there is usually more than one in the case, but you take the game law when a man violates it, he gets as far away from anybody and everybody as he can. I think that if the commission did not spend any money, only on newspapers, that they would be doing a great deal of good. You take some of these people that are

living away out in the country, they think that they have got a right to shoot to eat, and you take a man that violates the game law and does not get caught, he does not think that he has committed a crime. Sentiment is the best possible way to enforce the game law.

Talking about this matter of sentiment, what kind of newspaper did Mr. McCan run?

I think it was a republican newspaper.

And what other newspaper men did you appoint as specials or deputies?

I do not recollect any others.

I will ask you a question concerning the statement that was made that you said you would turn your game wardens loose and that there would be something doing at election. And you said there was nothing to that?

Yes.

You did not talk of the fall elections with Mr. Christe?

I do not recollect of talking of that at all.

Do you mean to say that you did not?

I do not recollect of it.

Mr. Christe is a democrat?

I think he is. If I had said that I certainly would have had the game wardens in the field, because I had no idea at that time that the county would go the way it did.

When you talk politics you get excited?

Somewhat.

If you did not say to some men in my office, that you was going to turn these game wardens loose and that there would be something doing at the election this fall. Then I will testify to this:

Mr. Fraine testified the following:

That I heard Mr. Smith make the statement in my office the time when I could not see him, to other persons whom I did not know, that now that he was back he would turn the game wardens loose and there would be something doing at the election this fall.

I will say that I never made that statement in that office nor in any other office.

Do you think that the present law is much better than the old law?

It is much better. Under the old law, there were three paid men required in every county.

Is there that many now?

No.

Was there as many gun licenses sold during the two years previous to the enforcement of the new law as there were since the new law has been enforced?

I do not think so?

When you got \$3,000 a year you had to cover the same territory that you do now?

Yes.

During the two years previous the gun license was \$.75 and when the new law went into effect it was raised to one dollar. do you think that the receipts of the licenses sold during the two years previous would be much less than the receipts under the new law if the license was \$1?

Yes.

What was the relative number of licenses sold during the previous two years?

I could not tell you off hand, I know they increased considerable.

How does the amount of money that you have received under the new law compare with the amount you received under the old law?

It is less.



Valley City, N. D., February 26, 1911.

Before me, O'Rourke, secretary of the special joint committee, to investigate the transactions pertaining to the Game and Fish Board of Control, which took effect March 5, 1909, appeared before me at Valley City, N. D., Herman Winterer, a member of the said board of control, appearing before me at Valley City, by the request of said special committee, for the reason that said Winterer has been physically unable to appear before said committee personally, on account of a broken knee, which has confined him to his room for more than twelve weeks last past.

My name is Herman Winterer. I am past 54 years of age. I reside at Valley City, N. D., and have resided there for about 28 years last past. My business is an attorney at law, engaged in actual practice ever since my residence in Valley City. I am the head of a family.

Sometime during March, 1909, I received an appointment from the governor of the state of North Dakota, as a member of the said Game and Fish Board of Control, qualified by furnishing the proper oath and a \$5,000.00 bond to the state. I am still a member of said board.

At the time the board organized I was elected, by the board, as its president, and hold such office at this time. I have attended all meetings of the board, and acted as presiding officer, am familiar with the acts of the board since its organization.

I, as a member of the board, at its organization, and ever since, have maintained that the true construction of the act necessitated that the board maintain headquarters so that a complete record could be kept of its doings and source be had whereby all citizens of this state or from outside of this state, could receive proper information pertaining to the game laws of the state, and at the same time carry out the requirements of the act. A state institution, now in its undertakings, and to be established to the end that the act of protecting and propagating game and fish in or belonging to the state, one of the greatest assets of the state, would receive the attention that the act demanded.

It was the time of the organization, and ever since has been my contenton, that when the legislature of 1909 enacted the act in question, it was enacted for a purpose and not an idle dream. This purpose was and is for the purpose of protection and propagation of all game animals, bird life and fish life, so that the state of North Dakota would rank first if possible, in this great natural asset of the human race, which asset without the protection of law and faithful servants, under the law, will pass away from the human race, and become extinct as many species already have if not taken in hand and properly cared for, while there yet remains certain of such life with us to be protected both to this and future generations. And in this I know that I speak the true sentiment of all members of the board, and of the chief, district and special wardens, that have been interested in the fulfillment of the various duties with which each has been respectively charged under the act, which act I believe as a whole has been and is a very efficient act, so that the great problem of game has received an attention that it did not receive during the territorial or state days preceding the present law, and I further believe that the law should continue with perhaps a few minor amendments, which will always be found in the betterment of an act when it is first presented to the public. The board has had these amendments under consideration and they will be found in their first bi-ennial report made to the governor.

We all know that it becomes necessary to enlighten the people of a given state of the requirements and duties under a new law, so far reaching and enjoined with so many duties that it at once demands very much attention from those charged with its fulfillment. Now it

must be remembered that one feature of this law, and a very important one, prohibited spring shooting, and the law took effect just about the time when spring shooting was theretofore permissible. The board was therefore charged with the fulfillment of an act not generally known or within the knowledge of the violators, and therefore upon full and due consideration, sought to select the most competent men to fill the stations and offices required, to wit: chief and district wardens, and believe that they did so, at least certain of its employees have been retained and others excused on account of their qualifications in carrying out the spirit of their duties.

You will further remember that while the board were required and desired to make good, they were launched upon the fulfillment above referred to, without a cent of direct appropriation, nor did they know whether they would be able to realize any money of a sufficient sum, to permit them to incur very great liabilities, and this, because it was difficult to tell whether sportsmen and others interested would take out resident or non-resident licenses since the spring shooting was cut out, and those that purchased would have bought a short season in the fall, within which to hunt for their license money.

The fact required the board to procure very efficient chief and district and special wardens whose duties were first to enlighten the people of the present law, to convince sufficient of the sportsmen and others to purchase licenses, so that the necessary obligations pertaining to salaries, printing and other expenses, would be met. The board being obliged to incur expenses in this regard in order to accomplish any results with which they were charged, the state in the inception, and ever since have refused to pay for printing or any other expense connected with the boards charged duties, except a direct appropriation of \$5,000 for the construction of a fish hatchery, yet the salary and expense of maintenance of the fish hatchery has been borne and paid by the board, from its receipts.

The board could not well say whether it would receive enough income during the year 1909 to meet its obligations, but owing to it and its warden's efforts, they made good, sufficiently so to meet its obligations and to convince them that during the year 1910 they would be able to earn more, and this very much for the reason that all true sportsmen and lovers of protection and propagation of all game birds and fish, and including fu bearing animals, became more interested and the funds slightly increased, and would have increased more were it not for the fact that crop conditions in this agricultural state had not proven nearly a total failure, at least in certain portions of the state.

The board, knowing of the good, sufficient and faithful interest performed of its past servants, and men who labored without pay and others upon a promise only, felt it but just that reasonable compensation should be given to the faithful laborer, and did so during the year 1910, when they were satisfied that they would have at their command, sufficient means to do so. The board always believing, and I believe it is the true intention of the law that the money realized from the sale of resident and non-resident licenses, should be used in the protection and propagation of game, and not to be collected and hoarded in the state treasury, left there or by some act transferred to some other account, which has direct bearing upon the accomplishment for which the act was really enacted.

From my knowledge and investigation since a member of the board, I am satisfied that progress has been made very materially, in all of the duties required under the act and much more can be accomplished with the same in the future, than we have been able to accomplish in the past, for the reason that the people are becoming more interested in this subject matter, and the officers have now a foundation from which they

can calculate their financial undertakings. Referring to the fault found by some that the machinery or rather the different branches emanating from the board, that the chief wardens and the district wardens have entailed too many special wardens. I beg to say in addition to what I have said above, that this is a large state, geographically, there are many counties and localities that have from time to time made demands upon the board for the wardens, chief and district, for special wardens, which always led us, and through our paid wardens to investigate as to who would be a proper person to be entrusted with such a duty, such investigation brought us the names of many competent persons, but they would not work without pay, yet we induced some to do so, promising that the future would put us into shape whereby we could compensate them for services rendered, as we were very desirous to accomplish the true ends of the act, therefore many rendered faithful services without pay during 1909, and when our chief wardens in 1910 called our attention to our prior promise we ask them to select their best men that had been efficient in their work of protecting the game, and allow them a small compensation, not to exceed \$75.00 a month without expenses for a month or two, as a reward and compensation for their present services, but to try and get them, if they could for \$25 a month without expenses. The chief wardens with this leader and as a matter of law as it then stood, being privileged to act in the place of the board, when the board was not in session, availed themselves of paying their faithful servants in the work they were charged with during the past two years and afterwards under the conditions named, audited the accounts, and they were audited by our board, and thereupon audited by the state board. Now this was all in the interest of the purposes of the act, and as far as I know, no politics or party politics was ever discussed or thought of, nor was there anything said as to whether these servants in the employ, either direct or indirect, whether to be of one or another political faith, neither were they charged not to talk politics either republican, democratic or any other political creed, politics was never considered, but simply the efficiency and the capability of persons to fulfill their respective duties.

