

STATE OF NORTH DAKOTA

---

# Journal of the House

OF THE

THIRTEENTH SESSION

OF THE

LEGISLATIVE ASSEMBLY

---

*Begun and held at the Capitol at Bismarck  
January 7 to March 7, 1913  
Inclusive*

---

VOLUME 1

---

JOURNAL PUBLISHING CO.  
DEVILS LAKE, N. D.  
STATE PRINTERS  
1913



OFFICERS AND MEMBERS  
OF THE  
House of Representatives of  
North Dakota  
FOR THE  
Thirteenth Legislative Assembly  
1913

OFFICERS.

Speaker.....	J. H. Fraine
Chief Clerk.....	M. J. George
Assistant Chief Clerk.....	Albert Wold
Assistant Clerk.....	W. F. Rhea
Stenographer .....	Sena Thompson
Chief Enrolling and Engrossing Clerk.....	O. S. Hedahl
Assistant Enrolling and Engrossing Clerks.....	C. G. Boise, W. C. Wharton, Wm. Hutsinpillar.
Bill Clerk.....	Fred Dyke
Assistant Bill Clerk.....	A. E. Scace
Sergeant-at-Arms.....	B. D. Ash
Voucher Clerk.....	T. E. Metcalf
Doorkeepers.....	R. W. Drummard, John Hovea
Doorkeeper to the Gallery.....	J. Blackrook
Messengers.....	O. S. Hall, A. M. Grant
Postmaster .....	Walter Sterland
Chaplain.....	Rev. E. F. Alfson
Proof Reader.....	T. W. McDonough
Journal Clerk.....	O. S. Wing
Assistant Journal Clerks.....	Thomas Pettit, A. Boe
Mailing Clerks.....	Frank Tousley, Oscar Lyheck, E. R. Casey, Nels G. Grovom, O. L. Salum.
Watchman.....	Clate Cooper, E. L. Chance
Clerk of Judiciary Committee.....	F. R. Barnes
Clerk of Appropriation Committee.....	John S. Patterson
Clerk of Committee on State Affairs.....	Frank Currier
Stenographers and Typewriters for the Members.....	Ruth L. Morgan, Miss Leah Bennett, Jennie Brown, Maybelle Tollefson, Edith Web- ster, Rose Cripe, Luella Pannabaker, Loraine Mallough, Mrs. Mc- Kenzie, Miss J. C. Gerard, Julia Everson, Mae Persons, Katherine Dryer, Josephine Baker.
Pages.....	Warren Johnson, Harold Stedman, Frank Ethrington, Frank Jaeger, Walter Knott, Leonard Chase, Willis Johnson, Peter Ploy- har.
Janitors.....	Ludwig Ulmer, O. L. Jones, Sam Moore, Fred Trumann
Telephone Boy.....	Frank Demling

## MEMBERS.

Dist.	Name	County	P. O.
1	John Hart.....	Pembina .....	Joliette
	W. M. Husband.....	Pembina .....	Hensel
	Henry Geiger.....	Pembina .....	Hamilton
2	J. W. Calnan.....	Ward .....	Berthold
	N. T. Hedalen.....	Walsh .....	Fordville
3	P. L. Hjelmstad.....	Walsh .....	Edmore
	J. H. Fraine.....	Walsh .....	Grafton
4	J. S. Kylo.....	Grand Forks.....	McCanna
	W. V. O'Connor.....	Grand Forks.....	Grand Forks
5	W. S. Dean.....	Grand Forks.....	Hatton
	W. J. Burnett.....	Traill .....	Cummings
6	Ed. Coltom.....	Traill .....	Hatton
	O. J. Sorlie.....	Traill .....	Buxton
	D. S. Lewis.....	Cass .....	Fargo
7	Robt. Blakemore.....	Cass .....	Fargo
	L. L. Twichell.....	Cass .....	Fargo
	John Dynes.....	Cass .....	Davenport
8	B. N. Sandbeck.....	Cass .....	Grandin
	Jas. E. Hill.....	Cass .....	Erie
9	Wm. Watt.....	Cass .....	Leonard
	A. G. Divet.....	Richland .....	Wahpeton
10	Albert Weis.....	Richland .....	Wahpeton
	D. L. Warriner.....	Sargent .....	Forman
11	Nels Peterson.....	Sargent .....	Gwinner
	P. H. Butler.....	Ransom .....	Lisbon
12	James Walsh.....	Ransom .....	Enderlin
	F. E. Ployhar.....	Barnes.....	Valley City
	W. H. Northrup.....	Steele .....	Luverne
13	E. W. Everson.....	Griggs .....	Walum
	A. J. Huso.....	Griggs .....	Aneta
	R. J. Gardiner.....	Nelson .....	Brockett
14	C. I. Morkrid.....	Nelson .....	Petersburg
	Fred Borusky.....	Cavalier .....	Wales
15	W. A. Small.....	Rolette .....	Mylo
	Arthur Dixon.....	Rolette .....	Rolla
16	Victor Wardope.....	Benson .....	Leeds
	Paul J. Moen.....	Benson .....	Maddock
17	M. D. Butler.....	Ramsey .....	Brockett
	Bernt Anderson.....	Ramsey.....	Churchs Ferry
	N. Morrison.....	Ramsey .....	Webster
18	N. W. Hawkinson.....	Towner .....	Rock Lake
	N. O. Johnson.....	Towner .....	Cando
19	Adam Bollinger.....	Stutsman .....	Medina
	C. S. Buck.....	Stutsman .....	Jamestown
	Thos. Pendray.....	Stutsman .....	Jamestown
	Geo. A. Tucker.....	Stutsman .....	Courtenay
20	J. A. T. Bjornson.....	LaMoure .....	LaMoure
	A. E. Raney.....	LaMoure .....	Ju.I

## MEMBERS—Continued.

Dist.	Name	County	P. O.
25	N. E. Davis.....	Dickey .....	Monango
	C. E. Knox.....	Dickey .....	Oakes
26	Geo. P. Bope.....	Kidder .....	Steele
	R. K. Batzer.....	Emmons .....	Hazelton
	Sid S. Smith.....	Kidder .....	Steele
	D. R. Streeter.....	Emmons .....	Linton
27	Frank Fox.....	Burleigh .....	Bismarck
	John Homan.....	Burleigh .....	Bismarck
	E. A. Williams.....	Burleigh .....	Bismarck
28	Jas. Hill.....	Bottineau .....	Newberg
	H. C. Harty.....	Bottineau .....	Ememee
	E. O. Haraldson.....	Bottineau .....	Lansford
	C. C. Jacobson.....	Bottineau .....	Landa
29	F. B. Lambert.....	Ward .....	Minot
	Hans C. Miller.....	Ward .....	Ryder
	J. W. Smith.....	Ward .....	Surrey
	A. M. Thompson.....	Ward .....	Minot
30	L. D. Wylie.....	Morton.....	St. Anthony
	W. E. Martin.....	Morton .....	Mandan
	J. E. Campbell.....	Morton .....	Mandan
31	Henry Klein.....	Stark .....	Richardton
	F. W. Turner.....	Stark .....	Dickinson
	C. C. Turner.....	Stark .....	Gladstone
32	T. N. Putnam.....	Eddy .....	Carrington
	W. M. Bartley.....	Foster .....	Sheyenne
33	Louis A. Leu.....	Wells .....	Fessenden
	T. O. Roble.....	Wells .....	Manfred
34	F. F. Fritz.....	McHenry .....	Towner
35	J. P. Schroeder.....	Sheridan .....	McClusky
36	M. H. Kelly.....	Logan .....	Napoleon
	H. H. France.....	Logan .....	Gackle
	J. J. Doyle.....	McIntosh .....	Wishek
37	C. W. Carey.....	Richland .....	Lidgerwood
	Nels Olsgard.....	Richland .....	Walcott
38	A. P. Hanson.....	Barnes .....	Litchville
39	Robt. J. List.....	Bowman .....	Scranton
	J. G. Odland.....	Golden Valley.....	Sentinel Butte
	Theo. K. Curry.....	Bowman.....	Buffalo Springs
40	Osc. Lindstrom.....	Burke .....	Noonan
	S. Hendrickson.....	Burke .....	Coteau
	H. Endreson.....	Burke .....	Bowbells
41	N. F. Snyder.....	McKenzie .....	Schafer
	A. A. Stenehjem.....	McKenzie .....	Arnegard
	Robt. Norheim.....	McKenzie .....	Alexandria
	W. G. Owens.....	Williams .....	Williston
42	E. L. Gunderson.....	Williams .....	Ray
	L. H. Bratton.....	Pierce .....	Rugby
	Ole Nyhus.....	Pierce .....	Berwick

## MEMBERS—Continued.

Dist	Name	County	P. O.
43	J. E. Bass.....	Renville .....	Tolley
44	O. C. Dosseth.....	Mountrail .....	Plaza
	B. W. Taylor.....	Mountrail .....	Stanley
45	S. H. Pitkin.....	McHenry .....	Velva
46	H. R. Freitag.....	McLean .....	Max
	J. T. Hoge.....	McLean .....	Underwood
	O. B. Wing.....	McLean .....	Washburn
47	Chas. F. Kellogg.....	Morton.....	New Salem
	J. J. Ryan.....	Morton .....	Leith
48	C. C. Lawbaugh.....	Dunn .....	Halliday
	Sherman Hickle.....	Oliver .....	Sanger
	Aug. Isaak.....	Mercer .....	Mannhaven
49	J. L. Hjort.....	Adams .....	Reeder
	H. J. Stinger.....	Adams .....	Petrel
50	John Balsdon.....	Cavalier .....	Osnabrock

# Journal of the House

## THIRTEENTH SESSION

FIRST DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 7, 1913.

At the hour of 12 o'clock meridian, the seventh day of January, 1913, being the day and hour designated by law for the convening of the Legislative Assembly of the State of North Dakota. The members-elect of the House of Representatives of the thirteenth session of the Legislative Assembly assembled in the House Chamber in the capitol at Bismarck and were called to order by E. H. Griffin, chief clerk of the House of Representatives of the twelfth legislative assembly of the State of North Dakota.

The session opened with prayer by Rev. E. F. Alfson.

The roll being called the following members, as certified by the Secretary of State, responded to their names:

Dist.	Name.	County.	Postoffice.
1	John Hart .....	Pembina .....	Joliette
	W. M. Husband.....	Pembina .....	Hensel
	Henry Grieger .....	Pembina .....	Hamilton
2	J. W. Calnan.....	Ward .....	Berthold
3	N. T. Hedalen.....	Walsh .....	Fordville
	P. L. Hjelmstad.....	Walsh .....	Edmore
4	J. H. Fraine.....	Walsh .....	Grafton
5	J. S. Kylo.....	Grand Forks .....	McCanna
6	W. V. O'Connnor.....	Grand Forks .....	Grand Forks
7	W. S. Dean .....	Grand Forks .....	Hatton
8	W. J. Burnett.....	Traill .....	Cummings
	Ed. Coltom .....	Traill .....	Hatton
	O. J. Sorlie.....	Traill .....	Buxton

## JOURNAL OF THE HOUSE

Dist.	Name.	County.	Postoffice.
9	D. S. Lewis.....	Cass	Fargo
	Robert Blakemore .....	Cass	Fargo
	L. L. Twichell.....	Cass	Fargo
	John Dynes.....	Cass	Davenport
10	B. N. Sandbeck .....	Cass	Grandin
11	Jas. E. Hill.....	Cass	Erie
	Wm. Watt .....	Cass	Leonard
12	A. G. Divet .....	Richland	Wahpeton
	Albert Weis .....	Richland	Wahpeton
13	D. L. Warriner .....	Sargent	Forman
	Nels Petterson .....	Sargent	Gwinner
14	P. H. Butler.....	Ransom	Lisbon
	James Walsh .....	Ransom	Enderlin
15	F. E. Ployhar .....	Barnes	Valley City
16	W. H. Northrup .....	Steele	Luverne
	E. W. Everson .....	Griggs	Walum
	A. J. Huso .....	Griggs	Aneta
17	R. J. Gardiner .....	Nelson	Brocket
	C. I. Morkrid .....	Nelson	Petersburg
18	Fred Borusky .....	Cavalier	Wales
19	W. A. Small .....	Rolette	Mylo
	Arthur Dixon .....	Rolette	Rolla
20	Victor Wardrope .....	Benson	Leeds
	Paul J. Moen .....	Benson	Maddock
21	M. D. Butler .....	Ramsey	Brockett
	Bernt Anderson .....	Ramsey	Churches Ferry
	N. Morrison .....	Ramsey	Webster
22	N. W. Hawkinson .....	Towner	Rock Lake
	N. O. Johnson .....	Towner	Cando
23	Adam Bollinger .....	Stutsman	Medina
	C. S. Buck .....	Stutsman	Jamestown
	Thos. Pendray .....	Stutsman	Jamestown
24	J. A. T. Bjornson .....	LaMoure	LaMoure
	A. E. Raney .....	LaMoure	Jud
25	N. E. Davis.....	Dickey	Monango
	C. E. Knox .....	Dickey	Oakes
26	Geo. P. Bope.....	Kidder	Steele
	R. K. Batzer .....	Emmons	Hazelton
	Sidney S. Smith .....	Kidder	Steele
	D. R. Streeter .....	Emmons	Linton
27	Frank Fox .....	Burleigh	Bismarck
	John Homan .....	Burleigh	Bismarck
	E. A. Williams .....	Burleigh	Bismarck
28	Jas. Hill .....	Bottineau	Newberg
	H. C. Harty .....	Bottineau	Omeme
	E. O. Haraldson .....	Bottineau	Lansford
	C. C. Jacobson .....	Bottineau	Landa
29	F. B. Lambert .....	Ward	Minot
	Hans C. Miller .....	Ward	Ryder
	J. W. Smith .....	Mountrail	Surrey
	A. M. Thompson .....	Ward	Minot
30	L. D. Wiley.....	Morton	St Anthony
	W. E. Martin .....	Morton	Mandan
	J. E. Campbell .....	Morton	Mandan
31	Henry Klien .....	Stark	Richardton
	F. W. Turner .....	Stark	Dickinson
	C. C. Turner .....	Stark	Gladstone
32	T. N. Putnam .....	Eddy	Carrington
	W. M. Bartley .....	Foster	Sheyenne

Dist.	Name.	County.	Postoffice.
33	T. O. Roble	Wells	Manfred
34	F. F. Fritz	McHenry	Towner
35	J. P. Schroeder	Sheridan	McClusky
36	M. W. Kelly	Logan	Napoleon
	H. H. France	Logan	Cackle
	J. J. Doyle	McIntosh	Wishek
37	C. W. Carey	Richland	Lidgerwood
	Nels Olsgard	Richland	Walcott
38	A. P. Hanson	Barnes	Litchville
39	Robt. J. List	Bowman	Scranton
	J. G. Odand	Golden Valley	Sentinel Butte
	Theo. K. Curry	Bowman	Buffalo Springs
40	Oscar Lindstrom	Divide	Noonan
	Staale Hendrickson	Burke	Coteau
	Herman Endreson	Burke	Bowbells
41	N. F. Snyder	McKenzie	Schafer
	A. A. Stenehjem	McKenzie	Arnegard
	Robt. Norheim	McKenzie	Alexander
	W. G. Owens	Williams	Williston
	E. L. Gunderson	Williams	Ray
42	L. H. Braaton	Pierce	Rugby
	Ole Nyhus	Pierce	Berwick
43	J. E. Bass	Renville	Tolley
44	O. C. Dosseth	Mountrail	Plaza
	B. W. Taylor	Mountrail	Stanley
45	S. H. Pitkin	McHenry	Velva
46	H. R. Freitag	McLean	Max
	J. T. Hoge	McLean	Underwood
	O. B. Wing	McLean	Washburn
47	Chas. F. Kellogg	Morton	New Salem
	J. J. Ryan	Morton	Leith
48	C. C. Lawbaugh	Dunn	Halliday
	Sherman Hickle	Oliver	Sanger
	Aug. Isaak	Mercer	Mannhaven
49	J. L. Hjort	Adams	Reeder
	H. J. Stinger	Adams	Petrel
50	John Balsdon	Cavalier	Osnabrock

The oath of office was then administered by Judge Fish of the Supreme Court.

The following members-elect not answering to their names:

Geo. A. Tucker, Louis A. Leu.

The House then proceeded to its organization.

Mr. Williams of Burleigh County, nominated John H. Fraine of Walsh County, for Speaker.

The following named members seconded the nomination of Mr. Fraine: Mr. Hanson of Barnes County, Mr. Thompson of Ward County, Mr. Hedalen of Walsh County, Mr. Sorlie of Traill County, Mr. Geiger of Pembina County, Mr. Putnam of Foster County, Mr. Anderson of Ramsey County, Mr. Johnson of Towner County, Mr. Dean of Grand Forks County, Mr. Moen of Benson County, Mr. Doyle of McIntosh County, Mr. Gardiner of Nelson County, Mr. Hill of Cass County, Mr. Streeter of Emmons County, Mr. Norheim



of McKenzie County, Mr. Divet of Richland County, Mr. Buck of Stutsman County, Mr. Ployhar of Barnes County, Mr. Northrup of Griggs County, Mr. Small of Rollette County, Mr. Fox of Burleigh County, Mr. Hoge of McLean County, Mr. Brattle of Pierce County, Mr. Curry of Bowman County, Mr. Turner of Stark County, Mr. Harty of Bottineau County, Mr. Hendrickson of Burke County, Mr. Kelly of Logan County, Mr. Bass of Renville County, Mr. Wylie of Morton County, Mr. Butler of Ransom County, Mr. Calnan of Ward County.

Mr. James Campbell nominated W. V. O'Connor of Grand Forks County for speaker.

The following named members seconded the nomination of Mr. O'Connor.

Mr. Bjornson of La Moure County, Mr. Fritz of Towner County, Mr. Blakemore of Cass County, Mr. Borusky of Cavalier County, Mr. Dixon of Rollette County.

The roll was called and there were ayes 111, nays 2, absent and not voting 7.

Those voting for Mr. Fraine were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Morkrid
Balsdon	Hart	Morrison
Bartley	Harty	Norheim
Bass	Hawkinson	Northrup
Batzer	Hedalen	Nyhus
Bollinger	Hendrickson	O'Connor
Bope	Hickle	Odland
Bratton	Hill of Bottineau	Olgsgard
Buck	Hill of Cass	Owens
Burnett	Hjelmstad	Pendray
Butler of Ramsey	Hjort	Petterson
Butler of Ransom	Hoge	Pitkin
Calnan	Homan	Ployhar
Carey	Husband	Putnam
Coltom	Huso	Roble
Curry	Isaak	Ryan
Davis	Jacobson	Sandbeck
Dean	Johnson	Schroeder
Divet	Kellogg	Small
Dosseth	Kelly	Smith of Kidder
Doyle	Klein	Smith of Ward
Dynes	Knox	Snyder
Endreson	Kyllo	Sorlie
Everson	Lambert	Stenchjem
Fox	Lawbaugh	Stinger
France	Lewis	Streeter
Freitag	Lindstrom	Taylor
Gardiner	List	Thompson
Geiger	Martin	Turner, C. C.
Gunderson	Miller	Turner, F. W.
Hanson	Moen	Twichell

Messrs.—  
Walsh  
Wardrope  
Warriner

Messrs.—  
Watt  
Weis  
Wiley

Messrs.—  
Williams  
Wing  
Mr. Speaker

Those voting for Mr. O'Connor were:

Messrs.—  
Bjornson  
Blakemore  
Borusky

Messrs.—  
Campbell  
Dixon  
Fraine

Messrs.—  
Fritz  
Raney

Absent and not voting, Messrs. Lew and Tucker.

Mr. Fraine, having received a majority of all the votes cast, was declared elected Speaker.

Mr. O'Connor of Grand Forks County, moved that the election of Mr. Fraine be made unanimous.

Which motion prevailed and Mr. Fraine's election was declared unanimous.

Bernt Anderson, D. R. Streetef, O. J. Sorlie were appointed by the chief clerk to escort the speaker-elect to the chair.

The oath of office was then administered to the speaker by Hon. Charles Fisk, Judge of the Supreme Court.

Mr. C. C. Turner of Stark County, nominated M. J. George of Morton County, for chief clerk.

The nomination of Mr. George, was seconded by Mr. Wylie of Morton County.

The roll was called and there were 109 votes cast, of which Mr. George received 109, and was declared duly elected.

Those voting for Mr. George were:

Messrs.—  
Anderson  
Balsdon  
Bartley  
Bass  
Batzner  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Bratton

Messrs.—  
Haraldson  
Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort

Messrs.—  
O'Connor  
Odland  
Olsgard  
Owens  
Pendray  
Petterson  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble



## Messrs.—

Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort  
Hoge  
Homan  
Husband  
Huso  
Isaak  
Jacobson  
Johnson  
Kellogg  
Kelly  
Klein  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Lewis

## Messrs.—

Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus  
O'Connor  
Odland  
Olsgard  
Owens  
Pendray  
Petterson  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble  
Ryan  
Sandbeck

## Messrs.—

Schroeder  
Small  
Smith of Kidder  
Smith of Ward  
Snyder  
Sorlie  
Stenehjem  
Stinger  
Streeter  
Taylor  
Thompson  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Warriner  
Watt  
Weis  
Wiley  
Williams  
Wing  
Mr. Speaker

Absent and not voting:

Absent and not voting, Messrs. Leu and Tucker.

Mr. W. F. Rhea was nominated for assistant clerk.

The roll was called and there were 109 votes cast, of which Mr. Rhea received 109, and declared duly elected.

Those voting for Mr. Rhea were:

## Messrs.—

Anderson  
Balsdon  
Bartley  
Bass  
Batzer  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Bratton  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Coltom  
Curry  
Davis  
Dean  
Divet

## Messrs.—

Dixon  
Dosseth  
Doyle  
Dynes  
Endreson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson  
Hanson  
Haraldson  
Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass

## Messrs.—

Hjelmstad  
Hjort  
Hoge  
Homan  
Husband  
Huso  
Isaak  
Jacobson  
Johnson  
Kellogg  
Kelly  
Klein  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Lewis  
Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid

Messrs.—	Messrs.—	Messrs.—
Morrison	Roble	Tucker
Norheim	Ryan	Turner, C. C.
Northrup	Sandbeck	Turner, F. W.
Nyhus	Schroeder	Twichell
O'Connor	Small	Walsh
Odland	Smith of Kidder	Wardrope
Olsgard	Smith of Ward	Warriner
Owens	Snyder	Watt
Pendray	Sorlie	Weis
Petterson	Stenhjem	Wiley
Pitkin	Stinger	Williams
Ployhar	Streeter	Wing
Putnam	Taylor	Mr. Speaker
Raney	Thompson	

Absent and not voting, Messrs. Leu and Tucker.

T. E. Metcalf was nominated for voucher clerk.

The roll was called and there were 109 votes cast, of which Mr. Metcalf received 109, and was declared duly elected.

Those who voted for Mr. Metcalf were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	O'Connor
Balsdon	Hart	Odland
Bartley	Harty	Olsgard
Bass	Hawkinson	Owens
Batzer	Hedalen	Pendray
Bjornson	Hendrickson	Petterson
Blakemore	Hickle	Pitkin
Bollinger	Hill of Bottineau	Ployhar
Bope	Hill of Cass	Putnam
Borusky	Hjelmstad	Raney
Bratton	Hjort	Roble
Buck	Hoge	Ryan
Burnett	Homan	Sandbeck
Butler of Ramsey	Husband	Schroeder
Butler of Ransom	Huso	Small
Calnan	Isaak	Smith of Kidder
Campbell	Jacobson	Smith of Ward
Carey	Johnson	Snyder
Coltom	Kellogg	Sorlie
Curry	Kelly	Stenhjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kyllo	Taylor
Dixon	Lambert	Thompson
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Lewis	Turner, F. W.
Dynes	Lindstrom	Twichell
Endreson	List	Walsh
Everson	Martin	Wardrope
Fox	Miller	Warriner
France	Moen	Watt
Freitag	Morkrid	Weis
Fritz	Morrison	Wiley
Gardiner	Norheim	Williams
Geiger	Northrup	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson		

O. S. Hedahl was nominated for chief enrolling and engrossing clerk.

The roll was called and there were 109 votes cast, of which Mr. Hedahl received 109, and was declared duly elected.

Those voting for Mr. Hedahl were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	O'Connor
Balsdon	Hart	Odland
Bartley	Harty	Olsgard
Bass	Hawkinson	Owens
Batzer	Hedalen	Pendray
Bjornson	Hendrickson	Petterson
Blakemore	Hickle	Pitkin
Bollinger	Hill of Bottineau	Ployhar
Bope	Hill of Cass	Putnam
Borusky	Hjelmstad	Raney
Bratton	Hjort	Roble
Buck	Hoge	Ryan
Burnett	Homan	Sandbeck
Butler of Ramsey	Husband	Schroeder
Butler of Ransom	Huso	Small
Calnan	Isaak	Smith of Kidder
Campbell	Jacobson	Smith of Ward
Carey	Johnson	Snyder
Coltom	Kellogg	Sorlie
Curry	Kelly	Stenhjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kyllo	Taylor
Dixon	Lambert	Thompson
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Lewis	Turner, F. W.
Dynes	Lindstrom	Twichell
Endreson	List	Walsh
Everson	Martin	Wardrobe
Fox	Miller	Warriner
France	Moen	Watt
Freitag	Morkrid	Weis
Fritz	Morrison	Wiley
Gardiner	Norheim	Williams
Geiger	Northrup	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson		

Absent and not voting, Messrs. Leu and Tucker.

Chas. G. Boyce, W. C. Wharton, Wm. Hutsonpiller were nominated for assistant enrolling and engrossing clerks.

The roll was called and there were 109 votes cast, of which each received 109 votes, and were declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Batzer	Bope
Balsdon	Bjornson	Borusky
Bartley	Blakemore	Bratton
Bass	Bollinger	Buck

Messrs.—	Messrs.—	Messrs.—
Burnett	Hill of Cass	Pendray
Butler of Ramsey	Hjelmstad	Petterson
Butler of Ransom	Hjort	Pitkin
Calnan	Hoge	Ployhar
Campbell	Homan	Putnam
Carey	Husband	Raney
Coltom	Huso	Roble
Curry	Isaak	Ryan
Davis	Jacobson	Sandbeck
Dean	Johnson	Schroeder
Divet	Kellogg	Small
Dixon	Kelly	Smith of Kidder
Dosseth	Klein	Smith of Ward
Doyle	Knox	Snyder
Dynes	Kyllo	Sorlie
Endreson	Lambert	Stenchjem
Everson	Lawbaugh	Stinger
Fox	Lewis	Streeter
France	Lindstrom	Taylor
Freitag	List	Thompson
Fritz	Martin	Turner, C. C.
Gardiner	Miller	Turner, F. W.
Geiger	Moen	Twichell
Gunderson	Morkrid	Walsh
Hanson	Morrison	Wardrobe
Haraldson	Norheim	Warriner
Hart	Northrup	Watt
Harty	Nyhus	Weis
Hawkinson	O'Connor	Wiley
Hedalen	Odland	Williams
Hendrickson	Olgard	Wing
Hickle	Owens	Mr. Speaker
Hill of Bottineau		

Absent and not voting, Messrs. Leu and Tucker.

Miss Sena Thompson was nominated for House stenographer.

The roll was called and there were 109 votes cast, of which Miss Sena Thompson received 109, and was declared duly elected.

Those voting for Miss S. Thompson were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Calnan	France
Balsdon	Campbell	Freitag
Bartley	Carey	Fritz
Bass	Coltom	Gardiner
Batzer	Curry	Geiger
Bjornson	Davis	Gunderson
Blakemore	Dean	Hanson
Bollinger	Divet	Haraldson
Bope	Dixon	Hart
Borusky	Dosseth	Harty
Bratton	Doyle	Hawkinson
Buck	Dynes	Hedalen
Burnett	Endreson	Hendrickson
Butler of Ramsey	Everson	Hickle
Butler of Ransom	Fox	Hill of Bottineau

Messrs.—  
 Hill of Cass  
 Hjelmstad  
 Hjort  
 Hoge  
 Homan  
 Husband  
 Huso  
 Isaak  
 Jacobson  
 Johnson  
 Kellogg  
 Kelly  
 Klein  
 Knox  
 Kyllo  
 Lambert  
 Lawbaugh  
 Lewis  
 Lindstrom  
 List  
 Martin  
 Miller

Messrs.—  
 Moen  
 Morkrid  
 Morrison  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland  
 Olgard  
 Owens  
 Pendray  
 Petterson  
 Pitkin  
 Ployhar  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Sandbeck  
 Schroeder  
 Small

Messrs.—  
 Smith of Kidder  
 Smith of Ward  
 Snyder  
 Sorlie  
 Stenehjem  
 Stinger  
 Streeter  
 Taylor  
 Thompson  
 Turner, C. C.  
 Turner, F. W.  
 Twichell  
 Walsh  
 Wardrobe  
 Warriner  
 Watt  
 Weis  
 Wiley  
 Williams  
 Wing  
 Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

Miss Leah Bennett, Miss Jennie Rowan, Miss Maybelle Tellefson, Miss Edith Webster, Miss Rose Cripe, Miss Luella Pannabaker, Miss Loraine Mallough, Mrs. McKenzie, Miss J. C. Girard, Miss Julia Everson, Miss Mae Persons were nominated for stenographers.

The roll was called and there were 109 votes cast, of which each received 109 votes, and were declared duly elected.

Those voting for each were:

Messrs.—  
 Anderson  
 Balsdon  
 Bartley  
 Bass  
 Batzer  
 Bjornson  
 Blakemore  
 Bollinger  
 Bope  
 Borusky  
 Bratton  
 Buck  
 Burnett  
 Butler of Ramsey  
 Butler of Ransom  
 Calnan  
 Campbell  
 Carey  
 Colton  
 Curry  
 Davis  
 Dean

Messrs.—  
 Divet  
 Dixon  
 Dosseth  
 Doyle  
 Dynes  
 Endreson  
 Everson  
 Fox  
 France  
 Freitag  
 Fritz  
 Gardiner  
 Geiger  
 Gunderson  
 Hanson  
 Haraldson  
 Hart  
 Harty  
 Hawkinson  
 Hedalen  
 Hendrickson  
 Hickie

Hill of Bottineau  
 Hill of Cass  
 Hjelmstad  
 Hjort  
 Hoge  
 Homan  
 Husband  
 Huso  
 Isaak  
 Jacobson  
 Johnson  
 Kellogg  
 Kelly  
 Klein  
 Knox  
 Kyllo  
 Lambert  
 Lawbaugh  
 Lewis  
 Lindstrom  
 List  
 Martin  
 Miller



Messrs.—  
 Moen  
 Morkrid  
 Morrison  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland  
 Olsgard  
 Owens  
 Pendray  
 Petterson  
 Pitkin  
 Ployhar

Messrs.—  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Sandbeck  
 Schroeder  
 Small  
 Smith of Kidder  
 Smith of Ward  
 Snyder  
 Sorlie  
 Stenchjem  
 Stinger  
 Streeter

Messrs.—  
 Taylor  
 Thompson  
 Turner, C. C.  
 Turner, F. W.  
 Twichell  
 Walsh  
 Wardrope  
 Warriner  
 Watt  
 Weis  
 Wiley  
 Williams  
 Wing  
 Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

B. D. Ash was nominated for sergeant at arms.

The roll was called and there were 109 votes cast, of which Mr. Ash received 109, and was declared duly elected.

Those voting for Mr. Ash were:

Messrs.—  
 Anderson  
 Balsdon  
 Bartley  
 Bass  
 Batzer  
 Bjornson  
 Blakemore  
 Bollinger  
 Bope  
 Borusky  
 Bratton  
 Buck  
 Burnett  
 Butler of Ramsey  
 Butler of Ransom  
 Calnan  
 Campbell  
 Carey  
 Coltom  
 Curry  
 Davis  
 Dean  
 Divet  
 Dixon  
 Dossseth  
 Doyle  
 Dynes  
 Endreson  
 Everson  
 Fox  
 France  
 Freitag  
 Fritz  
 Gardiner

Messrs.—  
 Geiger  
 Gunderson  
 Hanson  
 Haraldson  
 Hart  
 Harty  
 Hawkinson  
 Hedalen  
 Hendrickson  
 Hickle  
 Hill of Bottineau  
 Hill of Cass  
 Hjelmstad  
 Hjort  
 Hoge  
 Homan  
 Husband  
 Huso  
 Isaak  
 Jacobson  
 Johnson  
 Kellogg  
 Kelly  
 Klein  
 Knox  
 Kylo  
 Lambert  
 Lawbaugh  
 Lewis  
 Lindstrom  
 List  
 Martin  
 Miller

Messrs.—  
 Moen  
 Morkrid  
 Morrison  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland  
 Olsgard  
 Owens  
 Pendray  
 Petterson  
 Pitkin  
 Ployhar  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Sandbeck  
 Schroeder  
 Small  
 Smith of Kidder  
 Smith of Ward  
 Snyder  
 Sorlie  
 Stenchjem  
 Stinger  
 Streeter  
 Taylor  
 Thompson  
 Turner, C. C.  
 Turner, F. W.  
 Twichell

Messrs.—  
Walsh  
Wardrope  
Warriner

Messrs.—  
Watt  
Weis  
Wiley

Messrs.—  
Williams  
Wing  
Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

H. H. Taylor was nominated for bill clerk.

The roll was called and there were 109 votes cast, of which Mr. Taylor received 109, and was declared duly elected.

Those voting for Mr. Taylor were:

Messrs.—  
Anderson  
Baldson  
Bartley  
Hjort  
Batzer  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Bratton  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Coltom  
Curry  
Davis  
Dean  
Divet  
Dixon  
Dosseth  
Doyle  
Dynes  
Enderson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson  
Hanson

Messrs.—  
Haraldson  
Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort  
Hoge  
Homan  
Husband  
Huso  
Isaak  
Jacobson  
Johnson  
Kellogg  
Kelly  
Klein  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Lewis  
Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus

Messrs.—  
O'Connor  
Odland  
Olgard  
Owens  
Pendray  
Petterson  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble  
Ryan  
Sandbeck  
Schroeder  
Small  
Smith of Kidder  
Smith of Ward  
Snyder  
Sorlie  
Stenehjem  
Stinger  
Streeter  
Taylor  
Thompson  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Warriner  
Watt  
Weis  
Wiley  
Williams  
Wing  
Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

A. E. Scace was nominated for assistant bill clerk.

The roll was called and there were 109 votes cast, of

which Mr. Seace received 109, and was declared duly elected.

Those voting for Mr. Seace were:

Messrs.—	Messrs.—	O'Connor
Anderson	Haraldson	Odland
Balsdon	Hart	Olgard
Bartley	Harty	Owens
Bass	Hawkinson	Pendray
Batzer	Hedalen	Pettersen
Bjornson	Hendrickson	Pitkin
Blakemore	Hickle	Ployhar
Bollinger	Hill of Bottineau	Putnam
Bope	Hill of Cass	Raney
Borusky	Hjelmstad	Roble
Bratton	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Homan	Schroeder
Butler of Ramsey	Husband	Small
Butler of Ransom	Huso	Smith of Kidder
Calnan	Isaak	Smith of Ward
Campbell	Jacobson	Snyder
Carey	Johnson	Sorlie
Coltom	Kellogg	Stenchjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kyllo	Thompson
Dixon	Lambert	Turner, C. C.
Dosseth	Lawbaugh	Turner, F. W.
Doyle	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrope
Everson	Martin	Warriner
Fox	Miller	Watt
France	Moen	Weis
Freitag	Morkrid	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hanson		

Absent and not voting, Messrs. Leu and Tucker.

J. T. Blackrook was nominated for gallery doorkeeper.

The roll was called, and there were 109 votes cast, of which Mr. Blackrook received 109, and was declared duly elected.

Those voting for Mr. Blackrook were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bope	Campbell
Balsdon	Borusky	Carey
Bartley	Bratton	Coltom
Bass	Buck	Curry
Batzer	Burnett	Davis
Bjornson	Butler of Ramsey	Dean
Blakemore	Butler of Ransom	Divet
Bollinger	Calnan	Dixon

Messrs.—	Messrs.—	Messrs.—
Dosseth	Jacobson	Putnam
Doyle	Johnson	Raney
Dynes	Kellogg	Roble
Endreson	Kelly	Ryan
Everson	Klein	Sandbeck
Fox	Knox	Schroeder
France	Kyllo	Small
Freitag	Lambert	Smith of Kidder
Fritz	Lawbaugh	Smith of Ward
Gardiner	Lewis	Snyder
Geiger	Lindstrom	Sorlie
Gunderson	List	Stenehjem
Hanson	Martin	Stinger
Haraldson	Miller	Streeter
Hart	Moen	Taylor
Harty	Morkrid	Thompson
Hawkinson	Morrison	Turner, C. C.
Hedalen	Norheim	Turner, F. W.
Hendrickson	Northrup	Twichell
Hickle	Nyhus	Walsh
Hill of Bottineau	O'Connor	Wardrope
Hill of Cass	Odland	Warriner
Hjelmstad	Olsgard	Watt
Hjort	Owens	Weis
Hoge	Pendray	Wiley
Homan	Petterson	Williams
Husband	Pitkin	Wing
Huso	Ployhar	Mr. Speaker
Isaak		

Absent and not voting, Messrs. Leu and Tucker.

R. W. Drummond and John Hoven were nominated for doorkeepers.

The roll was called and there were 109 votes cast, of which each received 109, and were declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Curry	Hart
Balsdon	Davis	Harty
Bartley	Dean	Hawkinson
Bass	Divet	Hedalen
Batzer	Dixon	Hendrickson
Bjornson	Dosseth	Hickle
Blakemore	Doyle	Hill of Bottineau
Bollinger	Dynes	Hill of Cass
Bope	Endreson	Hjelmstad
Borusky	Everson	Hjort
Bratton	Fox	Hoge
Buck	France	Homan
Burnett	Freitag	Husband
Butler of Ramsey	Fritz	Huso
Butler of Ransom	Gardiner	Isaak
Calnan	Geiger	Jacobson
Campbell	Gunderson	Johnson
Carey	Hanson	Kellogg
Coltom	Haraldson	Kelly

Messrs.—  
 Klein  
 Knox  
 Kyllo  
 Lambert  
 Lawbaugh  
 Lewis  
 Lindstrom  
 List  
 Martin  
 Miller  
 Moen  
 Morkrid  
 Morrison  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland

Messrs.—  
 Olsgard  
 Owens  
 Pendray  
 Petterson  
 Pitkin  
 Ployhar  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Sandbeck  
 Schroeder  
 Small  
 Smith of Kidder  
 Smith of Ward  
 Snyder  
 Sorlie

Messrs.—  
 Stenehjem  
 Stinger  
 Streeter  
 Taylor  
 Thompson  
 Turner, F. W.  
 Turner, C. C.  
 Twichell  
 Walsh  
 Wardrobe  
 Warriner  
 Watt  
 Weis  
 Wiley  
 Williams  
 Wing  
 Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

Jno. S. Patterson was nominated for clerk of the committee on appropriations.

Roll was called and there were 109 votes cast, of which Mr. Patterson received 109, and was declared duly elected.

Those voting for Mr. Patterson were:

Messrs.—  
 Anderson  
 Balsdon  
 Bartley  
 Bass  
 Batzer  
 Bjornson  
 Blakemore  
 Bollinger  
 Bope  
 Borusky  
 Bratton  
 Buck  
 Burnett  
 Butler of Ramsey  
 Butler of Ransom  
 Calnan  
 Campbell  
 Carey  
 Coltom  
 Curry  
 Davis  
 Dean  
 Divet  
 Dixon  
 Dosseth  
 Doyle  
 Dynes  
 Endreson  
 Everson  
 Fox

Messrs.—  
 France  
 Freitag  
 Fritz  
 Gardiner  
 Geiger  
 Gunderson  
 Hanson  
 Haraldson  
 Hart  
 Harty  
 Hawkinson  
 Hedalen  
 Hendrickson  
 Hickle  
 Hill of Bottineau  
 Hill of Cass  
 Hjelmstad  
 Hjort  
 Hoge  
 Homan  
 Husband  
 Huso  
 Isaak  
 Jacobson  
 Johnson  
 Kellogg  
 Kelly  
 Klein  
 Knox  
 Kyllo

Messrs.—  
 Lambert  
 Lawbaugh  
 Lewis  
 Lindstrom  
 List  
 Martin  
 Miller  
 Moen  
 Morkrid  
 Morrison  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland  
 Olsgard  
 Owens  
 Pendray  
 Petterson  
 Pitkin  
 Ployhar  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Sandbeck  
 Schroeder  
 Small  
 Smith of Kidder  
 Smith of Ward

Messrs.—	Messrs.—	Messrs.—
Snyder	Turner, C. C.	Watt
Sorlie	Turner, F. W.	Weis
Stenehjem	Twichell	Wiley
Stinger	Walsh	Williams
Streeter	Wardrope	Wing
Taylor	Warriner	Mr. Speaker
Thompson		

Absent and not voting, Messrs. Leu and Tucker.

Frank Currier was nominated for clerk of the committee on state affairs.

The roll was called and there were 109 votes cast, of which Frank Currier received 109, and was declared duly elected.

Those voting for Mr. Currier were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Hart	Olsgard
Bartley	Harty	Owens
Bass	Hawkinson	Pendray
Batzer	Hedalen	Petterson
Bjornson	Hendrickson	Pitkin
Blakemore	Hickle	Ployhar
Bollinger	Hill of Bottineau	Putnam
Bope	Hill of Cass	Raney
Borusky	Hjelmstad	Roble
Bratton	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Homan	Schroeder
Butler of Ramsey	Husband	Small
Butler of Ransom	Huso	Smith of Kidder
Calnan	Isaak	Smith of Ward
Campbell	Jacobson	Snyder
Carey	Johnson	Sorlie
Coltom	Kellogg	Stenehjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kylo	Thompson
Dixon	Lambert	Turner, C. C.
Dosseth	Lawbaugh	Turner, F. W.
Doyle	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrope
Everson	Martin	Warriner
Fox	Miller	Watt
France	Moen	Weis
Freitag	Morkrid	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hanson	O'Connor	

Absent and not voting, Messrs. Leu and Tucker.

Otto Hall and A. M. Grant were nominated for messengers.

The roll was called and there were 109 votes cast, of which each received 109 votes, and were declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Hart	Olgard
Bartley	Harty	Owens
Bass	Hawkinson	Pendray
Batzer	Hedalen	Petterson
Bjornson	Hendrickson	Pitkin
Blakemore	Hickle	Ployhar
Bollinger	Hill of Bottineau	Putnam
Bope	Hill of Cass	Raney
Borusky	Hjelmstad	Roble
Bratton	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Homan	Schroeder
Butler of Ramsey	Husband	Small
Butler of Ransom	Huso	Smith of Kidder
Calnan	Isaak	Smith of Ward
Campbell	Jacobson	Snyder
Carey	Johnson	Sorlie
Coltom	Kellogg	Stenehjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kyllo	Thompson
Dixon	Lambert	Turner, C. C.
Dossefth	Lawbaugh	Turner, F. W.
Doyle	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrobe
Everson	Martin	Warriner
Fox	Miller	Watt
France	Moen	Weis
Freitag	Morkrid	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hanson	O'Connor	

Absent and not voting, Messrs. Leu and Tucker.

Walter Sterland was nominated for postmaster.

The roll was called and there were 109 votes cast, of which Mr. Sterland received 109, and was declared duly elected.

Those voting for Mr. Sterland were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bass	Blakemore
Balsdon	Batzer	Bollinger
Bartley	Bjornson	Bope

Messrs.—	Messrs.—	Messrs.—
Borusky	Hickle	Owens
Bratton	Hill of Bottineau	Pendray
Buck	Hill of Cass	Petterson
Burnett	Hjelmstad	Pitkin
Butler of Ramsey	Hjort	Ployhar
Butler of Ransom	Hoge	Putnam
Calnan	Homan	Raney
Campbell	Husband	Roble
Carey	Huso	Ryan
Coltom	Isaak	Sandbeck
Curry	Jacobson	Schroeder
Davis	Johnson	Small
Dean	Kellogg	Smith of Kidder
Divet	Kelly	Smith of Ward
Dixon	Klein	Snyder
Dosseth	Knox	Sorlie
Doyle	Kyllo	Stenehjem
Dynes	Lambert	Stinger
Endreson	Lawbaugh	Streeter
Everson	Lewis	Taylor
Fox	Lindstrom	Thompson
France	List	Turner, C. C.
Freitag	Martin	Turner, F. W.
Fritz	Miller	Twichell
Gardiner	Moen	Walsh
Geiger	Morkrid	Wardrope
Gunderson	Morrison	Warriner
Hanson	Norheim	Watt
Haraldson	Northrup	Weis
Hart	Nyhus	Wiley
Harty	O'Connor	Williams
Hawkinson	Odland	Wing
Hedalen	Olsgard	Mr. Speaker
Hendrickson		

Absent and not voting, Messrs. Leu and Tucker.

Rev. E. F. Alfson was nominated for chaplain.

The roll was called and there were 109 votes cast, of which Rev. Alfson received 109, and was declared duly elected.

Those voting for Rev. Alfson were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ransom	Everson
Balsdon	Calnan	Fox
Bartley	Campbell	France
Bass	Carey	Freitag
Batzer	Coltom	Fritz
Bjornson	Curry	Gardiner
Blakemore	Davis	Geiger
Bollinger	Dean	Gunderson
Bope	Divet	Hanson
Borusky	Dixon	Haraldson
Bratton	Dosseth	Hart
Buck	Doyle	Harty
Burnett	Dynes	Hawkinson
Butler of Ramsey	Endreson	Hedalen



Messrs.—	Messrs.—	Messrs.—
Hendrickson	Martin	Small
Hickle	Miller	Smith of Kidder
Hill of Bottineau	Moen	Smith of Ward
Hill of Cass	Morkrid	Snyder
Hjelmstad	Morrison	Sorlie
Hjort	Norheim	Stenehjem
Hoge	Northrup	Stinger
Homan	Nyhus	Streeter
Husband	O'Connor	Taylor
Huso	Odland	Thompson
Isaak	Olsgard	Turner, C. C.
Jacobson	Owens	Turner, F. W.
Johnson	Pendray	Twichell
Kellogg	Petterson	Walsh
Kelly	Pitkin	Wardrope
Klein	Ployhar	Warriner
Knox	Putnam	Watt
Kyllo	Raney	Weis
Lambert	Roble	Wiley
Lawbaugh	Ryan	Williams
Lewis	Sandbeck	Wing
Lindstrom	Schroeder	Mr. Speaker
List		

Absent and not voting, Messrs. Leu and Tucker.

Warren Johnson, Harold Stedman, Frank Ethrington, Frank Jager, Walter Knott, Leonard Chase, Nils Johnson and Percy Ployhar, Jr., were nominated for pages.

The roll was called and there were 109 votes cast, of which each received 109, and were declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dixon	Hjelmstad
Balsdon	Dosseth	Hjort
Bartley	Doyle	Hoge
Bass	Dynes	Homan
Batzer	Endreson	Husband
Bjornson	Everson	Huso
Blakemore	Fox	Isaak
Bollinger	France	Jacobson
Bope	Freitag	Johnson
Borusky	Fritz	Kellogg
Bratton	Gardiner	Kelly
Buck	Geiger	Klein
Burnett	Gunderson	Knox
Butler of Ramsey	Hanson	Kyllo
Butler of Ransom	Haraldson	Lambert
Calnan	Hart	Lawbaugh
Campbell	Harty	Lewis
Carey	Hawkinson	Lindstrom
Coltom	Hedalen	List
Curry	Hendrickson	Martin
Davis	Hickle	Miller
Dean	Hill of Bottineau	Moen
Divet	Hill of Cass	Morkrid

Messrs.—	Messrs.—	Messrs.—
Morrison	Roble	Thompson
Norheim	Ryan	Turner, C. C.
Northrup	Sandbeck	Turner, F. W.
Nylus	Schroeder	Twichell
O'Connor	Small	Walsh
Odland	Smith of Kidder	Wardrope
Olsgard	Smith of Ward	Warriner
Owens	Snyder	Watt
Pendray	Sorlie	Weis
Pettersen	Stenchjem	Wiley
Pitkin	Stinger	Williams
Ployhar	Streeter	Wing
Putnam	Taylor	Mr. Speaker
Raney		

Absent and not voting, Messrs. Leu and Tucker.

Ludwig Ulmer, O. L. Jones, Sam Moore, Fred Trumann were nominated for House janitors.

The roll was called and there were 109 votes cast, of which each received 109, and were declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Morkrid
Baldson	Gunderson	Morrison
Bartley	Hanson	Norheim
Bass	Haraldson	Northrup
Batzer	Hart	Nylus
Bjornson	Harty	O'Connor
Blakemore	Hawkinson	Odland
Bollinger	Hedalen	Olsgard
Bope	Hendrickson	Owens
Borusky	Hickle	Pendray
Bratton	Hill of Bottineau	Pettersen
Buck	Hill of Cass	Pitkin
Burnett	Hjelmstad	Ployhar
Butler of Ramsey	Hjort	Putnam
Butler of Ransom	Hoge	Raney
Calnan	Homan	Roble
Campbell	Husband	Ryan
Carey	Huso	Sandbeck
Coltom	Isaak	Schroeder
Curry	Jacobson	Small
Davis	Johnson	Smith of Kidder
Dean	Kellogg	Smith of Ward
Divet	Kelly	Snyder
Dixon	Klein	Sorlie
Dosseth	Knox	Stenchjem
Doyle	Kyllo	Stinger
Dynes	Lambert	Streeter
Endreson	Lawbaugh	Taylor
Everson	Lewis	Thompson
Fox	Lindstrom	Trnrer, C. C.
France	List	Turner, F. W.
Freitag	Martin	Twichell
Fritz	Miller	Walsh
Gardiner	Moen	Wardrope

Messrs.—	Messrs.—	Messrs.—
Warriner	Wiley	Wing
Watt	Williams	Mr. Speaker
Weis		

Absent and not voting, Messrs. Leu and Tucker.