I would like to say, that many if not all of these members of the board have devoted their time from their personal business in good faith to the fulfillment of the duties of which they were charged, and doubtless selected by the governor, for the reason that he believed that they would take an interest in the act. I know personally that I am out a great many hundred dollars beyond what my vouchers have been presented for, and do not regret it, and I believe that this applies to the other members of the board.

Speaking further and calling your attention not only to this new act that was to be launched and was launched without funds, much was required to make it a success, and the board acting in good faith did such advertising as they were able to command, and in this regard I wish to express myself indebted to the newspaper fraternity of the state, that have so much aided us in all our efforts. I wish further to state that we believed that we could accomplish much and now believe that we did, in using certain of our funds in having a state exhibit of our great game resources at the state fair held in Fargo in 1910, and believe that the money there expended was for the best interest of the state, yet further I believe that small amount of expense money expended in having a representative at the national meeting in 1910 from our state was well expended, and gave us a standing such as we never had before, and accomplished very much for the state, among them might be mentioned that now we have a representative as vice president of the national board, and also is he chairman of naming the time and place of the meeting of the next national. I refer to Mr. Armstrong who went as our representative in place of Mr. Eaton, who was selected and could not go

on account of ill health. I wish further to say that our representative at the national meeting has brought us into closer and a very much interested position in the matter of the protection, preservation and propagation of our game birds, animals and fishes, both locally and nationally, to the end that the issues may as they should become not only a state but an interstate, and also an international subject with uniform laws.

I wish further to state that while under the game laws existing prior to the act in question, resident licenses were seventy-five cents and under the present act they are one dollar. You will remember that many people will prefer to pay seventy-five cents for spring and fall shooting, as against \$1 for fall shooting only, and then have the season and the bag limit set down at that. This and other reasons could be stated why there has not been a great increase in the receipts—although to my best knowledge tells me that the increase has been nearly 40 per cent and the money has been used for that purpose for which it was collected and to-day, there are more prairie chickens, grouse, beaver, muskrat deer and there were in season more ducks, geese, brandts, eac., in this state than there has been for many years last past. All due in my judgment to the present game law I have personal knowledge, in this vicinity and other parts of the state of much increase existence of fur-bearing animals, a great financial asset of our commonwealth owing to the protection they have received under the present law, prohibiting them to be killed out of season. Considerable of our 1910 expenses paid out to deputies, has been caused in protecting and propagating fur-bearing animals, this may particularly explain the extended period of service in the fall of 1909. And we believe much more than their salaries has resulted to the good of the state.

And it is my opinion that the present law should be permitted to stand, except that the chief wardens should not be authorized to hire any district or special wardens without any authority from the board which they—under the present law, may do without such authority.

See original signature of

HERMAN WINTERER.

Mr. Fraine moved

That the report be adopted and printed in the Journal.

Which motion prevailed, and

The report of the special committee was adopted.

#### JOINT RESOLUTION.

Introduced by the committee to investigate the report of the North Dakota Game and Fish Board of Control.

Whereas, the Twelfth Legislative Assembly did appoint a joint committee to provide for a committee to examine the report of the North Dakota Game and Fish Board of Control, and

Whereas, said committee found it necessary under the direction of the said concurrent resolution, to send for certain witnesses who appeared and testified before the said committee, and

Whereas, under the direction of said concurrent resolution the committee was authorized to appoint a stenographer from either branch of the assembly to act as secretary of said committee, and

Whereas, the committee did select John O'Rourke, a bill clerk, to act as such secretary and he has performed the duties of secretary and has taken and transcribed the testimony of the various witnesses, and has in the exercise of his duties as secretary incurred certain expenses for telegrams and railroad fare and hotel bill on a trip to Valley City, to

take the testimony of one of the members of the said board of control who was unable to be present and testify before the said committee, and

Whereas, it is desired that provision be made for the payment of the various witnesses and the secretary hereinbefore mentioned, now therefore.

Be It Resolved, by the Twelfth Legislative Assembly of the state of North Dakota, the House and Senate concurring, that there be paid to the said John O'Rourke the sum of \$45.21; to D. I. Armstrong the sum of \$89.35, Thomas Griffiths the sum of \$25.60, J. L. Killion the sum of \$21.70; W. N. Smith the sum of \$15.00; Olaf Bjorke the sum of \$12.00, R. W. Main the sum of \$29.70, Geo. W. Wilkinson the sum of \$19.70, S. R. Finley the sum of \$16.40, Staae Hendrickson the sum of \$29.60, E. H. Stenvick the sum of \$3.10, Alf Eastgate the sum of \$34.60, and be it further

Resolved, that there is hereby appropriated out of the general fund of the state of North Dakota the sum of \$341.96, or so much thereof as is necessary to pay the same, and that the proper officers of the state of North Dakota be authorized and directed to pay to the above named persons from such appropriation the amounts set opposite their names on the receipt and filing of proper vouchers.

Mr. Fraine moved

That the joint resolution be adopted.

Which motion prevailed, and

The joint resolution was adopted.

There being no objections,

The House returned to the seventh order of business.

### MOTIONS AND RESOLUTIONS.

Mr. Williams moved

That the House ask the Senate for further conference upon the disagreeing vote on Senate Bill No. 220.

Which motion prevailed.

### CONCURRENT RESOLUTION.

Whereas, there has been appointed by the House of Representatives managers to conduct and prosecute the impeachment before the Senate of John F. Cowan as judge of the district court of the Second judicial district of the state of North Dakota; and

Whereas, in such prosecution and the preparation thereof it will be necessary to incur expenses; now, therefore, be it

Resolved by the House of Representatives and the Senate concurring, that the said managers be, and they are hereby authorized to incur such expenses and obligations in the preparation for the trial and prosecution of the said impeachment as may be, by said managers, deemed appropriate and necessary, including clerical help, stenographic assistance, hotel and traveling expenses and all other necessary expenses in the investigation of said charges and the preparation thereof for trial.

Mr. Nestos moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

## CONCURRENT RESOLUTION.

Be It Resolved by the House of Representatives and the Senate Concurring:

That when the said legislative assembly adjourn on this, the 3rd day of March, 1911, it adjourn until the 28th day of March, A. D. 1911, at the hour of 2:00 p. m., and that from and after the said 28th day of March, 1911, the House of Representatives with the consent of the Senate shall stand adjourned from day to day subject to the call of the Speaker upon the request of the managers of the prosecution of the impeachment trial of the said John F. Cowan; and be it further

Resolved, that the members of the said House of Representatives, with the exception of the managers aforesaid, shall receive mileage and per diem only in the event that they are so requested by the Speaker of the House of Representatives to return to the state capitol and shall then receive per diem only for such time as they may be in attendance upon the call of the Speaker as herein provided, and the time necessarily used in traveling to the city of Bismarck from their respective homes.

Mr. Nestos moved

That the resolution be adopted.

Which motion prevailed, and

The resolution was adopted.

State of North Dakota; Office of Attorney General.

Bismarck, N. D., March 3, 1911.

Hon. J. M. Hanley, Speaker of the House of Representatives, Bismarck, North Dakota.

Dear Sir: You have asked me for an opinion on the following question:

During the coming trial of the Hon. John F. Cowan, is it required that the House of Representatives be in session, or, under the constitution, should the House adjourn sine die at the expiration of sixty days?

Without going into details to support my opinion, or citing authorities therefor, I beg to advise you that it is my opinion that under the constitution and statutes of this state, the House of Representatives should remain in session during the impeachment trial; that it should not adjourn sine die at the end of the sixty days of the regular session. I do not wish to be understood, however, as holding that the House must necessarily be organized by having a quorum present during the trial, but that it should be in session. It is my opinion that when the Senate has fixed a date on which it will organize for the purpose of the impeachment trial, that both houses of the legislature, by concurrent resolution, should adjourn until that date. That on that date, the Senate should meet and organize as a court of impeachment. That the board of managers should meet as agents of the House of Representatives to conduct the prosecution, and some procedure should be adopted by the House, under its rules, to adjourn from day to day, pending a necessity for its organization for the purpose of taking any further action as a body in the conduct of the prosecution.

Respectfully submitted,

ANDREW MILLER,  
Attorney General.

## MESSAGE FROM THE SENATE

The following message was received from the Senate.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the President has named as conferees on the part of the Senate, on Senate Bill No. 220, Messrs. Welch, Elken, Bessesen, Putnam and Carter.

Very respectfully,

J. W. FOLEY,  
Secretary.

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

Whereas, faithful service and duty well done are always worthy of recognition; therefore, be it

Resolved, by the House of Representatives of the state of North Dakota, that we hereby express our appreciation of the excellent service rendered by the entire corps of clerks and employes of the House throughout this session and that we heartily commend them for their fidelity and efficiency in the discharge of their duties.

We desire especially to endorse the work of our desk force, consisting of Miss Olive Couch, House stenographer, and Assistant Chief Clerk J. I. Roop and R. E. Walker, Fred N. Gillis, George Martin, Pierce Stromme, desk force; and the Journal clerk, A. E. Erickson, believing their skill and accuracy in handling the infinite details of the work of the House could not be surpassed.

Which motion prevailed, and

The resolution was adopted.

Mr. Hyland moved

That the vote by which Senate Bill No. 124 was lost be reconsidered.

Which motion was lost.

Mr. Price moved

That the vote by which House Bill No. 177 as amended by the Senate was indefinitely postponed, be reconsidered.

Which motion prevailed.

Mr. Price moved

That the House do now concur in the Senate amendments to House Bill No. 177 and the bill considered engrossed and placed upon its final passage.

Which motion prevailed.

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.

The question being on the final passage of the bill as amended,

The roll was called and there were 90 ayes, 6 nays, 7 absent and not voting.

Those who voted in the affirmative were:

Messrs.—

Aasheim  
 Akesson  
 Anderson, of Griggs  
 Anderson, of Ramsey  
 Andrus  
 Benson  
 Boerner  
 Bond  
 Boyd  
 Brusletten  
 Burnett  
 Burns  
 Carey  
 Christenson  
 Collins  
 Cunningham  
 Davidson  
 Davis  
 Dean  
 DeLance  
 Dosseth  
 Edwards  
 Englund  
 Fassett  
 France  
 Fraine  
 Fritz  
 Gardiner  
 Geiger  
 Gorder

Messrs.—

Hanson  
 Hart  
 Hawkinson  
 Hedalen  
 Heinemeyer  
 Hersrud  
 Hoge  
 Homnes  
 Hill, of Bottineau  
 Hill, of Cass  
 Hyland  
 Johnson  
 Johns  
 Jordal  
 Kane  
 Knox  
 Knutson  
 Kuhl  
 Kylo  
 Lageson  
 Law  
 Lee  
 Martin  
 McClellan  
 Moen, of Benson  
 Moen, of Cavalier  
 Morrison  
 Moritz  
 Narum  
 Nelson, of Richland

Messrs.—

Nelson, of Walsh  
 Nestos  
 Norheim  
 O'Connor of Gd. Forks  
 O'Connor of Pembina  
 Olsgard, of Nelson  
 Olsgard of Richland  
 O'Shea  
 Paulson  
 Pearl  
 Prndray  
 Price  
 Putnam  
 Ray  
 Reeve  
 Robinson  
 Sauer  
 Scott  
 Sorlie  
 Stern  
 Stranahan  
 Streeter  
 Tande  
 Thompson  
 Tuttle  
 Walters  
 Wambem  
 Whitmer  
 Williams  
 Mr. Speaker



Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Fried	Sgutt
DeNault	Scheer	Tollefson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Doyle, of Foster	Ployhar	Tostenon
Doyle, of McIntosh	Roquette	Ulsaker
Fox		

So the bill passed and the title was agreed to.

Mr. Boerner 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.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 371.

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 national forest reserve, located in the county of Billings, state of North Dakota.

Also,

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.

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.

Also

Senate Bill No. 303.

A bill for an act to amend Sections 4695 and 4698 of the Revised Codes of North Dakota for 1905, relating to foreign corporations.

Also,

Senate Bill No. 208.

A bill for an act to provide for and the making of improvements at the North Dakota School of Forestry to assist in the maintenance thereof, and making appropriation therefor.

Also,

Senate Bill No. 5.

A bill for an amendment to the constitution providing for the initiative and referendum.

Also

Senate bill No. 355.

A bill for an act to amend Chapter 214 of the Session Laws of 1907, relative to assessment of coal mines.

And the Speaker signed the same in the presence of the House.

The Speaker appointed as a conference committee on Senate Bill No. 220, Messrs. Norheim, Anderson of Ramsey, DeNault, Price and Reeve.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

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.

Also,

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.

Also

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.

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. 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. 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.

Also,

House Bill No. 155.

A bill for an act to provide for the establishment and government of a State Tuberculosis sanitarium.

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, sup-

erintend county fiscal affairs and providing for auditing and checking of officers.

Were delivered to the governor for his approval at the hour of 11 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

Mr. Hyland moved

That Senate Bill No. 177 be recalled from the committee on emigration and placed on its final passage.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

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.

Also,

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.

Also

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.

Also

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.

Also

## 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.

Also

## 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.

Also

## 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.

And the Speaker signed the same in the presence of the House.

## Senate Bill No. 177.

A bill for an act to create a board of immigration and prescribing its powers and duties.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were 28 ayes, 60 nays, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson, of Griggs	Doyle, of Foster	Lee
Anderson, of Ramsey	Englund	Moen, of Cavalier
Bjornson	Fassett	O'Connor of Gd. Forks
Bond	Fritz	O'Connor of Pembina
Burnett	Harty	Ployhar
Christenson	Hill, of Bottineau	Price
Collins	Hyland	Ulsaker
Cunningham	Kuhl	Wambem
Davidson	Kyllo	Mr. Speaker
Davis		

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Hedalen	Putnam
Akesson	Heinemeyer	Ray

Messrs.—	Messrs.—	Messrs.—
Andrus	Hersrud	Reeve
Boerner	Hoge	Robinson
Boyd	Hill, of Cass	Sauer
Brusletten	Jordal	Scott
Burns	Kane	Scheer
Carey	Knutson	Stutt
DeLance	Lageson	Sorlie
Dosseth	McClellan	Stern
Doyle, of McIntosh	Moen, of Benson	Stranahan
Edwards	Morrison	Streeter
Fox	Narum	Tande
France	Nelson, of Walsh	Thompson
Frane	Olsgard of Nelson	Tollefson
Fried	Olsgard of Richland	Tostenson
Gardiner	O'Shea	Tuttle
Geiger	Paulson	Walters
Gorder	Peart	Whitmer
Hawkinson	Pendray	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Benson	Johns	Moritz
Dean	Johnson	Nelson, of Richland
DeNault	Knox	Nestos
Hanson	Law	Norheim
Homnes	Martin	Roquette

So the bill was lost.

The chief clerk announced that the Speaker was about to sign:

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. 274.

A bill for an act making an appropriation for the Dickinson experiment station located in the city of Dickinson.

Also

Senate Bill No. 32.

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.

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. 141.

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.

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 have examined:

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.

Also,

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.

Also,

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.

Also,

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.

Also

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.

Also,

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.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The chief clerk announced that the Speaker was about to sign:

Senate Bill No. 348.

A bill for an act providing for the payment of fees collected by the North Dakota government agricultural experiment station into the state treasury.

Also,

Senate Bill No. 328.

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.



Also

Senate Bill No. 366.

A bill for an act to amend and re-enact Section six (6) of Chapter 210 of the Laws of North Dakota for the year of 1909.

And the Speaker signed the same in the presence of the House.

The committee on public health made the following report:

Mr. Speaker:

A majority of your committee on public health to whom was referred

Senate Bill No. 293.

A bill for an act to regulate the practice of naturopathy in the state of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. H. FRAINE,  
Chairman.  
JOHN G. JOHNS.  
S. J. A. BOYD,  
W. J. PRICE,  
E. C. OLSGARD,  
S. J. DOYLE.

Also

Mr. Speaker:

A minority of your committee on public health to whom was referred

Senate Bill No. 293.

A bill for an act to regulate the practice of naturopathy in the state of North Dakota.