Clate Cooper was nominated for watchman.

The roll was called and there were 109 votes cast, of which Mr. Cooper received 109, and was declared duly elected.

Those voting for Mr. Cooper were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Hart	Olgard
Bartley	Harty	Owens
Bass	Hawkinson	Pendray
Batzer	Hedalen	Petterson
Bjornson	Hendrickson	Pitkin
Blakemore	Hickle	Ployhar
Bollinger	Hill of Bottineau	Putnam
Bope	Hill of Cass	Raney
Borusky	Hjelmstad	Roble
Bratton	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Homan	Schroeder
Butler of Ramsey	Husband	Small
Butler of Ransom	Huso	Smith of Kidder
Calnan	Isaak	Smith of Ward
Campbell	Jacobson	Snyder
Carey	Johnson	Sorlie
Coltom	Kellogg	Stenehjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kyllo	Thompson
Dixon	Lambert	Turner, C. C.
Dosseth	Lawbaugh	Turner, F. W.
Doyle	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrobe
Everson	Martin	Warriner
Fox	Miller	Watt
France	Moen	Weis
Freitag	Morkrid	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hanson	O'Connor	

Absent and not voting, Messrs. Leu and Tucker.

D. L. Chance was nominated for House cloak room attendant.

The roll was called and there were 109 votes cast, of

which Mr. Chance received 109, and was declared duly elected.

Those voting for Mr. Chance were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Hart	Olgard
Bartley	Harty	Owens
Bass	Hawkinson	Pendray
Batzer	Hedalen	Petterson
Bjornson	Hendrickson	Pitkin
Blakemore	Hickle	Ployhar
Bollinger	Hill of Bottineau	Putnam
Bope	Hill of Cass	Raney
Borusky	Hjelmstad	Roble
Bratton	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Homan	Schroeder
Butler of Ramsey	Husband	Small
Butler of Ransom	Huso	Smith of Kidder
Calnan	Isaak	Smith of Ward
Campbell	Jacobson	Snyder
Carey	Johnson	Sorlie
Coltom	Kellogg	Stenehjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kylo	Thompson
Dixon	Lambert	Turner, C. C.
Dosseth	Lawbaugh	Turner, F. W.
Doyle	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrope
Everson	Martin	Warriner
Fox	Miller	Watt
France	Moen	Weis
Freitag	Morkrid	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hanson	O'Connor	

Absent and not voting, Messrs. Leu and Tucker.

O. S. Wing was nominated for journal clerk.

The roll was called and there were 109 votes cast, of which Mr. Wing received 109, and was declared duly elected.

Those voting for Mr. Wing were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bollinger	Butler of Ransom
Balsdon	Bope	Calnan
Bartley	Borusky	Campbell
Bass	Bratton	Carey
Batzer	Buck	Coltom
Bjornson	Burnett	Curry
Blakemore	Butler of Ramsey	Davis

## Messrs.—

Dean  
Divet  
Dixon  
Dosseth  
Doyle  
Dynes  
Endreson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson  
Hanson  
Haraldson  
Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort  
Hoge  
Homan  
Husband

## Messrs.—

Huso  
Isaak  
Jacobson  
Johnson  
Kellogg  
Kelly  
Klein  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Lewis  
Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus  
O'Connor  
Odland  
Olsgard  
Owens  
Pendray  
Petterson  
Pitkin

## Messrs.—

Ployhar  
Putnam  
Raney  
Roble  
Ryan  
Sandbeck  
Schroeder  
Small  
Smith of Kidder  
Smith of Ward  
Snyder  
Sorlie  
Stenhjem  
Stinger  
Streeter  
Taylor  
Thompson  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Warriner  
Watt  
Weis  
Wiley  
Williams  
Wing  
Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

Thomas Pettit and A. Boe were nominated for assistant Journal clerks.

The roll was called and there were 109 votes cast, of which each received 109, and were declared duly elected.

Those voting for each were:

## Messrs.—

Anderson  
Balsdon  
Bartley  
Bass  
Batzler  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Bratton  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey

## Messrs.—

Coltom  
Curry  
Davis  
Dean  
Divet  
Dixon  
Dosseth  
Doyle  
Dynes  
Endreson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson

## Messrs.—

Hanson  
Haraldson  
Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort  
Hoge  
Homan  
Husband  
Huso  
Isaak  
Jacobson

Messrs.—	Messrs.—	Messrs.—
Johnson	O'Connor	Sorlie
Kellogg	Odland	Stenehjem
Kelly	Olsgard	Stinger
Klein	Owens	Streeter
Knox	Pendray	Taylor
Kyllo	Petterson	Thompson
Lambert	Pitkin	Turner, C. C.
Lawbaugh	Ployhar	Turner, F. W.
Lewis	Putnam	Twichell
Lindstrom	Raney	Walsh
List	Roble	Wardrope
Martin	Ryan	Warriner
Miller	Sandbeck	Watt
Moen	Schroeder	Weis
Morkrid	Small	Wiley
Morrison	Smith of Kidder	Williams
Norheim	Smith of Ward	Wing
Northrup	Snyder	Mr. Speaker
Nyhus		

Absent and not voting, Messrs. Leu and Tucker.

O. L. Solum, Frank Tousley, Oscar Lybeck and F. P. Casey were nominated for mailing clerks.

The roll was called and there were 109 votes cast, of which each received 109, and were declared duly elected.

Those voting for each were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Knox
Balsdon	France	Kyllo
Bartley	Freitag	Lambert
Bass	Fritz	Lawbaugh
Batzer	Gardiner	Lewis
Bjornson	Geiger	Lindstrom
Blakemore	Gunderson	List
Bollinger	Hanson	Martin
Bope	Haraldson	Miller
Borusky	Hart	Moen
Bratton	Harty	Morkrid
Buck	Hawkinson	Morrison
Burnett	Hedalen	Norheim
Butler of Ramsey	Hendrickson	Northrup
Butler of Ransom	Hickle	Nyhus
Calnan	Hill of Bottineau	O'Connor
Campbell	Hill of Cass	Odland
Carey	Hjelmstad	Olsgard
Coltom	Hjort	Owens
Curry	Hoge	Pendray
Davis	Homan	Petterson
Dean	Husband	Pitkin
Divet	Huso	Ployhar
Dixon	Isaak	Putnam
Dosseth	Jacobson	Raney
Doyle	Johnson	Roble
Dynes	Kellogg	Ryan
Endreson	Kelly	Sandbeck
Everson	Klein	Schroeder

## Messrs.—

Small  
Smith of Kidder  
Smith of Ward  
Snyder  
Sorlie  
Stenehjem  
Stinger  
Streeter

## Messrs.—

Taylor  
Thompson  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope

## Messrs.—

Warriner  
Watt  
Weis  
Wiley  
Williams  
Wing  
Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

T. W. McDonough was nominated for proof reader.

The roll was called and there were 109 votes cast, of which Mr. McDonough received 109, and was declared duly elected.

Those voting for each were:

## Messrs.—

Anderson  
Baldson  
Bartley  
Bass  
Batzer  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Bratton  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Coltom  
Curry  
Davis  
Dean  
Divet  
Dixon  
Dossseth  
Doyle  
Dynes  
Endreson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson  
Hanson

## Haraldson

Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort  
Hoge  
Homan  
Husband  
Huso  
Isaak  
Jacobson  
Johnson  
Kellogg  
Kelly  
Klein  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Lewis  
Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus  
O'Connor

## Messrs.—

Odland  
Olsgard  
Owens  
Pendray  
Petterson  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble  
Ryan  
Sandbeck  
Schroeder  
Small  
Smith of Kidder  
Smith of Ward  
Snyder  
Sorlie  
Stenehjem  
Stinger  
Streeter  
Taylor  
Thompson  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Warriner  
Watt  
Weis  
Wiley  
Williams  
Wing  
Mr. Speaker

Absent and not voting, Messrs. Leu and Tucker.

Frank Demling was nominated for telephone boy.

The roll was called and there were 109 votes cast, of which Mr. Demling received 109 votes, and was declared duly elected.

Those voting for Mr. Demling were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Hart	Olsgard
Bartley	Harty	Owens
Bass	Hawkinson	Pendray
Batzer	Hedalen	Petterson
Bjornson	Hendrickson	Pitkin
Blakemore	Hickle	Ployhar
Bollinger	Hill of Bottineau	Putnam
Bope	Hill of Cass	Raney
Borusky	Hjelmstad	Roble
Bratton	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Homan	Schroeder
Butler of Ramsey	Husband	Small
Butler of Ransom	Huso	Smith of Kidder
Calnan	Isaak	Smith of Ward
Campbell	Jacobson	Snyder
Carey	Johnson	Sorlie
Coltom	Kellogg	Stenehjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kyllo	Thompson
Dixon	Lambert	Turner, C. C.
Dosseth	Lawbaugh	Turner, F. W.
Doyle	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrope
Everson	Martin	Warriner
Fox	Miller	Watt
France	Moen	Weis
Freitag	Morkrid	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hanson	O'Connor	

Absent and not voting, Messrs. Leu and Tucker.

#### MOTIONS AND RESOLUTIONS.

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

*Resolved*, That the speaker be authorized to appoint a committee of three to inform the governor that the House



of Representatives of the thirteenth session of the legislative assembly has organized, and is ready to receive any message to communicate to the House.

Which motion prevailed and the resolution was adopted.

As such committee the speaker appointed Messrs. Anderson of Ramsey, O'Connor of Grand Forks and Hart of Pembina.

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

*Resolved*, That the chief clerk of the twelfth legislative assembly be allowed mileage of ten cents per mile and twelve dollars for two days' service for calling the House to order as by law provided.

Which motion prevailed, and, the resolution was adopted.

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

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

Which motion prevailed and the resolution was adopted.

The speaker appointed as such committee Messrs. Streeter of Emmons, Brattin of Pierce, Small of Rollette.

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

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

Which motion prevailed and the resolution was adopted.

The speaker appointed as such committee Messrs. Hawkinson of Towner, Blakemore of Cass and Butler of Ramsey.

P. J. Moen of Benson, offered the following resolution and moved its adoption:

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

Which motion prevailed, and the resolution was adopted.

Mr. Norheim offered the following resolution:

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

Which motion prevailed, and the resolution was adopted.

Mr. Hendrickson offered the following resolution:

*Resolved*, That the Secretary of State be authorized and directed to furnish the Speaker and the chief clerk of the House with necessary postage stamps during the session.

Which motion prevailed, and the resolution was adopted.

R. P. Hanson offered the following resolution:

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

Which motion prevailed, and the resolution was adopted.

Mr. Hill of Bottineau, offered the following resolution:

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

Which motion prevailed, and the resolution was adopted.

As such committee the Speaker appointed Messrs. Hill of Bottineau, C. C. Turner of Stark and Olsgaard of Richland.

Message of the Governor, transmitting the report of the Commission to Investigate and Report on the Subject of Legislation Providing for the Liability of Employees in Compensation for Injured Workingmen, received.



MESSAGE FROM THE GOVERNOR.

---

January 7, 1913.

*To the House of the Thirteenth Legislative Assembly of the  
State of North Dakota:*

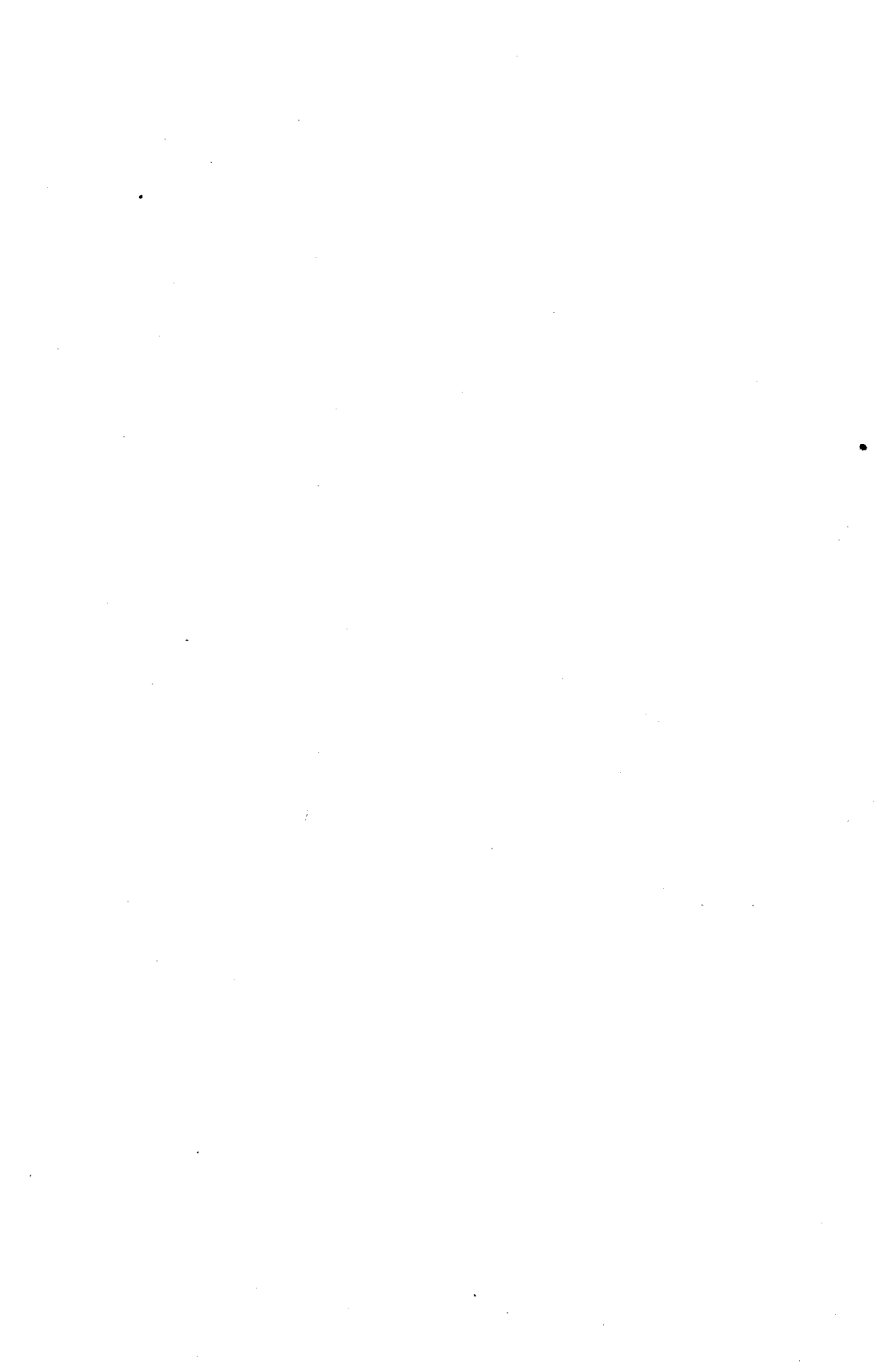
The Twelfth Legislative Assembly passed a law providing for the appointment of a commission to investigate and report on the subject of legislation providing for the liability of employers in compensation for injured workingmen.

I appointed on that commission Hon. D. B. Holt of Fargo, Hon. M. N. Hatcher of Fargo, and Hon. Fred G. Cleveland of Jamestown.

The commission has duly made its report and I transmit the same herewith.

Respectfully submitted,

JOHN BURKE,  
Governor.



## REPORT.

---

By the commission appointed under chapter 12 of the Laws of 1911 to inquire into the question of employees' compensation for injuries received in the course of their employment and other matters.

The commission appointed pursuant to chapter 12 of the Laws of 1911 to "investigate and report to the Legislature of this state a bill to fairly compensate employees for injuries received in the course of employment" submits the following report:

The bill provided for a commission of three members, "one of whom shall be an employer of labor, one a representative of labor and one learned in the law."

The governor appointed on the commission the following persons:

M. N. Hatcher of Fargo, North Dakota, an employer of labor.

Fred G. Cleveland of Jamestown, North Dakota, a representative of labor; and

Daniel B. Holt of Fargo, North Dakota, an attorney at law.

The members of the commission met shortly after their appointment and organized by electing M. N. Hatcher, president, and Daniel B. Holt, secretary.

The Act called on the commission "to cause the particular operation of laws passed by other states and foreign countries to be investigated sufficiently to determine whether the various laws framed and now in operation upon the matter of compensation of employees, whether under the form of insurance or otherwise, are successful in the particular jurisdiction, with enough of the data and information furnished with the report to point out the weakness

and strength of those laws from a practical standpoint, when compared with our own conditions and constitutional system."

As most of the laws upon this subject now in force in the United States have been passed within the last two years, and many of them have become operative in the past year, not enough is now known about them to judge whether or not they are, or will be, successful, or to furnish data from which to judge of their merits or demerits.

An investigation of those laws, and a report on their adaptability to the conditions of the state where they are in force, and their availability for the needs and conditions in this state, therefore, would require an extended original investigation of the labor problem in each of the several states where those laws are in force, and in this state as well. But the commission has not been supplied with sufficient funds to carry on such an investigation, for the Legislature appropriated only \$1,000.00 for the uses of the commission.

But the examination of the working of an employers' liability law in a given state would be in effect a consideration of the application of general principles to particular cases or conditions; and since we have not been able to investigate thoroughly the particular labor conditions in this state, and the statutes which have been passed in other states have not been in operation long enough to furnish sufficient data from which to draw reliable and valuable conclusions, the Commission has decided to present the general considerations which seem to make such legislation desirable.

In doing this we shall state:

1. The present state of the law in North Dakota;
2. The inadequateness of the present law;
3. The statutory modifications of the Common law;
4. A brief summary of foreign and domestic workmen's compensation acts;
5. Two proposed acts for the consideration of the Legislature;

6. A discussion of the constitutionality of the bills herewith submitted for consideration.

## I.

### THE PRESENT STATE OF THE LAW IN NORTH DAKOTA

Section 5545 of the 1905 Codes provides "An employer must in all cases indemnify his employee for losses caused by the former's want of ordinary care."

The Supreme Court of this state construed that act in

Herbert vs. Northern Pacific R. R., 3 Dak. 38,

and held that it was merely a statutory expression of the Common law rule on that subject.

The case was appealed to the Supreme Court of the United States in

Herbert vs. Northern Pacific R. R. 116 U. S. 642,

and that Court likewise said that it was a statutory expression of the Common law rule.

It follows that by this section an employee who has received an injury from an accident in the course of his employment has only such rights of recovery against his employer because of that accident, as the Common law gives him. Under the Common law the employee's cause of action is based on the negligence or fault of the employer, and that negligence must be such as caused the accident complained of.

But even if the employer has been guilty of negligence which results in an accident to the employee, the employee cannot recover damages for the injury, if

- (1) negligence of a fellow servant caused the injury, or
- (2) the employe assumed the risk incident to the employment, or
- (3) the employee was negligent, and his negligence contributed to the injury.

For accidents due to the inherent hazard of the occupation, and which are due to no one's negligence, and are



entirely unforeseen, the employer is in no way liable, because he is not in fault. This last statement is important and should be kept in mind, for as we shall show later, a very large percentage of accidents occur without fault on the part of any one.

There is one modification of this Common law rule found in Section 4400, Codes 1905, "Every railroad company organized or doing business in this state shall be liable for all damages done any employee of such company in consequence of any negligence of its agents, or by any mismanagement of its engineers, or other employees, to any person sustaining such damage; and no contract which restricts such liability shall be legal or binding." But this modification has been construed by our Supreme Court to apply only to railroad employees while engaged in railroad work proper.

Belial vs. No. Pac. Ry. 15 N. D. 318.

As most, if not all, of such employees will no doubt be soon provided for by legislation which Congress is now considering, we may properly disregard this modification of the Common law in the discussion to follow.

While the basis of the employers' liability to his employee is negligence, it is nevertheless his duty to

- (1) provide a reasonably safe place to work;
- (2) provide reasonably safe tools and machinery;
- (3) exercise seasonable and reasonable inspection of his machinery and premises;
- (4) exercise reasonable care and diligence in hiring agents and employees to do the work assigned to them; and
- (5) provide suitable and reasonable rules and regulations for carrying on the work.

If the employer fails in any of these duties, and the employee suffers injury thereby, he may in an action recover from the employer such damages as a jury finds he has sustained. But in such a suit the employee may not recover if the employer can show that the injury was due to the negligence of a fellow servant, or that the employee assumed the risk, or that the employee was guilty of negligence which contributed to the accident.

These defenses are known as

The Fellow Servant Rule;  
The Rule of Assumption of the Risk; and  
The Rule of Contributory Negligence.

These rules are all judge or court made. They result from a construction of a supposed contract of Employment between the employer and employee. It is important to note, however, that this supposed contract is a pure fiction of the Courts created for the purpose of administering justice, and that the rules in question had their origin at a time when the industrial and social conditions to which they were applied differed very greatly from those now prevailing.

Since an employee's right to recover for injuries received in his employment depends almost entirely on an application of these rules to concrete states of fact, an examination of their origin and nature, and of the considerations which induced the Courts to adopt them, will contribute materially, we think, to a correct understanding of the problem.

#### FELLOW SERVANT RULE.

This rule had its origin in England in 1837. The occasion was an accident which happened to a butcher's helper who was directed to deliver certain goods in a wagon owned by the butcher, driven by a servant of the butcher, and used to carry goods for hire. The servant overloaded the wagon, it broke down, the helper was injured, and he sued the butcher for damages. The case was not one of injury received in a hazardous employment. The negligence which caused the injury was entirely that of the servant, and the helper could have seen and guarded against it as well or better than the butcher. It was an extreme case. The Court could not foresee, and was fearful of, the consequences which would result if they should adopt a rule of conduct and duty which would make the butcher liable.

Lord Abinger, who wrote the opinion, said, "It is admitted that there is no precedent for the present action by a servant against a master. We are, therefore, to decide the question upon general principles, and in doing so are at liberty to look at the consequences of a decision the one way or the other.

If the master is liable to the servant in this action, the principle of that liability will be found to carry us to an

alarming extent. He who is responsible by his general duty, or by the terms of his contract for all the consequences of negligence in a matter in which he is principal is responsible for negligence of all his inferior agents. If the owner of the carriage is, therefore, responsible for the sufficiency of his carriage to his servant, he is responsible for the negligence of his coachmaker, or his harnessmaker or his coachman. The footman, therefore, who rides behind the carriage, may have an action against his master for a defect in the carriage, owing to the negligence of the coachmaker, or for a defect in the harness arising from the negligence of the harnessmaker, or from drunkenness, negligence or want of skill in the coachman; nor is there any reason why the principle should not, if applicable in this class of cases, extend to many others. The master, for example, would be liable to the servant for the negligence of the chambermaid for putting a man in a damp bed; for that of the upholsterer for sending in a crazy bedstead whereby he was made to fall down while asleep and injure himself; for the negligence of the cook in not properly cleaning the copper vessels used in the kitchen; of the butcher in supplying the family with meat of a quality injurious to the health; of a builder for a defect in the foundation of a house whereby it fell and injured both the master and the servant by the ruins.

The inconvenience, not to say the absurdity, of these consequences afford a sufficient argument against the application of this principle to the present case. But in truth the mere relation of the master and the servant never can imply an obligation on the part of the master to take more care of the servant than he may reasonably be expected to do for himself. He is no doubt bound to provide for the safety of his servant, in the course of his employment, to the best of his judgment, information and belief. The servant is not bound to risk his safety in the service of his master, and may, if he thinks fit, decline any service in which he reasonably apprehends injury to himself; and in most of the cases in which danger may be incurred, if not all, he is just as likely to be acquainted with the probability and extent of it as the master. The plaintiff must have known as well as the master, and probably better, whether the van was sufficient, whether it was overloaded, and whether it was likely to carry him safely. In fact, to allow this sort of action to prevail would be an encouragement to the servant to omit that diligence and caution which he is in duty bound to exercise on behalf of his master to protect him against misconduct or negligence of others who serve him, and which diligence and caution, while they pro-

tect the master, are a much better security against any injury the servant may sustain by the negligence of others engaged under the same master, than any recourse against the master for damages could possibly have."

The rule thus laid down by Lord Abinger soon became the settled law in England and was applied to cases differing widely from the Priestly case.

In the United States the question seems to have been first raised in South Carolina in 1837 and it was decided against the employee in the case of

*Murray vs Railway Co.*, McMullen's Law 385.

It was adopted in Massachusetts in 1842 and it received a defense at the hands of Chief Justice Shaw, which has never been improved upon. The Massachusetts action was by a railroad trainman who received an injury because of the negligence of a switchman, an employee with whom he had no relations whatever. The rule was justified for the reason that "In considering the rights and obligations arising out of particular relations, it is competent for Courts of justice to regard considerations of policy and general convenience, and to draw from them such rules as will in practical application best promote the safety and security of all parties concerned. This is in truth the basis on which implied promises are raised, being duties legally inferred from a consideration of what is best adapted to promote the benefit of all persons concerned under the circumstances \* \* \*. Where several persons are employed in the conduct of a common enterprise or undertaking, and the safety of each depends much on the care and skill with which each other shall perform his appropriate duty, each is observant of the conduct of the others, can give notice of any misconduct, incapacity, or neglect of duty, and leave the service of the common employer who will not take such precautions, and employ such agents as the safety of the whole party may require. By these means the safety of each will be much more effectively secured than could be done by a resort to the common employer for indemnity in a case of loss by the negligence of each other. Regarding it in this light it is the ordinary case of one sustaining an injury in the course of his own employment in which he must bear the loss himself or seek his remedy, if he has any, against the actual wrongdoer."

Accordingly the Court held that "he who engages in the employment of another for the performance of specified duties and services for compensation takes upon himself the natural and ordinary risks and perils incident to the performance of such service, and in legal contemplation

the compensation is adjusted accordingly. And we are not aware of any principle which should except the perils arising from the carelessness and negligence of those who are in the same employment. These are perils which the servant is likely to know and against which he can as effectively guard as the master. They are perils incident to the service and which can be as distinctly foreseen and provided for in the rate of compensation as any other."

Forwell vs. Boston &c. R. R., 4 Met. 49.

The rule as thus expounded was adopted by the Supreme Court of this State; and much of the reasoning of the Massachusetts Judge was quoted with approval.

Herbert vs. Northern Pacific R. R., 3 Dak. 38.

#### THE RULE OF ASSUMPTION OF RISK.

This rule is in reality embraced within, and is an outgrowth from, the Fellow Servant Rule. It is expressed in our statutes in the following language:

"An employer is not bound to indemnify his employee for losses suffered by the latter in consequence of the ordinary risks of the business in which he is employed, nor in consequence of the negligence of another person employed by the same employer in the same general business unless he has neglected to use ordinary care in the selection of the culpable employee." (Section 5344, Codes 1905.)

Our Supreme Court has said that this is the Common law rule enacted into a statute, and that it in no way modifies the Common law on the subject. (See Herbert case in the State and Federal Courts above cited.)

This rule, however, is not so favorable to the employee as it would seem to be on its face, for it is established law that even in cases where the master is negligent in that he employs incompetent servants, or uses unduly dangerous or defective machinery, or does not provide a reasonably safe place for work, or even violates some positive requirement of the statute regulating the degree of care he must exercise, the employee cannot recover for injuries arising from such negligence and disregard of duty, even though it be willful on the part of the master, if the employee knows, or because of their obvious nature is presumed to know, of the dangerous possibilities resulting from such negligence, and remains in the employment. By continuing in the work the Courts say that the employee, knowing of the danger, consents to the extra hazard, and deliberately and of his own volition assumes the incident risk.

Unistad vs. Farmers Elevator, 18 N. D. 309.

Some Courts have chosen to consider a servant guilty of contributory negligence who knowingly remains in the service of a master who has failed to discharge his duty by supplying reasonably safe facilities and opportunities for work. This doctrine of contributory negligence when so applied differs but little from that of assumption of risk, but the latter is in reality founded on contract while the former is founded on neglect or tort.

#### CONTRIBUTORY NEGLIGENCE.

Contributory negligence may be defined as that negligence which is a contributing or proximate cause of the injury complained of. Under this rule an employee who has received an injury due to the negligence of his employer can recover nothing from that person if the employee failed to use due and reasonable care, and such failure contributed proximately to the injury; but the employe is not, as he is in some states, required to prove his freedom from such negligence.

Herbert vs. Nor. Pac. R. R. 3 Dak. 38.

Bennett vs. Nor. Pac. R. R. 2 N. D. 15.

This rule was modified by Section 2, Chapter 203, Laws 1907, which reads: "In all actions hereinafter brought against any common carrier to recover damages for personal injuries to an employee, or where such injuries have resulted in death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery where his contributory negligence was slight and that of the employer was gross in comparison, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee." This act has not been construed.

This rule was further modified in 1910 by our Supreme Court in the case of Acton vs. City of Fargo, 20 N. D. 434, where it adopted what is known as the doctrine of "the last clear chance." This doctrine prevails in several other states and was designed to relieve the hardships resulting from the contributory negligence rule. This doctrine has been concisely stated as follows: "The party who last has a clear opportunity of avoiding the accident, notwithstanding the negligence of his opponent, is considered solely responsible for it." (2 Quar. Law Rev. 507.)

The philosophy of this doctrine is, that each unimproved opportunity to prevent an impending accident is a new and separate act of negligence which is the proximate cause of a resulting injury. The doctrine is, therefore, merely a

particular application of the familiar rule that a person is answerable for the consequences of his own negligence.

## II.

### THE INADEQUARTERS OF THE PRESENT LAW.

It requires no argument to show that the industrial conditions of today differ vastly from those which prevailed in 1837, when the rules which govern an employee's right of recovery were formulated. At that time much of the manufacturing was done by hand, and such machinery as was in use was comparatively simple and safe. Factories were not large and the employees were not many in number. They belonged to the same social stratum. Their work was done under less pressure, with machines which did not run at high rates of speed, and under such conditions that they could observe and become familiar with each other's care and attention to duty. Then, too, the relation between the master and servant were more intimate at that time than it now is, for the master then knew, or could know, most of his employees, and could exercise a more direct personal selection of, and supervision over them, and thereby secure a more competent and painstaking class of servants. It is a truism to say that rules and regulations which were suitable and adequate for such simple conditions fail utterly when applied to the present conditions, where complicated machinery is driven at high rates of speed in factories which are crowded by workers possessing all grades of intelligence, and who to a great extent are wholly unknown to one another. Now a person tending many of the modern machines has no opportunity to watch his fellow workman and guard against his want of care, and, in fact, in many instances, he is not near and even never sees the person for whose negligence he is in constant jeopardy.

But the rules in question are not merely inadequate for present conditions, they are faulty in conception. The real basis of the right to recover for an injury is not, as the Courts have said, the negligence of the employer, but is the fact that accidents are an unavoidable and necessary incident to industry.

By adopting a false premise the Courts have been driven from one error to another, and have given reasons for their rulings which are wholly at variance with the real facts, a truth which has become increasingly evident each succeeding year. For example, it is not true that a servant who en-

gages for employment contracts either expressly or impliedly to undertake the hazard of the business. Under modern conditions the servant does not, and cannot, know the hazard of his undertaking, and it is thought that the subject is rarely if ever discussed at the time of employment. It is, therefore, simply not true that the rate of wages is fixed with reference to the risk of the work. On the contrary it is fixed by the law of supply and demand, and it fluctuates with great fidelity to the working of that law. That the wage is not determined by the degree of the risk incurred was shown by the report of the New York Commission of Employers' Liability to the Legislature of that state. In the industrial fatalities investigated by that Commission 58.1 per cent of the men killed were earning less than \$16.00 per week. Among the fatal cases investigated by the Labor Department of that state and reported to the Commission, 62 per cent were earning less than \$15.00 per week. Dr. Devine, General Secretary of the Charity Organization Society of the City of New York, and a very eminent authority on the subject of industrial conditions, testifying before the New York Commission said, "One-half of the cases were men working in unskilled trades, and the wages were known—in many cases we could not find out the wages at the time of the accident; but in 241 cases we did know the accidents, and in those 241 cases one-quarter of them—46 cases altogether, were earning from \$5.00 to \$10.00 per week, 144, which was 60 per cent—more than half—were earning under \$15.00 per week. Now, I submit that that has a bearing on the question of whether wages are fixed in such a way as to cover the risk of injury from accident. Of the families that we know about 60 per cent were earning under \$15.00 a week."

The New York Commission investigated 211 cases of deaths resulting from industrial accidents in Erie County and Manhattan Borough, and arranged them according to wage groups as follows:

No. of Accidents	Weekly Earnings	Per Cent
13 .....	Less than \$9.00	.06.1
37 .....	from \$9.00 to \$11.00	17.5
77 .....	from \$12.00 to \$15.99	36.5
44 .....	from \$16.00 to \$20.99	20.9
40 .....	over \$21.00	19

In 60 per cent of these cases the deceased was earning less than \$16.00 per week and in 23.6 per cent of them he was earning less than \$11.00 per week.

Furthermore, it is not true that the employee may leave his work at will if he finds it dangerous. Under modern



conditions labor is specialized, and the workman who has fitted himself to fill a given position acceptably is not able to secure at will a place in some other kind of business. Then, too, the number of laborers who are bidding for work is constantly increasing, and some one is nearly always ready to take the vacant place. Added to this is the necessity which the law lays on every man to support his family. Taken altogether, these conditions greatly diminish, if they do not actually destroy, all liberty of action.

With little or no choice or liberty of action, the law as it is now administered places upon the laborer much the greatest portion of the burden growing out of the industrial hazard.

In the accident statistics published by the German Government covering a period of over twenty years, the causes of accidents are classified as follows:

Due to fault of employer .....	16.81%
Due to fault of employee .....	28.89%
Due to joint fault of both .....	4.66%
Due to negligence of fellow servants .....	5.28%
Due to acts of God .....	1.31%
Due to fault of no one, inevitable accident .....	42.05%

The American statistics on this subject are not very complete or reliable, but Mr. P. Tecumseh Sherman, at one time Commissioner of Labor of the State of New York, testifying before the New York Commission, said, that the reports of the factory inspectors attributed most of the accidents to risks of the business which could not be avoided, and very few of them to the negligence of the employer. He also said the Austrian Government tables classifying the origin of accidents were the most complete and accurate of any in Europe, and they showed that 70 per cent of all accidents in factories were unavoidable. He also expressed the opinion that like statistics in this country tended to confirm the Austrian figures.

The Ohio Commission in their report said "that the statistics of the United States in so far as they are available, show that over 50 per cent of all industrial accidents are due to the inherent dangers and risks of the industrial business, and that not to exceed 30 per cent of all these accidents are due or attributable to the negligence of the employer, and at most 25½ per cent are attributable solely to the negligence of the employee."

Therefore, in the present condition of our laws the employees have a right of action to recover for their injuries according to the German statistics in only 16.81 per cent,

and according to the American statistics, in only 30 per cent, of the injuries suffered by them.

But as a matter of fact, the employee does not receive compensation in all of these possible cases. The New York Commission made extensive investigations on this point and reported that "in 115 cases of married men killed by accidents in employments in Erie County the total compensation paid by the defendants, with or without suit, was as follows:

Nothing in .....	38 cases
\$100 or less in .....	9 cases
\$101 to \$500 in .....	34 cases
\$501 to \$2,000 in .....	14 cases
Over \$2,000 in .....	8 cases
Suits pending in .....	11 cases."

"In 67 similar cases of married men in Manhattan Borough compensation was as follows:

Nothing in .....	18 cases
\$100 or less in .....	3 cases
\$101 to \$500 in .....	18 cases
\$501 to \$2,000 in .....	5 cases
Over \$2,000 in .....	4 cases
Suits pending in .....	19 cases."

"In case of single men killed the proportion where not even funeral expenses were paid by the employer was 38.1 per cent in New York and 43 per cent in Erie County."

The Labor Department of New York made a report on its studies of "71 accidents which resulted in permanent partial disability; i. e., each of these employees was able to go back to work, but on account of the injury received could not earn as much as before the accident. Compensation in these cases was as follows:

Nothing in .....	18 cases
\$100 or less in .....	22 cases
\$101 to \$500 in .....	14 cases
\$500 to \$2,000 in .....	5 cases
Over \$2,000 in .....	1 case
Suits pending in .....	11 cases."

"Fifty-seven accidents investigated by the Labor Department where death resulted from the accident, compensation was paid to the dependents as follows:

Nothing in .....	10 cases
\$100 or less in .....	10 cases
\$101 to \$500 in .....	15 cases
\$501 to \$2,000 in .....	12 cases
Over \$2,000 in .....	2 cases
Suits pending in .....	8 cases."

The Wisconsin Bureau of Labor and Industrial Statistics,

reporting on the matter of the great financial loss borne by the workmen, said, "The following shows to what extent this is true in 305 non-fatal cases in which reports were received by mail from workingmen while at work.

	Cases	Per Cent.
Received nothing from employers .....	72	23.5
Received amount of Doctors' bills only.....	99	32.4
Received amount of part of Doctors' bills.....	15	4.9
Received something in addition to Doctors' bills.....	91	29.7
Received something but no Doctors' bills.....	29	9.5
	306	100.00

"Put in words, we may say that in two-thirds of the cases part or all of the doctors' bills were paid, but in less than a third was anything more paid, and in about one-fourth of the cases nothing was paid."

"In 51 fatal cases the settlement was reported by the factory inspectors as follows:

Compensation from Employer	Number
Under \$100 .....	16
\$100 to \$500 .....	18
\$500 to \$1,000 .....	9
\$1,000 to \$3,000 .....	8
Total .....	51

The Employers' Commission of the State of Illinois investigated more than 5,000 industrial accidents, and their report showed that "six hundred and fourteen fatal accidents were recorded. The families of two hundred and fourteen of these workers received nothing in return for the loss of the bread-winner. One hundred and eleven damage suits are pending in Court. Twenty-four cases have been settled through Court proceedings. Two hundred and eighty families settled direct with the employer. The averages received by the various employees was:

Skilled railroad employees about.....	\$1,000
Steel workers .....	874
Railroad laborers .....	617
Skilled building tradesmen .....	348
Skilled electric railway employees .....	310
Unclassified workmen .....	311
Miscellaneous trades .....	292
Packing house employees .....	234
General laborers .....	154
Mine workers .....	155
Electric Railway employees .....	75
Teamsters .....	000
Building laborers .....	000

"A further summary may be offered. Of every 100 industrial accidents 15 got into Court, 7 are lost and 8 won."

The Ohio Employer's Liability Commission found as a result of their very thorough investigations of the compensation paid employees covering a period from 1905 to 1910 in certain counties in Ohio, that "there was a settlement made for 370 fatal industrial accidents of \$351,200. Approximately one-half (52 per cent) of this amount was paid for 12 per cent of these accidents, whereas the remaining half was distributed among 88 per cent of the cases. Sixty per cent of the cases received amounts ranging somewhere between \$50 and \$500.

The percentage of cases settled was.....	36%
The average amount this 36% received was.....	\$838.61
The average attorney's fees out of this \$838.61 was.....	24%
The average delay in Court settlement was 1 year 1½ mos.	
The percentage of widows who had to work .....	56%
The percentage of children who had to work .....	18%

The following table which is made up from a report made to the New York Employers' Liability Commission by certain Insurance Companies writing liability insurance, is taken from the report of that Commission, and corroborates the conclusions of the various Commissions on the ratio of injured employees who receive compensation for their injuries.

Name of Company .....	Year	No. of Injuries	Injuries Paid for	Per Cent	Per Cent Equiv- alent to
Aetna Life Ins. Co. ....	1906-7-8	130635	14986	11.46	1 in 8.7
Fidelity & Casualty Company of N. Y. ....	1907-8-9	56530	8633	15.31	1 in 6.53
Frankfort Ins. Co.....	1906-7-8	31690	3000	9.46	1 in 10.56
General Accident Fire & Life Assurance Corpora- tion .....	1902-3-4	9875	1070	10.83	1 in 19.22
Standard Accident Ins. Co....	1906-7-8	3968	3076	7.75	1 in 13.22
United States Casualty C....	1900-1-2	17616	5185	29.43	1 in 3.39
New Amsterdam Casualty Co. ....	1904-5-6	8046	1291	16.04	1 in 6.23
London Guarantee & Acci- dent Co. ....	1906-7-8	61651	7393	11.99	1 in 8.33
Ocean Accident & Guarantee Co. ....	1906-7-8	59103	7793	13.18	1 in 7.58
Totals .....		414681	52427	12.64	1 in 7.99

The foregoing losses, serious as they are, are not the only ones suffered by the employee, for to these must be added the loss of wages which, of course, is complete in cases of death and wholly permanent disability, and is serious, and often crippling, in cases of temporary or partial disability. Even if the employee recovers and goes back to his work at his old wage, the loss and expenses in-

curred because of the accident are a serious handicap, which, in many cases, he never afterwards overcomes.

The investigations carried on by the New York Commission developed the fact that out of 902 temporary disability cases examined

The loss of wages was.....	\$ 66,853.53
Medical expenses .....	20,023.03
Total .....	\$ 86,876.56
Total receipts from employers .....	\$ 25,338.87
Per cent of receipts to loss .....	29.2
Cases in which nothing was received, 404 or.....	44%
For 66 cases of permanent partial disability in which no allowance was made for permanent reduction of earning power, the loss until return work was .....	\$ 32,727.04
All receipts from employers .....	\$ 11,048.81
Percentage of receipts to losses .....	33.8%
Cases in which nothing was received, 23 or.....	37.7%
For 111 fatal cases, married men, the loss for medicine and funeral expenses and wages for a period of three years was	
Medical and funeral expenses .....	\$ 21,537.00
Wages for three years .....	\$276,364.00
Total .....	\$299,901.00
Net receipts from employers .....	\$ 51,957.00
Per cent of receipts to losses .....	17.1%
Number of cases in which nothing was received, 48 or .....	43.3%

It should be perfectly obvious from an examination of the foregoing figures, and they could be multiplied at great length, that the employee is bearing an unduly large share of the loss resulting from industrial accidents.

An examination of the literature bearing on this subject shows that thoughtful people, who have studied the subject seriously, and among them are many eminent judges, are very generally of the opinion that this burden has been unwisely placed on the shoulders of the workers. As the statistics quoted show, they do not have the financial means to sustain this burden, and they receive but slight reimbursement from their employers to aid them. Moreover, they have no way of distributing this burden over the industry, for the benefit of which the loss is incurred. Neither can they protect themselves, for their income is not sufficient to permit themselves to insure against the risk they are undertaking. This was shown by the statistics gathered by the New York Commission and disclosed by the following table prepared by that body:

"In 902 temporary disability cases the total insurance recovered .....	\$ 9,406.65
In 60 permanent partial disability cases total insurance recovered .....	1,478.00

In 10 permanent complete disability cases total insurance re- covered .....	78.00
In 48 fatal cases, total insurance recovered .....	13,177.30
In 111 fatal cases, all married men, total insurance recovered.....	49,874.00

As in 58.1 per cent of the cases investigated the employees were earning less than \$16.00 per week, no different result could have been reasonably expected.

The investigations conducted by the various committees and bodies dealing with this subject show that where the injury has maimed the laborer he is obliged to take an inferior position at a lesser wage, with the result that the family is driven to a lower level of living. Often the injured person cannot secure work at all and he then becomes a beggar or an object of charity and in many cases a criminal. Where the employee is killed, the result is often to break up the family, or as very frequently happens, friends and relatives of the family are obliged to support them wholly or in part to keep them from becoming a public charge.

The Ohio Commission investigated 86 cases where the husband had been killed, and found that 48, or 55.8 per cent, of the widows of such deceased husbands had been obliged to go to work at an average wage of \$5.50 per week. In these homes there were 178 children; 124, or about 70 per cent of them were under 12 years of age; 45 were between 12 and 18 years of age; and of these 27, or 60 per cent, went to work.

The New York Commission investigated 186 families of married men killed by accidents received in their employment; in 93 cases the widows had gone to work to support their families; in 9 cases children under 16 years of age had gone to work; in 37 families the rent had been reduced; 10 families were found destitute; and 33 families had received aid from their fellow workmen, from friends, and relatives, or from charity.

The New York Labor Department investigated 186 cases where accidents had produced death or permanent disability, and found that 33 wives had gone to work to support the family; 13 children had left school to go to work; in 16 cases house rent had been reduced; and in 62 cases aid had been received.

These figures show, we think that a very considerable portion of the burden resulting from industrial accidents is shifted from the laborer to a portion of the community which, in so far as it is private, is not able and ought not to be compelled to bear it, and in so far as it is public, has no

relation to or receive no direct return from the industry out of which the loss arises.

As we have before pointed out, a great majority of the industrial accidents, 44 per cent according to the German figures, about 50 per cent according to American statistics, and 70 per cent according to Austrian statistics, are not the result of negligence of any one, but are the necessary and inevitable consequences attendant upon the industry. Because of this fact the losses resulting from such injuries should be reckoned in as a part of the cost of production just the same as so much broken machinery. They are an essential element of the cost of production, and should be treated as such. Of course, some one must be the first to pay for this element of the cost, and that person should be the employer. He launches the enterprise, provides the machinery and facilities, selects the employees, controls the management, and finances the undertaking. But for them this burden is only temporary, as is that of insurance, interest, depreciation of the plant, and the cost of material, &c., for by including this element of cost in the purchase price he recoups himself and distributes it over that portion of the community which enjoys the product of the enterprise. Such a distribution by the employer is not arbitrary or unjust. The industry being responsible for the loss, that loss should not be borne by the persons, either employer or employee, upon whom it first chances to fall, but by the persons who receive the benefits resulting from the prosecution of the dangerous enterprise. Such an arrangement is inherently just, it does violence to no man's rights, and, what is quite as much to the point, it is economically sound.

Another very serious objection to the present law is that it is wasteful, that but a comparatively small percentage of the money paid by employers on account of industrial accidents ever reaches the injured employee.

As conditions now are most employers take out insurance in some company which insures against industrial accidents and pay a premium for the protection thus secured. The insurer generally, if not always, inserts a provision in the policy issued him that in case of accident the settlement shall be left exclusively to the insurance company. This compels the insurance company to keep a staff of inspectors to investigate the injuries reported, and a legal Department to pass upon the company's liability when the facts of the injury are reported to it. This is a permanent arrangement of those companies and it entails a large expense which becomes a part of the cost of management and enters into the premium charged the employer.

If the case cannot be settled, litigation ensues which is conducted by the Insurance Companies, and the money spent in this way becomes another item of expense which those companies add to the premium. To these items of expense which are charged into the premium must be added salaries of officials, office up-keep, agents' commission, dividends to stockholders and other incidental expenses. These various items make up a very considerable part of the premiums paid by employers and of the receipts of the insurance companies out of which the injured employee is paid, if at all.

Mr. Walter G. Cowles, Secretary of the Travellers Insurance Company, a company which writes a very large amount of Employers' liability insurance, testifying before the New York Commission, distributed the various items which go to make up the premium as follows:

Agents' Commissions .....	25%
Home Office and Inspection.....	15%
Adjustment and Legal Expense.....	15%
Amount left to pay claims.....	45%
Total .....	100%

He claimed no profits resulted to stockholders from this branch of their business.

Mr. Cowle's statement that 45 per cent of the premiums collected was available for payment of claims would seem to be too liberal as a general estimate, if judged by the reports made to the New York Commission by ten insurance companies. The reports showed the premiums received and payments made for employers' liability insurance in the State of New York during the years of 1906, 7 and 8. These reports as tabulated by that Commission show

Name of Company.	Premiums	Payment	Per Cent
Aetna Life Insurance Co.....	\$5,417,444	\$2,145,928	39.61
Employers Liability Assurance Co...	4,216,608	1,595,126	37.82
Fidelity & Casualty Co.....	3,010,497	1,186,991	39.42
Frankfort Insurance Co.....	1,321,775	490,015	37.07
General Accident, Fire & Life Assurance Co. ....	506,031	196,929	38.91
Standard Accident Insurance Co.....	1,502,985	683,973	45.50
United States Casualty Co.....	1,332,060	472,783	35.49
New Amsterdam Casualty Co.....	606,195	205,040	32.82
London Guarantee & Accident Co...	2,739,036	695,487	25.39
Ocean Accident & Guarantee Co.....	2,870,954	887,523	30.91
Totals .....	\$23,523,585	\$8,559,795	36.34

The report of the Insurance Commissioner for the State of Connecticut for the year of 1911 shows that 49 insurance companies doing business in that State and throughout the



United States received \$26,500,000 in premiums and paid out approximately \$9,000,000 in losses. The ratio of losses paid to premiums received was practically 34 per cent. This ratio accords closely with the results of the business in our own State as shown by the report submitted to this Commission by Hon. W. C. Taylor, Commissioner of Insurance, covering the year 1911.

Name of Company.	Premium received	Loss paid
Aetna Life Insurance Co.....	\$3,109.28	\$1,149.63
American Fidelity Co. ....	25.50	
Casualty Company of America.....	430.50	
Continental Casualty Co. ....	24,568.36	6,081.34
Empire State Surety Co.....	349.62	1,613.69
Employers Liability Assurance Co.....	1,675.75	71.14
Fidelity & Casualty Co.....	1,961.93	231.41
Fidelity & Deposit Co.....	561.37	75.59
Frankfort General Insurance Co.....	808.29	567.84
Great Eastern Casualty Co.....	1,041.10	
Indemnity Life & Accident Co.....	2,747.53	339.30
Loyal Protective Insurance Co.....	677.00	181.64
Maryland Casualty Co. ....	1,803.30	865.32
Metropolitan Casualty Co. ....	63.00	
National Casualty Co. ....	6,158.80	2,704.14
North American Accident Insurance Co.....	8,271.28	1,808.08
Pacific Mutual Life Insurance Co.....	8,191.08	3,653.97
Ridgely Protective Association.....	2,701.00	1,443.75
Standard Accident Co. ....	5,209.49	1,121.90
Travelers Insurance Co. ....	15,340.11	6,483.66
Ocean Accident & Guaranty Co.....	1,611.69	959.75
U. S. Casualty Co.....	6,516.11	2,234.66
U. S. Fidelity & Guaranty Co.....	271.60	
U. S. Health & Accident Co.....	1,402.32	991.22
Totals .....	\$95,466.01	\$32,580.03
Percentage of premiums received to losses paid, 34.27.		