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

L. L. BRUSLETTEN,  
MARTIN BENSON,  
R. J. GARDINER.

Mr. Fraine moved  
That the majority report be adopted.  
Which motion prevailed, and  
The report of the committee was adopted.  
And Senate Bill No. 293 was indefinitely postponed.

There being no objections,  
The House returned to the seventh order of business.

### MOTIONS AND RESOLUTIONS.

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

Whereas, the House is about to conclude its labors, and the members thereof will disburse to their several homes with charity for all and with malice towards none; and

Whereas, at the opening of this session the Hon. J. M. Hanley was elected by a majority of this House as its presiding officer; and

Whereas, the honorable gentleman has conducted the duties of the position with such eminent fairness and impartiality and with such ability as to make it apparent he is a presiding officer "to the manner born," having exercised the powers of his position with that fairness necessary to maintain order, protect the rights of the majority and the minority with equal fairness, and with such gentleness as that there remains no single ill feeling engendered by any act he has done; therefore,

Be It Resolved, that this House tender to the Hon. J. M. Hanley their sincere congratulations on his success as their presiding officer, thank him for the many courtesies we have received as individuals at his hands and bid him God speed for the future, and in appreciation of his fairness we hereby vote him the gavel he has used with such impartiality and present him with the chair which he has graced with such dignity.

Which motion prevailed, and  
The resolution was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

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 appointment and obligations of jailers, and the manner of fixing compensations to be allowed for jailer's services.

Also

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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.

Also

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.

Also,

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.

Also

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 de-

Also,

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.

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. 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.

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.

Were delivered to the governor for his approval at the hour of 11:30 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 308.

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.

Also

Senate Bill No. 287.

A bill for an act prescribing the duties of the county auditor upon receipt of tax levies certified to him.

Also

## Senate Bill No. 29.

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.

Also,

## 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. 358.

A bill for an act to amend Section 6188 of the Revised Codes of North Dakota, for the year 1905, relating to duties of registers of deeds.

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,

March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has refused to concur in the House amendments to Senate Bill No. 13.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Price moved  
That the House do now concur in the Senate amendments  
to Senate Bill No. 13.  
Which motion prevailed.

Mr. Price moved

That Senate Bill No. 13 be placed upon its final passage.  
Which motion prevailed.

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 third time.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 95 ayes, 3 nays, 5 absent and not voting.

Those who voted in the affirmative were:

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

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
France	Tollefson	Tostensor.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Doyle, of Foster	Hill, of Bottineau
Burns	Homnes	

So the bill passed and the title was agreed to.

There being no objections,  
The House returned to the seventh order of business.

### MOTIONS AND RESOLUTIONS.

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

Whereas, the members of the House are keenly alive to the fact that the efficiency and untiring industry of the chief clerk, E. H. Griffin, have greatly facilitated the work of this assembly and appreciate greatly his good temper and kindly assistance; and believing that the work of the chief clerk has been dispatched with great accuracy and speed; he has at all times given his best efforts to dispatch the business of the House; his courteous and gentlemanly action in looking after the many and varied wants of the members has been greatly appreciated; therefore, be it

Resolved: That the thanks of the members of the House are hereby tendered him, with an assurance of our appreciation of him and his work as chief clerk of this, the Twelfth, legislative assembly.

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,

March 3, 1911:

Mr. Speaker:

I have the honor to return herewith Senate Bill No. 13 as requested.

Very respectfully,

J. W. FOLEY,  
Secretary.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 318.

A bill for an act to amend and re-enact Section 738 of the Revised Codes of 1905, relating to votes cast by persons not registered.

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. 298.

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.

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 have examined:

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.

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 appropriat-



ing funds for the purpose of carrying out the provisions of this act.

And find the same correctly enrolled.

ALBERT A. DAVIS,  
Chairman.

The chief clerk announced that the Speaker was about to sign:

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.

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 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. 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.

Also,

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.

Also

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.

Also

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.

Also

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.

Also

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.

Also

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.

Were delivered to the governor for his approval at the hour of 11:45 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
March 3, 1911.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House concurrent resolution relative to payment of witness fees in the Cowan impeachment matter.

Very respectfully,

J. W. FOLEY,  
Secretary.

Also

Mr. Speaker:

I have the honor to inform you that the Senate has indefinitely postponed the House resolution authorizing the board of managers in the Cowan impeachment matter to incur expenses and obligations, in preparation for trial, inasmuch as such matters are already provided by law.

Very respectfully,

J. W. FOLEY,  
Secretary.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment respectfully report that:

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.

Also

## 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.

Were delivered to the governor for his approval at the hour of 11:45 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman,

The chief clerk announced that the Speaker was about to sign:

## 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. 363.

A bill for an act to amend and re-enact 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.

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. 224.

A bill for an act to amend Section 98 of the Revised Codes of North Dakota of 1905.

Also

## Senate Bill No. 261.

A bill for an act regulating the practice in county court having increased jurisdiction.

Also,

## Senate Bill No. 353.

A bill for an act to provide for the expression by the qualified voters of the several political parties of their choice for nomination 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 committeemen.

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,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith

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 the Senate has amended as follows:

In section 2 of the engrossed bill strike out the following words: "the three persons first to compose said board shall be appointed within ten days after the passage and approval of this act, and before the adjournment of the present legislature, if practicable."

In section 14 strike out the figures "\$19,500." and insert the figures "\$3,000.00."

Strike out all of section 15 after the word "emergency" and insert the following: "Whereas the finances of the state will not warrant the

full expense to be incurred hereunder, it is hereby provided that this act shall take effect July 1, 1912, and that the appointments shall not be made until after July 1, 1912, the same to be thereafter confirmed by the Senate in the legislative session of 1913."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

Mr. Nestos moved

That the House do now concur in the Senate amendments to House Bill No. 11.

Which motion prevailed.

Mr. Nestos moved

That the rules be suspended and House Bill No. 11 be considered engrossed and placed upon its final passage as amended by the Senate.

Which motion prevailed.

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.

The question being on the final passage of the bill as amended by the Senate,

The roll was called and there were 100 ayes, 2 nays, 1 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Asheim	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	Heinemeyer	O'Shea
Benson	Hersrud	Paulson
Bjornson	Hoge	Pearl
Boerner	Homnes	Pendray
Bond	Hill, of Bottineau	Ployhar
Boyd	Hill, of Cass	Price
Brusletten	Hyland	Putnam
Burnett	Johns	Ray
Burns	Johnson	Reeve

Messrs.—	Messrs.—	Messrs.—
Carey	Jordal	Robinson
Christenson	Kane	Roquette
Collins	Knox	Sauer
Cunningham'	Knutson	Scheer
Davidson	Kuhl	Scott
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
Englund	Moen of Cavalier	Tollefson
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		

Messrs. Hedalen and Tostenson voted in the negative.

Mr. DeLance being absent and not voting.

So the bill passed and the title was agreed to.

Mr. Englund moved

That the vote by which Senate Bill No. 11 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,

March 3, 1911.

Mr. Speaker:

I have the honor to return herewith

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 the Senate has amended as follows:

Strike out "Kidder, Burleigh and Emmons" in section 3.

Insert in section 4 after word "Bowman:" "Kidder, Burleigh and Emmons."

In section 4 strike out "Renville."

In section 3 after word "Bottineau" insert "Renville."

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary.

The chief clerk announced that the Speaker was about to sign:

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. 210.

A bill for an act to amend Sections 4635, 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.

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,

March 3, 1911.

Mr. Speaker:

I have the honor to return House resolution on recess, which the Senate has amended to read as follows:

Be It Resolved by the House of Representatives, the Senate Concurring:  
That at the completion of the business of the Twelfth legislative as-



sembly the House of Representatives shall adjourn until the 28th day of March, 1911, at the hour of 2 o'clock p. m. and that from and after the said day, the House of Representatives, with the consent of the Senate, shall stand adjourned from day to day, subject to the call of the Speaker, upon the request of the managers of the prosecution of the impeachment trial of the Hon. John F. Cowan, judge of the Second judicial district of North Dakota; and be it further

Resolved: That the members of the House of Representatives, with the exception of said managers, shall receive mileage and per diem only in the event that they are so required by the Speaker to return to the state capitol, and shall then receive per diem only for such time as they may be in attendance upon the call of the Speaker, at the city of Bismarck. Be it further

Resolved: That at the close of this day's session, the Senate shall take a recess until the 28th day of March, 1911, at 2 o'clock p. m. and that the members of the Senate shall hereafter receive per diem only during the time it shall be in session upon the trial of said impeachment proceedings.

And passed as amended.

Very respectfully,

J. W. FOLEY,  
Secretary,

Mr. Homnes moved

That the House concur in the Senate amendment to the above resolution.

Which motion prevailed, and

The amendment to the resolution was concurred in.

Pursuant to resolution relating to further investigation of the state treasurer's office, the Speaker appointed as House members of such committee, Messrs. Ployhar and Robinson.

The privileges of the floor were extended to the following:

E. A. Lillibridge of Dickinson.

F. W. Burnett, H. L. Roquette, T. F. Murthe, of Dickinson.

The chief clerk announced that the Speaker was about to sign:

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.

Also

Senate Bill No. 220.

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 state of North Dakota.

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.

Also,

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 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. 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.

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Were delivered to the governor for his approval at the hour of 11:50 o'clock p. m. March 3, 1911.

ALBERT A. DAVIS,  
Chairman.

Pursuant to resolution adopted, the House took a recess until the 28th day of March, 1911, at 2 o'clock p. m.

E. H. GRIFFIN.  
Chief Clerk.



# REPORT OF SPECIAL COMMITTEE

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## CORRECTIONS IN JOURNAL OF MARCH 3, 1911.

The special committee appointed to correct the printed journal of the 3rd day of March, 1911, containing a record of the fifty-ninth day after recess and the sixtieth day, submit the following corrections:

Page 53, line 6, strike out "Bessessen" and insert "Burns."

Page 54, strike out "House Bill No. 362 and title to same" and "House Bill No. 361 and title to same" and insert in lieu thereof "Senate Bill No. 362 and title to same," and "Senate Bill No. 361 and title to same."

Page 56, line 23, after the word "the" insert "rules be suspended and the."

Page 63, after line 13, insert "Mr. Sorlie moved that the rules be suspended and Senate Bill No. 220 be placed on the calendar for third reading.

Which motion prevailed."

Page 63, strike out all of line 25.

Page 75, at the end of the page insert the following: "Mr. Hyland moved That the report of the committee be adopted.

Which motion prevailed, and

The report of the committee was adopted."

Page 76, after line 23, insert "Mr. Hyland moved

That the report of the committee be adopted.

Which motion prevailed, and

The report of the committee was adopted."

Page 83, strike out "House Bill No. 316 and title to same," and insert in lieu thereof "House Bill No. 216 and title to same."

Page 85, line 29, strike out "House Bill No. 280 and title to same," and insert "Senate Bill No. 280, and title to same."

Page 103, line 10, strike out "House" and insert "Senate."

Page 113, strike out "House Bill No. 209 and title to same" and insert "Senate Bill No. 209 and title to same."

Page 114, strike out "House Bill No. 340 and title to same" and insert "Senate Bill No. 340 and title to same."

Page 140, strike out lines 22, 23, 24, 25, 26, and 27.

Page 145, line 18, strike out "By the Senate."

Page 145, line 27, strike out "By the Senate."

Page 163, line 20, strike out "By the Senate."

Page 163, line 28, strike out "By the Senate."

Page 193, strike out lines 8, 9 and 10.

Page 291, line 25, strike out "five" and insert "ten."

Page 356, line 15, after the word "amended," insert "By the Senate."

Page 369, line 33, strike out "Concur in the Senate" and insert "Reced from the House."

Page 370, line 9, strike out the word "as" and all of line 10.

Page 379, line 27, strike out the word "Senate" and insert "House."

Respectfully Submitted,

E. H. GRIFFIN, Chief Clerk,

J. I. ROOP,

JOHN T. CHARMLEY,

E. B. JOHNSON,

Special Committee.

## CORRECTIONS IN THE PERMANENT BOUND EDITION OF THE PRINTED JOURNAL.

The special committee appointed to revise and correct the printed journal and compare the same with the written journal of the session, submit the following corrections to be made in the printed journal:

- Page 2, line 8, change "Andrews" to "Andrus."
- Page 2, line 27, change "Corder" to "Gorder."
- Page 27, line 37, change "C. P. Jordal" to "O. P. Jordal."
- Page 3, line 34, change "Pembina" to "Grand Forks."
- Page 3, line 44, and wherever same appears in the journal change "Andrews" to "Andrus."
- Page 3, line 1, and wherever same appears in the journal, change "Homness" to "Homnes."
- Page 29, line 10, change "Miss" to "Mrs."
- Page 30, line 31, strike out "H. B. Halldorsen."
- Page 58, line 30, after "highways" add "Bridges and ferries."
- Page 59, line 53, change "Reeves" to "Reeve."
- Page 69, line 43, change "Tax" to "Taxes."
- Page 71, line 1, change "C. F. Cook" to "C. I. Cook."
- Page 74, line 9, change "Tax" to "Taxes."
- Page 75, line 7, strike out "The Speaker in the chair."
- Page 75, after line 17, insert "The Speaker in the chair."
- Page 76, lines 18 and 41, change "Tax" to "Taxes."
- Page 86, line 26, after "Highways" add "Bridges and ferries."
- Page 88, line 19, strike out "And bridges" and insert "Bridges and ferries."
- Page 128, line 10, strike out "14" and insert "114."
- Page 135, line 39, change "Pierce" to "Price."
- Page 137, line 39, change "Pierce" to "Price."
- Page 175, line 3, change "is" to "as."
- Page 175, line 24, change "W. G. Price" to "W. J. Price."
- Page 197, line 14, change "House" to "Senate."
- Page 197, line 21, change "House" to "Senate."
- Page 197, strike out lines 15, 16, 17, and 18 and insert the following: "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."
- Page 197, strike out lines 22, 23, and 24 and insert the following: "A bill for an act prohibiting ball games and other sports until 3 o'clock P. M."
- Page 221, line 16, after "Highways" insert "Bridges and Ferries."
- Page 221, line 18, after "Highways" insert "Bridges and Ferries."
- Page 246, line 31, strike out "House Bill No. 156."
- Page 262, line 40, after "Elections" insert "and Election Privileges."
- Page 264, strike out line 19.
- Page 264, after line 20, insert "The bill was so referred."
- Page 292, line 24, change "J. W. Englund" to "J. A. Englund."
- Page 292, line 25, change "N. F. Hedalen" to "N. T. Hedalen."
- Page 311, after line 27, insert "Mr. Doyle moved that the report be adopted, which motion prevailed and the report of the committee was adopted."
- Page 312, line 34, after "elections" insert "and election privileges."
- Page 313, line 2, after "elections" insert "and election privileges."

Page 315, line 10, change "A. A. Cunningham" to "A. W. Cunningham."

Page 347, line 3, strike out "house" and insert "Senate."

Page 347, strike out lines 4, 5, 6 and 7, and insert the following: "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."

Page 349, after line 29 insert "Chairman."

Page 358, line 31, after "and" insert "election."

Page 358, line 34, after "and" insert "election."

Page 382, line 18, change "54" to "74."

Page 382, strike out lines 19 and 20 and insert the following: "A bill for an act to amend Section 1608 of the Revised Codes of 1905 relating to revenue and taxation."

Page 382, line 22, change "Education" to "Taxes and Tax Laws."

Page 539, line 35, strike out "Adjourn" and insert "Dissolve."

Page 592, line 37, strike out all of the line and insert the following: "And recommended that the same be amended as follows."

Page 699, after line 11, insert "Mr. Sorlie introduced the following concurrent resolution."

Page 806, line 24, after "and" insert "the bill."

Page 852, after line 2, insert the following: "Mr. Collins moved that the house do now adjourn, which motion prevailed and."

Page 895, line 6, change "House" to "Senate."

Page 895, strike out lines 7 and 8 and insert in lieu thereof the following: "A bill for an act to provide for appointment of county superintendent 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."

Page 941, line 4, change "House" to "Senate."

Page 941, strike out lines 5 and 6 and insert in lieu thereof the following: "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."

Page 981, after line 10, insert "My Hyland moved that the report be adopted, which motion prevailed and the report of the committee was adopted."

Page 1144, line 11, strike out "Lageson."

Page 1144, line 42, insert "Lageson."

Page 1223, after line 41, insert "Which motion prevailed."

Page 1224, line 4, change "Now" to "Not."

Page 1255, line 31, strike out "prevailed and" and insert "was lost."

Page 1297, strike out lines 25, 26 and 27.

Page 1314, 1315, 1316 and 1317, strike out amendment to House Bill No. 25 and insert in lieu thereof amendment to House Bill No. 25, as the same appears on pages 1414, 1415, 1416 and 1417.