The figures submitted by the North Dakota Insurance Commissioner probably include premiums received and payments made by the Insurance Companies on account of policies insuring against accidents generally, and the sickness of the insured. But such general accidents include those which occur in the occupation or work in which the insured is engaged, and are, therefore, proper to be considered in this discussion, the only difference between that kind of insurance and industrial insurance proper being that the employee rather than the employer pays the premium.

Premiums received and payments made by the Insurance Companies on health policies and for accidents not happening in the course of an employee's occupation, are not, of course, proper matters for consideration in this connection; but as the ratio of payments made to premiums received, as

shown by that report, corresponds so closely with the figures contained in the reports above referred to, showing the experience elsewhere, we think that the report is a substantially correct statement of the relative amount paid on industrial insurance proper in this State.

Therefore, in North Dakota, only \$34.27 out of every \$100.00 paid by employers for liability insurance was available for payment to the employee.

But the injured employees do not by any means get the whole of this small fraction of the insurance fund.

Owing to the feeling of suspicion and distrust between the parties a settlement out of Court is very often impossible. The injured man then has the Court costs and attorney's fees to pay if he wins, and these are heavy, especially the attorney's fees; for the attorney, getting no money from such clients, is often obliged to advance the costs of the trial, and of necessity makes his reimbursement, and the payment of his fees contingent upon the outcome of the suit. The Ohio Commission investigated the question of attorney's fees paid in 154 cases as follows:

Court.	Number of Cases	Total Paid	Attorney's Fee	Per Cent
Common Pleas .....	53	\$78,550	\$20,650	26.3
U. S. Circuit Court.....	13	56,850	14,100	24.6
Probate Court .....	88	97,862	19,918	20.3
Average percentage paid attorneys, 23.63%.				

The New York Commission examined 46 cases:

How Paid.	Number of Cases	Total Paid	Attorney's Fee	Per Cent
Without suit .....	26	\$28,008	\$4,802	17.1
After suit .....	17	22,858	6,858	30.
Result of Verdict.....	3	21,951	7,514	34.2
Totals .....	46	\$72,817	\$19,174	26.3

An examination of 51 other cases showed the size of the fee to be

Less than 25 per cent in.....	14 cases
25 to 34.9 per cent in.....	16 cases
35 to 49.9 per cent in.....	7 cases
50 per cent and over in.....	14 cases

These figures should not be regarded as strictly accurate. At most they are only approximations, and not always do they represent the amount paid the lawyer as his fees, for often they include the costs of the litigation advanced by the attorneys, especially in those cases where the percentage is largest.

But while these figures are probably not accurate, they do show that litigation of this character is carried on at very great cost to the injured employee, and that his portion of the insurance fund is very greatly reduced thereby. Taking the average of the percentages shown to be so paid by the Ohio report and the New York report, we get an estimated attorney's fee of 25 per cent of the amount recovered by the employee.

Upon the basis of the foregoing analysis each \$100.00 of the insurance fund paid by employers is thus disposed of as follows:

Kept by Insurance Companies for expenses, etc.....	\$65.73
Fees of Employee's Attorney.....	8.68
Net sum received by the employee.....	25.59
Total .....	\$100.00

It requires no argument to show that a system which turns over to the injured employee only \$25.59 out of every \$100.00 contributed by the employer for the injured workman's benefit, is wasteful and indefensible.

We have not discussed the conditions which prevail where the employer does not take out employers liability insurance. This has not seemed necessary for the reason that most employers in this State, we believe, carry such insurance.

This phase of the subject, however, has been thoroughly investigated by Commissions in other States, and they have found that in such cases the employees receive but little, if any more, than they do in cases where the employer is insured. There are, of course, many employers who settle with their injured employees out of Court, and in doing so deal generously with them. Such cases are much more common than they were a few years back, but they are not now numerous enough to impeach the validity of the conclusions expressed above. Neither do they weaken the force of the argument, because such generous provisions are made not as a matter of strict legal right. What is done to-day may not be done tomorrow. The question is one of essential right and that right should be established upon a sure and permanent basis. In no other way can industrial peace and good will be secured.

And this brings us to the third serious objection of the present system, which is that it is the cause of a serious and growing class antagonism. But the employer and employee are suspicious of each other. In most cases when an injury

occurs neither party approaches the other directly, but one or both retain attorneys to represent them. One party tries to settle for as little as possible, the other tries to get as much as possible, and the result is that a game is started in which each side tries to outwit and outmaneuver the other; and a condition is created which encourages perjury, tricky practices and underhand dealing. Because the damage must be assessed by a jury the hope is ever present with the injured person that a large sum may be secured, and this acts as a deterrent on speedy and reasonable settlements out of Court. The employers feel that the employee's lawyer in hopes of securing a large fee prevents a settlement, and trumps up fictitious claims, and secures witnesses to swear falsely, and this is no doubt true in many cases. But the fault is not all on one side. The employer, or the Insurance Company, through cunning agents are often early at the bedside of the injured man, and by questionable means and tricky practices attempt to secure an absolute release or an unfair advantage. The result is that an accident is often the signal for a race between an adjustment agent and a personal injury lawyer, both of whom are sharp and unscrupulous. With such conditions prevailing, each side feels that he is the victim of dishonest men and practices, and each grows to hate the other. Each one feeling the justice of his own case too often tries to suppress unfavorable, evidence and over-color favorable evidence. Both sides cannot win, and the defeated party concludes that he has been denied justice, and visits his ill-will upon both Court and jury. The evil consequences of the system are not confined to the employer and employee, for the public suffers also. The hope of a big verdict no doubt encouraged litigation. Trials of this nature are long drawn out, much time of the Court is thereby taken from other business, and large sums are required to provide juries and Court attendants. These expenses must be borne by the State.

The system also tends to perpetuate itself for the defective machine, or out of date facilities, are retained because to discard or replace them would be to confess negligence which must not be done while the cause of action exists. And so the happening of other accidents is made well nigh certain.

With this state of affairs existing, the reasons for a change in the laws become compelling when it is known that 6 out of every 100 workers are injured each year; that out of every 100 accidents, 92 produce temporary disability, 7 cause permanent disability, and 1 causes death; that out of 100 accidents causing permanent disability

33	cause.....	10	per cent	disability
21	cause.....	20	per cent	disability
14	cause.....	30	per cent	disability
10	cause.....	40	per cent	disability
7	cause.....	50	per cent	disability
3.5	cause.....	70	per cent	disability
2	cause.....	90	per cent	disability
2	cause.....	100	per cent	disability

And that out of 100 accidents causing temporary disability

30	cause disability of.....	1	week
28	cause disability of.....	2	weeks
15	cause disability of.....	3	weeks
9	cause disability of.....	4	weeks
5.4	cause disability of.....	5	weeks
3.4	cause disability of.....	6	weeks
2.1	cause disability of.....	7	weeks
1.5	cause disability of.....	8	weeks
1.2	cause disability of.....	9	weeks
.9	cause disability of.....	10	weeks
.7	cause disability of.....	11	weeks
.5	cause disability of.....	12	weeks
.3	cause disability of.....	13	weeks
1.6	cause disability of.....	20	weeks
.4	cause disability of.....	40	weeks

The foregoing figures represent a combination of German, Austrian, Italian and Russian experience, and are closely in accord with the results obtained by the Wisconsin Industrial Commission which examined 5241 accidents.

### III.

#### STATUTORY MODIFICATIONS OF THE COMMON LAW.

The harshness of the fellow servant or assumption of risk rules of the Common law have led the Courts in some cases, and the legislatures of the States in other cases, to modify or do away with them either wholly or in part.

The Courts of Illinois, Kansas and Tennessee adopted what is known as the rule of Comparative Negligence, by which the damages are determined with reference to the comparative negligence of the parties before the Court. This is a substantial departure from the Common law rule, and illustrations of it may be found in

- Galena vs. Jacobs, 20 Ill. 478.
- Chicago vs. Stearns, 105 Ill. 554.
- Union Pac. R. R. vs. Rollins, 5 Kas. 167.
- Kansas, etc., R. R. vs. Pearey, 29 Kas. 169.
- Nashville, etc., R. R. vs. Smith, 6 Heisk. 174.
- Nashville, etc., R. R. vs. Cowall, 6 Heisk. 347.

The rule of comparative negligence was adopted by statutes in the following States:

Georgia Code, Sec. 2972.  
 Florida Laws 1887, C. 3744, Section 1.  
 Mississippi Code 1892, Section 3548.

These statutes were construed by the Courts in

Christian vs. Macon, etc., 120 Ga. 314.  
 Railroad Co. vs. Foxworth, 41 Fla. 1.  
 Pulliam vs. Ill. Cent. R. R., 75 Miss. 627.  
 Schlimmer vs. Buffalo, etc., Ry., 205 U. S. 1.

The fellow servant rule has been abolished or modified either generally, or as to particular industries, such as railroads, in the following States:

Arkansas abolished in 1907; Colorado abolished; Florida abolished; Georgia abolished in 1909; Iowa abolished in 1909; Kansas abolished; Arizona modified in 1901; Idaho modified in 1909; Minnesota modified in 1905; Massachusetts abolished in 1895; Michigan abolished in 1909; Missouri modified in 1899; Montana abolished; Mississippi abolished in 1908; Nebraska abolished; Nevada abolished; North Carolina abolished in 1897; North Dakota abolished in 1903; New York modified in 1902 and 1906; Oregon modified in 1910; Oklahoma abolished by Constitution; South Dakota abolished; Texas abolished in 1909; Wisconsin abolished; California modified; and Virginia modified. Several of these statutes changed the rule of contributory negligence and made it the duty of the jury in assessing damages to diminish the sum given the injured employee in proportion to the degree of negligence attributable to his negligence.

Judicial authorities which uphold this class of litigation are

Coley vs. R. R. Co., 128 N. Car. 534.  
 Vindicator Co. vs. Firstbrook, 36 Colo. 498.  
 Missouri Pac. Ry. vs. Mackey, 127 U. S. 205.  
 Miss., etc., Ry. Co. vs. Herrick, 127 U. S. 210.  
 Chicago, etc., Ry. vs. Pontius, 157 U. S. 209.  
 Tuller vs. Lake Erie, etc., 175 U. S. 348.  
 Minnesota Iron Co. vs. Kline, 199 U. S. 593.  
 Schlemmer vs. Buff., etc., Ry., 205 U. S. 1.  
 Second Employers' Liability Cases, 223 U. S. 1.

One very noticeable thing about this legislation is its very recent enactment, which indicates that the people are only just beginning to understand the position of the employee. Another noticeable feature will be found to be that the change has been limited in many cases to railroads. This is not surprising for the reason that the dangers of that undertaking, and the consequences resulting from such accidents, are much better known to the public at large than in other enterprises.

There has been in addition to the above considerable special legislation by the different States and the Federal Congress on the question of employers liability.

In 1902 Maryland passed an Act (Ch. 139 Acts of Assembly 1902) which made employers in certain industries such as mines, steam and street railways, contractors of sewers, or other excavations, and certain other occupations, liable for the death of an employee resulting from the negligence of the employer or fellow servant. But if the employer for each certain sum to the State Insurance Commissioner for each employee, one half of which might be deducted from the employee's wages by the employer, he, the employer would not be liable. The fund thus placed in the Insurance Commissioner's hands was to be administered by him in accordance with provisions of the act. The law on attack was held unconstitutional on the ground that it gave the Commissioner judicial functions.

#### FEDERAL COMMON CARRIERS LIABILITY LAW.

In 1903 Congress passed a bill regulating the liability of railroads to their employees in certain cases. This act was held to be unconstitutional on the ground that it covered persons engaged in intra state commerce as well as those engaged in Interstate Commerce.

Employers' Liability Cases, 207 U. S. 463.

In April, 1908, Congress passed another law on the same subject which was taken to the Supreme Court and held to be unconstitutional in

Second Employers' Liability Cases, 223 U. S. 1.

The main provisions of that Act are

Sec. 1. That every common carrier by railroad, while engaging in commerce between any of the several States or territories, or between any of the States and territories \* \* \* or between any of the states or territories and any foreign nation or nations, shall be liable in damage to any person suffering injury while he is employed by such carrier in such commerce, or, in case of death of such employee, to his or her person representatives, for the benefit of the surviving widow or husband and children of such employer; and if none, then of such employee's parents; or if none, then of the next kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents or employers of such carrier, or by reason of any defect or in-

sufficiency due to its negligence, in its cars, engines, appliances, machinery, track, roadbad, works, boats, wharves or other equipment.

Sec. 2. That every such common carrier shall be liable in damages to any person suffering injury while he is employed by such carrier in any of said jurisdiction, or in the case of the death of such employec, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employec; and, if none, then of such employec's parents, and if none, then of the next of kin dependent upon such employec, for such injury or death, resulting in whole or in part from the negligence of any of the officers, agents or employees of such carrier, or by reason of any defect or insufficiency due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

Sec. 3. That all or any section hereafter brought against any such common carrier under the provisions of this act to recover damages for personal injuries to an employec, or where injuries have resulted in death, the fact that the employec may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employec. Provided that no such employec, who may have been injured or killed, shall be held to have been guilty of contributory negligence in any case where the violation of the common carrier of any statute enacted for the safety of employecs contributed to such injury or death.

Sec. 4. That in any action brought \* \* \* under the provisions of this act \* \* \* such employec shall not be held to have assumed the risks of his employment in any case where the violation of such common carrier of any statute enacted for the safety of employecs contributed to the injury or death of such employec.

Sec. 5. That any contract, rule, regulation or decree whatsoever, the purpose or intent of which shall be to enable any common carrier to exempt itself from any liability created by this act, shall to that extent be void. Provided that in any action brought under this act such common carrier may be set off therein any sum it has contributed or paid to any insurance relief benefit or indemnity that have been paid to the injured employec or the person entitled thereto on account of the injury or death for which the action was brought.



## FEDERAL COMPENSATION LAW.

At the same session of Congress an Act was passed providing for compensation to certain employees in the service of the United States, which in substance is:

Sec. 1. That after August 1, 1909, any person employed as an artisan or laborer in any of the Government manufacturing establishments, arsenals or navy yards, or in river, harbor or fortification construction, or in hazardous reclamation work, or hazardous work on the Isthmus Canal, and is injured in the course of such employment, such person shall be entitled to receive for one year thereafter the same pay as if he had continued to be employed, unless the Secretary of Commerce decides that such person can sooner resume work. But no compensation shall be paid unless the injury shall continue for more than fifteen days, and none shall be paid where the injury is due to the negligence or misconduct of the injured employee.

Sec. 2. That if any such injured employee dies leaving a widow, or child or children under 16 years of age, or a dependent parent, such relative shall be entitled to receive, in such proportions as the Secretary of Commerce shall prescribe, the same amount for the remainder of the said year that said employee would be entitled to receive pay if he were alive and employed. And if the widow shall die at any time during said year, her portion shall be paid to the remaining beneficiaries if there are any.

Sec. 3. That the official superior of any such injured employee shall at once report any accident to the head of his bureau, who shall immediately report it to the Secretary of Commerce. This report shall show the time, place and nature of the accident and injury, the probable duration of the injury, and whether the injury was due to the injured employee's negligence or misconduct.

Sec. 4. That if the accident result in death, the persons entitled to compensation under this Act shall file with the Secretary of Commerce an affidavit, showing their relationship, and a doctor's certificate showing the cause of death. If the injured employee is incapacitated for work for more than fifteen days, he shall file an affidavit setting forth the grounds for his claim for compensation, and also a doctor's certificate showing cause and nature of injury and probable duration of incapacity. If the Secretary of Commerce finds that a claim for compensation has been established it shall be paid as provided in this act.

Sec. 5. The injured employee, at least once in six months, shall submit to medical examination when required by the Secretary of Commerce, such examination to be provided and paid for by such Secretary. If the injured employee refuses to be so examined his right to the compensation shall be lost during the period of such refusal.

Sec. 6. That payments under this act are to be made only to beneficiaries or their legal representatives, other than assigns, and shall not be subject to claims of creditors.

Sec. 7. The Government shall not exempt itself from liability under this act by any contract, rule or regulation.

#### OREGON EMPLOYERS' LIABILITY ACT.

In 1910 an Act was passed in Oregon which, besides modifying the Common law rules of negligence, prescribed standards of duty for the employers.

Section 1 of the Act made it the duty of all persons and corporations engaged in construction work (excluding private dwelling houses and barns), or in the erection or operation of machinery, or in the manufacture, transmission or use of electricity, or in the manufacture of any dangerous appliance or substance, to see that all material entering into the work shall be carefully selected, tested and inspected; that all scaffolding, false work or other temporary structure, shall be safely built, provided with safety guards, and not overloaded; that all dangerous machinery, shafts, wells and floor openings shall be covered and protected; that electric wires carrying high voltage shall be safely insulated and not mixed with dead wires, and that live wires shall be strung on colored supports away from other wires; and that generally they shall use every device, care and precaution which is practicable, limited only by the efficient use of the machine, structure or device.

Sec. 2. The person in charge of the work or operation shall be deemed the agent of the employer.

Sec. 3. Makes it the duty of the contractors, archetects, foreman or person having charge of the particular work to see that the provisions of this Act are carried out, and if he fails to do so is made liable to a fine of not less than \$10.00 or more than \$1,000.00, or be imprisoned not less than ten days nor more than one year, or both.

Sec. 4. If a disregard of the duties imposed by this Act

results in the loss of life, the heirs of the deceased has a right of action without limit of recovery.

Sec. 5. Removes the defense of negligence of a fellow servant where the injury was caused or contributed by any defect in the material, plant or machinery which the employer or his agent could have known by the exercise of ordinary care; by the neglect of any person in control of the work, plant or machinery; by the incompetence or neglect of any person in charge of the particular work at the time of injury; the incompetence or neglect of any person whose orders the employee was bound to obey; or by the Act of any fellow servant done in obedience to the rules and regulations or instructions of the employer or other person who has authority to direct the doing of said Act.

Sec. 6. Removes the defense of contributory negligence, but permits the jury to take it into consideration in fixing the damages.

#### THE EMPLOYERS' LIABILITY LAW OF OHIO.

Passed in 1910 is quite similar to the Oregon law in many respects though not quite so broad in its application.

#### MONTANA STATE ACCIDENT INSURANCE ACT.

##### Law 1909, Ch. 67.

This Act is a very noteworthy piece of legislation and was the first attempt in the United States to make a hazardous industry create a fund out of which to pay the employees injured in that industry, and bring that fund under state legislation.

The Act is too long to quote at length, but it provides in substance; that all workmen and employees engaged in and around coal mines, except office employees, superintendents and managers, shall be insured in accordance with the provisions of this Act against accidents occurring in their employment.

All corporations and persons engaged in coal mining shall pay to the State Auditor one cent per ton on all coal mined, and all employees insured shall have deducted from their gross monthly wages one cent thereof to be paid to the State Auditor, and this requirement cannot be waived by contract or otherwise.

The State Auditor is required to receive this fund, receipt for it, and turn it over to the State Treasurer, who

shall put it into an insurance fund and invest the surplus portion of it for the benefit of the fund in a designated class of securities.

In the event of accidental death, the State Auditor, on being made satisfied of the fact of the accident, shall issue a warrant for \$3,000.00 on the State Treasurer to be paid out of the fund to (1) the surviving wife and children in equal portions, or in case there are none (2) to the surviving parents who are dependent upon the deceased, or if there are none (3) to such relatives as are dependent on him.

An employee who has received an injury which permanently incapacitates him shall receive \$1.00 per day for each working day. Total or permanent disability shall consist in the loss of both arms, or both legs, the loss of eyesight, paralysis, or other injury making it impossible for the employee to work. The loss of one arm or one leg shall be compensated for by the payment of \$1,000.00. If death results from the injury within one year from the accident the sum of \$3,000.00 shall be paid the deceased workman's dependents. Where the injury is permanent the payments provided for shall be made so long as the incapacity lasts or other arrangement is made under the provisions of this Act.

The State Auditor is empowered to examine the injured person through the Board of Health and the report of the Board is made conclusive evidence of his condition, and if the injured person refuses for one month to submit to an examination by the Board his right to compensation shall be lost. The injured workman may apply to have his benefits redeemed by payment of a lump sum and when so redeemed the payments previously made shall be deducted and no more than \$3,000.00 shall be paid to him.

The State Auditor is required to make reports to the Government annually, to recommend the rate of premium to be charged to preserve the fund, to administer the fund and determine all disputed cases which may arise in the administration of the fund and to make rules and regulations to carry the Act into effect.

The money payable to an injured person under this Act shall not be liable to any process in behalf of creditors, shall not be assigned, and the acceptance of benefits under the fund shall operate to relieve the employers who have paid their assessments into the fund from any liability on account of the accident suffered by such employee. The

commencement of a suit against the employer shall act as a forfeiture of the right to benefits under this Act.

Certain penalties are provided for Acts done to defeat the purposes of the Act and the Act went into effect October 1, 1910, benefits to commence four months thereafter. It has, therefore, been in effective operation not quite two years.

This Act was construed by the Supreme Court of the State in

*Cunningham vs. Northwestern Improvement Co.*, 119 Pac. 554. and held to be constitutional as a proper exercise of the police power.

#### PENNSYLVANIA MINING LAW.

A law was passed in Pennsylvania in 1891 (P. L. Ch. 176) which was designed to regulate the operation of mines. It provided for inspectors to be appointed by the State who were authorized to give directions with respect to the operation of mines and made it obligatory on the owners to obey those directions. The costs of inspection were charged to the mine owners. The Act was very mild in its requirements and it would seem was a proper exercise of the police power, but it was held to be unconstitutional in the case of

*Durkin vs. Kingston Coal Co.*, 191 Pa. St. 193.

Certain private corporations have established industrial accident departments and have created funds out of which to pay benefits to injured employees, or those dependent upon them, for accidents received in the employment of the company. Notable among such provisions are those made by the United States Steel Corporation, and the International Harvester Company and Associated Companies.

#### UNITED STATES STEEL CORPORATION.

The relief given by this company is purely a voluntary provision of the company, and does not amount to a contract right. No employee who sues the company can secure any benefits from it. Relief is to be given only for accidents suffered by the employee while in the performance of duties to which he has been assigned, or which he is directed to do by proper authority, or for accidents suffered while voluntarily protecting the property of the company. In no case will the company deal with an attorney or any one but the injured person or some member of his family; and no relief is granted where the injury was

caused or contributed to by intoxicating or narcotic stimulants or in the taking part in illegal or immoral acts.

The company provides treatment by surgeons in hospitals of its selection.

It provides artificial limbs and trusses.

No relief is paid for the first ten days nor for more than fifty-two weeks.

For temporary disability single men receive 35 per cent of the wages they were receiving when injured. If they have been in the service over five years 2 per cent additional is given for each additional year, but in no case to exceed \$1.50 per day. Married men living with their families receive 50 per cent of the wage they were getting when the accident happened. If they have been in the employment of the company over five years they receive 2 per cent additional for each additional year. For each child under sixteen years 5 per cent additional is given, but in no case not to exceed \$2.00 per day.

For permanent disability the payment is to a considerable extent in the discretion of the company, which discretion shall be so exercised as to afford substantial relief corresponding so far as possible with the following schedule:

- For loss of a hand, twelve months' wages;
- For loss of an arm, eighteen months' wages ;
- For loss of a foot, nine months' wages;
- For loss of a leg, twelve months' wages;
- For loss of an eye, six months' wages.

Where death results from an accident the company pays reasonable funeral expenses, but not to exceed \$100.00.

If the deceased was a married man living with his family and leaves a widow or children under sixteen, the company pays relief equal to eighteen months' wages of the deceased employee, and for each additional year's service with the company over five years 3 per cent additional; and for each child under sixteen years 10 per cent additional; but in no case to exceed \$3,000.00.

#### THE INTERNATIONAL HARVESTER COMPANY.

The plans devised by this company are much more elaborate than those of the Steel Corporation. They are for the benefit of employees in the company's works, twine, lum-

ber and steel, mills, mines and on the railroads. The plan is to provide adequate compensation for such operators and their dependents. The benefits are to be paid regardless of the company's legal liability, and no legal assistance is required by the employee, and settlement will be made so far as possible with the persons entitled to receive the benefits. The fund is managed by a Board of five members appointed by the company. The expenses of this Board are paid by the companies associated in the administration thereof. This Board makes annual reports of its operations, and copies of the reports can be had by employees.

Medical examiners are appointed by the Board whose duty it is to examine the injured employee and decide where he is injured and when he is able to return to work.

In case of death resulting from injury the company pays three years' wages, but not less than \$1,500.00 or more than \$4,000.00.

For the loss of a hand or foot, one-half years' wages, but not less than \$500.00 nor more than \$2,000.00.

For loss of both hands or feet, or one hand and one foot, four years' average wages, but not less than \$2,000.00.

For the loss of sight of one eye, three-fourths of the average yearly wages.

For the loss of sight of both eyes, four years' average wages, but not less than \$2,000.00.

If the injured person dies within one year from the injury then death benefits shall be paid, but the special benefits shall be deducted therefrom.

In case of other injuries one-fourth wages during the first thirty days of disability, beyond that time one-half wages during continuance of disability, but not for more than 104 weeks from date of accident. If the disability becomes permanent a pension will be paid. If the employee contributes to the fund a somewhat larger compensation is given him on a scale worked out by the company.

In case of death resulting from an accident received in the company's employment, if the employee leaves a widow, child or children, or other relatives dependent upon him for support, and if death results within sixteen weeks of the accident the company will pay three years' wages, but not less than \$1,500.00 nor more than \$4,000.00; if death results after sixteen weeks and before fifty-two weeks from date of accident, it will pay two years' wages less benefits paid, but not more than \$3,000.00.

If the employee leaves no widow, children or dependent relatives, then reasonable hospital and medical expenses and burial expenses not less than \$75.00 nor more than \$100.00.

The acceptance of any benefits shall operate to release the company from all claims for damages and for which they must give a written release, which must be signed by all persons who might legally assert any claim against the company on account of the death of the employee.

Other companies, among them the New York Edison Company and the General Electric Company, have devised plans whereby relief is given to injured employees in such manner as to produce fairly satisfactory results. These companies have not inaugurated these plans because of any sentimental or philanthropic motives, but because they have recognized the fact that the legal remedies as now administered are uncertain and very costly to both parties, and that the old plan tends to create a spirit of disloyalty or even hostility, rendering efficient service very uncertain if not impossible.

#### IV.

##### WORKMEN'S COMPENSATION ACTS.

Unlike the United States, most other countries in Europe, and some in South America, have passed Workmen's Compensation Acts. Some of these Acts are very long, and they differ greatly in detail. They all, however, are based on the fundamental idea, that the loss resulting from an injury shall not be borne by the injured employee, but shall be paid by the industry in which it occurs, and so be distributed over the entire body of people who enjoy the product of that industry. This of necessity does away entirely with the old idea of negligence of the employer as the basis of recovery.

There are, roughly speaking, two general types of European legislation on this subject, viz: one exemplified by the German laws, which provides for the creation of an insurance fund out of which the injured employee is paid, and under which the employer is not directly responsible to the employee for accidents; and one exemplified by the English laws, by which the employer is made directly responsible to the employee for injuries received, and insurance is a secondary and incidental matter having no necessary connection with the question of compensation.



## GERMAN LEGISLATION.

Germany was the first country to enact Employees' Compensation statutes. The first step was taken by Prussia in 1838, and was confined to railroad employees alone. In 1871 the law was extended to workmen in mines, quarries and factories, but the employee had to prove negligence on the part of the employer. The law was extended in 1883 to cover sickness, in 1884 to cover accidents, and in 1889 to cover old age. A codification of all the laws was made in 1900, and the law as thus codified is now in force.

The law provides for compulsory insurance for employees by all employers in the industries covered, and each employer pays a yearly premium which is based upon his pay roll, and the hazard of his industry. The premiums so paid create an insurance fund out of which the workman is paid for his injuries and sickness. The fund is managed entirely by a mutual association of employers of allied trades; and where the association covers a wide territory, the association is divided up into sections so that closer inspection and supervision may be secured. These associations are under the supervision of the German Government which guarantees their solvency, and enforces the payment of the insurance rates. These rates are fixed by the association, which also prescribes rules and regulations for the prevention of accidents, and the administration of the fund. The following is a very brief summary of the main provisions of the law taken from the Ohio report.

*Injuries Compensated.* Injuries by accident in the course of the employment causing death, or disability for more than three days, unless caused intentionally. Compensation may be refused or reduced, if injury was received while committing an illegal act.

*Industries Covered.* Mining, salt works, quarrying and allied industries, ship yards, factories, smelting works, building trades, chimney sweeping, window cleaning, butchering, transportation and handling, agriculture, forestry and fisheries.

*Persons Compensated.* All workmen, and those technical officials whose annual earnings are less than \$714.00. With the approval of the Imperial Insurance Office the law may be extended to other classes.

*Government Employees.* Act covers Government employees in postal, telegraph and railway service, and in industrial enterprises of Army and Navy, unless otherwise provided for.

*Burden of Payment.* Medical and surgical treatment for ninety-one days and benefit payments from third to ninety-first days are provided by sick benefit funds to which employers contribute one-third, and employees two-thirds; from the twenty-eighth to the ninety-first day payments are increased by one-third at expense of employer in whose establishment the accident occurred; after ninety-first day and in case of death from injuries expense is borne by employers' associations supported by contributions of employers.

*Compensation for Death.* 1. Funeral benefits of one-fifteenth of annual earnings of deceased, but not less than \$11.90. 2. Pensions to dependent heirs not exceeding 60 per cent of annual earnings of deceased as follows:

Widows, 20 per cent of annual earnings until death or remarriage; in latter case a final sum equal to three annual payments; dependent widower, 20 per cent of annual earnings; each child under fifteen years of age, 20 per cent; payment to consort and to children to be reduced proportionately if the total would exceed 60 per cent; dependent heirs in ascending line, 20 per cent or less, if there is a residue after providing for above heirs; orphan grand-children, 20 per cent or less, if there is a residue after providing for above heirs.

2. If annual earnings exceed \$357.00 only one-third of excess is considered in computing pensions.

*Compensation for Disability.* 1. Free medical and surgical treatment paid first thirteen weeks by sick benefit funds, and afterwards by employers' associations.

2. For temporary or permanent total disability, 50 per cent of daily wages of persons similarly employed but not to exceed 71 cents, paid by sick benefit funds from third day to end of fourth week; from fifth week to end of thirteenth week above allowance by sick benefit fund, plus 16 2-3 per cent contributed by employer direct; after thirteen weeks 66 2-3 per cent of average annual earnings of injured person paid by employers' association.

3. For complete helplessness necessitating attendance, payments may be increased to 100 per cent of annual earnings.

4. For partial disability a corresponding reduction in payments.

5. If annual earnings exceed \$375.00, only one-third of excess is considered in computing pensions.

Whenever a change in the condition of the injured person occurs a revision may be made.

*Disputes* are settled by arbitration Courts for workmen's insurance, composed of one Government official, two representatives of workmen, and two of employers.

#### ENGLISH LEGISLATION.

The first legislation in England was in 1880, when a law was passed modeled on the German law of 1871, which modified the law of negligence.

In 1897 an Employees' Compensation law was passed, which did away with the necessity of proving negligence in an action by a workman based on an injury. It applied only to a limited number of industries. In 1900 it was extended to agricultural laborers, and in 1906 to include practically all employees.

Under the English law the employer is personally responsible for the payment of the benefits granted to an injured employee. The employer may insure his employees to off set this liability, or not, as he sees fit, but in either case he does not escape personal liability, with but one exception to be stated later on. With that exception he must pay the indemnity. As a matter of fact a large percentage of the employers take out insurance for their employees, usually in Stock Companies. The following is a brief summary of the English law taken from the Ohio report:

*Injuries Compensated.* Injuries by accident arising out of, and in the course of, employment which cause death or disable a workman, for at least a week, from earning full wages at the work at which he was employed. Compensation is not paid when injury is due to serious and willful misconduct unless it results in death or serious permanent disablement.

*Industries Covered.* Any employment.

*Persons Compensated.* Any person regularly employed for the purpose of the employer's trade or business whose compensation is less than \$1,216.63 per annum; but persons engaged in manual labor only are not subject to this limitation.

*Government Employes Act* applies to Civilian persons employed under the Crown to whom it would apply if the employer were a private person.

*Burden of Payment.* Entire cost of compensation rests upon employer.

*Compensation for Death.* 1. A sum equal to three years' earnings, but not less than \$730.00, nor more than \$1,460.00, to those entirely dependent upon earnings of deceased.

2. A sum less than above amount if deceased leaves persons partially dependent on his earnings, amount to be agreed upon by the parties or fixed by arbitration.

3. Reasonable expenses of medical attendance and burial, but not to exceed \$48.67, if deceased left no dependents.

*Compensation for Disability.* 1. A weekly payment during incapacity of not more than 30 per cent of employees' average weekly earnings during previous twelve months, but not exceeding \$4.87 per week; if incapacity lasts less than two weeks no payment is required for first week.

2. A weekly payment during partial disability not exceeding the difference between the employec's average weekly earnings before injury; and average amount which he is earning or able to earn after injury.

3. Minor persons may be allowed full earnings during incapacity, but weekly payments may not exceed \$2.43.

4. A sum sufficient to purchase a life annuity through the Post Office Savings Bank of 75 per cent of annual value of weekly payments may be substituted, on application of the employer, for weekly payments after six months, but other arrangements for redemption of weekly payments may be made by agreement between employer and employee.

*Revision of Benefits.* Weekly payments may be revised at request of either party, under regulations issued by the Secretary of State.

*Insurance.* Employers may make contracts with employees for substitution of a scheme of compensation, benefit, or insurance, in place of the provisions of the Act if the Registrar of Friendly Societies certifies that the scheme is not less favorable to the workmen and their dependents than the provisions of the Act, and that a majority of the workmen are favorable to the substitute. The employer is then liable only in accordance with the provisions of the scheme.

*Security of Payments.* In case of employer's bankruptcy, the amount of compensation due under the Act up to \$486.65

in any industrial case, is classed as a preferred claim; or where an employer has entered into a contract with insurers in respect to any liability under the Act to any workman such rights of the employer, in case he becomes bankrupt, are transferred to and vested in the workman.

*Settlement of Disputes.* Questions arising under the law are settled either by a committee representative of the employer and his workmen, by an arbitrator selected by the two parties, or, if the parties cannot agree, by the Judge of the County Court, who may appoint an arbitrator to act in his place.

#### AUSTRIAN LEGISLATION.

In Austria, as in Germany and England, the first step was to change the liability law and was confined to railroads. In 1887 an Act was passed for insuring workmen against sickness, and in 1888 an Act was passed for insuring them against accidents. The last legislation on this subject was in 1902. The Austrian legislation is based on the German plan, modified to suit local conditions, but it does not cover employees in small industries.

The plan of insurance differs quite materially from the German method owing to the Austrian industrial conditions. The country is divided into seven districts. Each district has a separate association which is made up of all the employers in each district. All employers are required to insure in these associations all employees in the district covered by the law. These associations are under the supervision of the Government Insurance Office and of the Minister of the Interior. The associations are managed by officers appointed by the Government and an Executive Committee composed of equal numbers of employers, workmen and State representatives. The rates of insurance are fixed by the association under the supervision of the Government, and are based on the hazard of the trade and of each establishment in the industry, in the following manner: The general classes of risks are fixed by the Government, but the Board of Directors of each association assigns each of its establishments to a class. The employer of each establishment is then assessed according to the coefficient of risk of that class. Another difference between the German and Austrian plan is that in the latter the employees contribute 10 per cent of the premiums paid into the association. The following is a brief summary of the Austrian law which is taken from the Ohio report:

*Injuries Compensated.* All injuries causing death or dis-

ability for more than three days received in the course of employment unless caused intentionally.

*Industries Covered.* Mining, quarrying, stone cutting, manufacturing, building trades, railways, transportation in inland waters, storage, theatres, chimney sweeping, street cleaning, building cleaning, sewer cleaning, dredging, well digging, structural iron working, agricultural and forestry establishments using machinery.

*Persons Compensated.* All workmen and technical officials regularly employed, but in agriculture and forestry only employees exposed to machinery.

*Government Employees.* Act applies to Government employees unless an equal or more favorable compensation is provided by other laws.

*Burden of Payment.* Medical and surgical treatment for twenty weeks and compensation for four weeks of disability paid by sick funds, to which employers contribute one-third and employees two-thirds. Compensation for disability after fourth week and for death, paid by territorial insurance associations, to which employees contribute 10 per cent and employers 90 per cent.

*Compensation for Death.* 1. Funeral expenses not to exceed \$10.15.

2. Pensions to members of family not to exceed 50 per cent of earnings of deceased to

Widow 20 per cent until death or remarriage; in latter case a lump sum equal to three annual payments; to dependent widower, 20 per cent during disability.

Every legitimate child, fifteen years of age or under, 15 per cent when one parent survives, and 20 per cent when neither survives; to each illegitimate child, fifteen years of age or under, 10 per cent; pensions of widow (widower) and children reduced proportionately if they aggregate over 50 per cent.

3. When pensions to above heirs do not reach 50 per cent, dependent heirs in ascending line receive pensions, not to exceed 20 per cent of earnings of deceased, parents taking precedence over grandparents.

4. In computing pensions the excess of the annual earnings over \$487.20 is not considered.

*Compensation for Disability.* 1. Medical and surgical attendance for twenty weeks, paid by sick benefit fund.

2. For total temporary or permanent disability, 60 per cent of average daily wages of insured workmen in the locality, paid by sick benefit funds, from first to twenty-eighth day; and 60 per cent of average annual earnings of injured persons, after twenty-eighth day, paid by territorial accident insurance institutions.

3. For partial temporary or permanent disability, benefit consists of a portion of above allowance, but may not exceed 50 per cent of average annual earnings.

4. In computing payments the excess of annual earnings over \$487.20 is not considered.

*Revision of Compensation.* Reconsideration of the case may be undertaken by the insurance association of its own will, or upon petition.

*Insurance.* Payments are met by mutual insurance associations of employers, in which all employees are required to be insured. The country is divided into districts with a separate association in each district.

*Security of Payments.* Operations of the insurance associations are conducted under the supervision of the Minister of the Interior, who may increase the assessments.

*Settlement of Disputes.* Disputes are settled by arbitration Courts composed of a judicial officer appointed by the Minister of Justice, two experts appointed by the Minister of the Interior, and one representative each of the employers and employees.

#### FRENCH LEGISLATION.

In France the first legislation related to and dealt with the subject of negligence. Next a State Accident Insurance Bureau was created, which insured employers against loss resulting from accidents to their employees. This protection was available only in cases of death or permanent disability. This provision did not prove satisfactory to either the employers or the workmen, and an Employees' Compensation law was passed in 1898. It has been several times amended, the last time in 1907. This legislation is based on the English rather than the German idea, in that the employer is made personally liable to his employees for the relief granted by the Act. As in England, insurance is an incidental feature, and it is optional with the employer.

The State taxes all employers to provide a fund to guarantee the payment of the sums awarded by the Act for

death and permanent disability only. This tax is in the nature of a license to transact business. The fund is managed by the National Old Age Retirement Fund. The French law was summarized by the Ohio Commissioners as follows:

*Injuries Compensated.* All injuries by accidents to workmen or salaried employees during or on account of labor causing death or disability for five or more days, unless produced intentionally by the victim. If due to inexcusable fault of victim or of the employer, compensation may by a Court order be decreased or increased, but not exceeding actual earnings of victim.

*Industries Covered.* Building trades, factories, work shops, ship yards, transportation by land and water, public warehouses, mining, quarrying, manufacturing of handling of explosives, agricultural and other work using mechanical power, and mercantile establishments; other industries on request of both parties.

*Persons Compensated.* All workmen and salaried employees.

*Government Employees.* Law applies to State, Departmental and Communal establishments when engaged in industries enumerated.

*Burden of Payment.* Entire cost of payment falls on employer.

*Compensation for Death.* 1. Funeral expenses not exceeding \$19.30.

2. Pensions to dependent heirs not exceeding 60 per cent of annual wages of deceased distributed to—widow or widower, 20 per cent until death or remarriage, in which latter event a final sum equal to three annual payments. Children under 16 years of age, if one parent survives—15 per cent if there is but one child; 25 per cent if there are two children; 35 per cent if there are three children; 40 per cent if there are four or more children. Each child under 16 years of age if neither parent survives 20 per cent. Each ascendant and each descendent under 16 years of age dependent upon deceased, if no widow or children survive 10 per cent, the aggregate not to exceed 30 per cent.

3. If annual wages exceed \$463.20, only one-fourth of excess is considered in computing pensions.

*Compensations for Disability.* 1. Expenses of medical and surgical treatment.



2. If permanently disabled a pension of 66 2-3 per cent of annual wages for total disability, and of one half loss of earning capacity for partial disability; or if demanded, one-fourth capital value of pensions in cash, the pension to be reduced accordingly.

3. If temporarily disabled, an allowance of 50 per cent of daily wages, beginning with fifth day and including Sundays and holidays, unless disability lasts more than ten days, when payments become due from the first day.

4. If annual wages exceed \$463.20 only one-fourth of the excess is considered in computing pensions.

5. Payments of pensions of not over \$19.30 per annum may, by mutual consent when beneficiary is of age, be replaced by a cash payment.

*Revision of Compensations.* Revision of compensation because of aggravation or diminution of disability of victim may be made within three years.

*Insurance.* Employers may transfer burden of payment of compensation to approved mutual aid, accident insurance, or guaranty associations, or, in case of pensions, to National accident insurance, or National Old Age Pension funds.

*Security of Payment.* The State guarantees against loss of pension payments on account of insolvency of employers or insurance organizations, and is reimbursed by a special tax on employers who are within the scope of the Act. For temporary disability payment, medicines, and medical or surgical attendance, and funeral expenses of the victim, his creditors or representatives have a preferred claim on the property of employer.

*Settlement of Disputes.* Disputes as to pensions or involving more than \$57.90 may be carried into higher civil Courts.

Judgments of local Justices of the Peace is final in other cases.

#### NORWEGIAN LEGISLATION.

A workman's compensation law was passed in 1904 and went into effect July 1, 1895. This country has gone further than any other in making industrial insurance a State function.

A State Insurance Department is created in which the employer must insure his employees. The State thus be-

comes directly liable for the payment of the benefits bestowed by the Act. To meet this liability the State taxes the employers to establish a fund out of which these benefits shall be paid, and this tax is based on the pay rolls and estimated risks of the various industries. Under this arrangement the cost of maintaining the Insurance department is borne by general taxation. The administrative work of collecting the premiums, making adjustments, and paying the benefits is performed by the Post Office Department. The department has been conducted with great economy, and as the State does not try to make a profit out of the undertaking the cost of insurance has been low, and very satisfactory to the employers.

The Ohio Commission summarized the Act as follows:

*Injuries Compensated.* All injuries by industrial accidents causing death or disability for more than four weeks, or requiring treatment after that period, unless intentionally brought about by injured person.

*Industries Covered.* Practically all factories and work shops using other than hand power; mines and quarries; the handling of ice, explosives, or inflammable wares; building and engineering construction, electric work, transportation, salvage, and diving, chimney sweeping, and fire extinguishing. Employees in other industries may avail themselves of this insurance system.

*Persons Compensated.* All workmen and overseers.

*Government Employees.* Act covers employees in Government or Communal service, when engaged in any of the industries enumerated above unless an equal compensation is provided by special regulation.

*Burden of Payment.* Cost of compensation rests in employer.

*Compensation for Death.* 1. Funeral benefits \$13.40.

2. Pensions to heirs not exceeding 50 per cent of earnings; to be distributed to—Widow, 20 per cent of earnings, until remarriage or death, in the former case a lump sum equal to three annual payments; or dependent widower 20 per cent of annual earnings of deceased while disability lasts.

Each child, 15 per cent of annual earnings until age of 15 years if one parent survives, or 20 per cent if neither survives; 15 per cent for each parent to each child when both parents have died as result of injuries.

Dependent relatives in ascending line, if there is a residue after providing for above mentioned heirs, a pension of 20 per cent of earnings until death or cessation of need, to be divided equally; but living parents exclude grandparents from participation.

3. In computing pensions the excess of annual earnings over \$321.60 is not considered.

4. Pension payments are in addition to poor allowances granted for disability.

*Compensation for Disability.* 1. Free medical and surgical treatment, or cost of same, after four weeks.

2. If employee is totally disabled for more than 4 weeks, an allowance of 60 per cent of the earnings, but not less than 13 cents per diem, or \$40.20 per annum; and a proportionate allowance for partial disability.

3. If injured employee is forced to stay in a hospital dependents receive allowances during that time equal to pensions granted in cases of death.

4. If injured employee is not a member of a sick insurance fund he is entitled to receive from the employer directly sick benefits and free medical treatment from first day of injury.

5. In computing allowances the excess of annual earnings over \$321.60 is not considered.

*Revision of Compensation.* Compensation is subject to revision upon demand of either the beneficiary or the insurance office.

*Insurance.* A State Central Insurance Office is established for the entire Kingdom, in which all employees subject to the Act must be insured by the employer, unless he is for special reasons relieved by Royal order from the obligation of insurance.

*Security of Payment.* Insurance office is guaranteed by the State.

*Settlement of Disputes.* Appeals from decisions of insurance office may be entered within six weeks with the Special Insurance Commission.

#### NETHERLANDS.

The Compensation law was passed in Holland in 1901, and was amended in 1903. All employees must be insured by the employer, and the State through the Royal Insurance

Bank is directly liable to pay the benefits conferred by the Act. The State secures itself against loss by requiring security from private insurance companies, when employers insure their workmen in such companies, and also against uninsured employers, by compelling them to deposit sufficient guaranty with the Royal Bank, and to contribute to the expense of administering the Bank whether they insure or not. These guarantees must be sufficient to cover indemnities currently falling due, and the capitalized values of pensions for which they are liable. This law is summarized by the Ohio Commission as follows:

*Injuries Compensated.* All injuries caused by accident in the course of the employment, and causing death or disability for over two days, unless brought on intentionally. If due to intoxication, compensation is reduced one half, and if death results no compensation is paid.

*Industries Covered.* Practically all manufacturing, mining, quarrying, building, engineering construction, and transportation; fisheries in internal waters; establishments using mechanical motive power, or explosive or inflammable materials, and mercantile establishments handling such materials.

*Persons Compensated.* All workmen including apprentices.

*Government Employees.* All State, provincial and communal employees are included when engaged in any of the industries named.

*Burden of Payment.* The entire expense rests on the employers.

*Compensation for Death.* 1. Funeral benefits of thirty times average daily earnings of deceased.

2. Pensions to heirs not over 60 per cent of earnings of deceased, distributed to—Widow, 30 per cent of earnings until death or remarriage; in latter case two years payments as a settlement; or to dependent widower, a pension equal to cost of support, but not over 30 per cent of earnings of deceased. Each child under 16 years of age 15 per cent if one parent survives and 20 per cent if both are dead. Dependent parents, and in their absence, to grandparents, not over 30 per cent. Orphan grandchildren not over 20 per cent. Dependent parents-in-law not over 30 per cent. Widow and children to be preferred over all other heirs, and their respective shares to be reduced proportionately when aggregating over 60 per cent.

3. In computing pensions wages higher than \$1.61 per day are to be considered as of that amount.

*Compensation for Disability.* 1. Free medical and surgical treatment or its cost.

2. From after injury until 43rd day an allowance of 70 per cent of daily earnings, excluding Sundays and holidays.

3. From 43rd day a pension of above amount during total disability and a smaller pension in proportion to loss of earning power if partially disabled.

4. In computing pensions wages higher than \$1.61 per day to be considered as of that amount.

*Revision of Compensation.* An examination of condition of victim may be made whenever the Royal Insurance Bank so desires.

*Insurance.* Employers may insure their employees in the Royal Insurance Bank, which is a State institution, in a private company or association operating under State supervision, or they may carry the burden themselves. If not insured in the Royal Insurance Bank a sufficient guarantee must be deposited with the latter. Employers must bear a proportionate share of the expense of administration of the Royal Insurance Bank whether they insure in it or not.

*Security of Payment.* Compensation payments are guaranteed by the State.

*Settlement of Disputes.* Appeals may be taken from decisions of the Royal Insurance Bank to local arbitration boards in which employers and employees are equally represented, and from them to a central arbitration council whose decision is final.

#### ITALIAN LEGISLATION.

Italy passed a Compensation Law which went into effect in 1898. It was amended in 1903 and codified in 1904.

*Injuries Compensated.* All injuries sustained by workmen or salaried employee during or on account of labor. If due to willful misconduct, employer may be reimbursed through criminal action.

*Industries Covered.* Mines, quarries, building trades; light, heat and power plants; arsenals, maritime construction work; transportation; industries requiring use or handling of explosives; all industrial or agricultural work in proximity to power machinery; where more than 15 per-

sons are employed in engineering construction work; operations for protection against land slides, floods, hailstones, logging and timber rafting and ship building.

*Persons Compensated.* All workmen and apprentices and overseers receiving not more than \$1.35 per day and paid at intervals of one month or less.

*Government Employees.* Act applies to employment in state, provincial and communal industries enumerated above unless specially provided for, and to work performed for a Government institution under control or concession.

*Burden of Payment.* If within two years after the accident rests on employer.

*Compensation for Death.* If within two years after the accident five times annual wages of deceased workmen, with a maximum of \$1,930 distributed to—1. Surviving consort 2-5 of indemnity if there are children; 1-2 of indemnity if there are dependent ascendants; 3-5 of indemnity if only dependent brothers and sisters, entire indemnity in absence of heirs enumerated.

Children, amounts sufficient to purchase an annuity of equal amount for each child under 12 years of age, and one half of such annuity for each child from 12 to 18 years of age.