Page 1390, line 1, strike out "0" and insert "8."

Page 1406, line 20, strike out "Adjournment" and insert "Recess taken."

Page 1417, line 35, after "Manilla" insert "Mount Carmel."

Page 1418, strike out lines 1 to 20 inclusive.

Page 1446, line 19, strike out "355" and insert "356."

Page 1446, strike out lines 20 and 21, and insert in lieu thereof, "A bill for an act to amend Article 3 of Chapter 75 of the Civil Code of North Dakota, being Section 6186 of the Revised Codes of North Dakota for 1905."



Page 1457, line 14, strike out "When so amended."

Page 1484, line 16, change "Insurance" to "Institutions."

Page 1511, strike out line 13.

Page 1512, after line 31, insert "Third reading of House Bills."

Page 1524, strike out lines 19 to 24 inclusive, and insert "A bill for an act to amend Section 231 of the Revised Codes of 1905."

Page 1540, line 26, strike out "House Bill No. 156."

Page 1565, line 1, strike out "House" and insert "Senate."

Page 1565, strike out lines 2 to 7 inclusive and insert "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 natural forest reserve, located in the county of Billings, state of North Dakota."

Page 1565, line 10, change "House" to "Senate."

Page 1565, strike out lines 11 and 12, and insert "A bill for an act to provide for party registration of electors desiring to vote at the primary election in this state."

Page 1595, line 26, change "House" to "Senate."

Page 1595, strike out lines 27 to 31 inclusive and insert "A bill for an act providing for the payment of fees collected by the North Dakota government agricultural experiment station into the state treasury."

Page 1596, line 15, change "appropriations" to "State Affairs."

Page 1596, line 16, change "House" to "Senate."

Page 1596, strike out lines 17 to 19 inclusive and insert "A bill for an act making appropriation for the enforcement of the feeding stuffs, fertilizers, beverages, 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."

Page 1638, line 30, change "House" to "Senate."

Page 1638, strike out lines 31 to 34 inclusive, and insert "A bill for an act to amend and re-enact Section six (6) of Chapter 210 of the laws of North Dakota for the year 1909."

Page 1657, line 11, strike out "Senate" and insert "House."

Page 1657, strike out lines 12, 13 and 14, and insert "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."

Page 1667 and 1668, strike out all after line 11, on page 1667, and lines 1 to 7 inclusive, on page 1668, and insert all of same after line 29, on page 1674.

Page 1674, strike out line 30 and insert "Message from the Senate

The following message was received from the Senate

Mr. Speaker: I have the honor to return herewith."

Page 1722, line 28, change "House" to "Senate."

Page 1754, line 21, change "House" to "Senate."

Page 1754, strike out lines 22 to 25 inclusive, and insert title to Senate Bill No. 369.

Page 1771, line 45, change "House" to "Senate."

Page 1771, strike out lines 46 to 50 inclusive, and insert "A bill for an act providing for the payment of fees collected by the North Dakota agricultural experiment station into the state treasury."

Page 1812, line 23, change 64 to 269.

Page 1829, line 6, strike out "Bessessen" and insert "Burns."

Page 1830, strike out "House Bill No. 362 and title to same" and "House Bill No. 361 and title to same," and insert in lieu thereof "Senate Bill No. 362 and title to same and Senate Bill No. 361 and title to same."

Page 1839, after line 13, insert "Mr. Sorlie moved that the rules be

suspended and Senate Bill No. 220 be placed on the calendar for third reading. Which motion prevailed."

Page 1839, strike out line 25.

Page 1851, after line 52, insert "Mr. Hyland moved that the report be adopted, which motion prevailed and the report of the committee was adopted."

Page 1852, after line 23, insert "Mr. Hyland moved that the report be adopted, which motion prevailed and the report of the committee was adopted."

Page 1859, strike out "House Bill No. 316 and title to same" and insert in lieu thereof "House Bill No. 216 and title to same."

Page 1861, line 29, strike out "House Bill No. 280 and title to same" and insert "Senate Bill No. 280 and title to same."

Page 1879, line 10, strike out "House" and insert "Senate."

Page 1889, strike out "House Bill No. 209 and title to same" and insert Senate Bill No. 209 and title to same."

Page 1890, strike out "House Bill No. 340 and title to same" and insert "Senate Bill No. 340 and title to same."

Page 1916, strike out lines 22 to 27 inclusive.

Page 1921, line 18, strike out "By the Senate."

Page 1921, line 27, strike out "By the Senate."

Page 1939, line 20, strike out "By the Senate."

Page 1939, line 28, strike out "By the Senate."

Page 1969, strike out lines 8, 9 and 10.

Page 2067, line 25, strike out "five" and insert "Ten."

Page 2132, line 15, after the word "Amended" insert "By the Senate."

Page 2145, line 33, strike out "Concur in the Senate" and insert "Recede from the House."

Page 2146, line 9, strike out the word "as" and all of line 10.

Page 2155, line 27, strike out the word "Senate" and insert "House."

Respectfully Submitted,

E. H. GRIFFIN, Chief Clerk,

J. I. ROOP,

JOHN F. CHARMLEY,

E. B. JOHNSON,

Special Committee.

## CORRECTIONS IN WRITTEN JOURNAL.

The special committee appointed to revise and correct the printed journal and compare the same with the written journal of the session, submit the following report of corrections to be made in the written journal, Volume 1:

- Page 1, line 42, change "Andrews" to "Andrus."  
 Page 2, line 9, change "John E. Fried" to "John B. Fried."  
 Page 2, line 15, change "Corder" to "Gorder."  
 Page 2, after line 27, insert "Thirty-eighth District A. P. Hanson."  
 Page 3, line 30, change "Andrews" to "Andrus" and wherever the same appears in the journal.  
 Page 33, strike out "corrected journal" at top of the page.  
 Page 33, line 1, strike out "Twelfth Session."  
 Page 33, line 9, change "Miss Martha Heinemeyer" to "Mrs. Martha Heinemeyer."  
 Page 34, line 12, strike out "H. B. Halldorson."  
 Page 65, line 9, change "Davidson" to "Davis."  
 Page 65, line 20, after the word "highways," add "bridges and ferries."  
 Page 65, line 23, change "Imigration" to "Immigration."  
 Page 66, line 6, after "Hawkinson" add "Chairman."  
 Page 66, line 14, after "Cavalier" add "Hedalen."  
 Page 69, line 7, after "Memorials" add "and other papers."  
 Page 70, line 9, change "Imforming" to "Forming."  
 Page 79, line 20, change "C. F. Cook" to "C. I. Cook."  
 Page 91, line 27, change "It" to "Which."  
 Page 93, line 7, after "Highways" add "Bridges and Ferries."  
 Page 94, line 31, after "Bridges" add "and Ferries."  
 Page 119, strike out lines 18, 19 and 20.  
 Page 143, line 32, after the word "on" add "Municipal."  
 Page 144, line 27, change "Pierce" to "Price."  
 Page 146, line 16, change "Pierce" to "Price."  
 Page 149, line 38, change "Motion" to "Report."  
 Page 150, line 5, change the last word "the" to "each."  
 Page 150, line 9, change "the" to "said."  
 Page 150, line 30, strike out "recommended" and insert "amended."  
 Page 166, line 39, after the word "out" add the words "all after."  
 Page 167, strike out all of the page after line 27.  
 Strike out all of page 168.  
 Page 171, line 4, strike out the figures "22" and insert the figures "102."  
 Page 178, line 8, strike out "line in" and insert "words in line."  
 Page 178, line 18, strike out "is" and insert "as."  
 Page 178, line 35, strike out "in" and insert "of."  
 Page 178, line 37, after the word "following" add "section."  
 Page 178, line 39, after the word "adequate" add "publicity."  
 Page 178, line 40, after the word "effect" add "and be in force."  
 Page 178, line 41, after the word "its" add "passage and."  
 Page 178, line 43, change "W. G. Price" to "W. J. Price."  
 Strike out all of page 182.  
 Page 198, after line 24, insert the following:  
 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.—  
 Aasheim  
 Akesson

Messrs.—  
 Gorder  
 Harty

Messrs.—  
 Norheim  
 O'Connor of Gd Forks

Anderson of Griggs	Hawkinson	O'Connor of Pembina
Anderson of Ramsey	Hedalen	Olgard of Nelson
Andrus	Heinemeier	Olgard 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	Tanda
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	Ray	O'Shea
DeLance	Hanson	Walters

Messrs. Cunningham, DeLance, Hanson, O'Shea, Ray and Walters being excused.

So the bill passed and the title was agreed to.

Page 198, line 40, change "House" to "Senate."

Page 198, strike out lines 41, 42, 43 and 44, and insert the following:

"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."

Page 199, line 3, change "House" to "Senate."

Page 199, strike out lines 4, 5 and 6, and insert the following: "A bill for an act prohibiting ball games and other sports until 3 o'clock P. M."

Page 219, line 16, after the word "Highways" insert "Bridges and Ferries."

Page 219, line 19, after the word "Highways" insert "Bridges and Ferries."

Page 240, line 42, after the figures "1909" strike out the balance of the line.

Page 246, line 2, after the second word "of" insert "Court."

Page 254, line 37, after the word "Elections" insert "and Election privileges."

Page 289, after line 27, insert the following:

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Lageson	Sgutt
Heinemeyer	Moen of Benson	Stranahan
Hersrud		

Messrs. Moen of Benson, Bjornson, 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	Nestós
Benson	Gorder	Norheim
Bond	Hanson	O'Connor of Gd Forks
Boyd	Harty	O'Connor of Pembina
Brusletten	Hawkinson	Olsgard of Nelson
Burnett	Hedalen	Olsgard 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	Kuhl	Stern
Doyle of Foster	Kylo	Tande
Edwards	Lageson	Tostenson
Englund	Law	Ulsaker
Fassett	Lee	Wambem
Fox	McClellan	Whitmer
France	Morrison	Williams

Page 296, after line 22, insert the following:

"Mr. Doyle moved that the report be adopted, which motion prevailed and the report of the committee was adopted."

Page 297, lines 16 and 18, after the word "Elections" insert "and election."

Page 299, line 11, change "A. A. Cunningham" to "A. W. Cunningham."

Page 302, after line 19, insert the following:

"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 recommended 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."

Page 306, after line 22, insert the following:

Which motion prevailed and Senate Bill No. 71 was recalled from the Senate."

Page 332, after line 41, insert:

"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 the fifth line, insert word "shall" between the 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, Chairman.

Mr. Stern moved that the report be adopted,

Which motion prevailed, and

The report of the committee was adopted.

Page 339, line 14, strike out "of" and insert "at the."

Page 352, line 9, change figures "1767" to "1737."

Page 361, line 2, strike out figures "54" and insert "74."

Page 361, strike out lines 3 and 4, and insert

"A bill for an act to amend Section 1608 of the Revised Codes of 1905 relating to revenue and taxation."

Page 361, line 6, strike out "education" and insert "Taxes and Tax Laws."

Page 365, line 2, strike out "Other drainage or."

Page 365, line 3, after the word "upon" insert "which."

Page 382, line 34, change "advise" to "devise."

Page 384, line 37, after the first "the" insert "word."

Page 386, after line 33, insert "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, 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.

Page 500, line 44, strike out "adjourn" and insert "dissolve."

Page 521, after line 11, insert: "Mr. Akesson moved that the House do now adjourn. Which motion prevailed, and the House adjourned."

Page 538, strike out lines 11, 12, 13 and 14.

Page 543, after line 3, insert:

The question being on the original motion. The same was lost.

Page 551, strike out line 2, and insert

"And recommended that the same be amended as follows."

On page 557, after line 12, insert

"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 owners land."

Page 571, after line 21, insert

"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, Cahirman.

Mr. Price moved that the report be adopted,

Which motion prevailed; and

The report of the committee was adopted.

Page 610, strike out line 44.

Page 639, after line 37, insert

"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.

GEORGE 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."

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 that the same do pass.

GEORGE P. HOMNES, Chairman.

Which motion prevailed and the report of the committee was adopted.

Page 526, after line 3, insert the following:

"The question being on the motion to adopt the majority report, the same was lost."

Page 537, strike out lines 23, 24, 25 and 26.

Page 551, line 35, after the word "Manilla" insert "Mount Carmel."

## CORRECTIONS IN THE WRITTEN JOURNAL (VOLUME NO. 2.)

Page 1, line 32, change figures "236" to "326."

Page 1, after line 36, insert "Mr. Sorlie introduced the following Concurrent Resolution."

Page 21, line 21, after the word "Bill" insert "as amended."

Page 37, after line 19, insert the following:

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.

Page 38, line 41, after the word "line" insert "22" and insert the words "articles of incorporation" also in line.

Page 50, line 41, after the word "moved" insert "that the roll call be stopped for the purpose of discussion."

Which motion prevailed.

Mr. Martin moved.

Page 97, line 25, after the word "and" insert "the bill."

Page 104, strike out lines 37, 38, 39, 40, 41 and 42.

Page 124, after line 44, insert:

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 20th, 1911. Which motion prevailed.

Page 132, line 19, after the first "the" insert "common."

Page 133, line 40, strike out "line" and insert "figure."

Page 136, after line 20, insert: Mr. Collins moved that the House do now adjourn, which motion prevailed, and."

Page 157, after the last line, insert the following:

"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.—

Aasheim  
Akesson  
Anderson of Griggs  
Anderson of Ramsey  
Benson  
Bjornson  
Bond  
Boyd  
Brusletten  
Burnett  
Carey  
Christenson  
Collins  
Dean  
DeLance

### Messrs.—

Harty  
Hawkinson  
Hedalen  
Heinemeyer  
Hersrud  
Hoge  
Homnes  
Hill of Bottineau  
Hill of Cass  
Hyland  
Johnson  
Kane  
Knox  
Knutson  
Kuhl

### Messrs.—

Oisgard of Nelson  
Oisgard of Richland  
O'Shea  
Paulson  
Peart  
Pendray  
Ployha  
Price  
Ray  
Robinson  
Roquette  
Sauer  
Scott  
Scheer  
Sgutt



Messrs.—	Messrs.—	Messrs.—
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	Mcen 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	Dosseth	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.

Page 172, line 17, change "House" to "Senate."

Page 172, strike out lines 18 and 19, and insert the following:

A bill for an act to provide for 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.

Page 214, line 27, change "House" to "Senate."

Page 214, strike out lines 28 and 29 and insert the following:

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.

Page 220, strike out lines 1 to 14 inclusive.

Page 223, after line 18, insert the following:

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."

Page 268, after line 5, insert the following:

Mr. Kuhl moved that the vote by which House Bill 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 none, 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	Olsgard of Nelson
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	Kyllo	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	Tostenson
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	Olsgard of Nelson	

So the bill passed and the title was agreed to.

Page 290, after line 30, insert the following:

Also, Mr. Speaker:

Your committee on engrossment have examined House Bill No. 237.

A concurrent resolution for amendment to 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.

Page 315, strike out all of lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20.

Page 319, after line 15, insert the following:

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 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 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."

Page 333, after line 16, insert the following:

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, Revised Codes of North Dakota relating to 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.—	Messrs.—	Messrs.—
Aasheim	Hanson	Olgsgard of Nelson
Akesson	Hawkinson	Olgsgard of Richland
Anderson of Griggs	Hedalen	Paulson
Anderson of Ramsey	Hersrud	Peart
Benson	Hoge	Pendray
Bjornson	Homnes	Ployhar
Boyd	Hill of Bottineau	Putnam
Brusletten	Hyland	Ray
Burnett	Johns	Reeve
Burns	Johnson	Robinson
Carey	Kane	Sauer
Christenson	Knox	Scott
Collins	Knutson	Scheer
Davidson	Kyllo	Sorlie
Dean	Lageson	Stern
DeNault	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
France	Morrison	Tuttle
Fraine	Narum	Ulsaker
Fried	Nelson of Richland	Walters
Fritz	Nelson of Walsh	Wambem
Gardiner	Nestos	Williams
Geiger	O'Connor of Gd Forks	Mr. Speaker
Gorder		

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		

Messrs. Dosseth and Roquette being excused.

So the Bill passed and the title was agreed to.

Page 366, strike out lines 32, 33, 34, 35, 36, 37 and 38.

Page 371, line 22, after the word "lines" insert the following: "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."

Page 371, line 29, after the word "A" insert "good and."

Page 379, after line 21, insert the following: "Mr. Nestos moved that the report of the committee of the whole be adopted, except as to House Bill No. 211."

Page 435, line 42, after the figures "2,500" insert:

Line 18, strike out "5,000" and insert in lieu thereof "3,500."

Page 478, after line 21, insert "Which motion prevailed."