Each dependent parent or grandparent, if there are no children, annuity of equal amount for life.

Dependent brothers or sisters less than 18 years of age, or incapable of performing labor by reason of mental or physical defect, if there are no children or dependent ascendants, annuities distributed upon same principle as in case of children.

2. In absence of heirs indemnity is turned into a special fund for immediate aid to injured, payment of indemnities for insolvent employers, and prevention of accidents.

*Compensation for Disability.* 1. Cost of first medical and surgical treatment.

2. An indemnity in case of permanent disability of six times annual earnings, but not less than \$579 if totally disabled, and six times the loss of annual earnings if partially disabled, earnings in latter case to be considered at not less than \$96.50.

3. A daily allowance in temporary disability of 1-2 the wages of injured workman, payable for not more than

three months, if totally disabled; and equal to one half the reduction in wages occasioned by injury, if partially disabled.

*Revision of Compensation.* Both workmen and insurer may ask for a revision of compensation within two years after accident.

*Insurance.* Employers must insure their employees in (a) the National accident insurance fund, (b) an authorized insurance company, (c) an association of mutual insurance against accidents, (d) a private employers insurance fund.

*Security of Payments.* Payments guaranteed by State.

*Settlement of Disputes.* In cases of disputes concerning temporary disability payments, the Council of prudhommes or the praetor of the locality in which the accident occurred has authority to sit in final judgment if amount involved does not exceed \$38.60. Disputes involving large amounts are referred for settlement to local magistrates.

#### HUNGARIAN LEGISLATION.

Hungary passed an employers act in 1907. It is patterned after the German Act.

*Injuries Compensated.* Injuries by accident in the course of the employment causing death, or disability for more than three days. Injuries caused intentionally are not compensated unless fatal.

*Industries Covered.* All factories subject to inspection, mines, quarries, metallurgical establishments, building trades, lumbering, construction work; ship building, slaughter houses, pharmacies, sanatoria, theatres, institutes of Art and Science.

*Persons Compensated.* All employees in industries enumerated.

*Government Employees.* Act covers Government employees in State, Municipal and Communal industries enumerated above.

*Burden of Payment.* All benefits and cost of treatment for first ten weeks provided by sick funds to which employers and employees contribute equally. Beginning with eleventh week entire cost is defrayed by employers through the accident fund.

*Compensation for Death.* 1. Funeral benefits of twenty times average daily wages.

2. Pensions to heirs not exceeding 60 per cent of annual earnings of deceased as follows:

Widow 20 per cent of annual earnings until death or re-marriage; in latter case a final sum equal to 60 per cent of annual earnings; or to dependent widower 20 per cent during disability.

Each child 16 years of age or under 15 per cent if one parent survives, 30 per cent if neither survives; payments to consort and children reduced proportionately if they aggregate more than 60 per cent.

Dependent parents and grandparents if there is a residue after providing for above heirs, 20 per cent or less.

Dependent orphan grandchildren 15 years of age or under, if there is a residue after providing for above heirs, 20 per cent or less.

3. In computing pensions the excess of annual earnings above \$487.20 is not considered.

*Compensation for Disability.* 1. Free medical and surgical treatment provided first ten weeks by sick fund, and afterwards by accident fund.

2. For temporary or permanent total disability 50 per cent of average daily wages, but not exceeding 81 cents, for first 10 weeks provided by sick fund; beginning with eleventh week 60 per cent of average annual earnings, provided by accident fund.

3. For complete helplessness necessitating attendance, payments may be increased to 100 per cent of annual earnings.

4. For partial disability a corresponding portion of full pension.

5. In computing pensions the excess of annual earnings above \$487.20 is not considered.

*Revision of Compensation.* Whenever a change in condition of injured person occurs the accident fund or the injured person may ask for a revision of the benefits.

*Insurance.* Payments are met by a State insurance institution in which all employees are required to be insured at the expense of the employers.

*Security of Payment.* Guaranteed by the State.

*Settlement of Disputes.* Disputes are settled by arbitra-



tion Courts consisting of a presiding Judge and an equal number of representatives of workmen and employers.

NEW ZEALAND LEGISLATION.

The Compensation Act was passed in 1900, was amended in 1902, in 1903, in 1904, in 1905 and in 1906.

*Injuries Compensated.* All injuries to workmen arising out of and in the course of the employment causing death, or disability for at least one week, except when due to serious and willful misconduct of the injured workman.

*Industries Covered.* Industrial, commercial, manufacturing, building, agricultural, pastoral, mining, quarrying, engineering, and hazardous work carried on by or on behalf of the employer as a part of the trade.

*Persons Compensated.* All persons under contract with the employer.

*Government Employees.* Act applies to work carried on by or on behalf of the Government or any local authority if it would, in case of a private employer, be an employment to which the Act applies.

*Burden of Payment.* Entire cost of payment rests on the employer; but if there are contractors, then on such contractors and the principal jointly and severally.

*Compensation for Death.* 1. A sum equal to 3 years earnings but not less than \$973.30, nor more than \$1,946.60 to those wholly dependent upon earnings of deceased.

2. A sum less than above amount if dependents were partly dependent upon deceased, to be agreed upon by the parties or fixed by a magistrate, or by the arbitration Court.

3. Reasonable expenses of medical attendance and burial not exceeding \$146 in case deceased leaves no dependents.

*Compensation for Disability.* A weekly payment during disability not exceeding 50 per cent of employee's average weekly earnings during previous twelve months, but not to exceed \$19.73, nor to fall below \$4.87 where employee's ordinary rate of pay at time of accident was not less than \$7.30 per week. Total liability of employer is limited to \$1,459.95. No payment is made for first week if disability does not continue for longer time than two weeks.

4. Lump sum may be substituted for weekly payments for permanent total or partial disability, to be agreed upon

by the parties or, in default of agreement, determined by the Court of Arbitration.

*Revision of Benefits.* Weekly payments may be revised at request of either party.

*Insurance.* Employers may contract with their employees for substitution of a scheme of compensation, benefit or insurance in place of the provision of the Act, if the scheme is shown to be not less favorable to the general body of employees and their dependents than the provisions of the Act. In such case the employer is liable only in accordance with the scheme.

*Security of Payment.* When an employee becomes liable under this Act to pay compensation, and is entitled to any sum from insurers on account of the amount due to a workman under such liability, then in the event of his becoming insolvent, such workman has a first lien upon this sum. Compensation for injuries sustained in the course of employment in or about a mine, factory, building, or vessel is deemed a charge upon the employers interest in such property, and has priority over all charges other than those lawfully existing at the time of the commencement of the Act.

*Settlement of Disputes.* Disputes arising under the Act are settled by the Court of Arbitration under the industrial arbitration Act. Where claim for compensation does not exceed \$973.30 proceedings may be instituted before a magistrate whose decision is final, except that in cases where amount involved does not exceed \$243.33 either party may, with the consent of the magistrate, and in cases where the claim exceeds \$243.33 without such consent, appeal from the decision on a point of law.

Other countries which have passed acts substantially like that of New Zealand are British Columbia in 1902; Cape of Good Hope in 1905; Queensland in 1905; South Australia in 1900; Western Australia in 1902; New South Wales in 1900; Transvaal in 1907; Alberta in 1908 and Quebec in 1909.

Other countries which have adopted a Compensation Law are Belgium, in 1903; Denmark in 1898; Finland in 1895; Russia in 1903; Spain in 1900; Sweden in 1901; in all of which countries the burden of payments rests on the employer; Luxemburg in 1902, following the German idea; and Greece in 1901, using a combination of the German and English idea.

Our reason for giving the synopsis of so many foreign laws is to show how the principle of compensation for in-

juries has been applied by the chief agricultural and manufacturing Nations of Europe, and the methods they have employed to adapt this new principle to this varying needs, conditions, customs and institutions of the respective countries.

Most of these laws have been in force for a number of years. They have nearly all been amended, and many of them several times, so that in their present form they embody the results of experience obtained in applying the new remedy to the wrong it was designed to cure. For that reason they will, we think, help us in applying the remedy of compensation to our own needs and institutions, different though they are from those which obtain in the European Nations.

#### AMERICAN LEGISLATION.

Legislation on this subject is very recent in the United States, and sets passed by the various States went into operation on the following dates: California September 1, 1911; Illinois May 1, 1912; Kansas January 1, 1912; Massachusetts May 10, 1912; Michigan September 1, 1912; Nevada July 1, 1911; New Hampshire January 1, 1912; New Jersey July 4, 1912; Ohio January 1, 1912; Rhode Island October 1, 1912; Washington March 14, 1911; and Wisconsin May 3, 1911.

In all of the States except Washington, Ohio, and, to a less extent, in Massachusetts and Michigan, the English system of direct responsibility of the employer of the employee has been adopted, as being more in harmony with the spirit of our laws and institutions. In Washington the idea of so-called State insurance has been adopted, and all employers in industries covered by the Act are compelled to contribute to an insurance fund in the hands of the State Treasurer, out of which injured employees are to be paid. This follows closely the German idea, except that the insurance fund is handled by the State rather than by associations of employers. In Ohio employers have the option to adopt, or not to adopt, the compensation law; but if they adopt it, they are required to pay a premium rate to the State Treasurer to create a fund out of which to pay injured employees. It differs from the Washington law in that it is not compulsory on employers; and in that the premium rates are fixed by a board created to administer the law, while in Washington the various industries are classified with reference to the supposed hazard, and an insurance rate for each industry is fixed by the Act. While this system is styled State insurance, it is not such in fact, for the State does not become

responsible for, or guarantee the payment of, the benefits conferred by the Act. It simply accumulates, holds, and pays out, the fund in much the same way as it either directly, or by some of its municipal subdivisions, collects from private property, and disburses, money for a public improvement.

The Massachusetts law has adopted the English plan in part, and the German plan in part, but acceptance of the law is optional with each employer. If accepted, the employer must insure his workmen either in some Insurance Company authorized to do business in the State, or in the Massachusetts Employers' Insurance Association, which is a mutual association of employers who have adopted the Act and who are associated together for the purpose of insuring their employees.

Under the statutes of these three States the employer is ultimately liable, for it is he who in the last analysis, though indirectly liable, contributes the funds with which to pay the injured employee, so that in no sense can it be said that the State insures the workmen. These laws are not, therefore, as they have sometimes been called, Socialist Enactments.

The following is a brief synopsis and comparison of the various State laws.

6

## CALIFORNIA LAW.

The California statute is the Act which was prepared by the Wisconsin Commission; and recommended to the legislature of that State for passage. It was adopted in California with some changes, before it was enacted in Wisconsin. The California Commission, which has charge of the administration of the law, frankly state that the Wisconsin law as to those points in which it differs from the California law is to be preferred. As the Wisconsin law will appear in full later on it will not be necessary to give the California Act more extended consideration.

## ILLINOIS LAW.

*Industries Covered.* Constructing, maintaining and demolishing buildings; construction or electrical work; transportation by land or water; operating storehouses; mining; quarrying; manufacturing or handling dangerous explosives; enterprises where molten metal, noxious gases, vapors or inflammable liquids are manufactured, used, stored or conveyed; any business in which regulations are

imposed for guarding, using and placing machinery, or for protecting employees therein.

*Defenses Abolished.* As to those employers who do not adopt the Act, the defenses of assumption of risk, negligence of fellow servant, and contributory negligence are abolished; except that jury shall take ordinary negligence into account in awarding damages.

*To Whom Act Applies.* All employers of the enumerated industries who do not file notice to the contrary, and all employees of such employers unless they file notice to the contrary. As to such employee no other relief is given than as provided by the Act, but if he purposely caused the injury he shall have no relief. If the employer willfully disregards the statutes providing for safety of employee, he becomes liable to a Common law action.

*Injuries Covered.* All growing out of employment unless caused by willful misconduct of employee.

*Waiver* of the provisions of the Act not allowed by contract with employer.

*Compensation for Death.* If the decedent leaves widow, children, parent or other dependent heirs, a sum equal to 3 years' average wages, but not less than \$1,500.00 nor more than \$3,500.00. If he leaves no dependents, burial expenses not to exceed \$150.00. Payments to dependent heirs to be made weekly, at rate of one-half weekly wages of decedent.

*Compensation for Disability.* When total, 50 per cent of weekly earnings for 8 years, figured on a minimum wage of \$5 and a maximum wage of \$12, not to exceed \$3,500.00 in all. If complete disability continues then compensation during life equal to 8 per cent of death benefit, but not less than \$10.00 per month.

When partial, 50 per cent of wage loss, but not more than \$12.00 per week, nor for more than 8 years; and with a limit of \$3,500.00.

In case of disability compensation begins after first week.

*Medical and Surgical Aid.* Necessary medical, surgical and hospital services for 8 weeks not exceeding \$200. Necessary services of physician and surgeon for eight weeks without limit on amount.

*How Administered.* In case parties cannot agree the question in dispute shall be submitted to an arbitration board, to which each party shall name one member and the Judge of the County Court shall name a third. Each party has right

of appeal from the decision of said Board to the Circuit Court where the question may be tried to a jury.

#### KANSAS ACT.

*Defenses Abolished.* As to those employers who do not elect to adopt the Act, the defense of assumption of risk, negligence of fellow servant and contributory negligence are abolished; but in awarding damages the jury shall consider the negligence of the injured employee. All these defenses are available to an employer where the employee elects not to come within the provisions of the Act.

If the employer's personal negligence proximately caused the accident the injured employee, or in case of death his representative, may elect between damages at Common law, and compensations under this Act.

*Industries Affected.* Railways, factories, mines, quarries, electric, building or engineering work, laundry, natural gas plant, and all employments requiring the use of dangerous explosives or inflammable material conducted for purposes of gain.

*To Whom Act Applies.* Act applies to those employers in named industries who have employed 15 or more workmen for 1 month before the accident, and who elect to come within the provisions of the Act; but those employing less than 15 employees may elect to come under the Act, in which case his employees shall be included. The election of employer is made by filing written notice thereof. This election is effective for 1 year and successive periods of 1 year each unless withdrawn. Employees of such employers shall be presumed to elect the Act unless they serve written notice to the contrary on the employer before the injury. An employee who is willfully negligent cannot secure the benefits of the Act.

*Injuries Covered.* All growing out of employment unless caused by willful negligence, or intoxication, of injured employee.

*Waiver* of provisions of Act not permitted by contract with employer.

*Compensation for Death.* If injured workman leaves persons wholly dependent upon him, compensation equal to three times his earnings for previous year, but not less than \$1,200 nor more than \$3,600. If he leaves only alien dependents then only \$750. If he leaves those only partly de-

pendent, such proportion of above allowance as may be found to be proportionate to the loss of support suffered by such dependents. If he leaves no dependents, reasonable medical attendance and burial expenses not to exceed \$100.

*Compensation for Disability.* When total, 50 per cent of weekly earnings, but not less than \$6, nor more than \$15, and for not more than ten years. When partial, from 25 per cent to 50 per cent of weekly earnings, but not less than \$3, nor more than \$12 per week, nor for a longer period than ten years. If employee is under twenty-one years of age and his weekly wage is less than \$10 per week, then not less than 75 per cent of weekly wage.

*Medical and Surgical Aid.* None, unless employee dies leaving no dependents.

*How Administered.* Compensation shall be settled if possible by agreement, if not possible, then by a committee representing workman and employer organized for settling disputes under this Act, if any, unless one party objects, if no such committee exists or is objected to, then by submission to a single arbitrator agreed to by the parties or appointed by a Judge with jurisdiction to try the dispute. All agreements and awards must be filed with Clerk of Court of county where accident occurred. Unless appealed from judgment shall be entered thereon. Appeals may be taken to District Court by either party and may be tried to jury unless jury is waived.

#### MASSACHUSETTS ACT.

*Defenses Abolished.* As to those employers who do not elect to adopt the provisions of the Act, the defenses of assumption of risk, negligence of a fellow servant, and contributory negligence are abolished; but none of these defenses are abolished as to domestic servants and farm laborers.

*Industries Affected.* All employments.

*To Whom Act Applies.* The Act applies to all employers who have elected to come under the provisions of the Act; and to all employees of such employers, unless such employees give the employer written notice that he claims his rights as given by the Common law. If the employee is injured by his willful misconduct he shall not receive compensation under the Act. If the employer's willful misconduct causes the accident he shall pay double damages.

*Injuries Covered.* All growing out of employment, except such as caused by willful misconduct of employee.

*Waiver.* No agreement by employee to waive his rights under Act shall be valid.

*Compensation for Death.* If employee leaves dependents, a weekly payment equal to 50 per cent of his average weekly earnings for 300 weeks, but not less than \$4 nor more than \$10 per week. If he leaves persons partly dependent, a weekly compensation proportionate to the sum paid by deceased to such person by the employee. If he leaves no dependents reasonable expenses of last sickness and burial, but not exceeding \$200.

*Compensation for Disability.* When total, 50 per cent of weekly earnings for not more than 500 weeks, but not less than \$4 nor more than \$10 per week, and not to exceed \$3,000. For loss of both hands, or both feet, or one hand and one foot, or one-tenth of normal vision of either eye, 50 per cent of weekly wages for not more than fifty weeks and not less than \$4 nor more than \$10 per week.

When partial, 50 per cent of difference between his wages before his injury and after, but for not more than \$10 per week or for longer than 300 weeks. Certain specified rates for particular injuries.

*Medical Aid.* Reasonable medical and surgical attendance for two weeks.

*How Administered.* The Act is administered by an industrial accident board of five members named by the Governor, who hold office for five years. Their salaries, \$5,000 for Chairman and \$4,500 for others are paid by the State. It may employ a Secretary at not more than \$3,000 and is granted \$10,000 for annual expenses. It makes rules for carrying Act into effect. The Board must approve of all settlements between employer and employee. If the parties cannot agree on settlement it is referred to an arbitration committee of three, one of whom, as chairman, must be a member of the industrial board, the parties name one each of the other members of the committee. The committee's findings may on demand by either party be reviewed by the Board, and an appeal may be taken to the State Supreme Court.

#### NEVADA ACT.

*Defenses Aboished.* Defenses of assumption of risk and negligence of fellow servant abolished as to those employers



covered by the Act, and rule of contributory negligence changed for rule of comparative negligence. If employer disobeys laws regarding safety devices he cannot prove contributory negligence of employee.

*Industries Affected.* Bridge or building construction, which require iron or steel framework; operation of elevators, elevating machinery or derricks; work on scaffolding in building bridges or structures; work on wires, cables and switchboards, or apparatus charged with electricity; operation of railroads steam or electric; work in railroad shops; work in mills, mines, smelters, tunnels and work near to dangerous explosives.

*To Whom Act Applies.* Act applies to all employers in the enumerated industries; also to all employees in such industries, but the injured workman is given the option to sue for damages under Common law, or for compensation under the Act.

*Injuries Covered.* All growing out of the employment, but the amount recovered may be reduced by the comparative negligence, if any, of the injured employee.

*Waiver.* Provisions of Act cannot be waived by rule, regulation or contract.

*Compensation for Death.* If employee left dependents sum equal to previous three years' earnings with that employer, but not less than \$2,000, nor more than \$3,000. If he had not worked for that employer three years at time of death his yearly earnings shall be deemed to be 936 times his average daily earnings during his period of employment. If he leaves only one person dependent, 50 per cent of above amount. If he leaves no dependents, his medical and burial expenses not to exceed \$300.

*Compensation for Disability.* When total, 60 per cent of his average weekly earnings, but not to exceed \$3,000.

When partial, such proportion of 60 per cent of weekly earnings, as loss of earning capacity bears to total, but not to exceed \$3,000. In addition thereto, if he lose both feet, or both hands, or one foot and one hand, or both eyes, or one eye and one foot or one hand, he shall receive during a full period or five years, 40 per cent of weekly earnings; or if he lose one foot, one hand or one eye, 15 per cent of weekly earnings to be computed as foregoing 60 per cent; but in no case shall total payments exceed his monthly earnings when injured or be more than \$3,000.

*Medical Aid.* No provision.

*How Administered.* Disputes under Act shall be submitted to Board of Arbitration of three members; of whom the employer shall choose one, the employee one, and those two a third. Its decision shall be final if unanimous. If the Board fails to decide dispute, either party may appeal to Court of competent jurisdiction.

#### NEW HAMPSHIRE ACT.

*Defenses Abolished.* As to those employers who do not adopt the law, the defenses of assumption of risk, and negligence of fellow servant are abolished. Defense of contributory negligence retained, but employer must prove it as part of his case.

*Industries Affected.* Steam and electric railroads, both as to construction and operation; work in shops, mills, factory, or other place in proximity to machinery propelled by steam or mechanical power, in which shop, mill or factory five or more persons are employed in manual or mechanical labor; work on wires, cables, switchboards or apparatus charged with electricity; work near dangerous explosives when used in industry, or near a steam boiler.

*To Whom Act Applies.* The Act applies to all employers who have accepted in writing the provisions thereof, and have satisfied the Commissioner of Labor of their financial ability to discharge their obligations thereunder, or have filed with that official a sufficient bond guaranteeing the discharge of such obligations; also to all workmen engaged in dangerous mechanical or manual labor in the enumerated industries and who have received an injury which disables them for a period of at least two weeks. If the injury is caused in whole or in part by the employee's willful misconduct, breach of law, or by his intoxication, the employer is not liable. If the employer willfully fails to observe any statute regulating employees' safety, the employee has election of action for full damages, or compensation under the Act.

*Injuries Covered.* All growing out of employment, unless contributed to by employee's intoxication, violation of law or willful misconduct.

*Waiver.* No provision.

*Compensation for Death.* If employee leaves dependents a sum equal to 150 times weekly earnings, not to exceed \$3,000. If he leaves persons only partly dependent, such proportion of foregoing benefits as the employee's con-

tribution to such dependents bore to his total wage. If he leaves no dependents, medical and funeral expenses not to exceed \$100.

*Compensation for Disability.* When total, 50 per cent of weekly earnings not to exceed \$10 per week nor to continue longer than 300 weeks. In fixing weekly payments regard shall be had for his reduced capacity for work.

When partial, 50 per cent of weekly earnings, but not to exceed \$10 per week nor continue longer than 300 weeks, the weekly payments not to exceed 50 per cent of the loss in his weekly earnings.

*Medical Aid.* None, unless employee dies leaving no dependents.

*How Administered.* Act is administered by the Commissioner of Labor. If dispute arises under Act it shall be settled by suit in equity. If employer does not pay the compensation given by Act, the claimant shall file bill in equity and the judgment of the Court, if for claimant, shall be for amount due as provided by the schedules in the Act, and the sum may be apportioned among the dependents entitled to it. Each party has the right to take his claim into Court.

#### NEW JERSEY ACT.

*Defenses Abolished.* As to those employers who elect not to come under the provisions of the Act, the defenses of assumption of risk, and negligence of fellow servant are abolished. But in an action by an employee the defendant may show if he can that the employee was willfully negligent. The burden of proving this defense is on the employer.

*Industries Affected.* All employments.

*To Whom Act Applies.* All employers and employees will be presumed to have accepted the provisions of the Act, and to have contracted with reference to it, unless they expressly provide to the contrary in the contract of hiring, or give notice to the other party that the Act shall not apply to them. If the accident is willfully self-inflicted, or is directly contributed to by the intoxication of the employee he cannot secure benefits of Act.

*Injuries Covered.* All growing out of employment save those willfully self-inflicted or due to intoxication of employee.

*Waiver.* Act may be waived by express written agreement of the parties.

*Compensation for Death.* Compensation not less than \$5 nor more than \$10 per week for not to exceed 300 weeks, to be distributed among dependents according to law governing distribution of personal property of a deceased. Amount awarded as follows: If employee leaves one or more orphans (under sixteen) a minimum of 25 per cent of wages with 10 per cent additional for each orphan in excess of two, and with a maximum of 60 per cent; if a widow alone, 25 per cent of wages; if widow and one child, 40 per cent of wages; if widow and two children, 45 per cent of wages; if widow and three children, 50 per cent of wages; if widow and four children, 55 per cent of wages; if widow and five or more children, 60 per cent of wages; if widow and father or mother, 50 per cent of wages; if grandparents, grandchildren, or minor or incapacitated brothers or sisters, 25 per cent of wages.

If he leaves no dependents, expenses of last sickness and burial, but not to exceed \$200.

*Compensation for Disability.* When total, 50 per cent of wages with minimum of \$5 and maximum of \$10 per week, but for not over 300 weeks, to be apportioned as follows: For loss of a thumb, 50 per cent of wages for sixty days; of first finger, 50 per cent for thirty-five weeks; of second finger, 50 per cent for thirty weeks; of third finger, 50 per cent for twenty weeks; of fourth finger, 50 per cent for fifteen weeks; first joint of thumb or finger, 50 per cent of amount above specified; of great toe, 50 per cent for thirty weeks; other toes, 50 per cent for ten weeks; for first joint of toe, 50 per cent of above amounts; of hand, 50 per cent for one hundred and fifty weeks; of arm, 50 per cent for two hundred weeks; of foot, 50 per cent for one hundred and twenty-five weeks; of leg, 50 per cent for one hundred and seventy-five weeks; of eye, 50 per cent for one hundred weeks; of both hands, or feet, or arms, or legs, or eyes, or any two thereof, it shall be considered total permanent disability to be settled by agreement.

*Medical Aid.* During first two weeks, not to exceed \$100.

*How Administered.* In case the parties cannot agree upon a settlement, either party may by petition submit the case to a Judge of the Common Pleas Court in the County where the accident happened. The hearing shall be expeditious and the Judge's findings of fact final.

## RHODE ISLAND ACT.

*Defenses Abolished.* As to those employers who do not elect to adopt the provisions of the Act, the defenses of assumption of risk, negligence of fellow servant, and contributory negligence of employee are abolished.

*Industries Affected.* All employments, except domestic service and agriculture, where more than five workmen are regularly employed, but employers having less than five workmen may if they choose become subject to the provisions of the Act.

*To Whom Act Applies.* Act applies to all employers who file a notice in writing with the Commissioner of Industrial Statistics stating that he accepts the Act, and posting notice of such election in his establishment. The election is for a period of one year, and for successive periods of one year unless withdrawn by written notice filed sixty days before termination of yearly period; to all employees of employers who have accepted the Act unless they notify the employer at time of hiring or afterwards that they elect not to be bound by the Act, and file such notice with the Commissioner of Industrial Statistics, the employee may avoid his waiver by giving notice to that effect to his employers and the Commissioner. The Act does not apply to those employees whose injury was caused by their willful negligence, or by their intoxication, while on duty.

*Injuries Covered.* All growing out of the employment, except such as are caused by willful negligence or intoxication of employee.

*Waiver.* No contract of waiver of benefits of Act is valid.

*Compensation for Death.* Fifty per cent of weekly earnings, but not less than \$4 nor more than \$10 per week, nor for a longer time than 300 weeks, payment to be made to dependents, but if the dependent is his widow, on her death payment shall be made to the deceased's children under eighteen years of age; if there is more than one child, it shall be equally divided. If the employee leaves persons only partly dependent they shall receive such proportion of above benefits as the support received bore to his entire wages. In case employee leaves no dependents, then the employer shall pay the expenses of last sickness and funeral, but not to exceed \$200.

*Compensation for Disability.* When total, 50 per cent of wages, but not less than \$4 nor more than \$10 per week, nor for more than 500 weeks.

When partial, 50 per cent of the difference between what the employee earned before the accident and what he earned thereafter, but not more than \$10 per week, nor for more than 300 weeks.

Specific injuries shall be compensated for as follows: For loss of either hand, or foot, or of an eye, 50 per cent of weekly wages, \$4 minimum, \$10 maximum, for fifty weeks; for loss of two or more fingers, 50 per cent of weekly wages, \$4 minimum, \$10 maximum, for twenty-five weeks; for loss of one joint of finger, thumb or toe, 50 per cent of weekly wages, \$4 minimum, \$10 maximum, for twelve weeks.

*Medical Aid.* Reasonable medical and hospital aid for two weeks.

*How Administered.* If the parties can agree in settlement, a written memorandum of agreement shall be filed with Clerk of Superior Court who shall present it to the Judge. If he approves, it shall be enforceable by suitable process against property of employer.

If the parties cannot agree either side may file in Superior Court a petition in equity, which shall be answered and heard summarily, the Court shall find the facts which in absence of fraud shall be final and shall render decision in writing which shall be filed with the Clerk and be enforced by suitable process out of property of employer if decision is against him.

#### WASHINGTON ACT.

*Defenses Abolished.* If the employer does not pay his insurance rate the injured employee may elect to enforce damages at Common law, or to take compensation under the Act. If he elects compensation under the Act his cause of action shall be assigned to the State which shall prosecute it for the benefit of the insurance fund. In such suits the defenses of assumption of risk, and negligence of fellow servant, are abolished, and rule of comparative negligence substituted for that of contributory negligence.

*Industries Affected.* Factories, mills, workshops, printing, electrotyping, photo engraving, foundries, blast furnaces, mines, mills, gas works, water works, breweries, elevators, wharves, docks, dredges, smelters, powder works, power laundries, engraving works, quarries, logging, lumbering, ship building, railways, repair of buildings, telegraph, telephone and electric light plants, power plants, steam boats, tugs and ferries.

The foregoing industries are classified as extra hazardous. All other industries are classified as hazardous.

*To Whom Act Applies.* The Act applies without election to all employers engaged in the above named occupations which are termed extra hazardous; and to employers in other employments if they and their workmen jointly elect to be bound by its provisions, and file such election with the department administering the Act; to the State and its municipal subdivisions when engaged in extra hazardous work in which workmen are employed for wages; to all employees of employers engaged in such extra hazardous work whether the accident occurs on or off the premises, if he is engaged in his employment at the time. If the injury is due to carelessness of one not in the service of the employer, the employee or his survivors may elect compensation under the Act, or to sue such negligent stranger; if he takes under the Act he shall assign to the State his cause of action against such stranger. If the injury results from the deliberate intention of the employer to cause the injury, he shall be liable for the difference between the compensation given the employee under the Act, and the actual damages suffered, this to be collected in suit at Common law. If the injury was caused by the deliberate intention of employee, he shall receive nothing under the Act.

*Injuries Covered.* All growing out of the employment unless caused by the deliberate intention of the employee.

*Waiver.* Neither employer, or employee, can waive the provisions of the Act by a contract, rule or regulation.

*Compensation for Death.* Funeral expenses up to \$75; if deceased leaves a widow or invalid widower, \$20 per month during life, to cease on the remarriage of the widow, except that she shall be paid \$240 in lump sum, \$5 per month extra for each child under sixteen years of age, but such payments not to exceed \$35 per month; if no spouse, but children, survive, \$10 per month for each child until sixteen years of age, but not to exceed \$35 per month; if no spouse or children, but other dependents are left, 50 per cent of the average monthly support received by them from the deceased not to exceed \$20 per month; if deceased is under twenty-one and unmarried, \$20 per month to his parents for the time at which he would have reached twenty-one years; if a spouse receiving aid dies leaving children under sixteen the compensation paid them shall be increased 100 per cent. Limit of compensation, \$4,000.

*Compensation for Disability.* When total, if unmarried, \$20 per month; if the employee have a wife or invalid hus-

band, but no children under sixteen, \$25 per month, if husband not an invalid, then \$15 per month; if employee have spouse and children under sixteen, an increase of \$5 per month for each child, but not to exceed \$35 per month; if the total disability is temporary the foregoing schedule is increased, but not to exceed 60 per cent of monthly wages.

When partial, monthly payments reduced from the amounts allowed for total disability proportionately to the degree of disability. If the partial injury is permanent, a lump sum proportionate to the degree of disability not to exceed \$1,500.

*How Administered.* The Act is administered by an industrial commission of three members named by the Governor, they hold office for six years and receive a salary of \$3,600 each per year and actual expenses. They may appoint auditors to assist in administration of law at an expense of not more than \$5,000 per month, also physicians. They may provide rules and regulations for administering Act. They shall investigate accidents and present vouchers to State Auditor for benefits allowed. On these the Auditor draws a warrant which is cashed by Treasurer out of insurance fund, if there is money in the fund, but if not the employer of the injured employee shall pay the same and receive a credit therefor at the State Treasury. The decisions of the Commissioners, save such as are within their discretion, may be reviewed at the request of either party by proceedings in the nature of an appeal to the Superior Court. The proceedings on appeal are summary and informal. The right to jury trial lies in the discretion of the Court except on questions relating to employers' liability for safeguards, questions relating to inspection of employers' books, and questions relating to penalties for misrepresenting employer's pay roll. Appeals as in other cases lie from judgment of the Superior Court.

#### MICHIGAN ACT.

*Defenses Abolished.* As to those employers who do not elect to adopt the provisions of the Act, the defenses of assumption of risk, negligence of a fellow servant, and contributory negligence of the employee, unless willful, are abolished, but none of these defenses are abolished as to domestic servants and farm laborers.

*Industries Affected.* All employments.

*To Whom Act Applies.* The Act applies to the State and all municipal subdivisions thereof; to all employers who



elect to adopt its provisions; this election is effected by filing with the industrial accident board notice thereof, and an adoption of one of the four methods provided for payment of the compensation; the election is effective for one year, and for subsequent periods of one year unless expressly withdrawn; the notice must be posted in employer's establishment. It also covers all State and municipal employees, but not officials, and all employees of employers who have elected to adopt the Act, unless they give such employer, at time of hiring, or thereafter, written notice to the contrary. If the employee is injured by his willful neglect he receives no compensation under Act.

*Injuries Covered.* All except those wilfully incurred by the employee.

*Waiver.* No agreement by employee to waive the benefits of Act is valid.

*Compensation for Death.* If employee leaves dependents, 50 per cent of weekly wages, but not less than \$4 nor more than \$10 per week, nor for more than 300 weeks; if he leaves persons only partly dependent, such proportionate amount of above compensation, as contributions of deceased bore to his total earnings, but for not longer than 300 weeks; if no dependents, reasonable expenses of last sickness and burial, not exceeding \$200.

*Compensation for Disability.* When total, 50 per cent of weekly wages, but not less than \$4, nor more than \$10, nor for more than 500 weeks, but not to exceed in any case \$4,000.

When partial, 50 per cent of difference between his earnings before injury and after injury, but not to exceed \$10 per week and for not more than 300 weeks. The following injuries receive the specific amounts named below: Loss of thumb, 50 per cent weekly wages for sixty weeks; loss of first finger, 50 per cent weekly wages for thirty-five weeks; loss of second finger, 50 per cent weekly wages for thirty weeks; loss of third finger, 50 per cent weekly wages for twenty weeks; loss of fourth finger, 50 per cent weekly wages for fifteen weeks; for loss first phalange of thumb or finger, 50 per cent of above amounts; loss of great toe, 50 per cent wages for thirty weeks; loss of any other toe, 50 per cent of weekly wages for ten weeks; loss of hand, 50 per cent of weekly wages for one hundred and fifty weeks; loss of arm, 50 per cent of weekly wages for two hundred weeks; loss of foot, 50 per cent of weekly wages for one hundred and twenty-five weeks; loss of leg, 50 per cent weekly wages for one hundred and seventy-five weeks; loss

of eye, 50 per cent of weekly wages for one hundred weeks; loss of both hands, or arms, or feet, or legs, or any two thereof, shall constitute total disability. The same limitations as to minimum and maximum as above stated apply to foregoing awards. If employee dies from injury on which he has received compensation as above his dependents shall be paid difference between what he has received and the compensation payable in case of immediate death. If employee was willfully negligent he shall receive no payment under Act.

*How Administered.* Act is administered by an Industrial Accident Board consisting of three members appointed by the Governor for six years. They each have a salary of \$3,500 per year and actual expenses and they may appoint a Secretary at not more than \$2,500 per year. The Board can make rules and regulations for carrying Act into effect, and may employ assistants and clerks. Salaries and expenses of Board paid by State.

If a claimant, and employer or insurer, cannot agree on a settlement of a claim the Board shall call an arbitration committee of three persons, of which some member of the Board shall be Chairman, and the other two members shall be chosen, one by the claimant, the other by the employer or insurer. The committee shall make its findings to the Board. Either party may appeal to the Board from the Committee's findings, in which case the Board makes its findings of fact which are conclusive, unless fraudulent, and its conclusions thereon. The Supreme Court shall at request of either party review the legal conclusions of the Board.

The decisions of the arbitration Committee, or Board, when not appealed from may be filed with the Circuit Court of County where accident occurred, and the Court shall thereupon enter judgment in accordance therewith against the employer, or insurer carrying the risk.

We have not made abstracts of the Wisconsin law or the Ohio law for the reason that we shall submit both of these laws, with minor changes, for the consideration of the legislature, and they will be given at length later on.

In only one State, Washington, does compensation begin with the date of the injury. In California, Illinois, Ohio and Wisconsin, it begins after lapse of one week; in Kansas, Massachusetts, New Hampshire and New Jersey after lapse of two weeks; in Nevada after lapse of ten days; in Michigan after lapse of 15 days if disability lasts more than two weeks.

In all of the States except Nevada the compensation given is exempted from claim of creditors.

*How the Compensation is Provided.* In all of the States except Washington, Ohio, and, under certain circumstances, Massachusetts and Michigan, the employer is directly and personally liable to the employee or his dependents for the compensation provided by the Act. He may or may not, as he chooses, insure his workmen against this liability; but if he does, he is not thereby relieved from personal liability.

The Washington Act provides for insurance proper. The Act classifies the various industries of the State according to the degree of their hazard and fixes a premium rate for each industry, and the employer's pay roll is made the basis of the amount he shall pay. Payments are made to the State Treasurer and these payments constitute a fund out of which the compensation provided by the Act is paid. An account is opened for each industry as classified by the Act, and no class is liable for any deficit which may occur in the fund of any other class, each class being liable for its own accidents. If a deficit arises in any fund, and a warrant is drawn on the fund because of an accident, the employer of the injured employee shall pay the amount of compensation and shall receive a credit therefor to apply on his future assessments.

The Ohio Act also provides an insurance fund out of which the compensation given by the Act shall be paid. The Act vests in the Board having in charge the administration of the law authority to classify employments with respect to their degree of hazard, and to fix a premium or rate of insurance to be paid by the employers. This rate shall conform to the hazard of the risk, and is based on the total pay roll and number of employees in each of said classes of employment. The premiums thus determined are paid to the State Treasurer to create an insurance fund, the employers paying 90 per cent and the employees 10 per cent of the premium. The employees' share is paid by the employer, and deducted from their wages. This plan differs from the Washington plan in that the Board, rather than the legislature, classifies the hazard and fixes the insurance rate, and for that reason is more elastic and can be made to respond more quickly and accurately to actuarial experiences.

The Massachusetts Act creates a Mutual Employers' Insurance Association. Any employer adopting the Act may become a member of this Association. The Association is a self governing body and elects its own officers and directors. The directors divide the members of the Association into groups in accordance with the nature and the hazard of the

business. The Association fixes the rate of premium to be paid by the employers on their respective policies, and if the funds for paying claims fall short, it may replenish them by assessing the members of the Association liable therefor in proportion to their several liability. The Association is under supervision of the State Insurance Department. It was the purpose of the legislature to create a Company to pay all workmen's compensation benefits. This Company is in its nature the same as other mutual insurance companies sanctioned by the laws of that State, and is expected to furnish insurance at cost; there is to be no profit to any outside corporation. The spirit of the law was that the employers should carry their own risks through a mutual association, and in this respect it copied the German idea. But employers are permitted to insure in any liability insurance company which is authorized to do business in that State and which files with the Commissioner of Insurance its classification of risks and premiums relating thereto, none of which shall take effect until approved by that official.

The Michigan Act permits the employer to provide for his hazard by (1) giving the industrial board satisfactory proof of his solvency and ability to pay the benefits of the Act; (2) by insuring against his liability in any employers' liability Company licensed to do business in the State, (3) by insuring in any employers' insurance association organized under laws of State; (4) by requesting the Insurance Commissioner to take charge of the levying and collection of the premiums, and of the disbursement of the benefits. The Insurance Commissioner is bound to assume this undertaking when five or more employers who employ in the aggregate 3,000 employees request him in writing to do so. In doing this duty, however, neither the Commissioner, nor the State, becomes responsible for the payment of the benefits beyond the sums collected. Under such circumstances the Commissioner classifies the employments according to the hazard, determines the rate of premium, and increases or diminishes it as the hazard or needs of the fund require, or the risk of the employments vary. If the employer does not pay his premium it shall be collected by a suit in the name of the State. The Insurance Commissioner is authorized to employ such help as is necessary to discharge the duties thus assumed. If at any time there is not money in the fund to pay a warrant drawn upon it by the Commissioner on account of an accident, the employer on account of whose workman the warrant was drawn shall pay it and shall be credited therefor upon his next payment to the insurance fund and if such payment exceeds the next premium the excess shall be refunded to him.

## THE RESULTS OF THE AMERICAN LEGISLATION.

As stated in an earlier part of this report, American legislation on this subject is of very recent origin. In only five States, Nevada, New Jersey, Washington, California and Wisconsin, in the order named, have the laws been in full effect for more than a year, and the earliest of these laws, Nevada, became fully operative on July 1st, 1911.

All of the Acts, save that of Washington, left it to the employer to decide whether he should adopt the provisions of the law or not; and in all but two cases, New Jersey and Illinois, this choice had to be made by an affirmative Act of the employer. As this legislation is new, experimental, and not well understood, employers have been slow to commit themselves to its provisions. There has not, therefore, been time enough, nor a sufficiently large body of employees working under the provisions of the Acts, to afford reliable data from which to judge of the wisdom and effectiveness of this legislation. Such reports as have been put on by the various Commissions, having in charge the administration of the law, call attention to this fact; but they contain the statement that these laws have so far given very general satisfaction to both employer and employee.

In Wisconsin the law was taken to the Supreme Court and that body in the case of

*Borguis vs. Falk*, 127 Wis. 327.

upheld it on every point raised. They decided that it was a proper exercise of the police power; that its classifications were unobjectionable; that it did not violate the right of trial by jury; that it was not unconstitutional because it abolished the Common law defenses in actions based on negligence, or because it coerced employers to accept the provisions of the Act.

Within a year after the Act became operative it had been accepted by 435 employers, representing 546 establishments, and hiring 63,728 workmen. The Commission have summarized the results of their experiences relative to private employers as follows:

Total number of accidents reported.....	1,266
Cases of voluntary settlements by employer.....	866
Cases in process of voluntary settlement.....	172
Cases where no compensation was asked.....	199
Hearing had and awards made by Commission.....	9
Applications for review by employers.....	2
Application for review by employee.....	1

The summary of experiences relative to the State and Municipal employes is as follows:

Total number of cases reported.....	66
Cases of voluntary settlement by employer.....	7
Cases in process of voluntary settlement.....	15
Cases where no compensation was asked.....	33
Hearing had and awards made by Commission.....	11

The Commission criticizes the old line insurance companies because of their unfair treatment of the law and the unreasonably high rates fixed by them. They claim that those companies fixed the rates in combination and made them twice as high as they were under Common law liability insurance. The Company filed with their schedule of rates in the Insurance Commissioners office an analysis of the Act which the Commission thought to be "manifestly incorrect and prejudiced to the Act." This analysis the Companies were compelled to withdraw, but they did not change their rates. As a result of this controversy the matter of liability insurance will most likely be submitted to the legislature for consideration and regulation.

It is possible to organize mutual insurance companies under the Wisconsin laws for the purpose of carrying employees' compensation insurance, and one such Company has been organized at Wausau, which issues policies at a somewhat less rate than was charged on the Common law liability risks, and, of course, considerably lower than the rate now charged by the old line companies. This experiment seems to have worked satisfactorily so far. Very little malingering has resulted, less in fact than under the old liability scheme.

The Act has been criticised, especially by the old line Insurance Companies, because of its liberal allowances for provisional medical and surgical attendance, and for its high rate of compensation for loss of wage (65 per cent), this last on the ground that it is likely to cause malingering. The Commission defend the Act against both of these charges. The law seems to have given very general satisfaction so far, as is evidenced by a large number of commendatory letters written by employers engaged in a great variety of enterprises of varying degrees of magnitude. The Commission seem disinclined to suggest amendments to the law at this time, but express the belief that the New Jersey plan of giving compensation for specific kinds of injuries is better than the plan adopted in the Wisconsin Act, for the reason that the employer can more easily determine the extent of his liability and the employee the measure of his relief, and so come more readily to a mutual settlement without the aid of

the Commission. The administration of the Act has been found to be simple, easy, inexpensive and productive of a better feeling between employer and employee, in fact many of the employers in addressing the Commission have made mention of these things, and have expressed the hope that the law will not be repealed.

In the State of Washington an action was quickly brought to determine the constitutionality of the Act. It was sustained by the Supreme Court in

State ex rel Smith vs. Clausen, 117 Pac. 1101.

That Court held the Act to be a proper exercise of the police power; the classification of industries for the purpose of collecting premiums and distributing compensation not objectionable as class legislation; the assessment and enforcement of the premiums not illegal as unequal taxation; and the right of trial by jury not to have been improperly taken away.

Although no private insurance company, stock or mutual, can insure employers under the Washington Act, the representatives of the old line Casualty Companies seem to have made a determined effort to discredit the law. They flooded the State with circulars containing arguments against the Act and advised their former clients to refuse to pay the premiums provided by the law, and it is said that some of them even went so far as to promise to pay the expenses of litigation in case they were sued by the State. This opposition induced the State Insurance Department to notify the offending companies that their license to do business in the State would be revoked unless these practices were stopped, and this threat seems to have had the desired effect.

Under the Washington Act all employers in the enumerated industries are required to accept the provisions of the Act, and they seem to have done so cheerfully, and to have aided the Commission as much as possible in putting the law into effective operation. Out of 5,200 employers, subject to the law, only 33 failed to pay their assessment on demand. Of these, 14 settled when proceedings were started against them by the Attorney General, and of the remaining 19 cases several were of firms in financial difficulty. Fully 90 per cent of employers have been found, according to a statement of one member of the Commission, "to be in most hearty accord with the law, gladly giving every courtesy, and the heartiest co-operation, to the agents of the Commission seeking information and their pay rolls." Out

of 5,666 claims passed upon only 12 appeals have been made from the decision of the Commission.

At the beginning a large number of trivial accidents were reported and claims made thereon, but the Commission passed a rule barring claims where the workman lost less than 5 per cent of a working month (26 days) or had suffered an accident which impaired his earning capacity less than 5 per cent. From the first the accidents averaged over 500 per month, and as the employer and employee became more familiar with the law a number of previously unreported and unreported accidents were reported, so that on February 1, 1911 (the law became effective on October 1, 1911), the average of reported accidents was 675 a month, and on June 1, 1912, it was 873 per month, or between 8 per cent and 10 per cent of all workmen employed in the enumerated industries.

As before stated, the insurance fund is made up of yearly premium payments made by the employers. The sums thus paid by the employers are a given percentage of their total pay roll for that year, and that percentage is established by the provisions of the Act and is based on the supposed hazard of the risk. In creating this fund the Commission seem to have adopted the plan of calling for periodical assessments from the employers. For certain of the classes calls have been made each month, for others once in three months, and for still others only one call seems to have been made. The sum total of these calls cannot be larger than the rate of risk fixed by the Act, but may be less, and if less, the premium paid by the employer will be to that extent reduced. It seems to be the purpose of the Commission to collect from the employers in a given industry no more money than is necessary to promptly care for the claims arising from that industry; and the fact that in some industries it has been found necessary in order to do this to make monthly calls, and in others only one call; and the further fact that a single call in one industry provided a fund sufficient to pay all claims which are likely to arise in that industry for five or six years, thereby making no more assessments necessary during that period, indicates, as we think, that the rates provided by the Act are not true measures of the hazards of the various industries, and that they should be revised.

The Commission is in favor of "fewer classes containing industries well knitted together by mutual interests, instead of many classes separated by arbitrary divisions and distinctions." The wisdom of this preference was fully



demonstrated by the experience of Class 46 Powder Works. This class contained only four plants, and all but one of them were very small. Soon after the Act went into effect an explosion occurred in one of the small plants and eight girls from 14 to 21 years of age were killed. This catastrophe at a single stroke depleted the entire fund available for this industry, and produced a deficit to be made up at the end of the year.

The Commission seems to think that the cost of insurance to the employer is less under the present Act than it was under the old Employers' liability policies, and in proof of this opinion says that lumbermen now insure for from \$1.05 to \$1.25 per thousand, whereas it formerly cost them from \$1.35 to \$1.50 per thousand. We do not think that the comparison is entirely a fair one, or that it can now be said what the ultimate cost to the lumbermen of carrying insurance under the present law will be. The law has been in force for about one year, and if the ratio of accidents which have happened during that time is the normal ratio for that industry, then the rate paid and named above, is the probable constant rate for the hazard of the business without any additions for pensions, and disability payments made on account of accidents which happened in previous years. To this normal rate must be added from year to year enough to take care of the cumulating pension and disability charges for previous accidents, and it will take several years' experience before it can be definitely known what the cost of this new kind of insurance will be. But with the employers' liability policy the liability is fixed and definite, and the utmost of it is known at once upon the death of the workman.

The Commission consider the Act faulty in that it does not provide for a first aid fund out of which to pay medical and hospital expenses. The legislature will no doubt be asked to make provision for such relief.

The employers in the lumber, and some other, industries have already taken steps to standardize their plants and operations for the purpose of reducing the hazards of their occupations. The law seems to have given very general satisfaction to both employer and employee. The following is a brief summary of its operation.

Firms listed and assessed.....	5,200
Employees listed and protected.....	125,000
Accidents reported .....	6,985
Claims allowed .....	4,525
Claims in process of adjustment.....	1,319
Claims disallowed and waived.....	1,141

Paid into accident fund.....	\$540,951.30
Paid out on claims.....	216,435.21
Invested in interest bearing reserves (State and Municipal securities) to guarantee pensions.....	149,796.70
Net balance in accident fund.....	274,719.39
Gross expense of Commission.....	78,752.92
Total funds handled by Commission.....	719,694.22
Expense of doing business.....	11%

The California Act has been in operation for somewhat over a year. As previously stated, it is the Wisconsin statute with some changes and modifications which were thought to be improvements, but which experience has shown were not, and the Commission is urging that these unsatisfactory features be improved.