Page 478, line 24, change word "now" to "not."

Page 505, after the line 2, insert "Which motion prevailed, and the further of the Bill was indefinitely postponed."

Page 524, after line 38, insert the following: "Also, Mr. Speaker: Your committee on railroads to whom was referred House Bill No. 429.

A bill for an act to require all railroad companies to employ two brakemen on each passenger train.

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.

## CORRECTIONS IN THE WRITTEN JOURNAL (VOLUME NO. 3.)

Page 20, line 28, strike out "adjournment" and insert "recess taken."

Page 28, line 19, after the word "Manilla" insert "Mount Carmel."

Page 28, strike out lines 17 to 36 inclusive.

Page 50, strike out lines 14 to 19 inclusive.

Page 51, line 14, change "355" to "356."

Page 51, strike out lines 15 to 18 inclusive and insert the following:

"A bill for an act to amend Article 3 of Chapter 75 of the Civil Code of North Dakota, being Section 6186 of the Revised Codes of North Dakota of 1905."

Page 130, after line 11, insert "House Bill No. 231."

Page 178, line 23, change "House" to "Senate."

Page 178, strike out lines 25 to 28 inclusive and insert the following:

"A bill for an act providing for the payment of fees collected by the North Dakota government agricultural experiment station into the state treasury."

Page 179, line 10, strike out "appropriations" and insert "State Affairs."

Page 179, strike out lines 11 to 15 inclusive and insert the following:

"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."

Page 218, line 34, change "House" to "Senate."

Page 218, strike out lines 35 to 38 inclusive and insert the following:

"A bill for an act to amend and reenact section six (6) of chapter 210 of the laws of North Dakota for 1909."

Page 233, strike out lines 22, 23 and 24, and insert the following:

"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."

Page 233, line 21, change "Senate" to "House."

Page 310, after line 37, insert the following:

"Mr. Davidson moved that the vote by which Senate Bill No. 31 passed be reconsidered and the motion to reconsider be laid on the table."

Which motion prevailed.

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 third time.

The question being on the final passage of the bill,

The roll was called and there were 83 ayes, 10 nays, 10 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Aasheim	Gardiner	Nestos
Akesson	Geiger	Norheim
Anderson of Ramsey	Gorder	O'Connor of Pembina
Andrus	Hanson	Olsgard of Nelson
Benson	Harty	Olsgard of Richland
Bjornson	Hawkinson	O'Shea
Boerner	Hedalen	Pearl
Bond	Heinemeyer	Pendray
Boyd	Hersrud	Ployhar
Brusletten	Hoge	Price
Burnett	Homnes	Putnam
Carey	Hill of Bottineau	Ray
Christenson	Hill of Cass	Sauer
Collins	Hyland	Scott
Cunningham	Johnson	Sorlie
Davis	Jordal	Stern
Dean	Kane	Stranahan
DeLance	Law	Streeter
DeNault	Lee	Tande
Dcyle of McIntosh	Martin	Thompson
Edwards	McClellan	Tuttle
Englund	Moen of Benson	Ulsaker
Fassett	Moen of Cavalier	Walters
Fox	Moritz	Wambem
France	Morrison	Whitmer
Fraine	Narum	Williams
Fried	Nelson of Richland	Mr. Speaker
Fritz	Nelson of Walsh	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson of Griggs	Kyllo	Paulson
Davidson	Lageson	Scheer
Dosseth	O'Connor of Gd Forks	Tollefson
Knutson		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burns	Kuhl	Roquette
Doyle of Foster	Reeve	Sgutt
Johns	Robinson	Tostenson
Knox		

So the bill passed and the title was agreed to.

Page 387, line 25, strike out the figure "64" and insert "269."

Page 481, after line 39, insert the following: "Mr. Doyle of McIntosh moved that the rules be suspended and that the vote by which House Bill No. 216 was passed be reconsidered."

Respectfully Submitted,

E. H. GRIFFIN, Chief Clerk,

J. I. ROOP,

JOHN T. CHARMLEY,

E. B. JOHNSON,

Special Committee.

# INDEX

## RECORD OF BILLS IN THE HOUSE HOUSE BILLS

### House Bill No. 1.—(Doyle of Foster)

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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.  
Introduction, 67.  
Reference, 67.  
Reported, 165, 201, 440.  
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Received from senate, 399.  
Other action, 195, 518, 544.

### House Bill No. 3.—(Davidson)

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Introduction, 67.  
Reference, 67.  
Reported, 123.

### House Bill No. 4.—(Davidson)

A bill for an act to create a glandered horse indemnity fund.  
Introduction, 68.  
Reference, 68.  
Reported, 483, 1105.

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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, 1163, 1275.  
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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)**

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

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)**

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

Introduction, 70.

Reference, 70.

Reported, 204.

**House Bill No. 20.—(Moritz)**

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

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)**

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.

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, 318, 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)**

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

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, 1388.

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, 253, 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

**House Bill No. 48—Continued.**

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)**

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.  
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.—(Akeson)**

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.—(Pencray)**

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)**

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.

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, 343, 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.—(Gerger)**

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.—(Strananan)**

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, 1580, 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 intoxicating 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 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.  
 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 Cava-**

lier)  
 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, 946, 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 McIntosh)**

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 158 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 re-enacting 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 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.  
 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 livestock 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.—(Floyhar)**

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 reenact 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, 1806.  
 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 reenact 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 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.  
 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 reenact 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 reenact 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, 1189, 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. 423.—(De Nault)**

A bill for an act to amend Section 2598 of Article 6 or Chapter 29, of the Revised Codes of 1905.  
Introduction, 874.  
Reference, 875.  
Reported, 1302, 1385, 1465.  
Other action, 1522.

**House Bill No. 424.—(Burns)**

A bill for an act to prohibit the manufacture and sale of fire-crackers.  
Introduction, 961. o  
Reference, 962.  
Other action, 1441.

**House Bill No. 425.—(DeNault)**

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.  
Introduction, 962.  
Reference, 962.  
Reported, 1501.

**House Bill No. 426.—(Sgutt)**

A bill for an act to amend and re-enact Section 38 of Chapter 128, Session Laws of 1909.  
Introduction, 962.  
Reference, 962.  
Reported, 1504.

**House Bill No. 427.—(Heinemeyer)**

A bill for an act to withdraw from sale or rent certain school land in Dunn county.  
Introduction, 962.  
Reference, 962.  
Reported, 1484, 1982.  
Passed or lost, 1533.  
Received from senate, 1858.  
Other action, 1982, 2010.

**House Bill No. 428.—(Martin)**

A bill for an act pertaining to the licensing of county and state auctioneers.  
Introduction, 962.  
Reference, 962.  
Reported, 1485.

**House Bill No. 429.—(Burns)**

A bill for an act to require all railroad companies to employ two brakemen on each passenger train.  
Introduction, 963.  
Reference, 963.  
Reported, 1280.

**House Bill No. 430.—(Dosseth)**

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.  
Introduction, 963.  
Reference, 963.  
Reported, 1488.

**House Bill No. 431.—(Heinemeyer)**

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.  
Introduction, 963.  
Reference, 963.  
Reported, 1194, 1278.  
Other action, 1365, 1457.

**House Bill No. 432.—(Heinemeyer)**

A bill for an act to make permanent the location of county seats within the State of North Dakota.  
Introduction, 963.  
Reference, 963.  
Reported, 1504.

**House Bill No. 433.—(DeLance)**

A bill for an act to amend Section 6237 of the Revised Codes or 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.  
Introduction, 964.  
Reference, 964.  
Reported, 1502, 2068.  
Passed or lost, 1552, 1953.  
Received from senate, 1893.  
Other action, 1212, 1952, 2062, 2143.



**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, 1579.

**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.—(Olgard 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 1900, 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, 724.

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 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.

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 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, existence 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-**

A bill for an act to amend section 1608 of the Revised Codes of 1905 relating to revenue and taxation.

ville)  
 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 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.**—(Grønbold)

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, 508.  
 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 where-in 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 Renville.)**

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, assistants 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 therewith.

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 collection 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 villages to regulate and license liveries, dray and express lines, and other vehicles used for the carrying of passengers, messages, 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 product 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 Forestry to assist in the maintenance thereof, and making appropriation 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 corporations issuing bonds, notes, or other evidences of indebtedness and providing for the examination 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 separate banking department; and providing for placing banking and other financial corporations within the jurisdiction and control 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-**

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.

man)  
 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, 1584.

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 Bil 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.  
Other action, 2133.

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