Something over 450 employers, many of them very large ones, have elected to be bound by its provisions, and about 50,000 employees have been brought under the law. Out of this number of employees 750 have been injured so as to lose a week or more of time. All but 10 of these cases were settled by the parties without reference to the Commission. Of these ten, two were withdrawn, two are in process of determination, and the remaining six have been disposed of. The law seems, therefore, to be practically self-executing. So far the law has proved very satisfactory.

The stock insurance companies engaged in writing liability insurance combined in making a rate for compensation insurance under the Act which "is from one and a half, to four and a half, times their rates for liability damages." The resulting situation is regarded as a serious one by the Commission, and they have ventured the statement that a way must be found to remedy it.

The Act is criticised by the Commission because it provides the same compensation for all degrees of disability ranging from 31 per cent of total up to total, and because it carries one who has lost his earning power only four and one-half years and then throws him upon public charity for the rest of his life. A proper schedule would extend substantial aid to those who can recover their earning power for a time reasonably necessary for that purpose, and to those who cannot an industrial pension sufficient, when added to what they earn, to keep them from want during the rest of their life.

The Commission proposes to ask the legislature to make the law compulsory and to enlarge its scope; to create a department of inspection and accident prevention similar to that of Wisconsin; to establish a State insurance fund com-

petitive with other insurance agencies which will permit of insurance for one person for one day, such fund to be no more than self-supporting; to establish a rate making bureau with power to compel the claim reserves to be calculated in accordance with the rates made by the bureau.

The Commission is also working on a plan to make the benefits of the Act more definite, and more in accordance with the conditions and needs of the workman or his dependents as above expressed.

The Massachusetts and Ohio laws have been in operation for less than a year, and no reports have been issued detailing the working of the laws.

Both laws have, however, been construed by the Supreme Courts of the respective States and have been pronounced constitutional.

The Massachusetts Court decided that it was permissible to abolish the Common law defenses of negligence; to exclude domestic servants and farm laborers from the operation of the law; to provide that an employee shall be deemed to have waived his right of action at Common law if he has not notified his employer that he intends to claim it; and that the Act is not in conflict with the fourteenth Amendment of the Federal Constitution prohibiting the taking of property without due process of law.

Opinion of Justices re House Bill 2154, 209 Mass. 607.

The Ohio Court decided that the Act of that State did not violate the right of trial by jury; that it did not take property without due process contrary to the fourteenth Amendment of the Federal Constitution; that it did not deprive parties of the freedom of contract, or impair contracts, or create an arbitrary classification; and that the creation of a State insurance fund to be sustained by payments made by employers and employees and out of which the employee should be paid for injuries received was a proper exercise of the police power.

State ex rel Yaple vs. Creamer, 85 Ohio 349.

As might be expected the old line insurance companies have made a vigorous attack on the Ohio law. They circularized the employers of the State, criticising the Act, and it is said, offered to insure the employers against losses sustained on account of their own and their agents' willful acts of negligence, and on account of their refusal to comply with State and Municipal laws for the protection of the life and safety of their employees. This activity was

deemed pernicious by the State officials and drew from the Attorney General an opinion that all such contracts were void as against public policy, and caused the State Insurance Commissioner to ask the various insurance companies if they had written any such indemnity contracts, and if they had to notify him what steps, if any, they had taken to withdraw from such undertakings. The companies were moreover in substance required to attach to their policies a rider stating in specific terms that the contract should not be construed as furnishing indemnity against such risks.

The industrial board has classified industries as follows:

Class 1. Employments having ten or less accidents per \$100,000 of pay roll and no deaths or permanent disability.

Class 2. Employments having over ten and not over forty accidents per \$100,000 of pay roll, and no death or permanent total disability.

Class 3. Employments having over forty and not over one hundred accidents per \$100,000 of pay roll, and no death or permanent total disability.

Class 4. Employments having more than one hundred and not over two hundred accidents per \$100,000 of pay roll, including one death or permanent total disability.

Class 5. Employments having more than two hundred accidents per \$100,000 of pay roll, or more than one death or permanent total disability.

In each class 3.4 per cent of total pay roll is added for each death or permanent disability per \$100,000 of pay roll.

In fixing the rate any given employer must pay, the Board considers the individual hazard of each employer, as well as the hazard of his class. The Board seeks in this way to give a careful employer who uses approved safety appliances the benefit of his care, and to relieve him from the necessity of paying for the carelessness and negligence of other employers in his class. To the extent that he uses care, and equips his plant with safety devices, he secures a proportionate reduction in his rate of insurance. This classification of industries and method of rate making is so far as we know a novel one, and is a complete departure from the customary method of making all members of a class pay one uniform rate regardless of the varying degrees of care used by the different members of the class. This new plan will no doubt be difficult to apply, involv-

ing as it must a minute examination of each individual employer's business, but it ought not to be impossible. It is worthy of serious consideration because it is grounded on a fundamental principle of justice.

It is quite evident from an examination of the literature put out by the different Commissions that one of the chief difficulties with which those charged with the administration of these laws have had to contend, is the attitude of the old line stock insurance companies, and the trouble seems to center mostly about the question of insurance rates. This new legislation has opened up a vast field of business which the old line companies are anxious to take possession of on as favorable terms as possible. The Commissions have been anxious, for the sake of the new legislation, to have the rates made as low as possible. Neither side has seemingly approached the controversy with a judicial mind, and the result is that the collision has generated more heat than light. We believe that neither party is entirely right. We think that the cost of insurance under the new legislation is going to be more expensive than the Commissions seem willing to admit. It is manifest that the premium rate must include charges to carry the sums to be paid for death pensions, and disability both permanent and temporary. This is a new element of cost, and the statistics and data are not available on which to accurately compute it. That this element of cost will extend over several years is certain. In the absence of statistics showing actual experiences, the magnitude of this item is largely a matter of conjecture, because an injury which seems trifling to start with often develops into one which will produce partial, or even complete, disability or death, with a consequent increase in the compensation payments. This fact the insurance companies correctly make much of.

On the other hand, the Commissioners argue with great force that over 60 per cent of the insurance premiums are used up in expenses of management and securing business, and that a large part of this represents pure waste from the point of view of the person for whose benefit the premium is paid. We think the argument is unanswerable, and that those companies must devise some means to remove this objection, if their participation in this business is to be permitted. This business exists for the benefit of the people who sustain the injury, not for the benefit of the insurance companies—a fact which they do not yet seem sufficiently to have grasped. Their present wasteful methods savor greatly of robbing the alms plate on its way to the altar, and any company which cannot arrange to give to the in-

jured workman, or his dependents, much the largest share of the money paid for his protection has no right to handle it, and ought in the end to be prohibited from doing so.

But it must be confessed, we think, that the problem of rate making is not yet fully understood even by the insurance actuaries, much less correctly solved by any of them.

As already stated, the Actuary of the Ohio Commission has adopted a method never before tried, so far as we know. In Massachusetts where the Insurance Companies have shown a more friendly attitude to the law than they have shown in most other States, and where they must compete with a mutual company under State protection, a Committee of expert underwriters, representing a bureau which had for years been gathering statistics relating to accident liability and workmen's collective policies, and had made rates and rules based thereon for most of the Companies doing business in that State, undertook to make a rate for the new Compensation Act. They used the old method of charging a given amount, varying with the hazard of the risk, per \$100 of pay roll. The State Commissioner of Insurance in speaking of their work said: "The figures are the result of estimates based on experience as shown by the statistics of other countries which have adopted compensation Acts, and upon personal accident, workmen's collective and Employers' liability policies in this country. No one pretends that they are anything but the very best guesses of the very best guessers in the business, who, in making their guesses have had the advantage of a thorough knowledge of the proper rates to be charged for kindred lines."

But when Mr. S. H. Wolfe of New York, an expert Actuary of great authority, came to prepare a rate for the Mutual Insurance Company of that State to be applied to the same law, he came to the conclusion, upon an analysis of the subject, that those expert guessers had made an error in selecting the pay roll as the basis for computing the premium as a whole; and in an analysis which seems convincing to a layman justified his conclusion, but his calculations also were based in part on mere guesses.

The only accurate statement, therefore, which can be made at this time with reference to the cost of insurance under the new legislation is, that no one knows, or can know for some considerable time to come, what this cost will be.

The Ohio Commission has put out a table showing the

cost to date under the Acts of different States. It is useful only for purposes of comparison.

Employments.	Ohio	New Jersey	Illinois	Wisconsin
Candy Manufacturing.....	\$0.70	\$1.50	\$2.00	\$2.10
Coal Miners .....	1.80	6.00	15 00	8.40
Carpenter Contractors .....	3.05	3.75	4.50	5.25
Mason Contractors .....	3.90	5.25	6.30	7.35
Electric Light and Power Co.....	4.15	6.00	7.20	8.40
Harness and Saddle Manufacturing	.85	1.25	1.65	1.75
Saw Mills .....	2.20	4.50	5.60	6.30
Planing Mill and Lumber Yard....	1.60	3.25	4.05	4.55
Machine Shops .....	.85	2.00	2.50	2.80
Machine Shop with Foundry.....	.95	2.50	3.10	3.50
Iron Foundry .....	1.25	2.75	3.40	3.85
Boiler Makers .....	1.95	3.50	4.25	4.90
Flour Mills .....	1.20	2.00	2.70	2.80
Mining Clay .....	1.80	6.00	8.10	8.40
Street Railway .....	2.15	5.00	6.75	7.00
Printers .....	.85	1.25	1.55	1.75
Freight Handlers .....	2.20	4.00	8.00	5.60
Cement Manufacturing (no quarry)	2.80	4.05	5.40	5.60
Clothing Manufacturing.....	.35	.60	.75	.84
Mattress Manufacturing (no spring)	.50	1.50	1.85	2.10
Tobacco Manufacturing.....	.50	.75	1.00	1.05
Scrap Iron Dealers.....	3.80	6.00	8.10	8.40
Storage (Grain) .....	2.05	2.50	3.38	3.50
Furniture Manufacturing .....	1.00	2.00	2.50	2.80
Wood Turners .....	1.00	2.25	2.80	3.15

In considering these figures it should be remembered that the scales of compensation are not entirely alike in any two of these States.

The following table of insurance rates for a few industries in Norway, England and Germany, is given for the purpose of comparison with the above table. It was compiled by Miles M. Dawson, and is found in Bulletin 90, Bureau of Labor. The Norway figures are flat rates fixed by the State; the English figures are rates charged by Insurance Companies; and the German figures are rates fixed by Employers' Associations:

Employments	Norway	England	Germany
Boiler Construction .....	\$2.31	\$1.25—\$2.00	\$3.80
General Contracting .....	2.18	.75— 2.50	2.32
Carriage Factories .....	1.54	2.50	.84
Casting Works, Iron.....	1.47	.625— 3.00	1.42
Railroad Construction .....	3.01		2.30
Drayage and Heavy Moving.....		1.00	4.94
Electrical, Machinery Plants.....	1.22		.98
Electrical, Installing .....	.94	.50— 1.50	1.10
Blast Furnaces .....	1.47	.625— 2.50	\$1.42— 3.25
Laundries, Power .....	.73	1.00	1.17
Machine and Repair Shops.....	1.36	.75— 2.00	1.69
Painters, Exterior .....	1.41	1.00— 3.00	1.01
Saw Mills .....	1.99	1.25— 2.50	4.19

Tanneries .....	.76	.75	8.23
Tool Makers .....	.80	.75— 2.00	1.62
Turning, Wood .....	1.44	.625— 2.50	1.50
Turning, Iron* .....	1.47		.84

In studying these figures it should be remembered that they are the results of European conditions which vary greatly from American conditions and are based on a schedule of compensations differing in many particulars from those in force in the American States referred to.

#### EUROPEAN RESULTS.

Until quite recently it has been the custom to speak of the German law as in every way satisfactory; but in 1911 Dr. Ferdinand Friedenborg, who was at one time President of the Senate of the German Imperial Insurance Office, published a pamphlet in which he severely criticised that law, and suggested that it should be changed, and perhaps repealed as to its accident features. That pamphlet has been translated into English, and has been widely circulated by an association of American Casualty Insurance Companies for the evident purpose of showing that the German system of State insurance was, if not a failure, at least impractical, and wholly undesirable for American imitation.

Dr. Friedenborg's article charged that the insurance law had increased, rather than diminished, the class antagonism, that litigation has increased under it until it had assumed alarming proportions; that a pension hysteria had resulted, which was due, at least in part, to a disposition of the Imperial Office to decide appeal cases on the basis of social charity rather than of obligation imposed by law; that to prove an accident probabilities, not facts, are the basis of decisions; that trivial cases take up the time of the Imperial Office, enlarge the expense of administration, and furnish material for political agitation; and that the system has laid an unduly heavy burden on German industry without decreasing poverty, thereby defeating one of the main purposes of the Act.

Coming as it did from a man who was manifestly well qualified to speak upon the subject, the pamphlet produced a great impression and invited a reply. One was given by Dr. Randolph T. Bradsky which is summarized in "The Survey" of May 4, 1912, where may also be found comments, both laudatory and critical of Dr. Friedenborg's article by several students of the subject.

Dr. Bradsky pointed out that the criticism went to the de-



tails of administration, and not to the essential merits of the scheme. It was admitted that there were defects which called for correction, but those faults were well recognized by the German officials and were being eliminated. He showed that while litigation had increased as to number of cases, it had in reality decreased very materially in ratio, to be specific from 33 per cent to 17.5 per cent; and that in any event most of it was due to a change of the law which cut out compensations for minor injuries, and in the application of a new provision of the law which prescribes a change in the rate of compensation following a change in the physical condition of the insured. Enforcement of those new provisions of the law have been vigorously resisted, and the appeals based thereon have been increased eight times in two years, while appeals on first awards have increased only two times during the same period. The class antagonism was shown to be due to the fact that the Employers' associations which fix the rates and pay the benefits, make an ex parte determination of the extent of the injury. The employers have been anxious to keep down the assessments, and the employees have felt that their rights were taken away without a hearing and unjustly. He conceded that the private doctors were too willing to certify a higher degree of disability than really existed, because it tended to keep the patient under their treatment for a longer time; and that the reports of the official doctors, being less favorable, were apt to be received by the laborers with suspicion, with the result that pains were much exaggerated. He stated that the application of the law had resulted in a development of accident prevention unequalled anywhere else, and that the curative work had brought about a reduction of the average award from 232 marks to 155.5 marks, while wages have risen during the same period, and the average duration of life had increased from 38.1 years to 48.8 years. In answer to the charge that German industry has been greatly handicapped, he quotes from Dr. Zacher, President of the Industrial Statistical Department and an international authority in his profession, "Germany has presented an example of unprecedented expansion and progress. Our exports to foreign countries aggregate today 7,000,000,000 marks, having risen from fourth to second place in international trade. Industries employ ever larger numbers of persons, so that emigration has practically ceased, and the country is obliged to import annually a million laborers. The National wealth has doubled. The Savings Banks books of 18,000,000 people show total deposits of 14,000,000,000 marks against 2,000,000,000 in 1875. Wages have risen for the same period for unskilled labor 25 per cent, for skilled 50 per cent, and in certain trades the increase is 100 per cent, an increase which, according to the

English economist, Prof. Ashley, is without precedent in any country, and which was but slightly affected by the increased cost of living. The English Commission that visited Germany stated that the standard of living among German laborers moves in a constantly higher direction. Germany has the lowest percentage of unemployed."

Dr. Friedenburg's article was further criticised by Dr. Weymann, also at one time President of the Imperial Insurance Office, who stated that the article was unduly pessimistic, biased, and dealt with defects which did not go to the essence of the system.

Dr. F. Lange, Attorney of the Public Legal Bureaus in the Imperial Insurance Office, criticised it as being "so one sided as to be a parody on present conditions." (The Survey May 4, 1912.) Mr. F. C. Schwedtman (Chairman of the Committee on Industrial Indemnity Insurance, National Association of Manufacturers), quotes from a letter received from Dr. Zacher as follows: "His (Dr. Friedenburg's) statements must not be taken too seriously. He has been generally known, even during his active connections with the Imperial Insurance Department, as the solitary advocate of extreme tendencies. His articles show an unwarranted tendency to condemn a great National social insurance system on account of a few trifling shortcomings in some of its details." Mr. Schwedtman says "I saw accident pervention practiced more systematically under the German scheme than under the English law. An English Commission consisting of members of the labor party and trades Union Commission says, after a visit to Germany, in its report. 'One effect of all this organization is to prevent the hideous open social sores with which we in Great Britain are so familiar. There are certainly poor in Germany, but there are few so utterly broken on the wheel of misfortune as those who are allowed with us to wander about. Germany individually and collectively is realizing itself and organizing itself. We are convinced that it is having considerable effect at present in increasing the productive efficiency of the Nation.' He quotes, "Professor Edward Fuster of Paris, one of the greatest international experts upon this subject, says: 'The money which Germany is devoting to social insurance reappears in a thousand forms. It promotes happiness of family, health and self respect. It makes for a strong enduring Nation and for international supremacy.' Dr. Paul Kaufman, President of the German Imperial Insurance Department, writes him that: 'It is not an accident that the unprecedented expansion of German commerce and industry has happened concurrently with

thoroughgoing improvement in the condition of workers. There is a close connection between the two events. The successful handling of the labor problem by means of social insurance is one of the strongest factors in Germany's growing industrial progress.' The *Nenepolitische Correspondenz* Berlin says: 'It is proper to call attention to the fact that Friedenburg's statements are in many directions incorrect, and make individual shortcomings appear general to an unwarranted degree. As a whole, Dr. Friedenburg's statements give a wrong picture of the results of German workers' insurance, and are, therefore, unfitted to inform foreign countries accurately and conclusively concerning German Workers' Insurance System.' Mr. Schwedtman analyzes the German accident insurance expenditures for 1908, as follows:—77 3-4 per cent of the total expenditures paid to injured workers or their dependents, 9 1-4 per cent for reserve fund, 7 1-4 per cent for managements, 2 3-4 per cent for investigations, and 1 3-4 per cent for litigation. Such efficiency is entirely unknown in the United States or in England." (The Survey, May 4, 1912.)

The German Parliament revised the law in 1910, and after full consideration of the defects of which Dr. Friedenburg complains left the law unchanged in its essential features.

In closing the discussion of Dr. Friedenbrug's criticism, it is appropriate to say that he recommends State insurance in place of employers' mutual insurance as a cure for the evils complained of.

While we think the critics of the German system have not made out a case, and that entirely unwarranted deductions have been drawn from Dr. Friedenburg's article, we consider the discussion most timely. It has called attention to admitted defects which it is well to be informed of at this time. Our study leads us to the conclusion that the cost of German assessment insurance, has steadily risen, and that it has not reached its maximum; it has been estimated that the full cost will not be known before 1960. But in reply it should be said that the employers with deliberate purpose placed the rate low to start with so as to make the transition to the new conditions gradual and more easy. Two serious complaints are made: One is that the expenses created by firms that fail or abandon business are saddled on to the remaining members of the class; this burden seems to be considerable. The other is that there has grown up a class of doctors who make a business of falsely certifying to workmen's injuries for their own profit; this has grown to be more of a scandal than was the activity of ambulance chas-

ing lawyers. It seems to be the outgrowth of permitting employers to choose their own doctors. It is thought that doctors furnished by a board administering the law would remove or at least abate the evil. Admirable as the law may be for Germany, it is much to be doubted if it could be transplanted to this country. It is very complex, has many checks and balances, and is devised for the special conditions which prevail in that country. It cannot, we think, even be used as a basis for fixing rates to be charged in this country, for the reason, among others, that accident insurance is closely correlated with the sickness insurance, and during the first thirteen weeks the employers share the costs of the benefits with the workmens' sickness societies out of funds to which both employer and employee contribute, in ratio of one-third and two-thirds. We have no such societies in America. Another reason is that the German officials have apparently administered relief on the basis of social charity rather than legal liability, and to the extent that this has been done, the rates are an unfair index of the cost of accident insurance proper.

The Austrian experience develops the fact that rates have been fixed too low. The Austrian law directs that the rate shall be high enough to pay current benefits and create a reserve to meet future benefits. This has not been done and the result is that a large deficit has accumulated which the people are trying to make the State assume and pay. The rates were purposely made low to favor the employers, and those individuals are now resisting all efforts to raise them. The cost of administration has been very low, lower in fact than in Germany, due in part to the fact that less sick benefits, medical and hospital treatment is granted. Sick benefit societies are common in Austria, as in Germany, and they contribute to the relief of the injured workmen for the first four weeks, in Germany similar societies administer relief for the first thirteen weeks. The Austrian law has been very effective in reducing the number of accidents and its administration has been quite satisfactory.

The French law is very complicated, and mutual aid societies are made use of to a considerable extent, in administering the relief for temporary disability for the first ninety days. It was at first thought that the cost for temporary injuries would be comparatively light, but this has been found not to be the case. According to Mr. Sherman this element of cost amounted in 1910 to 29.71 per cent of the

premiums, 10.5 per cent of the total being for medical expenses alone. Insurance is distributed as follows:

French Mutual Societies.....	25 per cent
French Stock Companies.....	51 per cent
French Trade Syndicates.....	8 per cent
Foreign Stock Syndicates.....	16 per cent

Here, as elsewhere, the insurance rate has been placed too low. It has been raised from 1.53 per cent of pay roll in 1901 to 2.32 per cent in 1907, and still further raises must be made. Besides these charges to insurance companies, employers are taxed by the State a small tax to maintain a guarantee fund to pay losses. The law is considered a good one for France, but it seems that employers complain of the high rates. (Report of P. Tecumseh Sherman to Bureau of Publicity—Casualty Ins. page 51.) In France also "Doctors' Graft" seems to have assumed considerable proportions and it has been said to be as great an evil as is "Ambulance Chasing" in America.

The Belgian law is in many respects like the French law, and there, too, the rates have been placed too low; and the same is true of Holland where the State made good a deficit of \$300,000. Norway has had a like experience and the State made good a deficit of \$100,000. The Norwegian plan differs from all others in that the State is the insurer and assumes direct liability for the benefits. The rates are, of course, fixed by the State officials, and it collects the premiums through the Post Office Department and pays the expenses of management. The theory is that the fund shall be maintained on a capitalized valuation basis. This was not done at first owing to a too low rate, but of late years the claim is made that the fund has been kept up as required by law. The plan has worked well in Norway, owing perhaps to the widely scattered nature of its industries, and the cost of management has been very low. The law has been criticised because the insurance department has not been able to rate different establishments in the same kind of employment on a basis of their real hazard, for the reason that the department has feared the charge of political favoritism. The rates are, therefore, flat and not responsive to the actual hazard. Much is made of the possibility of political favoritism in administering benefits under such an administration, though so far as we can find no such favoritism has in fact been shown. In fact the law seems to have been exceedingly well administered, and to have produced satisfactory results with the possible exception that it has not brought about much, if any, relief by way of accident prevention.

The English law was made the subject of a very thorough investigation by a Parliamentary Commission composed of able and distinguished persons. They made a lengthy report in which they approved of the law as a whole, and suggested only minor changes. They recommended that the Act be extended to other specified industries; that the waiting period during which no compensation should be paid by the employer be not shortened as requested by the employees, but that it be left at two weeks, the time mentioned in the law, the Committee being of the opinion that to shorten it would encourage malingering and fictitious claims, and at the same time increase the cost of insurance from 25 per cent to 50 per cent; that the law had not tended to prevent accidents and increased the installation of safety devices; that in some instances the burden of insurance had been extended over the industry and in others had not been so extended; that rates of insurance were charged at first on German and Austrian experience, were found too high, and were accordingly reduced in June, 1899, one-third; that according to the figures submitted by some of the Insurance Companies the average cost for each accident had increased, in case of death, from \$550 in 1901 to \$569 in 1905, in case of permanent disability from \$268 in 1901 to \$472 in 1906, and in case of temporary disability the average cost for a like period was \$24; that owing to prosperous times little difficulty had been experienced on account of the bankruptcy of employers, but the Commission thought the American plan of statutory regulation of Insurance Companies and the substitution of insurance liability for individual employers' liability should be adopted; that the burden on employers had not been excessive, but was growing and that caution in legislation was, therefore, desirable; that the vast majority of cases, 95 per cent, were settled by agreement between the employer and employee, the Unions representing, to a large extent, the individual employee in such settlements; that the medical referee be called in at the beginning of the case instead of at the time of arbitration; that the amounts granted for death benefits, \$730 minimum, and \$1,460 maximum, were satisfactory; that some difficulty had been experienced in estimating weekly earnings and they recommended that the determination of this be placed upon the Judge with certain rules for guidance, and that larger discretion be given in computing extended payments into lump sum payments; that the Act had made it more difficult for old men to secure work (but this fact is denied by Messrs. Gill and Clyner, members of parliament, who testified before the New York Commission), and the Commission thought this so serious a matter that

the amendment was recommended authorizing employers to employ injured and maimed employees upon special terms as to compensation for accidents; that the Act had conferred substantial benefits on those covered by it, and while it did not give complete indemnity, it gave substantial relief, and little complaint was made by workmen on account of the extent of such relief; an extended inquiry showed a prevailing belief that the principle of the law was sound and the only question was the extent to which it should be carried.

The report of this Commission is not in harmony with the statements of other investigators on the question of the prevention of accidents, the general statement of others is that a markedly beneficial change had resulted in this particular.

Messrs. Gill and Clyner, members of parliament, testifying before the New York Commission, said that industry had gone through a very great boom and a severe depression since the Act came into effect, and that the Act had no appreciable effect on either experience. They said that the statistics, but not the actual number, of accidents had increased. This was due to the better system of reporting and to the fact that many accidents are now reported which were formerly borne in silence by the employee.

The English Trades Unions maintain funds out of which the injured workmen are paid for the first two weeks after the injury. The officials of those societies look carefully after the claims for benefits during this period, and this supervision is thought to have been largely responsible for the small amount of malingering prevalent among the English workers.

Similar as are the English laws, trade customs, and modes of life to our own, the English rates can not, we believe, be relied on as a safe basis for rate making here. This seems to be the quite general opinion of all persons competent to speak on the subject, and has been stated with emphasis by Mr. C. H. Franklin to the Ohio Commission. Mr. Franklin is an actuary of great experience, the American Manager for the Frankfort Marine, Accident & Plate Glass Insurance Company, and has had direct experience with the English compensation plan, and a thorough acquaintance with its practical operations; he is moreover in hearty sympathy with workmen's compensation, and is familiar with American conditions.

## CONCLUSIONS.

Our conclusions are that European laws upon the subject of Employees' Compensation, being fitted for particular peoples, with differing conditions, and forms of Government, are not suited for American adoption. They may, however, when carefully studied be of great assistance in drafting a law adapted to our own needs.

We think the reports of European experience sufficiently demonstrate that insurance by the State, or under the State supervision, is much less expensive than by private companies. This is shown by comparing the English cost, stated by Mr. Sherman in his report above referred to, at 36 per cent of the premium, with the Norwegian cost of 11 per cent, and the German cost of 16 per cent. The English figures include elements of cost which are paid by the State in Germany and Norway, and the element of cost resulting from competition which is absent from the German and Norwegian figures, and which represents pure waste. We believe that many of the administrative charges making up the insurance rate are proper for the State to assume and pay, as they represent a price which society generally should pay for promoting and securing peace and well being among the people generally. We think that the assumption of these charges by the State will not increase the sum total of State expenses; on the contrary, we think it will be found that existing police and help for the poor expenses will be cut down as a result of the improved condition of the working classes.

We do not think that there exist at this time sufficient American data from which to work out a fair and reasonable schedule of insurance charges, and it seems quite likely that the proper rate will be found to vary with the conditions of the different States. The problem is to a great extent, an original one so far as America is concerned, and it must be solved by experience.

The writer of this report believes that if a compensation law is passed in this State, the benefits should be made very moderate to start with, so as to discourage malingering; and that a period of at least ten days should intervene between an accident and the granting of any relief so as to prevent claims for trivial accidents, and that no compensation should be given unless it diminished the employee's capacity a definite specified ratio.

We believe that the remedy of employers' liability is antiquated, wasteful, unjust and productive of great discord;



and that the principle of employees' compensation furnishes a natural, just and economically sound remedy, which is in accord with the best and most enlightened thought on the subject both in Europe and America.

We believe that this new remedy has come to stay, and that it is not to be discredited by calling it paternalistic and socialistic. Such statements are poor substitutes for argument.

We do not think such a remedy will create additional social burdens. Those burdens already exist and are now carried by people who have not the strength to bear them; the result will be that burdens now in existence will be re-located and placed where they properly belong.

We submit for the consideration of the Legislature two Acts, one, the Wisconsin law substantially, which embodies the English idea; and the other, the Ohio law substantially, which embodies the idea of State control of an insurance fund out of which benefits shall be paid.

We have chosen the Wisconsin law because it is in operation in two States, Wisconsin and California, which have Constitutions and laws very similar to our own, and in each of which it is giving good satisfaction; and because it has been commended by many large employers who have submitted to its operation, such as the International Harvester Co., the Steel Trust, the DuPont Powder Works, and several large lumber manufacturers. The law has been passed on by the Supreme Court of Wisconsin and found to be constitutional.

We have recommended the Ohio law because it is clearly drawn, and is, we think, the best legislative expression of the plan embodied in the Act. We prefer the Ohio Act to the Wisconsin Act for the reason that in our judgment it will eliminate waste, and provide a cheaper rate of insurance than can be secured by insuring in private companies. We think it can better than any other law we are familiar with be adapted to conditions in this State, where many of the industries will have relatively few members to constitute the class, if the class is to be limited to those engaged in a particular industry. Under the Ohio plan the Board administering the law can arrange the classes not by industries, but by the ratio of accidents to pay roll; and can arrange the rate to suit the hazard of each individual risk, much as is done in fire insurance, a proceeding which cannot be, or is not, done by the old line companies, which charge a flat rate for every member of the class without

reference to his personal care and precautions. We favor the Ohio law for the further reason that the benefits are paid from an insurance fund to which the injured workman applies for relief, thereby eliminating the direct personal liability of the employer to the employee, and so removing the occasion for and the cause for class antagonisms and industrial quarrels.

The writer of this report, the Secretary, thinks that the rate of compensation, 66 2-3 per cent of the wage provided by the Ohio law, is too high, and that it should not exceed 50 per cent, and that the sick benefits should not exceed \$100; but Mr. Cleveland of the Commission believes that the rate expressed in the Act is the one which should be adopted. The President of the Commission, Mr. Hatcher, agrees with Mr. Cleveland.

Many students believe that in cases of partial disability injuries should be classified and be given specific awards, thereby securing certainty and removing grounds for misunderstandings and disputes. We have, therefore, submitted a classification embodied in the Michigan Act just recently passed, which appeals to us as the clearest, most simple and most suitable provision for this kind of relief.

In preparing this report we have been indebted to the writers of many pamphlets and reports, and we take this opportunity to state that fact and acknowledge generally the obligation we are under to those writers and thinkers.

## AN ACT

*Relating to the Liability of Employers for Injuries or Death Sustained By Their Employees, Providing for Compensation for the Accidental Injury or Death of Employees, Establishing an Industrial Accident Board, Defining Its Powers, Providing for a Review of Its Awards, and Making an Appropriation to Carry Out the Provisions of This Act.*

The People of the State of North Dakota, represented in Senate and Assembly, do enact as follows:

Section 1. In any action to recover damages for a personal injury sustained within this State by an employee while engaged in the line of his duty as such, or for death resulting from personal injury so sustained, in which recovery is sought upon the ground of want of ordinary care of the employer, or of any officer, agent, or servant of the employer, it shall not be a defense.

1. That the employee either expressly or impliedly assumed the risk of the hazard complained of.

2. That the injury was caused by the negligence of a fellow employee.

3. That the employee was negligent.

Any employer who has elected to pay compensation as hereinafter provided shall not be subject to the provisions of this section.

Section 2. No contract, rule or regulation, shall exempt the employer from any of the provisions of the preceding Section of this Act.

Section 3. Every employment, except domestic service, in which there occurs hereafter to any of the employees personal injuries arising out of and in the course of such employment is for the purpose of this Act, hereby declared a dangerous employment, and consequently subject to the provisions of this Act and entitled to the provisions thereof, provided, however, that the provisions of this Act shall apply to employers and employees engaged in interstate or foreign commerce only to the extent that their connection with intra state commerce can be clearly separated and distinguished from interstate or foreign commerce.

Section 4. Liability for the compensation hereinafter provided for, in lieu of any other liability whatsoever, shall exist against any employer for any personal injury accidentally sustained by his employee, and for his death, if the injury shall proximately cause death, in those cases where the following conditions of compensation concur:

1. Where, at the time of the accident, both the employer and employee are subject to the provisions of this Act according to the succeeding Sections hereof.

2. Where, at the time of the accident, the employee is performing service growing out of and incidental to his employment.

3. Where the injury is proximately caused by accident, and is not so caused by willful misconduct.

And where such conditions for compensation exist for any personal injury or death, the right to the recovery of such compensation pursuant to the provisions of this Act, and Acts amendatory thereof, shall be the exclusive remedy against the employer for such injury or death; in all other cases the liability of the employed shall be the same as if this and the succeeding Sections of this Act had not been passed,

but shall be subject to the provisions of the preceding Sections of this Act.

Section 5. The following shall constitute employers subject to the provisions of this Act within the meaning of the preceding Section:

1. The State, and each county, city, town, village, and school district therein.

2. Every person, firm and private corporation, except as above limited (including any public service corporation), who has any person in service under any contract of hire, express or implied, oral or written, and who, at or prior to the time of the accident to the employee for which compensation under this Act may be claimed, shall in the manner provided in the next Section, have elected to become subject to the provisions of this Act, and who shall not, prior to such accident, have effected a withdrawal of such election, in the manner provided in the next Section.

Section 6. Such election on the part of the employer shall be made by filing with the industrial accident board, hereinafter provided for, a written statement to the effect that he accepts the provisions of this Act, the filing of which statement shall operate, within the meaning of Section 5 of this Act, to subject such employer to the provisions of this Act and all Acts amendatory thereof for the term of one year from the date of the filing of such statement, and thereafter, without further acts on his part, for successive terms of one year each, unless such employer shall, at least sixty days prior to the expiration of such first or any succeeding year, file in the office of said board a notice in writing to the effect that he desires to withdraw his election to be subject to the provisions of the Act.

Section 7. The term "employee" as used in Section 4 of this Act shall be construed to mean:

1. Every person in the service of the State, or of any county, city, town, village, or school district therein, under any appointment, or contract of hire, express or implied, oral or written, except any official of the state, or of any county, city, town, village, or school district therein, provided that one, employed by a contractor, who has contracted with a county, city, town, village, school district, or the state, through its representatives, shall not be considered an employee of the State, county, city, town, village, or school district which made the contract.

2. Every person, except as above limited, in the service of another under any contract of hire, express or implied,

oral or written, including aliens, and also including minors who are legally permitted to work under the laws of the State (who, for the purposes of the next Section of this Act, shall be considered the same and shall have the same power of contracting as adult employees), but not including any person whose employment is but casual or is not in the usual course of the trade, business, profession, or occupation of his employer.

Section 8. Any employee as defined in subsection 1 of the preceding Section shall be subject to the provisions of this Act and of any Act amendatory thereof. Any employee as defined in subsection 2 of the preceding Section shall be deemed to have accepted and shall, within the meaning of Section 4 of this Act, be subject to the provisions of this Act and of any Act amendatory thereof, if, at the time of the accident upon which liability is claimed:

1. The employer charged with such liability is subject to the provisions of this Act, whether the employee has actual notice thereof or not; and

2. Such employee shall not, at the time of entering into his contract of hire, express or implied, with such employer, have given to his employer notice in writing that he elects not to be subject to the provisions of this Act; or, in the event that such contract of hire was made in advance of such employer becoming subject to the provisions of the Act, such employee shall have given to his employer notice in writing that he elects to be subject to such provisions, or without giving either of such notices, shall have remained in the service of such employer for thirty days after the employer has filed with said board an election to be subject to the terms of this Act.

Section 9. Where liability for compensation under this Act exists, the same shall be as provided in the following schedule:

1. Such medical and surgical treatment, medicines, medical and surgical supplies, crutches, and apparatus, as may be reasonably required at the time of the injury and thereafter during the disability, but not exceeding thirty days in time nor more than \$100 in amount, to cure and relieve from the effects of the injury, the same to be provided by the employer; and in case of his neglect and refusal seasonably to do so, the employer to be liable for the reasonable expense incurred by or on behalf of the employee in providing the same.

2. If the accident causes disability, an indemnity which shall be payable as wages on the tenth day after the injured employee leaves work as the result of the injury, and weekly thereafter, which weekly indemnity shall be as follows:

(a) If the accident causes total disability, fifty per cent, of the average weekly earnings during the period of such total disability.

(b) If the accident causes partial disability, fifty per cent of the weekly loss in wages during the period of such partial disability.

(c) If the disability caused by the accident is at times total and at times partial, the weekly indemnity during the periods of each such total or partial disability shall be in accordance with said subdivisions (a) and (b), respectively.

(d) Said subdivisions (a), (b) and (c) shall be subject to the following limitations:

Aggregate disability indemnity for injury to a single employee caused by a single accident shall not exceed four times the average annual earnings of such employee.

The aggregate disability period shall not, in any event, extend beyond ten years from the date of the accident.

The weekly indemnity due on the tenth day after the employee leaves work as the result of the injury may be withheld until the twenty-ninth day after he so leaves work; if recovery from the disability shall then have occurred, such first weekly indemnity shall not be recoverable; if the disability still continues, it shall be added to the weekly indemnity due on said twenty-ninth day and be paid therewith.

If the period of disability does not last more than nine days from the day the employee leaves work as the result of the injury no indemnity whatever shall be recoverable.

3. The death of the injured employee shall not affect the obligation of the employer under subsections 1 and 2 of this section, so far as his liability shall have become payable at the time of death; but the death shall be deemed the termination of disability, and the employer shall thereupon be liable for the following death benefits in lieu of any further disability indemnity.

(a) In case the deceased employee leaves a person or persons wholly dependent on him for support, the death

benefit shall be a sum sufficient, when added to the indemnity which shall at the time of death have been paid or become payable under the provisions of subsection 2 of this Section, to make the total compensation for the injury and death (exclusive of the benefit provided for in subsection 1), equal to four times his average annual earnings; the same to be payable, unless and until the board shall direct payment in gross, in weekly installments corresponding in amount to the weekly earnings of the employee.

(b) In case the deceased employee leaves no one wholly dependent on him for support, but one or more persons partially dependent therefor, the death benefit shall be such percentage of four times such average annual earnings of the employee as the average annual amount devoted by the deceased to the support of the person or persons so partially dependent on him for support bears to such average annual earnings, the same to be payable, unless and until the board shall direct payment in gross, in weekly installments, corresponding in amount to the weekly earnings of the employee; provided that the total compensation for the injury and death (exclusive of the benefit provided for in said subsection 1) shall not exceed four times such average annual earnings.

(c) Liability for the death benefits provided for in subdivisions (a) and (b) respectively shall only exist where the accident is the proximate cause of death; provided that, if the accident proximately causes permanent total disability, and death ensues from some other cause before disability indemnity ceases, the death benefit shall be the same as though the accident had caused death; and provided further that, if the accident proximately causes permanent partial disability and death ensues from some other cause before disability indemnity ceases, liability shall exist for such percentage of the death benefits provided for in said subdivisions (a) or (b) (as the case may be), as shall fairly represent the proportionate extent of the impairment of earning capacity caused by such permanent partial disability in the employment in which the employee was working at the time of the accident.

(d) If the deceased employee leaves no person dependent upon him for support, and the accident proximately causes death, the death benefit shall consist of the reasonable expense of his burial, not exceeding \$100.

Section 10. 1. The weekly earnings referred to in Section 9 shall be one fifty-second of the average annual earnings of the employee; average annual earnings shall not be

taken at less than \$480, nor more than \$1,000, and between said limits shall be arrived at as follows:

(a) If the injured employee has worked in the employment in which he was working at the time of the accident, whether for the same employer or not, during substantially the whole of the year immediately preceding his injury, his average annual earnings shall consist of three hundred times the average daily wage or salary which he has earned in such employment during the days when so employed.

(b) If the injured employee has not so worked in such employment during substantially the whole of such immediately preceding year, his average annual earnings shall consist of three hundred times the average daily wage or salary which an employee of the same class working substantially the whole of such immediately preceding year in the same or a similar employment in the same or a neighboring place shall have earned in such employment during the days when so employed.

(c) In cases where the foregoing methods of arriving at the average annual earnings of the injured employee cannot reasonably and fairly be applied, such annual earnings shall be taken at such sum as, having regard to the previous earnings of the injured employee, and of other employees of the same or most similar class, working in the same or most similar employment, in the same or a neighboring locality, shall reasonably represent the annual earning capacity of the injured employee at the time of the accident in the employment in which he was working at such time.

(d) The fact that an employee has suffered a previous disability, or received compensation therefor, shall not preclude compensation for a later injury, or for death, but in determining compensation for the later injury, or death, his average annual earnings shall be such sum as will reasonably represent his annual earning capacity at the time of the later injury, in the employment in which he was working at such time and shall be arrived at according to, and subject to the limitations of, the previous provisions of this Section.

2. The weekly loss in wages referred to in Section 9 shall consist of such percentage of the average weekly earnings of the injured employee, computed according to the provisions of this Section, as shall fairly represent the proportionate extent of the impairment of his earning capacity in the employment in which he was working at the time of the



accident, the same to be fixed as of the time of the accident, but to be determined in view of the nature and extent of the injury.

3. The following shall be conclusively presumed to be solely and wholly dependent for support upon a deceased employee:

(a) A wife upon a husband with whom she is living at the time of his death.

(b) A husband upon a wife with whom he is living at the time of her death.

(c) A child or children under the age of eighteen years (or over said age, but physically or mentally incapacitated from earning), upon the parent with whom he or they are living at the time of the death of the parent, there being no surviving dependent parent. In case there is more than one child thus dependent, the death benefit shall be divided equally among them.

In all other cases questions of entire or partial dependency shall be determined in accordance with the fact, as the fact may be at the time of the death of the employee; and in such other cases, if there is more than one person wholly dependent, the death benefit shall be divided equally among them, and persons partially dependent, if any, shall receive no part thereof; and if there is more than one person partially dependent, the death benefit shall be divided among them according to the relative extent of their dependency.

4. No person shall be considered a dependent unless a member of the family of the deceased employee, or bears to him the relation of husband or widow, or lineal descendant, or ancestor, or brother, or sister.

5. Questions as to who constitute dependents and the extent of their dependency shall be determined as of the date of the accident to the employee, and their right to any death benefit shall become fixed as of such time, irrespective of any subsequent change in conditions; and the death benefit shall be directly recoverable by and payable to the dependent or dependants entitled thereto or their legal guardians or trustees; provided that in case of death of a dependent whose right to a death benefit has become fixed, so much of the same as is then unpaid shall be recoverable by and payable to his personal representative in gross. No person shall be excluded as a dependent who is a non-resident alien.

6. No dependent of an injured employee shall be deemed, during the life of such employee, a party in interest to any proceeding by him for the enforcement or collection of any claim for compensation, nor as respects the compromise thereof by such employee.

Section 11. No claim to recover compensation under this Act shall be maintained unless, within thirty days after the occurrence of the accident which is claimed to have caused the injury or death, notice in writing, stating the name and address of the person injured, the time and place where the accident occurred, and the nature of the injury, and signed by the person injured or by some one on his behalf, or in case of his death, by a dependent or some one on his behalf, shall be served upon the employer, either by delivering to and leaving with him a copy of such notice, or by mailing to him by registered mail a copy thereof in a sealed and postpaid envelope addressed to him at his last known place of business or residence. Such mailing shall constitute completed service. Provided, however, that any payment of compensation under this Act, in whole or in part, made by the employer before the expiration of said thirty days, shall be equivalent to the notice herein required; and provided further, that the failure to give any such notice, or any defect or inaccuracy therein, shall not be a bar to recovery under this Act if it is found as a fact in the proceedings for collection of the claim that there was no intention to mislead the employer, and that he was not in fact misled thereby; and provided further, that if no such notice is given and no payment of compensation made, within two years from the date of the accident, the right to compensation therefor shall be wholly barred.

Section 12. Wherever in case of injury the right to compensation under this Act would exist in favor of any employee, he shall, upon the written request of his employer, submit from time to time to examination by a regular practicing physician, who shall be provided and paid for by the employer, and shall likewise submit to examination from time to time by any regular physician selected by said Industrial Accident Board, or a member or examiner thereof. The employee shall be entitled to have a physician, provided and paid for by himself, present at any such examination. So long as the employee, after such written request of the employer, shall refuse to submit to such examination, or shall in any way obstruct the same, his right to begin or maintain any proceeding for the collection of compensation shall be suspended; and if he shall refuse to submit to such examination after direction by the Board, or any member

of examiner thereof, or shall in any way obstruct the same, his right to the weekly indemnity which shall accrue and, become payable during the period of such refusal or obstruction, shall be barred. Any physician who shall make or be present at any such examination may be required to testify as to the results thereof.

Section 13. There is hereby created a board which shall be known as the Industrial Accident Board, to be composed of three members, not more than two of whom shall belong to the same political party, to be appointed by the Governor within thirty days after the passage of this Act, one of which members shall be appointed for the term of two years, one member for four years and one member for six years, and thereafter as their terms expire the Governor shall appoint one member for the term of six years. Vacancies shall be filled in the same manner for the unexpired term. Each member of the Board, before entering upon the duties of his office, shall take the oath prescribed by the constitution. A majority of the Board shall constitute a quorum for the exercise of any of the powers or authority conferred by this Act, and an award by a majority shall be valid. In case of a vacancy, the remaining two members of the Board shall exercise all the powers and authority of the Board until such vacancy is filled. Each member of the Board shall receive an annual salary of four thousand dollars to be paid in monthly installments.

Section 14. The Board shall organize by choosing one of its members as chairman. Subject to the provisions of this Act, it may adopt its own rules of procedure and may change the same from time to time in its discretion. The Board, when it shall deem it necessary to expedite its business, may from time to time employ one or more expert examiners for such length of time as may be required. It may also appoint a Secretary, and such clerical help as it may deem necessary. It shall fix the compensation of all assistants so appointed, but shall not incur an expense of more than \$..... for such purposes. It shall provide itself with a seal for the authentication of its orders, awards, and proceedings, upon which shall be inscribed the words "Industrial Accident Board—North Dakota—Seal." It shall keep its office at the Capitol, and shall be provided with a suitable room or rooms, necessary office furniture, stationery, and other supplies. The members of the Board and its assistants shall be entitled to receive from the State their actual and necessary expenses while traveling on the business of the Board; but such expenses shall be sworn to by the person who incurred the same, and be approved by the

chairman of the Board, before payment is made. All salaries and expenses authorized by this Act shall be audited and paid out of the general funds of the State, the same as other general State expenses are audited and paid.

Section 15. Any dispute or controversy concerning compensation under this Act, including any in which the State may be a party, shall be submitted to said Industrial Accident Board in the manner and with the effect provided in this Act. Every compromise of any claim for compensation under this Act shall be subject to be reviewed by, and set aside, modified, or confirmed by the Board upon application made within one year from the time of such compromise.

Section 16. Upon the filing with the Board by any party in interest of an application in writing stating the general nature of any claim as to which any dispute or controversy may have arisen, it shall fix a time for the hearing thereof, which shall not be more than forty days after the filing of such application. The Board shall cause notice of such hearing, embracing a general statement of such claim, to be given to each party interested, by service of such notice on him personally or by mailing a copy thereof to him at his last known post office address at least ten days before such hearing. Such hearing may be adjourned from time to time in the discretion of the Board, and hearings may be held at such places as the Board shall designate. Either party shall have the right to be present at any hearing, in person or by attorney, or any other agent, and to present such testimony as may be pertinent to the controversy before the Board; but the Board may, with or without notice to either party, cause testimony to be taken, or an inspection of the premises where the injury occurred to be had, or the time books and pay-roll of the employer to be examined by any member of the Board or any examiner appointed by it and may from time to time direct any employee claiming compensation to be examined by a regular physician; the testimony so taken, and the results of any such inspection or examination, to be reported to the Board for its consideration upon final hearing. The Board, or any member thereof, or any examiner appointed thereby, shall have power and authority to issue subpoenas, to compel the attendance of witnesses or parties, and the production of books, papers, or records, and to administer oaths. Obedience to such subpoenas shall be enforced by the District Court of any County.

Section 17. After final hearing by said Board, it shall make and file (1) its findings upon all the facts involved in the controversy, and (2) its award, which shall state its deter-

mination as to the rights of the parties. Pending the hearing and determination of any controversy before it, the Board shall have power to order the payment of such, or any part, of the compensation, which is or may fall due, as to which the party from whom the same is claimed does not deny liability in good faith within ten days after the giving of notice of hearing provided for in the preceding Section; and if the same shall not be paid as required by such order, the facts with respect to the liability therefor, and the determination of the Board as to the rights of the parties, shall be embraced in, and constitute a part of, its finding and award, and the Board shall have the power to include in its award, as a penalty for non-compliance with any such order, not exceeding twenty-five per cent of each amount which shall not have been paid as directed thereby .

Section 18. Either party may present a certified copy of the award to the District Court for any county, whereupon said Court shall, without notice, render a judgment in accordance therewith; which judgment, until and unless set aside as hereinafter provided, shall have the same effect as though duly rendered in an action duly tried and determined by said Court, and shall, with like effect, be entered and docketed.

Section 19. The findings of fact made by the Board acting within its powers shall, in the absence of fraud, be conclusive; and the award, whether judgment has been rendered thereon or not, shall be subject to review only in the manner and upon the grounds following: Within twenty days from the date of the award, any party aggrieved thereby may commence, in the District Court of the County where the accident occurred, an action against the Board for the review of such award, in which action the adverse party shall also be made defendant. In such action a complaint, which shall state the grounds upon which a review is sought, shall be served with the summons. Service upon the Secretary of the Board, or any member of the Board, shall be deemed completed service. The Board shall serve its answer within twenty days after the service of the complaint, and, within the like time, such adverse party shall, if he so desires, serve his answer to said complaint. With its answer, the Board shall make return to said Court of all the documents and papers on file in the matter, and of all testimony which may have been taken therein, and of its findings and award. Said action may thereupon be brought on for hearing before said Court upon such record by either party on ten days' notice to the other; subject, however, to the provisions of law for a change of the place of trial or the calling in of

another judge. Upon such hearing, the Court may confirm or set aside such award; and any judgment which may theretofore have been rendered thereon; but the same shall be set aside only upon the following grounds:

1. That the Board acted without or in excess of its powers.
2. That the award was procured by fraud.
3. That the findings of fact by the Board do not support the award.

Section 20. Upon the setting aside of any award the Court may recommit the controversy and remand the record of the case to the Board, for further hearing or proceedings; or it may enter the proper judgment upon the findings, as the nature of the case shall demand. An abstract of the judgment entered by the trial Court upon the review of any award shall be made by the Clerk thereof upon the docket entry of any judgment which may theretofore have been rendered upon such award, and transcripts of such abstract may thereupon be obtained for like entry upon the dockets of the Courts of other counties.

Section 21. Said Board, or any party aggrieved by a judgment entered upon the review of any award, may appeal therefrom within the time and in the manner provided for an appeal from the orders of the District Court; but all such appeals shall be placed on the calendar of the Supreme Court and brought to a hearing in the same manner as State causes on such calendar.

Section 22. No fees shall be charged by the Clerk of any Court for the performance of any official service required by this Act, except for the docketing of judgments and for certified copies of transcripts thereof. In proceedings to review an award, costs as between the parties shall be allowed or not in the discretion of the Court, but no costs shall be taxed against said Board. In any action for the review of an award, and upon any appeal therein to the Supreme Court, it shall be the duty of the Attorney General, personally, or by an assistant, to appear on behalf of the Board, whether any other party defendant shall have appeared or be represented in the action or not unless previously authorized by the Board, no lien shall be allowed, nor any contract be enforceable, for any contingent attorney's fee for the enforcement or collection of any claim for compensation where such contingent fee, inclusive of all taxable attorney's fees paid or agreed to be paid for the enforcement or collection of such claim, exceeds ten per cent,

of the amount at which such claim shall be compromised or of the amount awarded, adjudged, or collected.

Section 23. No claim for compensation under this Act shall be assignable before payment, but this provision shall not affect the survival thereof; nor shall any claim for compensation, or compensation awarded, adjudged, or paid, be subject to be taken for the debts of the party entitled thereto.

Section 24. The whole claim for compensation for the injury or death of any employee or any award or judgment thereon, shall be entitled to a preference over the unsecured debts of the employer hereafter contracted, but this Section shall not impair the lien of any judgment entered upon any award.

Section 25. The making of a lawful claim against an employer for compensation under this Act for the injury or death of his employee shall operate as an assignment of any cause of action in tort which the employee or his personal representative may have against any other party for such injury or death; and such employer may enforce in his own name the liability of such other party.

Section 26. Nothing in this Act shall affect the organization of any mutual or other insurance company, or any existing contract for insurance of employer's liability, nor the right of the employer to insure in mutual or other companies, in whole or in part, against such liability, or against the liability for the compensation provided for by this Act, or to provide by mutual or other insurance, or by arrangement with his employees, or otherwise, for the payment to such employees, their families, dependents, or representatives, of sick, accident, or death benefits in addition to the compensation provided for by this Act. But liability for compensation under this Act shall not be reduced or affected by any insurance, contribution, or other benefit whatsoever, due to or received by the person entitled to such compensation, and the person so entitled shall, irrespective of any insurance or other contract, have the right to recover the same directly from the employer; and in addition thereto, the right to enforce in his own name, in the manner provided in this Act, the liability of any insurance company which may, in whole or in part, have insured the liability for such compensation; provided, however, that payment in whole or in part of such compensation by either the employer or the insurance company, shall, to the extent thereof, be a bar to recovery against the other of the amount so paid, and provided further, that as between the employer

and the insurance company, payment by either directly to the employee, or to the person entitled to compensation, shall be subject to the conditions of the insurance contract between them.

Section 27. Every contract for the insurance of the compensation herein provided for, or against liability therefor, shall be deemed to be made subject to the provisions of this Act, and provisions thereof inconsistent with this Act shall be void. No company shall enter into any such contract of insurance unless such company shall have been approved by the Commissioner of Insurance, as provided by law. For the purposes of this Act, each employee shall constitute a separate risk.

Section 28. Any employer against whom liability may exist for compensation under this Act may, with the approval of the Industrial Accident Board, be relieved therefrom by:

1. Depositing the present value of the total unpaid compensation for which such liability exists, assuming interest at three per centum per annum, with such bank or trust company of this state as shall be designated by the employee (or by his dependents, in case of his death, and such liability exists in their favor), or in default of such designation by him (or them) after ten days' notice in writing from the employer, with such bank or trust company of this state as shall be designated by the Board; or

2. By the purchase of an annuity, within the limitations provided by law, in any insurance company granting annuities and licensed in this State, which may be designated by the employee, or his dependents, or the Board, as provided in subsection 1 of this Section.

Section 29. The Board shall cause to be printed and furnished free of charge to any employer or employees such blank forms as it shall deem requisite to facilitate or promote the efficient administration of this Act; it shall provide a proper record book in which shall be entered and indexed the name of every employer who shall file a statement of election under this Act, and the date of the filing thereof, and a separate book in which shall be entered and indexed the name of every employer who shall file his notice of withdrawal of such election, and the date of the filing thereof; and books in which shall be recorded all orders and awards made by the Board; and such other books or records as it shall deem required by the proper and efficient administration of this Act; all such records to be kept in the office of the Board. Upon the filing of a statement of election by



an employer to become subject to the provisions of this Act, the Board shall forthwith cause notice of the fact to be given to his employees, by posting such notice thereof in several conspicuous places in the office, shop, or place of business of the employer, or by publishing, or in such other manner as the Board shall deem most effective; and the Board shall likewise cause notice to be given of the filing of any withdrawal of such election; but notwithstanding the failure to give, or the insufficiency of, any such notice, knowledge of all filed statements of election and notices of withdrawal of election, and of the time of the filing of the same, shall conclusively be imputed to all employees.

Section 30. To carry out the provisions of this Act the sum of \$. . . . . is hereby appropriated out of any money in the treasury not otherwise appropriated.

Section 31. All Acts or parts of Acts inconsistent with this Act are to be deemed replaced by this Act, and to that end are hereby repealed.

Section 32. This Act shall take effect and be in force from and after the first day of July, 1913.

### THE WORKMEN'S COMPENSATION ACT.

#### AN ACT

*Relating to Compensation to be Paid to Employees for Injuries or Death Sustained By Them in Their Employment; Defining Hazardous Employments; to Create a State Insurance Fund for the Benefit of Injured, and the Dependents of Killed Employees; to Provide for the Administration of Such Fund by a State Liability Board of Awards; and Making an Appropriation to Carry Out Provisions of Act.*

Be it Enacted by the General Assembly of the State of North Dakota:

Section 1. There is hereby created a State Liability Board of Awards, to be composed of three members, not more than two of whom shall belong to the same political party, to be appointed by the Governor, within thirty days after the passage of this Act, one of which members shall be appointed for the term of two years, one member for four years and one member for six years, and thereafter as their terms expire the Governor shall appoint one member for the term

of six years. Vacancies shall be filled by appointment by the Governor for the unexpired term.

Section 2. Each member of the Board shall devote his entire time to the duties of his office and shall not hold any position of trust or profit or engage in any occupation or business interfering or inconsistent with his duty as such member, or serve on or under any committee of any political party.

Section 3. Each member of the Board shall receive an annual salary of four thousand dollars, payable in the same manner as salaries of state officers are paid.

Section 4. The Board shall be in continuous session and open for the transaction of business during all the business hours of each and every day, excepting Sundays and legal holidays. All sessions shall be open to the public, and shall stand and be adjourned without further notice thereof on its records. All proceedings of the Board shall be shown on its record of proceedings, which shall be a public record, and shall contain a record of each case considered, and the award made with respect thereto, and all voting shall be had by the calling of each member's name by the Secretary and each vote shall be recorded as cast.

Section 5. A majority of the Board shall constitute a quorum for the transaction of business, and a vacancy shall not impair the right of the remaining members to exercise all the powers of the full Board so long as a majority remains. Any investigations, inquiry or hearing which the board is authorized to hold, or undertake, may be held or undertaken by or before any one member of the Board. All investigations, inquiries, hearings and decisions of the Board, and every order made by a member thereof, when approved and confirmed by a majority of the members, and so shown on its record of proceedings, shall be deemed to be the order of the Board.

Section 6. The Board shall keep and maintain its office in the City of Bismarck, and shall be provided with a suitable room or rooms, necessary office furniture, supplies, books, periodicals and maps. All necessary expenses shall be audited and paid out of the state treasury. The Board may hold sessions at any place within the state.

Section 7. The Board may employ a secretary, actuary, accountants, inspectors, examiners, experts, clerks, stenographers and other assistants, and fix their compensation, which shall not exceed in the aggregate the sum of \$. . . . . Such employments and compensation shall be first ap-

proved by the governor, and shall be paid out of the state treasury. The members of the Board, actuaries, accountants, inspectors, examiners, experts, clerks, stenographers and other assistants that may be employed shall be entitled to receive from the state treasury their actual and necessary expenses while traveling in the business of the Board. Such expenses shall be itemized and sworn to by the person who incurred the expense, and allowed by the Board.

Section 8. The Board shall adopt reasonable and proper rules to govern its procedure, regulate and provide for the kind and character of notices, and the services thereof, in cases of accident and injury to employees, the nature and extent of the proofs and evidence, and the method of taking and furnishing the same, to establish the right to benefits of compensation from the state insurance fund, hereinafter provided for, the forms of application of those claiming to be entitled to benefits or compensation therefrom, the method of making investigations, physical examinations and inspections, and prescribe the time within which adjudications and awards shall be made.

Section 9. Every employer shall furnish the Board, upon request, all information required by it to carry out the purposes of this Act. The Board or any member thereof, or any person employed by the Board for that purpose, shall have the right to examine under oath any employer or officer, agent or employee thereof.

Section 10. Every employer receiving from the Board any blank with directions to fill the same, shall cause the same to be properly filled out as to answer fully and correctly all questions therein propounded, and if unable to do so shall give good and sufficient reasons for such failure. Answers to such questions shall be verified under oath and returned to the Board within the period fixed by the Board for such return.

Section 11. Each member of the Board, the Secretary and every inspector or examiner appointed by the Board shall, for the purposes contemplated by this Act, have power to administer oaths, certify to official acts, take depositions, issue subpoenas, compel the attendance of witnesses and the production of books; accounts, papers, records, documents and testimony.

Section 12. In case of disobedience of any person to comply with the order of the Board, or subpoena issued by it or one of its inspectors, or examiners, or on the refusal of a witness to testify to any matter regarding which he may

be lawfully interrogated, or refuse to permit an inspection as aforesaid, the District Judge of the county in which the person resides, on application of any member of the Board, or any inspector or examiner appointed by it, shall compel obedience by attachment proceedings as for contempt, as in the case of disobedience of the requirements of subpoenas issued from such Court on a refusal to testify therein.

Section 13. Each officer who serves such subpoenas shall receive the same fees as a Sheriff, and each witness who appears, in obedience to a subpoena, before the Board or an inspector or examiner, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in District Courts, which shall be audited and paid from the state treasury in the same manner as other expenses are audited and paid, upon the presentation of proper vouchers approved by any two members of the Board. No witness subpoenaed at the instance of a party other than the Board or an inspector shall be entitled to compensation from the state treasury unless the Board shall certify that his testimony was material to the matter investigated.

Section 14. In an investigation, the Board may cause depositions of witnesses residing within or without the state to be taken in the manner prescribed by the law for like depositions in civil actions in the District Court.

Section 15. A transcribed copy of the evidence and proceedings, or any specific part thereof, or any investigation, by a stenographer appointed by the Board, being certified by such stenographer to be a true and correct transcript of the testimony on the investigation, or of a particular witness, or of a specific part thereof, carefully compared by him with his original notes, and to be a correct statement of the evidence and proceedings had on such investigation so purporting to be taken and subscribed, may be received in evidence by the Board with the same effect as if such stenographer were present and testified to the facts so certified. A copy of such transcript shall be furnished on demand to any party upon the payment of the fee therefor, as provided for transcript in District Courts.

Section 16. The Board shall prepare and furnish blank forms, and provide in its rules for their distribution so that the same may be readily available, of application for benefits or compensation from the State insurance fund, notice to employers, proofs of injury or death, of medical attendance, of employment and wage earnings, and such other blanks as may be deemed proper and advisable, and it shall

be the duty of insured employers to constantly keep on hand sufficient supply of such blanks.

Section 17. Every employment, except domestic service, in which there occurs hereafter to any of the employees personal injuries arising out of and in the course of such employment is, for the purpose of this Act, hereby declared to be a dangerous employment, and consequently subject to the provisions of this Act and entitled to the benefits thereof. The State Liability Board of Awards shall classify such dangerous employments with respect to their degree of hazard, and determine the risks of the different hazards and fix the rates of premium of the risks of the same, based upon the total pay roll and number of employees in each of said classes of employment, sufficiently large to provide an adequate fund for the compensation provided for in this Act, and to create a surplus sufficiently large to guarantee a state insurance fund from year to year.

Section 18. The State Liability Board of Awards shall establish a state insurance fund from premiums paid thereto by employers and employees as herein provided, according to the rates of risk in the classes established by it, as herein provided, for the benefit of employees and employers that have paid the premium applicable to the classes to which they belong and for the benefit of the dependents of such employees, and shall adopt rules and regulations with respect to the collection, maintenance and disbursement of said fund.

Section 19. The treasurer of state shall be the custodian of the state insurance fund, and all disbursement therefrom shall be paid by him, but upon vouchers signed by any two members of the State Liability Board of Awards.

Section 20. The treasurer of state shall give a separate and additional bond, in such amount as may be fixed by the governor, and with sureties to his approval, conditioned for the faithful performance of his duties as custodian of the State insurance fund herein provided for.

Section 20-A. Any employer engaged in the occupations covered by this Act, and his employees in this State, having fund the premiums provided by this Act, shall not be liable to respond in damages at Common law or by statute, save as hereinafter provided, for injuries or death of any such employee, wherever occurring, during the period covered by such premiums, provided the injured employee has remained in his service with notice that his employer has paid into the state insurance fund the premiums provided

by this Act; the continuation in the service of such employer with such notice, shall be deemed a waiver by the employee of his right of action as aforesaid.

Every such employer paying the premiums provided by this Act into the state insurance fund shall post in conspicuous places about his place or places of business type-written or printed notices stating the fact that he has made such payment; and the same, when so posted, shall constitute sufficient notice to his employees of the fact that he has made such payment; and of any subsequent payments he may make after such notices have been posted.

Section 20-B. For the purpose of creating such state insurance fund, each employer engaged in the occupations covered by this Act, and his employees in this State, having elected to accept the provisions of this Act, shall pay on or before . . . . ., and semi-annually thereafter, the premiums of liability risk in the classes of employment as may be determined and published by the State Liability Board of Awards. The said employers for themselves and their employees shall make such payments to the State Treasurer of North Dakota, who shall receive and place the same to the credit of such state insurance fund. The premiums provided for in this Act shall be paid by the employer and employees in the following proportions, to-wit: Ninety per cent of the premium shall be paid by the employer and ten per cent by the employees. Each employer is authorized to deduct from the pay roll of his employees ten per cent of the said premiums for any premium period in proportion to the pay roll of such employees; no deduction shall be made except for that portion of the premium period antedating such pay roll. Each employer shall give a receipt to each employee showing the amount which has been deducted and paid into the state insurance fund.

Section 21. The State Liability Board of Awards shall disburse the State insurance fund to such employees of employers as have paid into said fund the premiums applicable to the classes to which they belong, who have received injuries which have not been caused by the employee's willful misconduct and arise out of and in the course of their employment, wheresoever such injury has occurred, or to their dependents in case death has ensued; and the entire fund shall be liable for the payment of each claim against the fund without regard to the class out of which the claim arose.

Section 21-A. All employers, engaged in the occupations covered by this Act, who shall not pay into the State insurance fund the premiums provided by this Act, shall be liable to their employees for damages suffered by reason of personal injuries sustained in the course of employment caused by the wrongful act, neglect or default of the employer, of any of the employer's officers, agents or employees, and also to the personal representatives of such employees where death results from such injuries and in such action the defendant shall not avail himself or itself of the following Common law defenses:

The defense of the fellow servant rule, the defense of the assumption of risk, or the defense of contributory negligence.

Section 21-B. But where a personal injury is suffered by an employee, or when death results to an employee from personal injuries arising out of the employment and received while in the employ of an employer in the course of employment, and such employer has paid into the state insurance fund the premium provided for in this Act, and in case such injury has arisen from the willful act of such employer or any of such employer's officers or agents or from the failure of such employer, or any of such employer's officers or agents, to comply with any municipal ordinance or lawful order of any duly authorized officer, or any statute for the protection of the life or safety of employees, then in such event, nothing in this Act contained shall affect the civil liability of such employer, but such injured employee, or his legal representative in case death results from the injury, may, at his option, either claim compensation under this Act or institute proceedings in the Courts for his damage on account of such injury, and such employer shall not be liable for any injury to any employee, or to his legal representatives in case death results, except as provided in this Act.

Every employee, or legal representative in case death results, who makes application for an award from the State Liability Board of Awards, waives his right to exercise his option to institute proceedings in any court. Every employee or his legal representative in case death results, who exercises his option to institute proceedings in Court as provided in Section 21-B, waives his right to any award; except as provided in Section 35 of this Act.

Section 22. The Board shall disburse and pay from the fund, for such injury, to such employees, such amounts for medical, nurse and hospital services and medicines, as it

may deem proper, not, however, in any case, to exceed the sum of one hundred dollars, in addition to such award to such employee.

Section 23. In case death ensues from the injury reasonable funeral expenses, not to exceed one hundred dollars, shall be paid from the fund, in addition to such award to such employee.

Section 24. No benefit shall be allowed for the first week after the injury is received, except the disbursement provided for in the next two preceding Sections.

Section 25. In case of temporary or partial disability, resulting from an injury as defined in Section 21, the employee shall receive sixty-six and two-thirds per cent of the impairment of his earning capacity during the continuance thereof, not to exceed a maximum of twelve dollars per week, and not less than a minimum of five dollars per week, if the employee's wages were less than five dollars per week, then he shall receive his full wages; but not to continue for more than six years from the date of the injury, nor to exceed three thousand four hundred dollars in amount from that injury.

Section 26. In case of permanent total disability, resulting from an injury as defined in Section 21, the award shall be 66 2-3 per cent of the average weekly wage, and shall continue until the death of such person so totally disabled, but not to exceed a maximum of twelve dollars per week, and not less than a minimum of five dollars per week, if the employee's wages were less than five dollars per week, then he shall receive his full wages.

Section 27. In case the injury causes death within the period of two years the benefits shall be in the amounts and to the persons following:

1. If there be no dependents, the disbursements from the insurance fund shall be limited to the expense provided for in Sections 22 and 23.

2. If there are wholly dependent persons at the time of the death, the payment shall be sixty-six and two-thirds per cent of the average weekly wage and to continue for the remainder of the period between the date of the death and six years after the date of the injury, and not to amount to more than a maximum of thirty-four hundred dollars, nor less than a minimum of one thousand five hundred dollars.



3. If there are partly dependent persons at the time of the death, the payment shall be sixty-six and two-thirds per cent of the average weekly wage and to continue for all or such portion of the period of six years after the date of the injury, as the Board in each case may determine, and not to amount to more than a maximum of thirty-four hundred dollars.

Section 28. The benefits, in case of death, shall be paid to such one or more of the dependents of the decedent, for the benefit of all the decedents, as may be determined by the Board, which may apportion the benefits among the dependents in such manner as it may deem just and equitable. Payment to a dependent subsequent in right may be made, if the Board deem proper, and shall operate to discharge all other claims therefor.

Section 29. The dependent or person to whom benefits are paid shall apply the same to the use of the several beneficiaries thereof according to their respective claims upon the decedent for support, in compliance with the finding and direction of the Board.

Section 32. The power and jurisdiction of the Board over son at the time of the injury shall be taken as the basis upon which to compute the benefits.

Section 31. If it is established that the injured employee was of such age and experience when injured as that under natural conditions his wages would be expected to increase, the fact may be considered in arriving at his average weekly wage.

Section 32. The power and jurisdiction of the Board over each case shall be continuing, and it may from time to time make such modifications or change with respect to former findings or orders with respect thereto, as, in its opinion, may be justified.

Section 33. The Board, under special circumstances, and when the same is deemed advisable, may commute periodical benefits to one or more lump sum payments.

Section 34. Benefits before payment shall be exempt from all claims of creditors, and from any attachment or execution, and shall be paid only to such employees or their dependents.

Section 35. The Board shall have full power and authority to hear and determine all questions within its jurisdiction, and its decision thereon shall be final.

Provided, however, in case the final action of such Board denies the right of the claimant to participate at all in such fund on the ground that the injury was self-inflicted or on the ground that the accident did not arise out of and in the course of employment, or upon any other ground going to the basis of the claimant's right, then the claimant within thirty (30) days after the notice of the final action of such Board may, by filing his appeal in the District Court of the County wherein the injury was inflicted, be entitled to a trial in the ordinary way, and be entitled to a jury if he demands it. In such a proceeding, the prosecuting attorney of the county, without additional compensation, shall represent the State Liability Board of Awards, and he shall be notified by the clerk forthwith of the filing of such appeal.

Within thirty days after filing his appeal, the appellant shall file a petition in the ordinary form against such Board as defendant and further pleadings shall be had in said cause, according to the rules of civil procedure, and the Court, or the jury, under the instructions of the Court, if a jury is demanded, shall determine the right of the claimant; and, if they determine the right in his favor, shall fix his compensation within the limits and under the rules prescribed in this Act; and any final judgment so obtained shall be paid by the State Liability Board of Awards out of the State insurance fund in the same manner as such awards are paid by such Board.

The costs of such proceeding, including a reasonable attorney's fee to the claimant's attorney to be fixed by the trial judge, shall be taxed against the unsuccessful party. Either party shall have the right to prosecute error as in the ordinary civil cases.

Section 36. Such Board shall not be bound by the usual Common law or statutory rules of evidence or by any technical or formal rules of procedure, other than as herein provided, but may make the investigation in such manner as in their judgment, is best calculated to ascertain the substantial rights of the parties and to carry out justly the spirit of this Act.

Section 37. The Board may make necessary expenditures to obtain statistical and other information to establish the classes provided for in Section 17. The salaries and compensation of the Secretary, and all actuaries, accountants, inspectors, examiners, experts, clerks, and other assistants, and all other expenses of the Board herein authorized including the premium to be paid by the State Treasurer for

the bond to be furnished by him, shall be paid out of the State Treasurer, upon vouchers, signed by two of the members of such Board, presented to the auditor of State, who shall issue his warrant therefor as in other cases.

Section 38. No provision of this Act relating to the amount of compensation shall be considered by, or called to the attention of the jury on the trial of any action to recover damages as herein provided.

Section 39. Annually on or before the 15th day of December, such Board, under the oath of at least two of its members, shall make a report to the Governor which shall include a statement of the number of awards made by it, and a general statement of the causes of the accidents leading to the injuries for which the awards were made, a detailed statement of the disbursements from the expense fund, and the condition of its respective funds, together with any other matters which such Board deems it proper to call to the attention of the Governor, including any recommendations it may have to make.

Section 40. To carry out the provisions of this Act there is hereby appropriated out of the money in the treasury not otherwise appropriated the sum of \$\_\_\_\_\_.

Section 41. All Acts, or parts of Acts, to the extent that they are inconsistent with this Act are hereby repealed.

#### SPECIFIC RELIEF GIVEN FOR SPECIFIED INJURIES PRODUCING TEMPORARY AND PARTIAL DISABILITY.

Section . . . . . In cases included by the following schedule the disability in each such case shall be deemed to continue for the period specified, and the compensation so paid for such injury shall be as specified therein, to-wit:

For the loss of a thumb, 50 per cent of the average weekly wages during sixty weeks;

For the loss of a first finger, commonly called index finger, 50 per cent of average weekly wages during thirty-five weeks;

For the loss of a second finger, 50 per cent of average weekly wages during thirty weeks;

For the loss of a third finger, 50 per cent of average weekly wages during twenty weeks;

For the loss of a fourth finger, commonly called little finger, 50 per cent of weekly wages during fifteen weeks;

The loss of the first phalange of the thumb or any finger, shall be considered to be equal to the loss of one-half of such thumb or finger, and compensation shall be one-half the amounts above specified.

The loss of more than one phalange shall be considered as the loss of the entire finger or thumb. Provided, however, that in no case shall the amount received for more than one finger exceed the amount provided in this schedule for the loss of a hand;

For the loss of a great toe, 50 per cent of average weekly wages during thirty weeks;

For the loss of one of the toes other than a great toe, 50 per cent of average weekly wages during ten weeks;

The loss of the first phalange of any toe shall be considered to be equal to the loss of one-half of such toe, and compensation shall be one-half of the amount above specified;

The loss of more than one phalange shall be considered as the loss of the entire toe;

For the loss of a hand, 50 per cent of average weekly wages during 150 weeks;

For the loss of an arm, 50 per cent of average weekly wages during 200 weeks;

For the loss of a foot, 50 per cent of average weekly wages during 150 weeks;

For the loss of a leg, 50 per cent of average weekly wages during 175 weeks;

For the loss of an eye, 50 per cent of average weekly wages during 100 weeks;

The loss of both hands, or both arms, or both feet, or both legs, or both eyes, or any two thereof, shall constitute total and permanent disability to be compensated by the provisions of Section .....

The amounts specified in this section are all subject to maximum and minimum as defined in this Act.

## POINTS AND AUTHORITIES.

## ABOLITION OF COMMON LAW DEFENSES.

No person has a vested right in the Common law defenses of negligence of fellow servant, assumption of risk and contributory negligence. They may, therefore, be abolished by legislation.

Second Employers' Liability Cases, 223 U. S. 1.  
 State ex rel Yaple vs. Creamer, 85 Ohio 349.  
 State ex rel Davis vs. Clausen, 117 Pac. 1101 (Wash.)  
 Borguis vs. Falk County, 133 N. W. 209 (Wis.)  
 Opinion of Justices, 209 Mass. 607.  
 Schlimmer vs. Buffalo, etc., 205 U. S. 1.  
 Schlimmer vs. Buffalo, etc., 207 U. S. 463.  
 Minnesota Iron Co. vs. Kline, 199 U. S. 593.  
 Holden vs. Hardy, 169 U. S. 366.  
 Martin vs. Pittsburg, etc., 203 U. S. 284.  
 Smith vs. Alabama, 124 U. S. 465.

In the Holden case, above, the Court said, referring to the changes of laws to meet changed conditions. "Of course, it is impossible to forecast the character or extent of those changes, but in view of the fact, from the day Magna Charta was signed to the present moment, amendments to the structure of the law have been made with increasing frequency, it is impossible to suppose that they will not continue, and the law be forced to adapt itself to new conditions of society, and particularly, to the new relations between employers and employees as they arise."

THE PROPOSED LAWS ARE WITHIN THE SCOPE OF THE POLICE POWERS OF THE STATE.

Speaking with reference to that power Mr. Justice Holmes said:

"It may be said in a general way that the police power extends to all the great public needs. Canfield vs. U. S. 167 U. S. 518. It may be put forth in aid of what is sanctioned by usage, or held by the prevailing morality or strong and preponderant opinion to be greatly and immediately necessary for the public welfare.

Noble State Bank vs. Haskell, 219 U. S. 104.

"By the settled doctrines of this Court the police power extends, at least, to the protection of the lives, the health, and the property of the community against the injurious exercise, by any citizen of his own rights. State legislation strictly and legitimately for police purposes, does not in the

sense of the Constitution necessarily intrench upon any authority which has been confided, expressly or by implication, to the National Government."

Mugler vs. Kansas, 123 U. S. 623.

The nature of this power has been further discussed and defined in

Holden vs. Hardy, 169 U. S. 366.

Adair vs. U. S., 208 U. S. 161.

Munn vs. Illinois, 94 U. S. 113.

Beer Co. vs. Massachusetts, 97 U. S. 25.

New Orleans Gas, etc., Co. vs. Louisiana, etc., Co., 115 U. S. 650.

State ex rel Davis vs. Clausen, 117 Pac. 1101 (Wash.)

Lawton vs. Steele, 152 U. S. 133.

New Orleans vs. R. R. Co., 166 U. S. 698.

Cunningham vs. N. W. Imp. Co., 119 Pac. 554 (Mont.)

State ex rel Goodwin vs. Woodmanse, 1 N. D. 246.

Flaherty vs. Hanson, 16 N. D. 347.

For the purpose of exercising this power the State may define dangerous employments.

Mueller vs. Oregon, 208 U. S. 412.

Mayor vs. Miln, 11 Peters 102.

Holden vs. Hardy, 169 U. S. 366.

Consolidated Coal Co. et al vs. Illinois, 185 U. S. 203.

Opinion of Justices, 209 Mass. 607.

Borguis vs. Falk County, 133 N. W. 209 (Wis.)

State ex rel Smith vs. Clausen, 117 Pac. 1101 (Wash.)

State ex rel Yapple vs. Clausen, 85 Ohio 349.

Cunningham vs. N. W. Imp. Co., 119 Pac. 554 (Mont.)

Fault on the part of the person regulated by the police power not a necessary basis of liability.

Chicago, etc., Ry. vs. Zirnecks, 183 U. S. 582.

Atchison, etc., Ry. vs. Mathews, 174 U. S. 96.

McLean vs. Denver, etc., Ry., 203 U. S. 39.

C. B. & Q. R. R. vs. Wolfe, 187 U. S. 638.

St. Louis, etc., Ry. vs. Mathews, 165 U. S. 1.

"Responsibility for Tortious Acts" by John H. Wigmore, 7 Harvard Law Review.

Chicago, R. I. & P. R. R. vs. Eaton, 183 U. S. 589.

State ex rel Smith vs. Clausen, 117 Pac. 1101 (Wash.)

Bertholf vs. O'Reilly, 74 N. Y. 509.

The employer is within the chain of causation which creates the injury and may, therefore, be made liable by the application of familiar principles. This idea has been developed by Professor Wambaugh of the Harvard Law School as follows: "Both employer and employee by entering upon an enterprise in company assent for their own business purposes to the creation of a relation which will inevitably result in accidents and will thus cast burdens upon society. To say that either one of those two per-

sons is outside the chain of causation is wholly inaccurate. Both parties are co-operating in the creation of the dangerous relation which results in the casualty. In a sense, then, there is no wholly innocent man in the transaction. The law, by judicial decision, used to place the preliminary burden upon one of them—the workman. The law, by the new statute, now places the preliminary burden upon the other. And why not? Here is simply shifting the burden from one to the other of the two persons who have innocently, though selfishly, entered into the dangerous relation and have co-operated thus in causing the casualty. The new statute, then, is not guilty of the novelty of placing a responsibility upon a person outside the chain of causation.”

Harvard Law Review, Vol. XXV, No. 2, page 129.

In the exercise of the police power the legislature may treat the employer and employee as not on a basis of equality with respect to contract rights.

Harbison vs. Knoxville, 183 U. S. 13.

Holden vs. Hardy, 169 U. S. 366.

Narramore vs. Cleveland, etc., 96 Fed. 298.

The liability to make contracts is not absolute, it is subject to limitation by the police power. “The State has power to prevent the individual from making certain kinds of contracts, and in regard to them the Federal Constitution offers no protection.”

Lochner vs. New York, 198 U. S. 45.

Mueller vs. Oregon, 208 U. S. 412.

Holden vs. Hardy, 169 U. S. 366.

Atchison, etc., R. R. vs. Mathews, 174 U. S. 96.

Johnson vs. S. P. Ry., 196 U. S. 1.

Knoxville Iron Co. vs. Harbison, 183 U. S. 13.

Chicago, etc., R. R. vs. Zirnecka, 183 U. S. 582.

New Orleans Gas, etc., Co. vs. Louisiana, etc., Co., 115 U. S. 650.

Beer Co. vs. Massachusetts, 97 U. S. 25

Frisbie vs. U. S., 157 U. S. 160.

And the State may under the police power require all persons of a class to contribute to a fund to pay for losses in individual cases within the class, even though there be no fault on the other members of the class. Such legislation is not, when reasonably put forth, taking property without due process in violation of the 14th Constitutional Amendment. Mr. Justice Holmes in delivering the opinion of the Supreme Court holding the Oklahoma Bank Assessment law valid said in reply to the contention that the Act offended the 14th Amendment: “In answering that question we must be cautious about pressing the

broad words of the fourteenth Amendment to a drily logical extreme. Many laws which it would be vain to ask : Court to overthrow could be shown, easily enough, to transgress a scholastic interpretation of one or another of the great guaranties in the Bill of Rights. They more or less limit the liberty of the individual or they diminish property to a certain extent. We have few scientifically certain criteria of legislation, and as it often is difficult to mark the line where what is called the police power of the States is limited by the Constitution of the United States, Judges should be slow to read into the latter a *nolumus mutare* as against the law making power. \* \* \* There is no denying that by this law a portion of its property may be taken without return to pay the debts of a failing rival in business. Nevertheless, notwithstanding the logical form of the objection, there are more powerful considerations on the other side."

The Noble State Bank vs. Haskell, 219 U. S. 104.

#### Justice Holmes cited in support of this conclusion

Cark vs. Nash, 198 U. S. 361.

Strickley vs. Highland Boy, etc., Co., 200 U. S. 527.

Affield vs. N. Y. N. H. & H. R. R., 203 U. S. 372.

Bacon vs. Walker, 204 U. S. 311.

Ohio Oil Co. vs. Indiana, 177 U. S. 190.

#### This right has been upheld in

State ex rel Davis vs. Clausen, 117 Pac. 1101 (Wash.)

State ex rel Yaple vs. Creamer, 85 Ohio 349.

Cunningham vs. Northwestern Imp. Co., 119 Pac. 554 (Mont.)

The Boards created by the proposed Acts are administrative, not judicial bodies. It is permissible to delegate to administrative Boards power to ascertain facts and apply the existing law thereto. The exercise of such power is quasi judicial, not judicial in the sense referred to in the Constitution prohibiting the vesting of judicial power in non-judicial bodies. It is permissible to give such Boards broad powers, to permit them to pass on questions of fact and law and to make their findings on questions of fact conclusive in the absence of fraud.

State ex rel Yaple vs. Creamer, 85 Ohio 349.

Borguis vs. Falk County, 133 N. W. 209 (Wis.)

State ex rel Barber vs. District Court, 90 Minn. 457.

Cunningham vs. Northwestern Imp. Co., 119 Pac. 554 (Mont.)

An appeal lies from their determination and a trial by a Court is given on all questions which go to their jurisdiction and to questions of ultimate right. This constitutes due process as preserved by the 14th Amendment of the Federal Constitution, since that Amendment does not con-



trol forms of procedure in State Courts or regulate the procedure therein.

Iowa Central vs. State of Iowa, 160 U. S. 389.

Leeper vs. Texas, 139 U. S. 462.

Louisville, etc., R. R. vs. Schmidt, 177 U. S. 230.

The Act is not unconstitutional because:

1. It deprives a party of right to jury trial.

It provides a new and elective remedy and may rightly define the conditions one must comply with to secure the benefits of the new remedy.

A jury trial may be waived. Section 7038, Codes 1905. The Acts are not compulsory, and in electing to come under their provisions parties may be considered as waiving other, and Common law, remedies.

State ex rel Smith vs. Clausen, 117 Pac. 1101 (Wash.)

State ex rel Yaple vs. Creamer, 85 Ohio 349.

Cunningham vs. N. W. Imp. Co., 119 Pac. 554 (Mont.)

On right to jury trial see

State vs. Markuson, 5 N. D. 147.

State vs. Barry, 13 N. D. 131.

Smith vs. Kunert, 17 N. D. 120.

2. It does exclude domestic servants.

Opinion of Justices, 209 Mass. 607.

3. It coerces employers to accept the provisions of the Act by abolishing the Common law defenses.

Borguis vs. Falk County, 133 N. W. 209 (Wis.)

Opinion of Justices, 209 Mass. 607.

State ex rel Yaple vs. Creamer, 85 Ohio 349.

4. It classifies employers into those who do and those who do not accept the provisions of the law and gives to each a different right and remedy.

Borguis vs. Falk County, 133 N. W. 209 (Wis.)

A very learned and valuable brief on the constitutionality of workmen's compensation laws was prepared by Mr. H. V. Mercer, Chairman of the Minnesota Commission, for use at the Atlanta City Conference held on July 29, 1909. It is the best discussion of the subject of which we are aware, and we have drawn from it liberally in the foregoing citations.

Respectfully submitted,

F. G. CLEVELAND,  
DANIEL B. HOLT,  
M. N. HATCHER,

The Speaker administered the oath of office to the following employees:

Leonard Chase, Oscar Lybeck, Francis Demming, Walter P. Knott, D. B. Ash, Chas. G. Bois, Otto S. Wing, T. W. McDonough.

Mr. Streeter moved that the House take a recess of ten minutes.

Which motion prevailed,

And the House took a recess.

---

### AFTER RECESS.

#### REPORT OF SPECIAL COMMITTEE.

*Mr. Speaker:*

Your committee appointed to notify the Governor that the House of Representatives of the legislative assembly is duly organized for the transaction of business and to receive any message he may desire to communicate, it begs leave to report that it delivered said notice and was directed by the Governor to report that he would be ready to communicate his inaugural message to the House and Senate at 2:30 o'clock P. M. tomorrow.

BERNT ANDERSON,  
Chairman.

*Mr. Speaker:*

Your committee appointed to notify the Senate that the House of Representatives of the thirteenth legislative assembly is organized for the transaction of business, begs leave to report that the Senate has been duly notified as directed by resolution.

JAMES HILL,  
Chairman.

Mr. Burnett moved that a recess be taken until 1:30 P. M. tomorrow.

Which motion prevailed, and

The House took a recess until 1:30 P. M. tomorrow.

M. J. GEORGE,  
Chief Clerk.

## SECOND DAY.

---

HOUSE OF REPRESENTATIVES,  
BISMARCK NORTH DAKOTA,  
January 8, 1913.

The House reconvened at 1:30 P. M. pursuant to recess taken.

The Speaker presiding.

Prayer by the Chaplain.

Roll call by order of Speaker.

All members present except Messrs. Bratton, Campbell, Dixon, Doyle, Endreson, Hart, Hjort, Kylo, Leu, Moen, Morrison, Sorlie, Streeter, Tucker, Walsh and Wardrope, who were excused.

## REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 2, on line 5, change the word "Davenport" to "Gardner."

On page 2, on line 6, change the word "Grandin" to "Davenport."

On page 2, on line 53, change the word "Wylie" to "Wiley."

On page 3, on line 14, change the word "Burke" to "Divide."

On page 3, on lines 17, 18 and 19, change the word "McKinzie" to "McKenzie."

On page 3, on line 19, change the word "Alexandria" to "Alexander."

On page 6, omit lines 31 and 32, and place in lieu thereof the words "The nomination of Mr. Wold was seconded by Mr. Dean of Grand Forks County."

On page 25, on line 21, change the initials in the name "F. R. Casey" to "F. P. Casey."

On page 5, lines 24 and 25, change the sentence "The following members seconded the nomination of Mr. George" to "The nomination of Mr. George was seconded by Mr. Wiley of Morton County."

On page 27, on line 48, change the word "here" to "been."

On page 27, lines 44, 45, 46, 47, 48, 49, 50 and 51, should be transferred to page 30, and inserted following line 5 on page 30.

On page 28 and following line 42, insert the words "Which motion prevailed and the resolution was adopted."

On page 29 and following each of the following lines, 3, 7 and 12, insert the words "Which motion prevailed and the resolution was adopted."

On page 29, on line 17, change the word "carried" to "adopted."

On page 29, on line 29, add the name "T. W. McDonough."

On page 30, on line 3, after the word "at" place the figure "2:30."

And recommended that the report 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.

Mr. Dean of Grand Forks was called to the chair.

A message was received from the Senate.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 7, 1913.

*Mr. Speaker:*

I have the honor to state that the Senate has organized by the election of the following officers and is ready to receive any communications from the House.

President pro-tem, E. F. Gilbert.

Secretary, W. D. Austin.

First Assistant, W. J. Prater.

Second Assistant, Adolph Wacker.

Chief Engrossing and Enrolling Clerk, J. M. Stewart.

Bill Clerk, Lawrence Casey.

Stenographer, Cyril Thomas.

Sergeant at Arms, W. L. Gill.

Doorkeeper, W. P. Mills.

Messenger, F. A. McDonald.

Postmaster, J. O. Quamme.

Chaplain, Bruce Jackson.

Journal Clerk, M. S. Karison.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also

*Mr. Speaker:*

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

*Be it resolved,* That a joint committee of three from the Senate be named to act with a like committee from the House and wait on the Governor and the Governor-elect to ascertain at what time they desire to present their messages to the two houses of the Legislature in joint session.

And the President named as such committee Messrs. Gilbert, Plain and McDowell.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also

*Mr. Speaker:*

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

*Be it resolved* by the Senate, the House of Representatives concurring, That when both bodies do adjourn on Wednesday, the 8th day of January, 1913, that they stand adjourned until Tuesday, January 14.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also

*Mr. Speaker:*

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

*Be it resolved*, That a joint committee be appointed consisting of three members of the Senate and three members of the House of Representatives for the purpose of investigating the present system of preserving the official record of the Senate and House of Representatives and for the further purpose of economizing and adopting a system that will be more accurate and modern and thus allow the business to be facilitated with more dispatch.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also

*Mr. Speaker:*

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

*Resolved by the Senate, the House of Representatives concurring:*

That, Whereas, The Legislative Assembly is about to adjourn for several days; and

Whereas, It is usual and customary to appoint committees to visit the public institutions of the state and report their conditions and needs:

*Therefore be it Resolved:*

That two committees of five members, consisting each of three members of the House and two of the Senate, be appointed to act jointly.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Fraine of Walsh County, introduced the following resolution and moved its adoption:

*Whereas*, The Hon. Jacob Nelson, a member of the Eleventh and Twelfth Sessions of the House of Representatives of the State of North Dakota, for the Fourth Legislative District has been translated from this world to that which is to come; and,

*Whereas*, His colleagues, the members of the House of Representatives of said sessions and the members of the Thirteenth Session, have heard with profound sorrow of his death;

*Be it Resolved*, That as a token of our love and esteem for him, a copy of this resolution be engrossed and forwarded by the Chief Clerk of this House to the family of the late Hon. Jacob Nelson, and that as a tribute of respect for his memory, the House when the order of business under the heading of "Motions and Resolutions" shall have been finished, adjourn.

The Hon. Jacob Nelson was born in Waupaca County, Wisconsin, on June 18, 1855. He was educated in the common schools and came to the then territory of Dakota, settling in what is now Walsh County in the State of North Dakota, at a time when only the hardiest pioneers were able to withstand the sufferings and privations incident to the early settlement of this State. He was a man universally beloved by his neighbors and acquired the highest esteem of all those who came intimately into contact with him; quiet and reserved, a close student, a deep thinker, tolerant of mind; he respected the opinions of others, while holding closely to such judgment as his reading and reasoning convinced him was correct. The State of North Dakota can ill afford to lose such a citizen and so valuable a legis-

lator. The community in which he lived, is the better for his having lived and he leaves behind him the sweet savor of an upright and blameless life.

The Chief Clerk read the following resolution from the delegation from the Sixteenth Legislative District, which moved its adoption.

*Whereas*, The Honorable A. O. Anderson, a member of the House of Representatives of the State of North Dakota in the Twelfth Session thereof, has, by the Power which ordains all things, been called to his last home; and,

*Whereas*, The members of the present House of Representatives and of the House of which he was a member are united in their sorrow at the demise of one who by his life has ever shown true devotion to the State of North Dakota and to his fellows; now that our friend and fellow worker has passed to his reward and to that last home from which there is no passing, it is meet that we, the members of this Legislature, pay tribute to his memory:

*Therefore be it Resolved:*

That as members of the House of Representatives of the Thirteenth Legislative Assembly, we express our sympathy for his family and our esteem and regard for A. O. Anderson as a man and a citizen, which tribute can in no way voice our deep sorrow at the loss of a man of his kindly disposition, upright character and sterling worth, a man who to know was to love.

That a copy of this resolution be engrossed and forwarded by the Chief Clerk of this House to the widow of the late A. O. Anderson and that this resolution be adopted by a rising vote.

Mr. Burnett moved that the House do now adjourn.

Which motion prevailed, and

The House adjourned.

The House assembled at 2 o'clock P. M. pursuant to adjournment.

Prayer by chaplain.

Roll call.

All members present except Messrs. Anderson, Bratton, Campbell, Dixon, Doyle, Endreson, Johnson, Nyhus, Sorlie, Streeter, Tucker, Wardrope, who were excused.

The report of the committee on revision and correction of the Journal was then made by Mr. Small.

Ordered to be filed with the Chief Clerk.



Mr. Hedalen of Walsh County, offered the following resolution and moved its adoption:

*Whereas*, It is necessary for the proper transaction of the business of the House that certain employees not specifically named by statute be obtained.

*Now, Therefore be it Resolved*:

That the Speaker be and he is hereby authorized to appoint a committee of three who shall investigate and report to him a list of necessary positions and employments and that when such list shall be made out the Speaker shall appoint suitable and proper persons to fill such positions.

Upon vote the motion carried and the Speaker appointed upon such committee Messrs. Hedalen of Walsh County, Hanson of Barnes and Weis of Richland.

Mr. Morrison of Ramsey moved that the House concur in the resolution from the Senate in the matter of the appointment of a committee of three to wait on the Governor and Governor-elect to ascertain time at which their messages would be delivered to the two houses in joint session.

Which motion prevailed, and

The Speaker appointed as such committee Messrs. Morrison, Bjornson and Nyhus.

Mr. Williams moved that a committee of three be appointed to act with a Senate committee to secure proper committee rooms.

Which motion prevailed, and the

Speaker appointed as such committee Messrs Williams, Hill of Cass, and Gardner.

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

*Whereas*, It is necessary for the convenience of the members to have the code annotated;

*Therefore be it Resolved*, That during the coming recess the Chief Clerk instruct and direct the clerks under his supervision to have a sufficient number of copies of the Revised Code of 1905 annotated by noting on the margin of each section that has been amended by the 1907, 1909 and 1911 session laws the reference thereto and have them ready at time of reconvening after recess.

Which motion prevailed.

And the resolution was adopted.

Mr. Dosseth moved that a committee of three be appointed to announce to the Senate that the House is ready to receive the members of the Senate in joint session.

Which motion prevailed, and

The Speaker appointed as such committee Messrs. Dosseth, Husband and Kylo.

Mr. Morrison reported that the Governor and Governor-elect would appear at 2:30 P. M.

Mr. Thompson moved that the business of motions and resolutions be taken up.

Which motion prevailed.

Mr. Lambert moved that the concurrent resolution of the Senate providing for an adjournment of both houses until Tuesday, January 14th, be amended so that the Houses would convene on the 15th.

Which amendment was lost.

The question being upon the concurrent resolution to adjourn until Tuesday, January 14th, the same prevailed.

The Sergeant at Arms announced the members of the Senate.

#### JOINT SESSION.

Mr. Kraabel, President of the Senate, took the chair.

Prayer by chaplain.

Roll of the Senate called by the Secretary of the Senate.

All members present except Messrs. Ganssle and Mudgett, who were excused.

The roll of the House was then called:

All members present except Messrs. Bratton, Campbell, Dixon, Doyle, Enderson, Gunderson, Streeter, Walsh, Ward-robe and Williams, who were excused.

Senator Talcott moved that two committees be appointed to wait on the Governor and the state officers, the Governor-elect and the members of the Supreme Court.

Which motion prevailed, and

The following were appointed on the committee:

To wait on the Governor, Governor-elect and the State officers: Senators Talcott and Cashel, Representatives Anderson, Bartley and Pendray.

To wait on the Supreme Court: Senators Leutz and Bronson, Representatives Twitchell, Norheim and Hoge.

The Sergeant at Arms announced the arrival of the com-

mittee escorting the Governor and Governor-elect, the State officers and the members of the Supreme Court.

Governor Burke was introduced to the members of the joint assembly by the President of the Senate.

Governor Burke then delivered his message.

#### GOVERNOR'S MESSAGE.

*Gentlemen of the Thirteenth Legislative Assembly of the State of North Dakota.*

I see among your number many who have been members of one or the other branch of this body for the last three sessions, and some who served with me as members eighteen, twenty and twenty-two years ago; men of large experience in legislative work who have for many sessions loyally co-operated with the Executive Department and to whom I am under great obligations for their loyalty and support. You have not always agreed with or followed my recommendations, but when you have failed it was, I believe, on account of an honest difference of opinion. The relations growing out of our legislative work are about to end. I am here to bid you adieu and give you my parting message. I am truly grateful to you, one and all, and to the people of this great state who have so frequently reposed confidence in me. I am sure that you will give to my successor in office the same kind consideration that you have given to me.

Let me remind you at the outset of your labors that yours is the most important co-ordinate branch of the state government. It is here that the business of the state is initiated; it is here that the expense is incurred; it is here that business methods should be inaugurated; it is here that the laws are constructed and enacted that will bring weal or woe; and it is for this reason that the Constitution commands the governor to communicate to this assembly at the beginning of each session by message information of the condition of the state and recommend such measures as he shall deem expedient. It imposes this duty upon the governor. He is in a position to know the condition of the state, the condition of the state finances, and it is information that the legislative assembly must have from some source. You must know how much money has been provided for the maintenance of the state government for the ensuing two years in order to make your appropriations and keep within the revenues of the state. There is no legal obligation to follow the recommendations of the governor, or to keep within the revenues of the state, even in making appropriations, but there is a moral obligation and there is a business obligation, for

surely it is not good business nor good morals to appropriate more money than the revenues of the state warrant; and if it is done it throws upon the governor the responsibility of cutting appropriations and bringing them within the revenues. The governor being hampered by the constitutional provision, permitting him to only veto items in appropriation bills or the entire bill, has a difficult task to get the appropriations within the revenues when there is an excess. It is fair neither to the governor nor the institutions, for the governor being forced to act, and having the power to veto items only and not the power to pare a general appropriation, as you have, in order to get within the revenues of the state may be forced to innocently and without any such intention injure some institution, thus subjecting him to unjust criticism. Such action is shifting the responsibility, which belongs here, onto the shoulders of the governor, who has no power to vote in this assembly but only the power to recommend, approve and disapprove. If you are going to throw this responsibility onto the governor then it is a great waste of time and a tremendous expense for this body to spend the greater part of two months in considering appropriation bills which are finally determined in amount by the governor. We had better amend the Constitution and give the power to the governor in law, as well as in fact, and save all this expense; or follow the spirit of the Constitution by assuming the responsibility in this body in fact as it is intended in law.

In my message to the Eleventh and Twelfth Legislative Assemblies I gave an itemized statement showing the expenses of the state for the two years previous, and included an official estimate of the revenues of the state for the ensuing two years; and in my message to the Twelfth Legislative Assembly I made a direct appeal to keep within the revenues of the state. I called attention to the fact that the Eleventh Legislative Assembly had by appropriation exceeded the revenues in large amounts, and that I was forced to veto many items in the appropriation bills and in many cases to determine the amount of the appropriation. But in spite of the furnished statements, and in spite of my appeal, the Twelfth Legislative Assembly, following what seems to have become a custom, appropriated large sums in excess of the revenues of the state, and sent the appropriation bills to my office on the last night of the session when there was no time left to veto and return to this body for further consideration. What I said in my message to the Eleventh Legislative Assembly I believe to be true of the Twelfth Legislative Assembly, namely:

"I do not believe that the legislature intended to appropriate more money than there was revenue. Many of the appropriation bills were passed at a late hour on the last night of the session and in the confusion and hurry always incident to the closing hours of the legislature it is doubtful if any member knew that they had exceeded the revenues of the state."

The result, however, is just the same as though it were intentional, and the result grows out of another custom, namely: that of devoting so much of the early part of the session to matters of minor importance, and frequently to matters of no importance at all, and leaving the serious and important matters to the close of the session when the members are tired and worn out and all is confusion. Frequently cases have gone to the Supreme Court of the state for the purpose of determining whether a certain law found on the statute books, duly signed by the governor and recorded in the office of the secretary of state, had as a matter of fact passed one or the other branch of the legislative assembly. You who have been members for so many sessions know of your own knowledge that very little consideration is given to measures before the legislative assembly on the last night of the session. Let me appeal to you, to your patriotism, and to the high regard I know you have for law and order, to change this custom.

The Twelfth Legislative Assembly passed 328 bills; 224 of them were brought to the governor's office on the last day of the session, and nearly all of the 224 bills brought to the governor's office on the last day came in at the night session, after eight o'clock in the evening, and before the legislative assembly adourned sine die. Let me ask you if that is the kind of consideration you would give to your own affairs, and if such consideration is fair to the people of this state whom you represent and to whom I know you want to be loyal and true? And in all fairness let me ask if it is fair to the governor to dump upon him on the last night of the session two-thirds of the work of the entire session, when he has only fifteen days for the consideration of this work that it has taken 152 members of this body, with as many clerks and employees, nearly sixty days to consider?

Quoting again from my message:

"The appropriations should be taken care of as early in the session as possible; not in the confusion of the last night of the session when the members are cleaning up their desks and preparing to leave, but at a time when there is

nothing to distract the attention of the members from the mature deliberation and consideration they should give to so important a matter as the expenditure of the people's money."

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

#### ECONOMY IN LEGISLATIVE EXPENSES.

You are under no obligation to appropriate all the revenue provided. It is your duty to appropriate as much of it as is necessary for the maintenance of our institutions and the general and necessary expenses of state government. We have had a wonderfully prosperous year, which may be an incentive on the part of some to make large expenditures of public money; but I would remind them that this is a new state, that a statchood we established, and have since been maintaining, at great expense, about as many public institutions as there are in any state in the Union; and the more they grow, of course, the more expensive they become to maintain; that there is not one of the institutions but would take the entire amount of revenue provided, if appropriated, and would expend it all, and this is not intended as a reflection upon those in charge of our institutions. Indeed, it is a compliment rather than a reflection, for if they did not take an interest in the institution and want to see it grow and build and develop they would not be fit to be in charge of it. But we can not give it all to one; we have just so much provided which must be equitably distributed between the different institutions of the state in accordance with their needs, and in doing so I recommend that the appropriations be so confined and that only so much be appropriated as is necessary for running the state and for the maintenance of our state institutions.

The reports of the different institutions will be upon your desks, containing the information of their growth, their development and their necessities; also the financial statements, which will be of great assistance to you in making your appropriations. The wonderful, bounteous crop of the year may encourage and induce liberal appropriations, but let me remind you that this is a new state and many of our people are just starting, and it is necessary for them, and for you in their behalf, to be as economical as possible in the expenditure of public money. Begin by cutting down your legislative expenses in the matter of clerks, employes and printing. By close application to your duties you may be able to complete your legislative work in less time than sixty days, the limit fixed by the Constitution. The laws relating to public printing should be amended. The state was recently severely criticised in an article in the Wall Street Journal, and while the article was grossly inaccurate and unjust in saying that there was general dissatisfaction on account of excessive taxation, the criticism on the publication of reports was warranted. The report of the Agricultural College this year has increased to three volumes, and is so voluminous that very few people will read it or look through it to find what they want. It is right and proper that a detailed statement of all the institutions and all the public offices should be made to some official or to some board, but the publication of such a detailed statement as that of the Agricultural College is not necessary and is a useless expense. The governor has the power to eliminate matter in some reports, but elimination is not so necessary as condensation, and to do this the governor would have to revise the entire report, and to revise the entire reports of all the state institutions and state officials is a physical impossibility. Some of the reports, including the report of the Treasurer, must be made in detail and must be published in detail, so the criticism of the Treasurer's report in the Wall Street Journal, while a fair criticism of the report, is a criticism of the method and not of the State Treasurer, for such report was made according to law. It is the law that is at fault and it should be amended.

#### PROPOSED CONSTITUTIONAL AMENDMENTS.

The law providing for the publication of proposed constitutional amendments in one newspaper in each county in the state should be repealed, and if published at all, some other means of publicity should be provided, less expensive than the present system. It cost the state \$18,228.00

to publish the proposed amendments passed by the last legislative assembly, all of which proposed amendments must be submitted to this legislative assembly for approval, and if approved submitted to the people at the next general election. It hardly seems necessary to publish proposed amendments to the Constitution until after such proposed amendments have passed two sessions of the legislature and are ready for submission to the people for their votes; but if publicity is necessary after a proposed amendment has passed one session of the legislative assembly, then we should provide a less expensive method of publicity. The publication of such proposed amendments in the Publicity Pamphlet would be much less expensive and would give the amendment much more publicity. This pamphlet must be published and distributed. It is a pamphlet which relates solely and alone to elections and, therefore, would attract the attention of the elector much more than if published in a general newspaper .

#### ASSESSMENT OF PROPERTY.

In my former message to the legislature I have repeatedly called attention to the difficulties presented by the customary method of administering the taxation and revenue system of the state. In that connection I mentioned particularly the aggregate low assessed valuation which has made necessary the comparatively high rate of levy. I also called attention to the difficulties in the way of securing a higher valuation and a more equitable distribution of the tax burden, recommending the centralization of authority over tax administration. The Twelfth Legislative Assembly recognized the necessity of an improvement in our tax laws and administration and to this end provided for the creation of a permanent non-partisan tax commission. This law became effective on July 1, 1912, and I at once selected three men whom I believed to be the best qualified to undertake the work to be done. The commissioners immediately organized and set about the performance of the duties of their office. The results of their work, for the brief period they have been in office, appears in the shape of a report on the tax conditions in the state. Their report not only points out the evils of the present tax system, but suggests remedies. The commissioners are to be congratulated on being able to present so thorough a report during the brief time they have been in office, and I commend this report to the careful consideration of the legislature.

Our system of assessment and taxation is responsible for the criticism of our state in the Wall Street Journal article



above referred to. It is not generally known that property in this state is assessed at only one-fourth of its actual value, and that on account of the low assessment the rate necessarily appears high. The reports of the State Board of Equalization show that property is rated by the assessor at about 25 per cent. of its value. It is true the law says that all property shall be assessed at its actual value. This is the only fair and just method of assessment and it is the only possible way to secure a uniform assessment. But there are many difficulties in the enforcement of this law. The salaries of many of the county officers are based upon the assessed valuation of property in the county, based on a 25 per cent. assessment. To increase the assessment 75 per cent. would give such county officers an extravagant salary. The mill tax for the state institutions is likewise based upon a 25 per cent. valuation of property. If the property was increased 75 per cent. the mill tax would become burdensome. And so there should be a general revision of the laws fixing the salaries of county officers, and of the mill tax and of the laws relating to assessment and taxation.

I call your special attention to the report of the State Examiner, and recommend the amendments asked for by this officer to the banking laws of the state. You will find in this report that any company desiring to do business in the state can secure from the secretary of state the necessary authority and proceed to sell stock, bonds or other evidence of debt, with nothing back of the institution but the blue sky; and no authority exists to examine or prevent the sale of worthless stock until some dissatisfied creditor makes application, and it may be then too late. The corporation laws should be amended so as to protect innocent purchaser and prevent the sale of worthless stock, bonds or other evidence of indebtedness; and the State Examiner should be authorized to examine such corporation and report favorably before it is allowed to sell any stock.

#### PUBLIC INSTRUCTION.

You will find in the report of the Superintendent of Public Instruction many recommendations in regard to the public schools of the state, most of which I am sure will meet with favorable consideration; and which he recommends legislation on the general subject of the school laws, he wisely makes the recommendation, namely:

“While present laws are not perfect they are reasonably satisfactory and should be allowed to stand until they have

been fairly tested. Our schools are not suffering from lack of legislation; there has been a tendency to over-legislate the schools."

#### LEGISLATIVE APPROPRIATIONS.

While practicing economy along every possible line you should be as liberal with the state institutions as the revenues of the state warrant. The Agricultural Colleges, University, State Normal Schools, the School of Science, the School of Forestry, the School for the Deaf, and the Normal and Industrial School are all doing good work; and in the consideration of what is necessary for any of these institutions I am sure you will be governed by high motives to act for and in behalf of the entire state and not in the interests of any particular institution or any particular locality.

We are obliged to provide liberally for the penal and charitable institutions of the state. An emergency really exists at the Asylum in Jamestown. This institution is densely crowded and insanity seems alarmingly on the increase. It will be necessary to construct some new buildings at the Asylum to provide accommodations for the increase in population. But one asylum is provided for by the Constitution, which is located at Jamestown, and which has now a population of over eight hundred inmates. It might be well for you to consider the advisability of amending the Constitution by providing for another asylum in some other locality.

The Institution for the Feeble Minded at Grafton will probably not require any new improvements, except a farm house and the purchase of more land. There is no reason, however, why the counties should not be made responsible for the maintenance of the inmates the same as they are made responsible for the maintenance of the insane at the State Hospital at Jamestown; and I recommend that the law making the counties liable for the maintenance of the insane be made to apply also to the inmates of the Institution for the Feeble Minded.

The School for the Deaf at Devils Lake has no building for industrial education. Only two trades are being taught the students, printing and carpentry. For this purpose the rooms over the boiler house are used. The Superintendent recommends a new building, to be devoted exclusively to industrial education, and expects to put in tailoring and shoe-making. Common humanity demands the best possible equipment for the deaf and dumb men or women who must eventually go out and battle with the world under this

handicap; and I commend the institution and the recommendations of the Superintendent to your most careful and conscientious consideration.

The last legislative assembly established a tuberculosis sanitarium at Dunseith, which is now in operation, and I invite your inspection of the same and recommend such additional improvements as may be necessary.

The last assembly also appropriated \$25,000. for repairs to the Capitol, and the building is now in a fair state of repair. New offices have been provided for the Tax Commission and the Board of Control, and an additional room has been provided for the State Historian and the Reference Library. The usual appropriation for Capitol maintenance is insufficient under present conditions. The cost of everything has increased and in addition to this the office expenses of the Adjutant General's Office, the Reference Library, the Board of Control and the Tax Commission have been an added drain on the general fund for Capitol maintenance, while the appropriation for this purpose has remained the same. I recommend an increase in the appropriation for Capitol maintenance.

Under Section 1268 of the Revised Codes of 1905 the sum of \$20,000. was appropriated from the Capitol Building Fund to build the present state street car line. The Capitol Building Fund is a fund created from the sale of public lands granted to the state by Section 12 of the Enabling Act, for the purpose of erecting public buildings at the Capitol, for legislative, executive and judicial purposes; and Section 17 of the Enabling Act granted to the state fifty thousand acres for public buildings at the Capital. The appropriation of this money from this fund for the purpose of building a street car line was a diversion of this fund through which we might lose the entire grant of land, and the state is in duty bound to return to this fund, by a direct appropriation, the \$20,000. so misappropriated. This subject is discussed at length in the veto message found on page 570 of the Session Laws of 1911.

#### GLANDERS.

Under the law passed by the legislature in 1907, indemnifying owners for horses killed by order of the State Veterinarians on account of having the disease of glanders, there are on file in the State Auditor's office a large number of bills, aggregating more than \$25,000., from owners claiming indemnity under such law, and I recommend an appropriation sufficient to pay such claims.

## DAIRIES.

The success of an agricultural state depends upon the diversity of its agricultural industries, and the dairy is not only most profitable, but at the same time is the cause of much diversity in crops and in conservation of soil. The Superintendent of the Dairy Department is having some difficulty on account of the low long distance express rates to central points in other states, making it difficult to operate creameries at a fair profit in the state; and he asks for a sufficient appropriation to meet the increased and increasing demands upon the department for competent instructors in silo construction, to furnish by lecture or otherwise the information the farming communities demand on dairy matters, to prevent if possible the operation of outside purchasers of cream in this state who are operating to the disadvantage of local creameries by reason of low long distance express rates to central points in other states, to encourage and instruct farmers in the establishment of co-operative creameries and assist in co-operative breeding associations, and to take over the entire inspection of milk at dairy points, placing the responsibility for healthy milk in the first instance upon the state. He further recommends that the administration of the law for the extinction of tuberculosis among cattle be placed in the hands of the Live Stock Sanitary Board.

## THE MILITARY RESERVATION.

The Military Reservation near Devils Lake is a valuable tract of land containing 1,500 acres, much of it timber. It has received very little attention from the state in the way of improvements. The War Department has designated it as one of the permanent Mobilization Camps for the mobilization of troops in time of war, and requested a Military Map thereof which was prepared by the State Engineer and sent to Washington.

I would recommend an annual appropriation of not less than \$1,500 for maintenance, and salary sufficient to pay a custodian who should reside there. There are thousands of dollars worth of military stores and government and state property stored in the Quartermaster's Building, which if destroyed would entail great financial loss to the State. The roads traversing the Reservation, particularly that leading to the rifle range, should be improved, the dead and down timber removed and the underbrush cleared up to lessen the danger from fire. The butts at the rifle range should be extended to accommodate twelve targets and a range house built behind the butts for storage of targets and range ma-

terial. A Quartermaster's Building was completed last year under an appropriation made by the legislature. It is constructed of stone with a metal roof and is practically fire proof. All camp property and equipment was transferred to it from the old building; properly marked and arranged in compartments for each battalion and can be issued rapidly and without confusion. A bath house was erected, equipped with shower baths, for use of officers and men. Additional closets should be provided for the battalion of regular troops which participate in the annual encampments. Two field crematories were constructed at a safe distance from and of easy access to the camp, which disposes of all garbage and excreta. An artesian well and elevated tank insures a sufficient supply of good water. An officers' mess hall is a necessity, the old structure being entirely inadequate. A new building could be constructed at an estimated cost of about \$1,500. The facilities for handling troops and supplies at encampments entail a great loss of time and expenditure of funds for team transportation by reason of the location of the military siding two miles from the camp. The siding will not accommodate a troop train. I would advise that an arrangement be made with the Great Northern Railway for a spur track from Pelican Point along the beach to terminate below the bluff, near the Quartermaster's building. This would facilitate the loading of supplies and embarking of troops and lessen the expense of team transportation.

#### WAR VETERANS OF THE SPANISH-AMERICAN WAR.

It is now nearly fifteen years since the First North Dakota Volunteer Infantry Regiment left the state for foreign service in the Philippine Islands in the Spanish-American war. They gave their country and their state eighteen months of hard service, and made a record not excelled by any other organization in the field. Some of them lost their lives in the service of their country. North Dakota is the only state that has not prepared and published a record of the soldiers sent by the state into foreign service. Among the officers there are many able men, capable of writing the record of our soldiers in the Spanish-American war. General Treumann, Colonel Fraine, General Hildreth, Major Berg, Major Tharalson, and many other officers are capable of making a very interesting and truthful history that in time to come will be invaluable. I am informed that the officers will be glad to furnish the manuscript if the state will pay for the printing, and I therefore recommend an appropriation sufficient to publish the history of the North Dakota Regiment in the Spanish-American War, written by the officers and soldiers.

GOOD ROADS.

Upon the subject of good roads I can only repeat my former recommendations. The old township system is antiquated and usually undoes one year the work done the year previous. It should be changed to the contract system, and our roads constructed by road builders. The last legislative assembly made some progress. The United States Government will no doubt, in the very near future, commence a system of building post roads. When that time comes we want to be ready to co-operate with the government in the construction of highways, for it is costing us more now to get the products of our farms to the railroad than it does from the railroad to the market. There is no subject of more vital interest to the farmer than the construction of good highways, and I commend the subject to your most careful consideration.

For your information and assistance in making your appropriations I have had prepared a statement showing the expenditures of the state for the two years previous, and including an official estimate of the revenues of the state for the ensuing two years; and also a statement from the Superintendent of Public Instruction showing the amounts expended for the support of the public schools.

RECEIPTS FOR SUPPORT OF COMMON SCHOOLS.

*Year Ending June 30, 1911.*

Cash on hand July 1, 1910.....	\$2,290,538.05
Received from state apportionment.....	785,944.05
From two mill tax.....	633,731.70
From taxes levied by school boards.....	2,873,631.58
From sale of bonds.....	281,061.51
From tuition.....	16,716.52
Paid into sinking fund.....	38,161.59
From miscellaneous sources.....	249,113.87
	<hr/>
Total receipts, including cash on hand at beginning of school year.....	\$7,169,789.87

*Year Ending June 30, 1912.*

Cash on hand July 1, 1911.....	\$2,047,852.20
State apportionment.....	950,665.81
From county apportionment.....	609,094.74
From district taxes.....	3,498,754.55
From sale of bonds.....	313,326.80
From tuition.....	16,385.93
Paid into sinking fund.....	65,409.90
From miscellaneous sources.....	311,897.61
	<hr/>
Total receipts, including cash on hand at beginning of school year.....	\$7,815,387.54

## GENERAL FUND.

January 1, 1911, to December 31, 1912.

	Balance January 1, 1911	Appropriations Col- lections 1911 and 1912	Total Pay- ments 1911 and 1912	Balance December 31, 1912
Salaries, elective and appointive .....	\$700.16	\$321,601.46	\$308,249.00	\$14,052.62
Expense, elective and appointive .....	7,024.87	73,367.04	54,975.86	25,416.05
Clerk hire, state officials .....	2,565.40	99,748.47	94,131.11	8,182.05
Expense, twelfth legislative assembly...	.....	150,990.33	150,990.33	.....
Unlimited appropriations .....	.....	163,604.54	163,604.54	.....
Miscellaneous account .....	6,148.31	75,550.99	77,327.21	4,372.09
Miscellaneous appropriations .....	109,209.70	602,988.07	612,349.51	99,848.26
Appropriations, state institutions .....	135,732.60	1,730,492.95	1,579,982.34	286,243.21
Grand total.....	\$261,381.04	\$3,218,343.85	\$3,041,609.90	\$438,114.99

## GENERAL FUND.

December 1, 1912.

## ESTIMATED REVENUE FOR 1913 AND 1914.

Taxes, 1912 and 1913.....	\$1,800,000.00
Taxes, 1911 .....	170,000.00
Secretary of State, fees.....	63,000.00
Commissioner of Insurance, fees.....	375,000.00
Clerk Supreme Court, fees.....	2,400.00
Commissioner Agriculture and Labor, fees.....	1,300.00
Public Examiner .....	35,000.00
Interest on public funds.....	85,000.00
Elevator licenses .....	19,000.00
Oil fees .....	115,000.00
State Engineer, fees .....	600.00
Registration, fees .....	33,000.00
Taxes operating private car line.....	3,000.00
Miscellaneous .....	10,000.00
Due for care of insane patients for 1911 and prior years .....	150,000.00
Cash balance December 1, 1912.....	110,522.52

## EXPENSE 1913 AND 1914.

Standing appropriations .....	\$1,124,040.00
Unlimited appropriations, estimated.....	284,200.00
Credit balances December 1, 1912.....	392,360.00
Estimated amount which will be available and subject to appropriations by the thirteenth legislative assembly .....	1,172,222.45
	<hr/>
	\$2,972,822.52
	\$2,972,822.52

## OIL INSPECTION.

There has been a great deal of complaint during the last two years against the gravity test in the oil inspection laws. The claim is made that this gravity test should not be made to apply to fuel oils; that were it not for this test a much cheaper fuel oil could be purchased for running gasoline plow engines. I have before me the evidence taken in a case of the Standard Oil Company against D. H. McArthur, State Oil Inspector. Professor Ladd being called as a witness testified as follows:

"I am at the head of the department which is charged with certain duties under the oil inspection laws of North Dakota, in regard to oils and gasolines. I have made more or less a study of this subject in past years. There is no question but what the increase in the demand has been very great within the last two years for distillates for power purposes in North Dakota. From my observation it is increasing at the present time. There are more tracter engines in use now than ever before, and I think a very large number of them are of the internal combustion engine type. We are getting away from the coal and into the use of the internal combustion engine very rapidly. Those engines are going all over our state for use on the farm. I have made no practical tests myself with distillates as power, in those engines. My understanding from observation is that they are desired for use and can be used in those engines. The same is true also of gasoline of a lower gravity than 63 for power purposes. A gravity test has practically no value with respect to safety for the use of the people. I consider it of such little importance that I suggested that it be left out of the act when the present law was enacted. I recommend the entire omission of gravity as a requirement in regard to the products coming into this state. The gravity test came at a time when all of the oil was from one field, Pennsylvania, and the gravity test there was an indication of the real value of the oil for illuminating purposes, for which oil was used at that time. With the development of other fields, the type of oil is different and the gravity is different, and therefore the gravities of the various distillates differ and had but very little meaning unless one knew the field from where the oil came, and at times where there was a mixture of oils it might be misleading. That test is no longer of any real value and does not go at all to the question of safety or of fraud in the preparation or marketing of the product. But it made possible fraud rather than prevented it, that is, if there was an attempt or desire to do so. I think that the product should be labelled so as to show what its true gravity is."



It appearing from the testimony of Professor Ladd, who assists in the inspection of oils, that the gravity test is not a safety test and that distillates and gasolines of low gravity tests can be and are used for fuel oil, I therefore recommend this subject to your careful consideration, and that the law be amended and changed in regard to fuel oil so that the farmers and others who are using engines can get the cheapest possible motive power.

#### STATE FAIR.

There is no better way of advertising the resources and products of the state than an exhibition of the same at a state fair; there is no better way of encouraging and teaching agriculture, for "seeing is believing." The State Fair has been improving and is becoming more and more each year what it should be, an agricultural exhibit. At the last State Fair there were 174 entries in the various horse classes, 274 classes of cattle entered in the beef and dairy breeds, 90 head of swine, 55 head of sheep and 755 classes of poultry. And some of the North Dakota horses and cattle, premium winners in the North Dakota State Fair, carried away the first honors at the larger fairs of our sister states in Minnesota and Iowa, and at the International Stock Show in Chicago. The machinery exhibit was the largest of modern farm implements ever shown upon any fair ground in the country. The display in the Woman's Department filled the building set aside for that purpose. All of our educational institutions were there represented; while the better farming association maintained an agricultural school attended by 84 boys. President Lewis of the State Fair Association for Fargo, in commenting upon the subject, says: "There can not longer be any question of the great educational value of the State Fair, both in advertising the resources of North Dakota to those who live without the borders of the state; but also an added incentive to better and more intelligent effort through the competition offered the exhibitor; and the awakening of a desire in those who attend the Fair, to obtain better results from observing the improved methods shown and the exhibits displayed.

We would, therefore, respectfully urge that the legislature be more liberal, and we do not believe it unreasonable to ask the increase of the appropriation for State Fair purposes to \$25,000.00 annually; in order that justice may be done to the State and the exhibitors; and also to concentrate our efforts in producing at the State Fair an exhibition worthy of a state possessing such large agricultural and natural resources.

I am fully convinced that a State Fair giving an exhibition which is not creditable to the state is proudctive of more harm than good, both as a State Institution and also to the city wherein it is held."

All of which I submit to you with the recommendation for an additional appropriation if the revenues of the state warrant.

#### PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

This state has been invited to display an exhibit of its natural resources and prodets at the Panama-Pacific International Exposition, to be held in San Francisco, California, in 1915, in honor of the opening of the Panama Canal. This will be the greatest exposition ever held. All the states will be represented; thousands of people from eastern states will pass through out state en route to San Francisco, and will expect to see an exhibition of the resources of our state, together with the other states of this Union. We can not afford to be unrepresented at this Exposition, and I submit the proposition to your good business judgment and sound discretion.

#### INITIATIVE AND REFERENDUM.

The last legislative assembly passed an amendment to the Constitution providing for the Initiative and Referendum, which proposed amendment will be before this body for approval. I have recommended such legislation in all my messages to the legislative assemblies; all the political parties of this state have for many years recommended it to the people, and this being a government of the people, the people are entitled to this amendment. Being found in all of the political platforms upon which you were elected to this assembly, it will be passed as a matter of course.

#### EMPLOYER'S LIABILITY AND WORKINGMEN'S COMPENSATION ACTS.

The Twelfth Legislative Assembly made provision for a commission to investigate and report on legislation on the subject of employers' liability and workingmen's compensation acts. This report will be made and duly presented to this assembly. This is a most important subject in many of the states; it will be so in this state in the very near future. This is a good time to secure the best legislation there is on the subject. The States of Wisconsin, Washington and New Jersey have some of the most modern legislation, and that of Washington has been sustained by the Supreme Court of that state.

Only a little while ago we had no great industrial institutions. Every little village, town and hamlet was supplied with small manufacturies. The song of the spinning wheel and the loom was heard in every country home. Our home-spun clothes were made by our mothers or by the village or country tailor, and our shoes by the village or country shoemaker. In almost every home there was one handy man, who mended the harness and the shoes, set broken limbs, cut hair, and pulled teeth. Even in the larger cities manufacturies were small and the employes few in number. The owner of the institution gave it his personal supervision, often working side by side with his employes as a co-worker and friend. The machinery was simple and accidents few. On account of the personal contact between employer and employe there was a bond of sympathy existing between them that brought forth the employes best efforts for the success of his employer; and the employer in return naturally exercised the same care for the protection and life of his servant that he did for himself. If there was an accident resulting in an injury to an employe it was usually one that was unavoidable, and any liability was easily settled through the mutual sympathy and friendship existing between employer and employe. If death resulted from the accident the sorrow of the relatives of the deceased was shared by the employer and employe alike, for all were friends.

But the development in the industrial world has changed all this; the corporation has taken the place of the individual, and finally the trust the place of the corporation. The concentration of wealth has made some of our cities the greatest manufacturing centers of the world, and it binds ocean to ocean with rails of steel. The little manufacturies have been purchased or driven out of business by the large industrial institutions, to which the owners no longer give their personal supervision. They are now managed by foremen and superintendents whose business it is to make the institution pay dividends. The capital is owned by stockholders in the corporation or combination of corporations known as a trust; they know little about the management of the great institution in which they are stockholders; they are interested in its economic management, and in the dividends which it pays. The institution with employes few in number has been replaced by the institution which employs thousands upon thousands. The simple machinery of the old-fashioned factory has been replaced with the new, modern, complex machinery, which cheapens the cost of production and correspondingly increases the hazard to human life. The bond of sympathy

between employer and employe is severed. They do not know each other. They have no interest in each other as individuals. The one invests his money in the institution for the dividends it will earn, and the other enters into the employment for his daily wage. The conditions of each have changed so that it must be very apparent that the rule of liability under the former conditions is not adequate nor just under present conditions.

While modern inventions and improvements in machinery have facilitated manufacturing and cheapened the cost of production, human ingenuity has not been able to construct machinery that will run without human agency. Ingenious as it is it must be set in motion and operated by man. If this development is credited with the decrease in the cost of production should it not be charged with the increased waste of human life and limb? It is responsible for both. This is an age of conservation and should not every industrial institution conserve its own waste, not only in material and machinery but in the agency which operates the machinery; and should not this waste in human life and limb be charged up to the cost of production and the industry made to bear the burden, the same as it must bear the burden of replacing machinery and other wastes connected with the institution? If this can be accomplished it ought to result in the invention of safety appliances for the protection of life and limb and the decrease in waste along this line, in the same way that there has been a decrease in waste in other lines.

Every practitioner knows that the laws governing the right of recovery for industrial accidents under the old conditions are grossly inadequate under present conditions, for, while the employer may recover on proof of negligence on the part of the employe, it is often very difficult if not impossible to prove negligence; and there are any number of accidents for which no recovery can be had because unavoidable or incidental to the operation of the industry. In many cases the employers are insured against liability in casualty companies, and in case of an accident resulting in litigation the right of recovery is strenuously resisted by trained men in the employ of the casualty company to avoid payment of the insurance. If not insured against liability for accidents the employer has his own claim agents who, immediately upon the happening of an accident, proceed to procure a signed statement from the injured, if living, and if dead from the relatives, which is usually colored in favor of the employer and signed at a time when the injured is suffering from pain, or the rela-

tives overwhelmed with grief. The employer is practically compelled to have his claim agents, or insure in a casualty company against industrial accidents, to protect himself from false and fictitious claims presented or instituted by claim attorneys, sometimes called "ambulance chasers," who often in the race to the injured workingman beat the claim agent or representative of the casualty company, and sometimes recover upon a manufactured case. One is just as reprehensible as the other, but while the employer is sometimes held liable in damages in large amounts when there is no real liability, it frequently happens that there is no recovery when there should be and that in only a small percentage of the cases is the compensation adequate. The law governing the right to recover has not kept pace with our industrial development.

The employe in a large industrial institution cannot possibly know the risks that he assumes. He may thoroughly understand his own duties and the risks immediately incident to such duties, which may be only a small part of the risk assumed in an institution where there are thousands employed. Some time ago I visited a manufactory in Beverly, Massachusetts, which has a floor space of twenty-one acres. In this institution one hundred and fifty thousand pounds of steel are used per week; eighteen hundred tons of steel are carried in the stock supply room for use in manufacturing; over nineteen million parts of machines are sent out from the stock room annually and over twenty-four thousand complete machines. To do up and ship nineteen million parts of machines takes an army of men, and yet every piece is manufactured in this institution from the moulding to the finished product; and in addition to the nineteen million parts, twenty-four thousand complete machines for the manufacture of shoes are shipped annually from this one institution.

If an injury results from negligence that is willful or intentional there is no reason in justice why the rule should not be enforced, but there are so many cases where "through momentary distraction or inadvertent miscalculation, probably induced by mental or physical fatigue, resulting in accidental injury to the workingman without any intention or moral fault of his own." Such cases are now everywhere recognized as inevitable, a necessary hazard to the work, as certain to happen as machinery is to break. Nearly all accidents are the result of such conditions, whether it be through the negligence of the fellow servant or the contributory negligence of the injured party. The fellow servant has no object in injuring his fellow workingman, and the workingman certainly would not in-

jure himself intentionally, for self-preservation is the first law of nature. Both are unavoidable accidents, occurring with surprising regularity.

Every industry must of necessity employ the most modern appliances and use all the mechanical powers usually employed in such industry. Competition demands this; success depends upon it, and as a result the risk of the workingman daily increases with modern methods of production. Risks that increase with our growth and development, and conditions which lead to the conclusion that with every reasonable precaution we will still have injuries from unavoidable accidents. The employer is benefited with modern machinery with increased production, greater profits and greater opportunities to enrich himself; the public is benefited for the reason that modern machinery has cheapened the cost of production and given to it cheaper commodities; and while the workingmen's pay may have increased it has not increased in accordance with the increased risk. This has led to the theory of compensation to the workingman, paid by the employer in the first instance and distributed upon the public generally that consumes the commodity. This principle has been recognized in all European countries, all of which either have some form of compulsory insurance or a direct law fixing the responsibility directly upon the employer.

I submit the subject to your consideration and recommend the enactment of an employers' liability and workingman's compensation law.

#### EXECUTIVE.

Each platform upon which I was elected Governor, in 1908 and in 1910, contained a plank in favor of the enactment of a law giving the Governor power to remove officers not subject to impeachment, for willful neglect of duty. Such a bill was introduced in the Legislative Assembly in 1907, 1909 and 1911, and while at each time it had many adherents it did not receive the support necessary to become a law.

Many of the states have passed laws giving to the Governor the power of removal, and the people generally believe that such power is vested in the executive by law. Almost every mail brings to the Governor's office an appeal to the executive for the enforcement of the law in some part of the state. The fact that the appeal is made to the Governor shows that the people generally believe that he is vested with authority, and that all of the laws are not enforced in all parts of the state. Officers are always vigilant in the

enforcement of popular laws, but a law popular in the state generally may be very unpopular in certain communities, and in such communities officers are sometimes elected upon the issue of non-enforcement as against enforcement of such laws, and prosecuting officers are not active for the reason that their activity might prevent their reelection. This is not always true, of course, for in such communities there are many officers who are faithful and active but fail through lack of co-operation of the people. If there were a power of removal in the Governor, the officer would no longer need to fear public sentiment; he could say to the people: "I have no choice in the matter, I must do my duty or the Governor will remove me from office and someone will be appointed in my place who will prosecute." The people are fair and realizing the truth of this position would become reconciled and not only the officer but law enforcement generally would be popularized, for the people, in the end, admire the public official who does his duty; and the more strictly laws are enforced, the more popular law enforcement becomes. If the law be good the people are entitled to its benefits; enforce it and we will know whether it be good or bad.

What is an office? Is it created for the benefit of the individual officer or for the benefit of the public? At common law an office was considered property, and some of the early decisions in this country upon this theory, that is, that a person could have property in an office, held that an officer could not be removed except by a judicial proceeding in court. But it is a well settled rule of law in the United States that an office is not property but is a public trust or agency, not held by contract or grant—the officer has no vested right therein and, subject to constitutional restrictions, the office may be vacated or abolished. The office is for the benefit of the public, the officer a public servant. If he refuses or neglects to perform the duties of his office there is no more reason why he should be retained than a private servant. Peace officers are especially charged with the duty of enforcing the penal laws, not some of them, but all of them. Such laws are made for the protection of life and property and peace officers are elected for their enforcement. They have no other duties and if they fail in their performance there should be a sure, speedy summary remedy, not by the slow process of the courts where the law's delays might prevent removal until after the term of office had expired, but a fair, speedy trial upon notice before some officer charged with the responsibility of enforcing the laws. There certainly ought to be a responsible head to the state government, some official whom the peo-

ple might look to for the enforcement of law and hold responsible. There is no business concern in the state without a responsible head. Every store, farm, city, bank, corporation, co-partnership and every family in the state has a responsible head, some person or officer who can be held responsible. If the state should have a responsible head who should be the head? To determine this we should look to the constitution and see if it in any way indicates that such power should be given to any officer, and there we find it expressly given in Sec. 71, which reads: "The executive power of the state is vested in the Governor." This is exactly the same language that is used in the constitution of the United States vesting the executive power in the President. Section 1, Article 2 of the constitution of the United States reads: "The executive power shall be vested in the President of the United States." Watson on the Constitution, says that this means that the whole or all of the executive power is vested in the President. If it does the same language in our constitution means that the whole or all of the executive power of the state is vested in the Governor. This section in the constitution of the United States as considered by the members of the constitutional convention one of the most important provisions in the constitution. The separation of governmental powers into three departments was a new departure, and having decided that there should be an executive department difficulties arose as to whether the executive power shall be vested in one man or a board of control, it being argued upon one side that the power vested in a board of control would insure deliberation and prevent tyranny, while upon the other, the power being vested in a single individual would insure more efficient administration. And the necessity for efficient administration has lead to almost universal adoption of a single executive head. I quote again from Watson on the Constitution: "The convention was touching a new subject, was creating a new department of government, was establishing a power which was to exercise great authority and one which if the Republic was successful, would become its dominant factor. It is not strange, therefore, that there was great diversity of opinion among the members on almost all questions pertaining to the establishment of the executive department. One thing beyond all others is plain and clear. The framers of the constitution intended that the executive should be the strong branch of the government. They had been born and brought up under the rule of a king; tyranny they held in contempt and rebelled against, but they believed in authority and in *centralized responsibility, and it was their purpose in creating the executive department to confer upon the executive great author-*



*ity.* This is apparent in that the convention refused to create an advisory council for the executive, for in contemplation of the convention the executive was to be the guiding power of the nation." Mr. Rutledge said he was for vesting the executive power in a single person, as a single person would feel the greatest responsibility and administer the public affairs best. Mr. Wilson favored a single magistrate as giving most energy, dispatch and responsibility to the office. Mr. Pickney and Mr. Butler favored the single magistrate; and Mr. Madison, who is known as the "Father of the Constitution," said: "It is absolutely necessary that the President should have the power of removing from office. It will make him in a peculiar manner responsible for their conduct and subject him to impeachment if he suffers them to perpetrate with impunity high crimes or misdemeanors against the United States, or neglects to superintend their conduct so as to check their excesses." Of the same opinion were other members of the convention that framed the constitution. No higher evidence can be had. Wyman's Administrative Law, Sec. 50.

If this language in the constitution of the United States, vesting the executive power in the President, makes him the guiding power of the nation, then does it not follow that the same language in our constitution, taken apparently from the constitution of the United States, makes the Governor the guiding power of the state; and that the makers of our constitution were, like the makers of the constitution of the United States, firm in their belief in *authority and in centralized responsibility, and so believing, created an executive department, intending to confer upon it great authority?* The makers of our constitution adopted the language of the constitution of the United States relating to the executive, wherever it could be made applicable, and hence it follows that the same construction that has been placed upon the constitution of the United States must, as a matter of law, be applied to the same provisions in our constitution. In Sec. 3 of Art. 2 of the constitution of the United States, is found this language: "He (referring to the President) shall take care that the laws be faithfully executed." This identical language is found in Sec. 75 of our constitution. So it appears that in one is vested all the executive power of the nation, in the other all the executive power of the state, and both are commanded — not only charged but commanded—to faithfully execute the laws. This provision comes from the power granted to Colonial Governors. The Charter granted to the Massachusetts Bay Company in 1620 provided that all ordinances or laws made by the Governor or deputy should be carefully observed,

but there was no provisions in the Charter for their enforcement or charging anyone therewith. This provision in similar language first appeared in the Maryland Charter, granted to Lord Baltimore, and in practically all of the subsequent Colonial governments. Watson on the Constitution says the words "take care" imply that an obligation or duty is imposed upon the President to see that the laws are executed. Senator Howard, in the trial of President Johnson, said the words "he shall take care" meant that the President should be diligent and faithful in the appointment of proper officers and in seeing that they faithfully discharge their duty. "Under this language it is the duty of the President to see that the other executive and administrative officers of the government faithfully perform their duties which are prescribed by the statutes." Does not the same language in our constitution mean the same, and was it not the intention of the makers of our constitution to give to the people of this state a strong executive department with all the power that was necessary for the enforcement of the law? The law never requires that which is impossible nor that which is ridiculous, and the makers of our constitution would not have vested the executive power in the Governor, and commanded him to take care that the laws be faithfully executed, unless they intended also that he should have the power to obey the command. To command him to enforce the laws and to withhold from him the power, would be to command him to do the impossible, if not the ridiculous.

It being the intention of the makers of our constitution to place in the hands of the Governor all the machinery and power necessary to obey the express commands of the constitution, then there is a moral obligation on the part of the legislature to provide the Governor with this power, for Section 69, reads: "The legislative assembly shall pass all laws necessary to carry into effect the provisions of this constitution." To carry into effect what provisions? The provisions of the constitution, all of them, the provision vesting the executive power in the Governor and the provision commanding him to take care that the laws be faithfully executed. The language is mandatory in form, it is put in the form of a command and it is strengthened and enforced by Section 21, which reads: "The provisions of this constitution are mandatory and prohibitory unless by express words they are declared to be otherwise." These provisions are not declared to be otherwise, and, therefore, they are mandatory provisions commanding the legislative assembly to pass all the laws necessary to carry into effect all the provisions of the constitution. The Governor has no inherent right to remove, except perhaps appointees. It is a

right that must be conferred by law. Does our law already confer the power? The only legislation on the subject is found in Chap. 3, Political Code, Sec. 86, and Sec. 1761 of the Revised Codes of 1905. Under Sec. 86 the Governor is to supervise the official conduct of all executive and ministerial officers. He is to see that all officers are filled and the duties thereof performed, or in default thereof apply such remedies as the law allows. If the remedy is imperfect he is to acquaint the legislative assembly thereof at its next session. This does not confer any power upon the Governor to remove anyone. It says that he must supervise the official conduct of the executive and administrative officers; that he must see that the officers are filled and the duties performed. If the law stopped at this the Governor might have the implied power to remove officers in case their duties were not performed or in case they refused to submit to his supervision, but it does not stop with the commands referred to; it goes further and says that in default thereof he must apply such remedy as the law allows, and the remedy that the law allows is an action in court for their removal, which would be wholly without effect in counties where the officers refused to enforce the law because the law is unpopular. If the Governor is to be charged with their supervision and must see that officers perform their duties, he should be given the power to compel them to perform or to remove them from office. There are certain officers, of course, who cannot be removed except by impeachment. They are named in Section 196 of the constitution: The Governor and other state and judicial officers, excepting county judges, justice of the peace and police magistrates. Sec. 197 provides that all officers not liable to impeachment shall be subject to removal for misconduct, malfeasance, crime or misdemeanor in office, or for habitual drunkenness or gross incompetency, in such manner as may be provided by law. It clearly appears that excepting these officers liable to impeachment all other officers may be removed in such manner as the legislative assembly may provide for the causes named in said section, namely: misconduct, malfeasance, crime or misdemeanor in office, or for habitual drunkenness or gross incompetency. For any of these causes the officer may be removed as provided by law. It does not say that the officer may be removed by an action in court for these causes, but as provided by law. The law makers of the constitution had in mind a summary action, a speedy remedy, and they placed no limitation upon the power of the legislature, excepting that the law should apply only to those officers who were not subject to impeachment under Sec. 196.

There should be, then, a power of removal, and where better can it be placed than in the officer in whom is vested all the executive power of the state and who is commanded to take care that the laws be faithfully executed. The first objection made to this is that the Governor would use this power for political purposes, and would remove his enemies and appoint his friends to office. This reason has been before the court in constructing such laws, and the courts have invariably held that the responsibility to the people of the officer to whom this power is given will, of course, prevent him from removing an officer without just cause. No governor would ever dare to use this power for political purposes, for such a use would kill him politically. But to avoid all question of the power being used for political purposes, let there be a provision in the law that it shall not be used for political purposes, but only for cause. It could not under our Constitution be used for political purposes, for the causes for which the officer might be removed are named in the Constitution. Before the governor could remove an officer he would have to charge the officer with one of the offenses named in Section 197 of the Constitution: misconduct, malfeasance, crime or misdemeanor in office, or for habitual drunkenness or gross incompetency, and only for these causes could the legislature make provision for removal and the Governor remove.

The next objection, and the one that seems to have the greatest weight with the public generally, is that it is giving to an executive officer judicial power, and, therefore, unconstitutional. This question has been many times in the courts and there are authorities on both sides, but the great weight of authority holds that it is not judicial power within the meaning of that term, and that such laws are not unconstitutional. A very elaborate and learned discussion of this subject is to be found in the case of *Territory of Dakota vs. Cox*, 6 Dak. 501. This case has not been followed in some particulars in either North or South Dakota, but the decision on the question of judicial power stands unchallenged. I quote from said decision on page 508:

“Yet if the power be clearly judicial, it cannot, as already shown, be conferred upon the executive, and any exercise of such power by him would be a usurpation and his action illegal and void. What, then, is judicial power? It is said to be ‘the power to hear and determine,’ but this definition is too comprehensive; every administrative and executive officer is required to hear and determine many facts upon which his action is based. All the political and executive departments of the government are required to pass upon

controverted questions of fact, boards of canvassers, boards of equalization, boards of county commissioners, and other administrative officers are continually passing upon questions of the greatest moment to the citizen, involving the right of office, the disbursement of the public revenue in the erection of bridges and public buildings, and the opening of highways, in fixing the values of property and in levying and collecting of taxes, often involving civil rights and sometimes, where the administration of the government is concerned, rights of persons and property; and while the determination of such questions involves judgment and discretion and the examination of difficult and controverted questions of fact, and while the decision of such administrative officer upon such hearings is final, yet his action is not judicial. In the case of *State vs. Hawkins*, lately determined in the Supreme Court of Ohio, where the Governor of that state had removed the police commissioners of Cincinnati, and it was urged that his action was illegal and void upon the ground that the power of removal was judicial and could not be conferred upon the executive, that court in an able review of the American authorities upon this question, holding that the power of removal is executive and not judicial, says: "The first claim is upon the assumed ground that the power conferred upon the governor by the statute to remove any of them for official misconduct is judicial in its nature, and, though conferred by the Act, cannot be exercised as the judicial power of the state is, by Section 1, Article 4, of the Constitution, conferred upon the courts of the state only. This is not to be regarded as an entirely new question. It has been much discussed by courts and writers without being able to formulate any general rule upon the subject. What is judicial power cannot be brought within 'ring fence' of a definition. It is, undoubtedly, power to hear and determine; but this is not peculiar to the judicial office. Many of the acts of the administrative and executive officers involve the exercise of the same power." "It may be safely conceded that power to hear and determine rights of property and person between private parties is judicial, and can only be conferred on the courts. But such a definition does not necessarily include this case. The incumbent of an office has not, under our system of government, any property in it. His right to exercise it is not based upon any contract or grant. It is conferred on him as a public trust, to be exercised for the benefit of the public." "Such action by administrative or executive officers is not judicial in the sense that it belongs exclusively to the courts. It may be so far judicial that such an officer so exercising judgment and discretion in the deter-

mination of controverted questions of fact, may be protected in an erroneous determination of the matter before him, but not so far judicial that the subject matter is cognizable by the courts only. All judicial power by the organic act, like the Constitution of the states and of the nation, is vested in the courts; a prohibition upon its exercise by the executive or legislative department, but the judicial power therein conferred upon and limited to the courts, is that judicial power which is the legal acceptation of the words can be exercised only by the court. It is the power which is confined to the courts by the words of limitation in the Constitution itself, 'that no person shall be deprived of life, liberty, or property, without due process of law.' " "In other words, the courts have exclusive power to hear and determine those matters which affect the life or liberty or the property of the citizen; all other rights, while they may be in a sense judicial, are not so far within the jurisdiction of the courts that their exercise by another department would be void. Is the right in controversy of that character? Does it affect the life, the liberty or the property of the citizen? Judged by this test, it is not a judicial power. It is a power often conferred upon the courts, and its exercise is highly judicial in its character; it often involves close and contested questions of fact, and nice and delicate discrimination in the application of law, but it is the subject matter and not the procedure that determines jurisdiction." "The authorities holding that removal from office is a judicial power and can be exercised only by the courts are based upon the theory that an office is in the nature of a property right, and that the citizen can be deprived of it only by 'due process of law,' while the other line of decisions holds that under our form of government, there is no property in an office, that offices and officers are for the benefit of the people, and not for the benefit of the officers, and that whenever the officer fails to perform the duties of the office, the office becomes forfeited, and that the only object of the examination necessary to determine such forfeiture is such as will establish the fact not to the satisfaction of, or for the benefit of, the incumbent, but to the satisfaction of the executive department which is charged with the execution of the laws, and that hence the removal may be summary, or upon such investigation as may be prescribed by the legislative department."

This is unquestionably the law under the modern decisions, for there are no property rights in office in the United States today excepting in the State of North Carolina. And while I might quote from numberless decisions in support of this principle I shall only call attention to

one more from the State of Minnesota, under a constitution very similar to ours, the case of *State vs. Peterson*, 50 Minn. 239. Under the Minnesota laws of 1881, Chap. 108, the Governor had the power to suspend and remove county treasurers for malfeasance or non-feasance in office. Such action was instituted against Mr. Peterson, the treasurer of Hennepin County. The defense claimed that the power of removal from office is judicial in its nature and could be exercised only by the judicial tribunals of the state, and that under the constitution the legislature has no authority to provide for the removal of a county treasurer except by judicial proceedings in court. Mitchell, Judge, said: "Whether the power of removal from office for official misconduct is judicial in its nature is a question that has been much discussed, and upon which the courts in this country are not agreed. Some courts hold the affirmative, seeming to proceed upon the ground that an incumbent has a property in his office, of which he cannot be deprived without the judgment of a court, after due notice and a hearing. This view is, of course, in accordance with the doctrine of Common law, which regarded an office as a hereditament. Other authorities hold that the power of removal from office is administrative, and not judicial. These proceed upon the theory that, under our system of government, public office is a public trust, and not private property, that the right to exercise it is not based upon any contract or grant, but that the office is conferred upon the incumbent as a public agent, to be exercised for the benefit of the public. In view of the express provisions of the constitution of this state it is unnecessary to determine which of these doctrines is correct. It may be conceded, for the purposes of this case, that the power of removal from office is judicial, and that an incumbent cannot be removed except after notice and a hearing. Article 13 of the Constitution, after providing in Section 1 for the removal of state officers and judges of the Supreme and District Court by impeachment, then provides in Section 2 that 'the legislature of the state may provide for the removal of inferior officers from office for malfeasance or non-feasance in the performance of their duties.'"

This is just what our Constitution does. It provides for the impeachment of certain state officers in Section 196, and in Section 197, expressly gives to the Legislative Assembly the power to make provisions for the removal of all other officers. So the constitutions of Minnesota and North Dakota are alike in this respect, and if it was not necessary to decide the question under the Minnesota Constitution it follows that it is immaterial under the Constitution of our

State. Quoting again from the opinion in the Minnesota case, the Court said, in reference to the power of removal:

“The power thus conferred in plenary, and confers authority upon the legislature to vest the power of removal, and the determination of the question whether cause for removal exists, in any department of the government, or in any officer or official body, it may deem expedient. There is no requirement that this power shall be conferred only on the courts. Indeed, the very purpose of this provision was to provide a more summary and less cumbersome method of removing inferior officers than by impeachment or by indictment, according to the course of the Common law, for malfeasance or nonfeasance in office. If, then, the power of removal vested in the governor by this Act be judicial, we have here the constitutional authority for it.”

This argument applies to the Constitution of our State as well as to the Constitution of the State of Minnesota. Our Constitution provides that certain officers can only be removed by impeachment, and the only limitation upon the power of the legislature for the removal of other officers is the causes named in Section 197.

There has been no complaint made against any governor in any state for removing officers. There have been but very few removals. While many states have given to the governor this power I call to mind but one instance where the power has been invoked. The knowledge that the power is there is sufficient to keep the officer in line of duty, and I therefore recommend the enactment of a law giving to the governor the power of removal of all officers not subject to impeachment and for the causes mentioned in Section 197 of the Constitution.

#### STATE HAIL INSURANCE.

The state hail insurance law passed by the last Legislative Assembly needs revising and amending in many particulars, especially Section 12. This section authorizes the Commissioner of Agriculture and Labor to issue his warrant on the State Hail Insurance Fund for the payment of claims. It is not clear whether the warrant is issued direct to each claimant or to the county treasurer. I recommend that the laws in relation to the issuing of warrants upon the state treasurer be made uniform by amending this section, authorizing the state auditor to issue the warrant on the state insurance fund upon the approval of the auditing board, the same as upon every other fund.



## RURAL CREDITS.

Rural credits is a subject that is receiving a great deal of consideration in the United States at the present time on account of it having proved a success in Europe. According to the reports that come from Europe, where the rural credits system has been established, all agricultural pursuits have been put upon a substantial financial basis. The best methods of agriculture and conservation have been established on the farms and land has increased in value in proportion to the increase in production.

There is soon to be a great convention held in Europe, attended by representatives of all the agricultural countries in the world, for the consideration of this subject. It might be well for you to consider the necessity of sending a delegate to this convention to represent our country and to bring back a report to the next Legislative Assembly. While our industries are many and varied, North Dakota is first and above all an agricultural state; and if the European system of rural credits has done all that is claimed for the European farm, then it will certainly pay us to investigate the subject and introduce the same system into this great agricultural state. President Taft evidently considers the subject of vast importance, for on October 11th, 1912, he addressed to all Governors of the United States a letter upon this subject. I have just received through the mail this morning a Senate document entitled "Preliminary Report on Land and Agricultural Credits in Europe," which includes the letter of President Taft to the Governors of the States and much valuable matter, and which I transmit to this body for consideration. In case you should decide to send a representative to the World's Congress in Europe it will be necessary of course to make some appropriation to pay the expenses of the delegate.

## COMMON SCHOOL FUND.

On January 28, 1892, the Board of University and School Lands purchased out of the common school funds of the state school district bonds of District No. 50, Barnes County, in the sum of \$5,700.00, which bonds were duly held invalid in the case of State of North Dakota vs. School District No. 50, Barnes County, reported in volume 18 of the North Dakota Reports, at page 616; and the common school fund has lost by this decision the sum of \$5,700.00, together with interest thereon since January 28, 1892. Under Section 153 of the Constitution the state must make good this loss.

## JUDGES MORGAN AND TEMPLETON.

Since the last session of the Legislative Assembly the State has been deprived of the services of two of our greatest jurists, Judge Morgan, late Chief Justice of the Supreme Court and for many years Judge of the Second Judicial District, and Judge Templeton, formerly Attorney General of the State and for many years Judge of the First Judicial District. I recommend that this body express by resolution its respect and esteem for these men who have done so much to inspire confidence in the judiciary of this State, thus recognizing their valuable services to the people.

And now, my friends, I retire from this office with the kindest feelings towards each and every member of this Assembly and my heart overflowing with gratitude to the people of this State who thrice honored me with the highest office within their gift.

The oath of office was administered to the state officers elect by the Hon. Charles Fisk, Judge of the Supreme Court.

The oath of office was then administered to Governor-elect Hanna by the Hon. B. F. Spalding, Chief Justice of the Supreme Court.

Governor Hanna then delivered his message.

## MESSAGE OF GOVERNOR L. B. HANNA.

*Gentlemen of the Senate and House of Representatives of North Dakota:*

You are the legal representatives of the people of the state, and have assembled here to exercise the authority entrusted by the people of this Commonwealth to your care. No higher test or privilege of good citizenship can be than in the making of wise laws, and the power to make such laws rests with you. That you use this power which has been delegated to you by the people with prudence and care is the confident expectancy of your constituents, and I express the belief that no better fortune can befall you than to meet their approbation and esteem.

I congratulate you on your induction into office at a time when our state is making rapid strides in progress, and also at a time when public conscience is alive to the work of public servants. The people are ready to reward honest and faithful officials for conscientious labor, and surely there can be no greater incentive to noble action than to know that the voters who have honored us by their suffrage will commend faithful devotion and labor for them. As representatives of an intelligent and progressive constituency, ambitious to move forward and upward, your opportunities to do good are boundless.

The reports from the state officers and from the various institutions of this state have been or will be presented to you, and each of them should have careful attention. In no way can you prepare yourselves better to intelligently understand the work which lies before you. You should avoid as much as possible increasing the number of state officers and commissioners, and all state officers and all institutions of the state should be held to strict business methods and accountability.

At some future time during the present session of this legislature I may wish to present to you for your thought and consideration, a message or messages upon the subject of the finances of the state, and also as to other subjects that I believe should be brought to your attention. You and I have come into office, with the exception of those senators who are hold-overs, at the same time, and have not the best

idea or understanding as to the financial affairs and conditions of the state. I have sometimes thought that it would be better were the legislature, instead of meeting immediately after the election of a governor and state officers, to meet the year following. Then the incoming officers might have the opportunity to thoroughly inform themselves as to the affairs of the state, its needs and its financial conditions, and thus be able at the convening of the legislature, to intelligently present their views to the legislature for their consideration.

There are certain subjects or problems that are confronting you and to which I wish at this time to call your attention.

#### EDUCATION.

The people of this state are deeply interested in the education of their children, and the United States census reports of 1910 show that North Dakota occupies a most enviable position, in that illiteracy in this state is almost nil, and that the state stands well at the head of all the states in that every citizen has at least some education. I believe strongly in rural education and in the consolidated country school for the reason that where schools are consolidated in a school township into one school rather than into three or four or more, that there is the opportunity to employ more and better teachers and to give the pupils a much better chance for education where they can be divided into classes and grades than is possible where they are divided into many classes under one teacher in a little country school. By having stronger rural schools, the day may be at hand when they shall educate the children for country life instead of educating the country children for city life. One of the problems of today is to keep the farmers upon their farms and to keep them from drifting to the towns and cities, and one of the main reasons they advance for leaving their farms is that they may have the chance to give their children better education than the country school affords them. The consolidated country school will take care of this to a large extent, and at the same time will afford a social center, which is a necessity in a state like ours through the long winters, and where the people of a community may have the opportunity to get together for social recreation and enjoyment.

Many of the high schools in the small towns in the state are opened too early in the fall and before many of the boys, at least, can well be spared from the work which they have to do upon the farm, and it would seem that if they were to commence their activities about the first of October rather

than earlier, that it might be better, less expensive and the attendance would be more uniform.

The high school should be the people's academy helping to equip for life's work the boys and girls who cannot go away to school. The courses of study and the terms of the high schools should be so arranged as to meet the needs of and accommodate the young folks both of city and surrounding country. Efficient and practical high schools must sooner or later relieve our state institutions from doing secondary school work.

One of the big items of expense to parents are text books. We should have a uniform system of text books for the state, and I believe that the law could be so framed and so safeguarded that there would not be the chance for the people to become the prey of any trust.

#### INSTITUTIONS.

By recent laws the penal and charitable institutions have been placed under the care of a Board of Control. The normal schools at Mayville and Valley City and the new normal at Minot are under the guidance of a Normal Board of Control. It will be well to follow carefully the reports from these boards, that you may determine for yourselves as to the workings of the laws and as to the benefit the boards are to the people of the state. The University, Agricultural College, College of Science, School of Forestry and Industrial School are each under separate boards of trustees, and I would call your attention to the report from the Educational System Commission, and recommend that you give careful consideration to the question of unifying and classifying the educational system of the state. The state institutions are a heavy burden to the taxpayers. Consider their reports carefully, for economy must be exercised in their conduct that every dollar expended in their support shall be for a dollar actually needed by them.

#### SYSTEMS OF ACCOUNTING.

A uniform system of accounting and reporting should be adopted by the state. The same general system should be used in every state institution, and there should be a uniformity of system in every county auditor's and county treasurer's office in the state. A bank is required to keep its books accurately, and every night at the close of their business they are able to render a trial balance showing exactly how their institution stands. The institutions of the state should have a careful and systematic system of

accounting, so that they may be able to render a trial balance at any time that it should be called for, and they should be required to render a trial balance showing their receipts, and from what source, and their expenditures, and send to the governor, to the state treasurer and to the state auditor monthly, so that at all times we may know exactly how each and every institution stands financially, without having to wait until the close of the year or the biennial period for this most valuable information. No great corporation does business or keeps its books without having the most exact care exercised in carrying out every detail in their book-keeping. The state's business is the largest business that there is within the state, and the system that should be adopted by our counties, by our state and for the state institutions should be so full and complete, and at the same time of such simplicity, that any layman might understand and be able to determine at any time the true financial condition of any office within our Commonwealth. I believe that we can save the state many thousands of dollars beyond the cost, provided such a system shall be inaugurated and put into force and effect, and I shall be glad to see such legislation enacted as will warrant and empower the governor to employ some firm of expert accountants to inaugurate and put into force within the state a uniform system of accounts and reports and one that will meet its needs and conditions. The longer that this is put off the harder it will be, and the sooner that it is done the better it will be for every one concerned.

#### EXPOSITIONS.

There will be held in 1915 the Panama-Pacific International Exposition at San Francisco, and at the same time, an exposition of similar character but upon somewhat different lines at San Diego, California. The opening of the Panama canal will mean much to the nation, and I believe will mean much to the state. We have four transcontinental railroads crossing North Dakota. Thousands upon thousands of people will either go through our state on their way to attend these expositions or will cross our state upon their return from them. Both of these expositions are to be held at the same time, the one at San Diego running from January 1, 1915, to December 31, 1915, and the one at San Francisco from about February, 1915, to December, 1915. Many who attend the one exposition will attend the other, as the railroads will undoubtedly make a rate that will take in both expositions. The people who attend these expositions will go through North Dakota either on their way out or upon their return at a time of the year when North Dakota is at

her best, and I believe that a reasonable appropriation for an exhibit at both places would be a wise thing for the state to do, in that when the people arrive at the expositions they may see North Dakota represented with a display of her products, and that, having either crossed our state or being about to cross it, by our calling their attention to what we can produce, we may add largely to the number of people within our borders. North Dakota needs men and women, and we need men and women who will live here permanently, and exhibiting at these expositions can help us to secure many permanent residents, and a reasonable appropriation should be a good investment for us.

#### GOOD ROADS.

- The question of good roads will be one of the important problems for your consideration this winter. What can we do here within the state, and what shall we do? It is said that the expense of hauling a bushel of wheat for fifteen miles over the average country road in North Dakota costs the farmer more than it does to pay the freight on the same bushel of wheat from his station to Minneapolis or Duluth. This ought not to be.

We are putting a license tax upon the autos of the state, and I have been informed that that license money will this year amount to some \$25,000.00 or \$30,000.00. This money is apportioned back to the counties, but when you come to divide the money among fifty counties, it amounts to but little to any one county. The amount of auto license funds should and probably will increase within the next five years so that it will run up to \$75,000.00 or \$100,000.00 annually. One way in which it might be used would be to amend the constitution of the state, authorizing the state to issue road bonds. If that were done, it would take about six years before it would become a law. By that time the auto license should amount to probably \$100,000.00 a year. This would pay the interest on one million dollars worth of bonds at 4 per cent, amounting to \$40,000.00, and would leave about \$60,000.00 to go into a sinking fund to retire the bonds; and they could be retired in about twelve or fifteen years; or, another suggestion would be that instead of dividing this auto license money among the counties, that it be used in a lump sum for the building, as far as it would go, each year, for some specific trunk line of road. One trouble here in North Dakota is the lack of proper road building material, but I believe that the railroad companies would co-operate with us in giving a low rate upon road building material into the state, provided the money raised for road building were to be wisely expended.

Another suggestion would be that the convicts of the penitentiary, or at least a part of them, might be employed during certain months of the year in the building of roads. For instance, the counties or districts in which the roads are to be built should furnish the tools to be used in road building, and to pay in addition thereto the difference in the cost of maintenance between what it would cost to maintain the convicts at the penitentiary and while they are out on the road. Convicts who have merited the confidence of the warden and have earned good time should work on the roads, and there should be a diminution of their sentence for faithful service, as that would put them on their good behavior, and I have been informed that where this has been tried out in Colorado, that it is not necessary to employ guards to watch the men while they are working on the roads, a certain number of them being under the foreman during the day, and at night there is a guard of one or two trusty convicts, and it is said that the convicts escaping have only been two or three in the three or four years that this system has been tried out.

One of the main points in a good road is to maintain it after it is built, and if a part of the road money were to be used in employing labor to care for the roads, dragging and rolling them, it would be found that this will go a long way toward solving the road problem in North Dakota.

#### THE FARMERS.

The basis of wealth in North Dakota is agriculture, and North Dakota is more purely an agricultural state than any other state in the Union. The larger part of the burden of taxation falls upon the farmer, and it should be our highest duty to endeavor to enact laws that may be helpful and beneficial to him. The Congress of the United States has already passed a bill known as the Lever Demonstration bill, and it is now pending in the senate, its purpose being that under certain conditions the government of the United States shall give to the states that co-operate with it a certain amount of money for the purpose of carrying demonstration work direct to the farmers, that they may be shown how to grow better crops and to advance in a material way. This work has been taken up to some extent by individuals and corporations interested in our state, and without doubt, even though it has been in operation but a few months, has done an immense amount of good. A law should be passed authorizing the counties to take up this work and to help to push it along. If we can teach our farmers to raise one bushel more of wheat to the acre, it would mean in this state



five million bushels more of wheat annually, and that would pay the cost and expense many times over.

We need farmers institutes. They are largely held in the winter when farmers and business men have time, which cannot be more profitably spent than in attending these institutes, and I am in favor of the state giving every possible aid to farmers' institute work. There are many creameries in North Dakota, but a very large part of them are not running, largely on account of the shortage of green feed for the cows. We should build silos. The government has put one or two expert silo men into the state for the past two years. North Dakota should, in co-operation with our dairy commissioner, employ for two or three months of the year, at least, a dozen silo experts to teach the farmers how to build silos, and if this is done, within a short time there will be silos all over the state, which will develop our dairy interests and will thus enable our farmers to diversify their crops and get into stock raising and butter making.

#### FLAX AND WHEAT STRAW.

A year ago congress appropriated money for making experiments with flax straw for paper making. These experiments have been started recently under that law. In the agricultural appropriation bill that will go through congress this winter the same amount of money that was appropriated last winter is to be appropriated again for further experiments with flax straw. I do not believe that the Almighty ever intended that we should raise grain and then burn the straw. For thirty years we have burned millions of tons of straw every year—an enormous waste. Would it not be wise for our state to appropriate some money for the purpose of co-operating with the United States government in the experiments with flax, wheat and other straws, that some way or method may be found to make their use profitable, and thereby add largely to the wealth and earnings of our farmers?

#### FARM CREDITS.

As stated in another section of this message, if we are to make a great state of North Dakota, we must do all that lies within our power to aid and help the farmers of the state. The census report of 1910 shows that the farm mortgage indebtedness of North Dakota was about \$47,000,000.00. This has no doubt been increased within the last two and one-half years, and it is now estimated that it is about \$65,000,000.00. The interest on this indebtedness at 7 per cent, which perhaps is an average rate the state over, would

amount to about five million dollars yearly. It is estimated that ninety-five per cent of the farm mortgage indebtedness of North Dakota is held without the state, so that this very large sum of interest leaves the state each year and is gone forever. What can we do to correct this? First, I believe that we should encourage the loaning of money upon our farm lands by people within our own state, where they have the money to make such loans; and second, I wish to call your attention to the so-called agricultural credit systems which are in operation in certain of the European countries. Hon. Myron T. Herrick was for many years at the head of the Society for Savings in Cleveland, Ohio—one of the greatest savings banks of the country. He is now the United States ambassador to France. He has made a deep study of this agricultural credit system as it is in operation in Europe. Many of the states, in fact, most of them, are taking hold of this question to see if something cannot be done by which the farmer may get money at a modest rate of interest upon their farm lands, and it is the intention in April of this year to send a large number of delegates—two from each state—to Europe, to study the question at first hands. This state should be represented by two men. Other states are picking out good men, and the only expense that a state is to is for the expenses of the men, and the delegates, themselves, are to go without compensation beyond their actual expenses. When we consider the vast amount of interest that leaves North Dakota every year, it would seem as though if we were able to do something to help relieve the farmers' burden and to make it lighter in this respect, that the small amount of money necessary to send two representatives from North Dakota would be money well spent, and I ask you to give this proposition your consideration.

#### FIRE MARSHAL.

A number of states have laws providing for a state fire marshal. We should have a law of this character in North Dakota. The states that have tried it maintain that it has been successful and that the number of fires have been greatly lessened, and that by reason of this fact there has been a large saving in fire insurance premiums, and I would commend this proposition to your consideration.

#### VOTING AWAY FROM HOME.

Election day comes on Tuesday. The commercial travelers can hardly start out on their trips on Monday of the week without losing their right to vote upon election day, or if they lay over in order to vote, then they have lost practically two days of the week. Railroad men and railway mail

clerks must go out and make their runs, and in consequence, many men who are fairly entitled to the right to exercise the right of franchise are deprived of that privilege. In one state, at least, they have a law which provides, generally speaking, that a man who is registered in his home town or city in the state, has a right to go to any election precinct within his state, and upon presenting a copy of his registration certificate, can call for a ballot. This he can mark as he sees fit to do, it is folded up by the election judges of the precinct where he gets the ballot, together with the copy of the registration certificate, and then mailed by the judges of the election precinct to the election precinct where the voter would have voted had he been at home. By properly safeguarding a law of this kind (and it can be done) there can be no reason why men who are unavoidably away from home on election day, and who could vote, should not have the right and can vote.

Further, the State Constitution requires a residence of a year in the state, six months in the county and ninety days in the precinct before a man is eligible to vote. I believe that this should be changed and that it should be a year in the state, three months in the county and thirty days in a precinct.

#### ELECTIONS.

We should give consideration to the question of a short ballot. The ballot at the present time is too long and is so complicated as to cause a great deal of difficulty for the voter. Some modification might be made that would be helpful. The non-partisan judiciary law has not altogether met the expectations that its friends have wished and hoped for. Care should be exercised in the naming of men for judicial positions, and those who are to pass upon the rights of ourselves, of our property and of our lives should be individuals of the highest character and standing in every way, and some method might be evolved by which a man, to become a candidate for the position of judge either upon the district or supreme bench, shall have certain endorsements to recommend him to the people of the state for their support.

#### TERMS OF OFFICE.

I believe that state officers, with the exception of the judges of the district and supreme courts, should be elected for terms of four years each, and should not be eligible for consecutive re-election.

#### BUSINESS AGENT.

Almost every town in North Dakota has a commercial club, and these clubs have done a world of good, but few

of them, however, are financially able to employ a salaried secretary. We are or ought to be continually striving to get manufacturing plants and different business enterprises located within our borders. There should be the opportunity to build up a large canning industry, such as the canning of sweet corn, peas, string beans and canned products of a similar kind. We should develop the clay that we have, and induce some of the manufacturers of pottery to establish themselves here. We need here in North Dakota a good man who shall not work for any particular community in the state, but for the whole state, and who shall go outside of the state and present to individuals, firms and corporations an outline of the chances for development and work and business enterprise here, and induce them to look the field over. If we are to become the state that we hope that we shall become, we cannot continue to be simply a raiser of so-called raw materials, but we must manufacture the raw materials that we raise, and use raw materials that we are not using at present, and those that at the present time we are destroying.

#### ENFORCEMENT OF LAWS.

I am in favor of the strict enforcement of all laws upon the statute books of our state, and if there are any laws there that the people do not wish to have enforced, then it is your duty to repeal them, but I believe that it does not lie with the governor and with the attorney general alone to enforce the laws, but that their enforcement should begin in the counties and work up, and, speaking for myself, I shall do my part to aid the county officers in enforcing every statute that stands upon the statutes of our state.

#### GAME.

Generally speaking, I believe that the present game laws of North Dakota are good, but I would suggest either that the hunting of deer should be entirely prohibited or the killing of does for a few years, that they may have some chance to increase. Further, that the spring shooting of geese should be prohibited. It may be that the few geese that are shot in the spring would not cause very much harm as far as the loss of the geese killed is concerned, but when men are out hunting for geese and there are no geese to be shot, they are quite apt to shoot ducks or chickens if the opportunity presents itself. I believe in the preservation of bird life, and would recommend that additional protected reservations be created.

In the Turtle Mountains there are no beaver. At one time

they undoubtedly were there. Under the present restrictions the beaver in certain sections of North Dakota have materially increased, and in some places it is said that they have done some damage. I would suggest that a small amount of money be made available which would provide that where any one makes complaint that the beaver are doing damage, some government expert, whose expenses only would have to be paid, might be employed to come here and remove the beaver to some point or place in the Turtle Mountains or somewhere else where they may have the chance to thrive and develop. They are a valuable animal themselves, and have done much in preserving and helping many of the small water courses in the cattle country of North Dakota.

#### FISH HATCHERY.

For years effort has been made to get the national government to establish a fish hatchery in North Dakota, but without avail, for the reason that if a national fish hatchery bill goes through congress for North Dakota, it can only be passed by their putting through about fifty other bills to satisfy the demands of other states, but there has been established in North Dakota a state fish hatchery, and it has been very beneficial. Also, by having a state fish hatchery we get the co-operation and help from the United States government in that they will furnish from the national hatcheries fish and fish eggs in large quantities and without expense to the state, and they have furnished this state with them, as will be shown by the report of the fish commissioner. The state fish hatchery is not for just one portion of the state, but the fish from the hatchery are distributed all over North Dakota, and as this becomes more generally known, the people of the state will make more use of it. In time, fish may become an important addition to our food supply. I understand that the railroad companies are willing to furnish passes over their lines to the fish commissioner and his deputies, and will carry fish free and return the cans free, provided they could do it under the law, but under the anti-pass law they are prohibited from doing so. The law should be amended so as to provide for free transportation for the commissioner and his messengers and for the distribution of the fish, and thereby save the state quite a sum of money. The support of the fish hatchery and the men in charge of it are now paid from the game fund. This should not be, but there should be an appropriation of about three thousand dollars a year for the maintenance of the state fish hatchery from the general fund. The money that is derived from the hunting licenses belongs to the

game fund, and is paid by the people of the state for the protection and for the propagation of game, and should not be diverted and used to support a fish hatchery.

#### COAL INSPECTION.

There is no question but that much of the coal that comes into North Dakota is not of the quality and standard that our people pay for. As a suggestion, I would recommend that some law be enacted providing for coal inspection, and that if such a law is passed, that the inspection of the coal shall be made a part of the duties of the oil inspector and his deputies. They can do the work, the people can get the benefit of their work, and the state will be at little additional expense.

#### PUBLIC HEALTH.

Typhoid fever is a crime. So are many other diseases. In this advanced day and age all nations are taking advanced positions upon the question of public health, and I would suggest that the public health laws of our state be given your earnest consideration, and that you should call in for consultation and help in the enactment of proper health laws the ablest physicians in North Dakota.

#### CORPORATIONS.

We have many corporations doing business in North Dakota. They need us and we need them. There should be harmony and a working in harmony between us. I am not in favor of harassing any corporation simply because it is a corporation, but believe that they should be given the same rights that the individual is entitled to, and no more, but that they should have the same rights as the individual, and no less. We want to build up our state financially, and we need the help and assistance of the corporations that are doing business within our borders, and want their active and hearty co-operation in all that tends and makes for the general good.

#### THE OLD SOLDIERS.

This year at Gettysburg in July will be celebrated the fiftieth anniversary of that great and decisive battle. We are nearly fifty years away from the Civil War, and those who took part in it upon both sides and who were boys or young men then, are now advanced in years. This reunion of the blue and the gray upon the field of Gettysburg will in all probability be the last grand reunion that will ever be held by the survivors of the Civil War. I would like to see every old soldier within our state at Gettysburg

this year, for there they will have the last opportunity upon this earth ever to meet in a friendly way those against whom they fought a half century ago. The great majority of the old soldiers of North Dakota are men in very moderate circumstances. Could not the state well afford, as a matter of sentiment and of patriotism, to appropriate a certain sum of money which should go toward defraying the expenses of all the old soldiers to the reunion that is to be held at Gettysburg next July?

#### SILVER SERVICE.

Four years ago one of the great battleships of the union was launched—the “North Dakota.” A silver service was ordered for presentation to the ship which was named after our state. There remains about \$2,500.00 still to be paid for this service, and I would recommend that the legislature appropriate this money to finish paying for this service, and that the service be presented to the ship which has been named in honor of our Commonwealth.

#### LABOR.

The labor problem is an important one. It is important to the employer as well as the employe. It would seem proper for this legislature to provide for a deputy in the office of the commissioner of agriculture and labor, who shall have special charge, with ample power given him, of all matters pertaining to labor and the labor problem. With such a provision and with a special official for the purpose named, much could be done to adjust conditions so as to supply labor, when needed, to the farmers or to any one else, and at the same time, not over supply to the detriment of the laborers themselves. This is a matter of importance, and it is recommended that this assembly give this serious consideration.

#### BLUE SKY LAWS.

This state, like other states, has suffered from the selling of stock in various enterprises to men and women, mostly men and women of limited means, in corporations without substance or capital behind them, and this exploitation has cost the people of the state within the last decade millions of dollars. Usually losses in this direction are not reported, and therefore the exact amount cannot be computed. The amount, however, is known to be large, and the frauds that have been perpetrated in many cases have been of the grossest sort. To remedy this it is suggested that a carefully drafted law be enacted to compel all corporations or con-

cerns desiring to sell shares or stock in the state to apply to some fixed authority before being permitted to do so, and to be required to show to the satisfaction of such authority the capital behind it, its real and tangible property in the way of assets, the genuineness of its business and enterprise, and all matters necessary for the protection of the people.

If the legislative assembly should deem this recommendation worthy of being heeded, it is respectfully suggested that it can profit by an examination of recent legislation in the state of Kansas, and other states. This matter should be given serious consideration.

#### STATE MILITIA.

We have in our state a number of militia companies, and I believe that we are proud of our militia boys. The record they made in the war with Spain was a most creditable one. The state is aiding in the building of armories, and it would be wise to give the militia of the state every encouragement possible. The military training is a most excellent one for the young men, both morally and physically. In connection with their annual encampment each year we might profitably take up, as is being done in some other states, the movement on the part of the organization known as the Boy Scouts, for both of these organizations tend to make our young men more self-reliant, while instilling in their minds and hearts the principles of patriotism.

#### HOTEL INSPECTION.

We have a hotel inspection law, and I believe it has been of great benefit to our people, to the traveling public, and also to the hotels themselves. I believe this inspection is both necessary and beneficial, as the hotels cater to the comforts of a large portion of the general public, but being for the protection of the public, I feel that the cost of inspection should be paid for from the general revenues of the state rather than from fees, which would render the inspection more independent and efficient.

#### LIGNITE COAL.

One of our great natural resources is lignite coal. Through the energy of Professor Babcock, in making experiments at the state institution at Hebron, it seems that at last a suitable binder has been found for the purpose of making briquettes from lignite coal. For further development of this project, I would favor a reasonable appropriation by the state for



experiments to determine the practicability of the manufacture and placing upon the market in this state of these briquettes. This may be the means of opening a large industry in North Dakota, and will, if successful, keep in our state millions of dollars which we now send east annually for coal, besides giving employment to a large number of people.

#### OIL INSPECTION.

I invite your attention to the existing statute regarding the inspection of oil and gasoline. It appears the rapidly increasing use of tractor engines for power purposes has stimulated the invention and perfection of devices for utilizing as fuel low grade petroleum products. These products, because of the high gravity requirements of our law, cannot be brought into our states. They are being temporarily admitted under the terms of an injunction granted by one of our courts, forbidding the state inspector of oils from enforcing certain provisions of the inspection law. I would recommend a careful investigation of the whole subject with a view to the enactment of any amendments to the existing law which such investigation may show to be wise.

#### THE GREAT PLAINS EXPERIMENT STATION.

In the last session of congress an act was passed for the establishment of an experiment station to be located in the northern section of the Great Plains area to demonstrate the kind and character of plants, shrubs, trees, berries and best plants adapted to the climate and soil of the semi-arid lands of the United States. This station has been located a short distance out from the city of Mandan. In order to secure this station for this place and for this state, it was stipulated that a half section of land adjoining the land purchased by the government should be deeded free of cost to the Board of Trustees of the North Dakota Agricultural College for the use of the Department of Agriculture in the establishment and maintenance of a field station in conducting experiments in dry land agriculture. In order to meet the demands made by the department of agriculture of the United States, a few of the citizens of Mandan purchased a half section of land at a price of twenty-five dollars per acre. The purchase of this land by the citizens of Mandan was part of an agreement with the committee representing the government, and was not solicited on the part of the citizens of Mandan. The reason for the purchase of the land for the State Agricultural College is that the forage grown by the federal institution can be given away to the agricultural station for the feeding of live stock. The

importance of the station located at Mandan is that the largest portion of the state of North Dakota has soil and climatic conditions simliar to those at Mandan, and the demonstrations and experiments to be made at Mandan will therefor apply to the larger part of North Dakota. Further, the committee took into consideration in choosing the particular tract that they did that it was adjacent to a tract of land that is now being used by the State Reform School, and it is believed that there can be brought about co-operation between the reform school and the department of agriculture, that will be of benefit to both.

As this experiment station that is being put into North Dakota by the United States government, and that is located near Mandan, is for the benefit, and will be of benefit to the whole state, it would seem that it would be only fair and just that the legislature should appropriate moneys to reimburse those who have contributed to the purchase of the aforesaid land, and I would recommend that this be done.

#### CONCLUSION.

To Honorable John Burke, who is retiring from office as Governor of this state, and who has been its governor for the past six years, I extend my very best wishes for his future success, and wish him Godspeed in his future public and private life; and to you, Gentlemen of the Assembly, let us strive earnestly to push forward the work with which the people have entrusted us, with a firm determination to enact such legislation as will be of lasting benefit to the people of the state. Let us remember the pledges that were in our platforms wherein we promised economy in the expenditures and in the appropriations, and remember that the promises that are made before election we are in duty bound to carry out after the election is over, and may we ask Him, who is the Ruler and the Guide of nations, to help us in the work in which we are engaged, so that when our labors shall be over we shall merit the respect and confidence of the people of this Commonwealth.

L. B. HANNA.

Senator McDowell of La Moure, offered a joint resolution:

#### JOINT RESOLUTION.

*A joint resolution* commending the Honorable John Burke to the president-elect of the United States.

*Whereas*, This day marks the severance of the high official bond that has for six years held our distinguished fel-

low citizen bounden to the duties of the highest office in the gift of the people of this Commonwealth; and

*Whereas*, It is a matter of state pride that the name of our distinguished ex-governor has been frequently mentioned in the press of the country for a high position in the national government; and

*Whereas*, We, the members of the Thirteenth Legislative Assembly, recognize in him a man capable of rendering services of the highest order in the larger field of our national governmental affairs; and

*Whereas*, Having spent his life in the area of the greatest social and economic development, he understands fully the elements and fundamental principles which underlie the policies of development and conservation of natural resources as they touch the welfare of the state and the nation as a whole.

*Be it Resolved*, That we, the Legislative Assembly of the State of North Dakota, in joint session, do commend him, the Honorable John Burke, to the careful consideration of the Honorable Woodrow Wilson, president-elect of the United States, as one eminently fitted and well worthy to be in his official cabinet family.

Senator McDowell moved the adoption of the resolution.

Seconded by Senator Putnam.

Which motion prevailed, and

The resolution was adopted.

Senator Gilbert moved that the joint session do now dissolve.

Which motion prevailed, and

The joint session adjourned.

The Speaker called the House to order.

The oath of office was then administered to the following employees by the Speaker.

Assistant Enrolling and Engrossing Clerk, William Hutsinfiller, Oakes, N. D.; W. C. Wharton.

Doorkeeper, R. W. Drummond, Fargo, N. D.; John Hoven, Osnaprook, N. D.

Assistant Clerk, W. F. Rhea, Minot, N. D.

Postmaster, Walter Sterland, Dickinson, N. D.

Assistant Journal Clerk, Alvin P. Boe.

Pages, Frank Jager, Percy Ployhar, Frank Etheringer.

Stenographers, Emma McKensey, Fargo, N. D.; Mae Persons, Valley City, N. D.; Julia Everson, Walum, N. D.

Clerk on Appropriation Committee, John S. Patterson, Ross, N. D.

Cloakroom Attendant, D. L. Chance.

Messeinger, O. S. Hall.

Mr. Polyhar moved that the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

#### EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 14, 1913.

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 Bjornson, Doyle, Gardiner, Hanson, Hjelmstad, Husband, Kellogg, Klein, Kylo, Miller, Morrison, Schroeder, Taylor, Turner, F. W., Wardrope, who were excused.

#### REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 1, on line 7, omit the word "Hjort."

On page 1, on line 8, change the word "Wardope" to "Wardrope."

On page 7, omit line 4.

On page 8, on line 37, omit the word "Bass."

On page 29, on line 1, change the word "moedrn" to "modern."

On page 58, and following line 26, insert the paragraph "Messenger, O. S. Hall."

On page 58, on line 27, change the word "Plowhar" to Ployhar.

On page 58, on line 21, add the words "Frank Etheringer."

On page 7, line 3, omit "Walsh."

On page 8, line 39, omit "Butler of Ramsey."

And when so amended recommend that the same be approved.

D. R. STREETER,  
Chairman.

Mr. Streeter moved that the report be adopted.

Which motion prevailed, and

The report was adopted.

The oath of office was then administered to Mr. Tucker of Stutsman by the Speaker.

#### PETITIONS AND COMMUNICATIONS.

The following communication was read:

Members will find envelopes on their desk containing a blank upon which to report mileage from their homes by the usual and shortest traveled route of travel, which they will please fill in, mark their names upon the envelope, and enclose the report and leave the same with the Chief Clerk before adjournment on Wednesday.

Do not forget to mark your names on the envelope with your county and post office address.

*Committee on Mileage and Per Diem,*

By N. W. HAWKINSON,  
Chairman.

January 13, 1913.

*To the Members of the Senate and House of Representatives  
of the Thirteenth Legislative Assembly:*

Gentlemen: There are now in the State Hospital for Insane at Jamestown 838 inmates; and 90 persons who have been committed to the institution are out on parole. Any or all of those on parole are liable to be returned at any time.

The normal capacity of the institution is about 600. Most of the wards are overcrowded, some of the inmates sleeping two in a bed; this of course should not be.

The net increase of inmates in the institution for the biennial period ending June 30, 1912, was 166; the total number of inmates handled in the institution during that same period, that is, the number received, paroled, discharged and deported, was 424.

The superintendent of the institution says that there are about 25 per cent of the inmates more or less tubercular. There is a tubercular hospital for women that will answer for the next biennial period. There is no place in the institution to segregate and care for the tubercular male inmates. Many of the patients who are mentally cured and discharged, die after leaving the institution from tuberculosis contracted while in the institution.

The administration building is not large enough to properly conduct the business affairs of the institution; there is no receiving ward. The water supply is at present insufficient. The boiler house is too small for the needs of the institution and it is in a dilapidated condition. One of the barns will have to be moved and rebuilt in order to make room for the extension of the side track to the boiler house. A farm house large enough for the farm help and the inmates who work on the farm should be erected; a large amount of time could thus be saved.

In order to thoroughly understand the needs of the institution a committee consisting of members of both houses should visit the institution at as early a date as possible. The members of this board will be pleased to accompany such a committee at any time.

Respectfully,

*Board of Control of State Institutions,*

JOHN CARMODY,  
W. F. ROBERTSON,  
F. W. EVANS,  
Members of Board.

## MOTIONS AND RESOLUTIONS.

Mr. Warriner presents the following resolution and moves its adoption:

*Whereas*, H. H. Taylor, of Sargent County, was duly elected Bill Clerk of this body; and,

*Whereas*, Said H. H. Taylor has through sickness and other unavoidable causes failed and has refused to qualify as such officer.

*Resolved*, That a vacancy now exists in said office of Bill Clerk.

*And be it further Resolved*, That such vacancy be filled by the appointment of Fred Dyke, of Sargent County.

Which motion prevailed, and

The resolution was adopted.

Mr. Burnett introduced the following concurrent resolution providing for the payment of certain necessary legislative expenses:

*Whereas*, It is necessary that the members of the Legislature be provided with stationery, desk supplies, postage and necessary articles involving the expenditure of funds;

*Therefore be it Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring:

That the Secretary of State be authorized and directed to furnish such supplies and postage upon the requisition of the members of the House and Senate, the Chief Clerk of the House and the Secretary of the Senate for the transaction of the business of the Legislative Assembly. The expense of carrying out the provisions of this resolution is hereby authorized from the general fund of the state as a proper charge against legislative expense.

Mr. Burnett moved that the concurrent resolution be adopted.

Which motion prevailed, and

The concurrent resolution was adopted.

Mr. Streeter moved that the rules be suspended while seats were drawn.

Which motion prevailed, and

Seats were drawn.

## REPORT OF STANDING COMMITTEE.

We, the undersigned, committee on rules do hereby report as follows:

We recommend the adoption of the following rules, standing committees and order of business.

Dated this 14th day of January, 1913.

WM. G. OWENS,  
A. G. DIVET,  
L. L. TWICHELL,  
C. S. BUCK,  
ROBERT NORHEIM,  
W. H. NORTHRUP,  
NELS PETTERSON.

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

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

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



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

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

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

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

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

9. No member shall speak more than twice on the same subject without leave of the House, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time, without unanimous consent of the House.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32. No motion for reconsideration shall be in order unless on the same day or the day following that on which the

decision proposed to be reconsidered took place, nor unless one of the majority shall move a reconsideration.

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

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

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

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

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

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

On rules to consist of nine members.

On mileage and per diem to consist of three members.

On judiciary to consist of nineteen members.

On ways and means to consist of fifteen members.

On railroads to consist of nineteen members.

On appropriations to consist of seventeen members.

On engrossment to consist of nine members.

On enrollment to consist of nine members.

On education to consist of seventeen members.

On elections and privileges to consist of fifteen members.

On municipal corporations to consist of nine members.

On corporations other than municipal to consist of nine members.

On agriculture to consist of nineteen members.

On public printing to consist of nine members.

- On irrigation to consist of nine members.
  - On insurance to consist of eleven members.
  - On banking to consist of eleven members.
  - On labor to consist of nine members.
  - On immigration to consist of nine members.
  - On apportionment to consist of a member from each senatorial district.
  - On schools and public lands to consist of nine members.
  - On public health to consist of nine members.
  - On military affairs to consist of nine members .
  - On warehouses, grain grading and dealing to consist of fifteen members.
  - On federal realtions to consist of nine members .
  - On temperance to consist of fifteen members.
  - On highways, bridges and ferries to consist of seventeen members.
  - On state affairs to consist of fifteen members.
  - On supplies and expenditures to consist of nine members.
  - On forestry to consist of nine members.
  - On public debt to consist of nine members.
  - On manufacturers to consist of nine members.
  - On counties and county boundaries to consist of nine members.
  - On taxes and tax laws to consist of seventeen members.
  - On coal lands and mining to consist of nine members. \*
  - On live stock industry to consist of thirteen members.
  - On revision and correction of the Journal to consist of seven members.
  - On game and fish to consist of nine members.
  - On drainage to consist of nine members.
- Also joint committees on the following subjects:
- On office buildings to consist of nine members.
  - On charitable institutions to consist of nine members.

On penal institutions to consist of nine members.

On educational institutions to consist of nine members.

On state library to consist of nine members.

On joint rules to consist of nine members.

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

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

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

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

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

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

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

1. Prayer by the chaplain.
2. Calling the roll.
3. Reference of the Journal.
4. Presentations of petitions and communications.

5. Reports of standing committees.
6. Reports of select committees.
7. Motions and resolutions.
8. Unfinished business.
9. Introduction of bills and memorials.
10. First and second reading of House bills and memorials.
11. Third reading of the same.
12. Consideration of messages from the Senate.
13. First and second reading of Senate bills and memorials.
14. Third reading of the same.
15. Consideration of general orders.
46. Whenever the report of any committee of conference contains several modifications or amendments, any member may have the same divided, and the question of concurrence taken separately upon each modification or amendment.
47. When the House has arrived at "the general orders of the day" it shall go into committee of the whole upon such orders, or a particular order designated by a vote of the House, and no other business shall be in order until the whole are considered or passed, or the committee rise; and unless a particular bill is ordered up the committee of the whole shall consider, act upon, or pass the general order, according to the order of reference.
48. The Speaker may leave the chair, and appoint a member to preside, but not for a longer time than one day, except by leave of the House.
49. The rules of parliamentary practice adopted by the house of representatives of the United States shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the House, and the joint rules and orders of the Senate and House of Representatives.
50. No rule of the House shall be suspended, altered or amended without the concurrence of two-thirds of the members of the whole house.

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

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

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

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

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

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

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

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

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



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

61. That all bills introduced in the House shall be printed, save and except as otherwise ordered by a majority vote of the House.

62. No bills appropriating money except for the expense of the government shall be introduced after the thirtieth day of the session, except by unanimous consent of the House, and all such appropriation bills shall be reported back from committee not later than the forty-fifth day of the session, unless the time for such report is extended by majority vote of the House.

Mr. Owens moved that the report of the committee on rules be adopted.

Which motion prevailed, and

The report was adopted.

The Speaker then announced the committee appointments as follows:

#### HOUSE STANDING COMMITTEES.

*Agriculture.*—James Hill, of Bottineau, chairman; Stenehjem, A. A.; Kellogg, Chas. F.; Balsdon, John; Hedalen, N. T.; Kylo, J. S.; Watt, Wm.; Weis, Albert; Petterson, Nels; Gardiner, R. J.; Moen, Paul J.; Smith, Sid F.; Odland, J. G.; Carey, C. W.; Doyle, J. J.; Davis, N. E.; Borusky, Fred; Bass, J. E.; Isaak, August.

*Appropriations.*—Anderson, Bernt, chairman; Ployhar, F. E.; O'Connor, W. V.; Pendray, Thomas; Miller, H. C.; Putnam, T. N.; France, N. H.; Turner, F. W.; Bratton, L. H.; Fox, Frank; Gardiner, R. J.; Knox, C. E.; List, Robt. J.; Weis, Albert; Harty, H. C.; Wiley, L. D.; Twichell, L. L.

*Apportionments.*—Johnson, N. O., chairman; Hart, Jno.; Calnan, J. W.; Hjelmstad, P. L.; Kylo, J. S.; Colton, Ed.; Lewis, D. S.; Dynes, Jno.; Hill, James E., Cass; Weis, Albert; Warriner, D. L.; Walsh, Jas.; Ployhar, F. E.; Everson, E. W.; Morkrid, C. I.; Borusky, Fred; Dixon, Arthur; Moen, Paul J.; Butler, M. D.; Tucker, Geo. A.; Bjornson, J. A. T.; Davis, N. E.; Bope, Geo. P.; Homan, Jno.; Jacobson, C. C.; Smith, J. W.; Campbell, J. E.; Klien, Henry; Bartley, W. M.; Roble, T. O.; Fritz, F. F.; Schroeder, J. P.; Kelley, M. W.;

Olsgard, Nels; Hanson, A. P.; Curry, Theo. K.; Endreson, H.; Snyder, N. F.; Nyhus, Ole; Bass, J. E.; Taylor, B. W.; Freitag, H. R.; Ryan, J. J.; Isaak, August; Stinger, H. J.; Balsdon, Jno.; O'Connor, W. V.; Dean, W. S.; Pitkin, S. H.

*Banking.*—Hanson, A. P., chairman; Dosseth, O. C.; Gundersen, E. L.; Morrison, N.; Warriner, D. L.; Raney, A. E.; Jacobson, C. C.; Bartley, W. M.; List, Robt. J.; Freitag, H. R.; Hjort, J. L.

*Counties and County Boundaries.*—Geiger, chairman; Dosseth, Bartley, Hill of Bottineau, Batzer, Homan, Snyder, Ryan, Lindstrom.

*Corporations Other Than Municipal.*—Harty, chairman; Blakemore, Burnett, O'Connor, Raney, Batzer, Jacobson, Leu, Hedalen.

*Coal Lands and Mining.*—Williams, chairman; Owens, Lawbaugh, Homan, Lambert, Campbell, Klien, List, Lindstrom.

*Charitable Institutions.*—Hoge, chairman; Wardrope, Hjelmstad, Dean, Lewis, Sandbeck, Divet, Northrup, Batzer.

*Drainage.*—Burnett, W. J., chairman; Hart, John; Weis, Albert; Geiger, Henry; Dynes, John; Jacobson, C. C.; Fritz, F. F.; Carey, C. W.; Olsgard, Nels.

*Education.*—Dosseth, chairman; Small, W. A.; Gundersen, E. L.; Stinger, H. J.; Hawkinson, N. O.; Husband, W. M.; Butler, M. D., of Ramsey; Geiger, Henry; Northrup, W. H.; Morkrid, C. I.; Bollinger, Adam; Batzer, R. K.; Haraldson, E. O.; Smith, J. W.; Klien, Henry; List, Robt. J.; Roble, T. O.

*Educational Institutions.*—Turner, F. W., chairman; Wardrope, Hart, Hedalen, Kyllö, Borusky, Small, Pitkin, Hjort.

*Election and Election Privileges.*—Wardrope, Victor, chairman; Sorlie, O. J.; Miller, Lewis, Blakemore, Sandbeck, Watt, Bjornson, Bope, Klien, Kelley, Carey, List, Taylor, Ryan.

*Engrossment.*—Hedalen, chairman; Kellogg, Pitkin, Lawbaugh, Hickie, Isaak, Hjort, Stinger, Balsdon.

*Enrollment.*—Gardiner, chairman; Lindstrom, Stenehjem, Nyhus, Bass, Taylor, Pitkin, Freitag, Wing.

*Federal Relations.*—Martin, chairman; Odland, Putnam, Klien, Roble, Fritz, Schroeder, Doyle, Hanson.

*Forestry.*—Kyllo, chairman; Williams, Streeter, Thompson, Olsgard, Jacobson, Knox, Rancy, Tucker.

*Game and Fish.*—Hawkinson, chairman; Kyllo, Bratton, Wing, Turner, C. C., Homan, Streeter, Dixon, Schroeder.

*Highways.*—Morrison, chairman; Calnan, J. W.; Dynes; Watt, Wm.; Walsh, Jas.; Hawkinson, N. W.; Olsgard, Nels; Endreson, H.; Pitkin, S. H.; Kellogg, Chas. F.; Hickle, Sherman; Schroeder, J. P.; Divet, A. G.; Dixon, Arthur; Roble, T. O.; Martin, W. E.; Bope, Geo. P.

*Immigration.*—Doyle, chairman; Ryan, Fox, Dynes, Lewis, Burnett, Kyllo, Calnan, Hart.

*Insurance.*—Putnam, T. N., chairman; Hendrickson, S.; Hoge, J. T.; Hanson, A. P.; Martin, W. E.; Turner, C. C.; Hart, John; Butler, P. H., Ransom; Miller, Hans C.; Haroldson, O. E.; Bollinger, Adam.

*Irrigation.*—Turner, C. C., chairman; Owens, Hickle, Kellogg, Gunderson, Haraldson, Smith, S. F., Smith, J. W., Endreson.

*Joint Rules.*—Buck, chairman; Northrup; Colton; Blake-more; Dynes; Hill, J. E.; Divet; Butler, Ransom; O'Connor.

*Judiciary.*—Divet, A. G., chairman; Thompson, A. M.; Dosseth, O. C.; Owens, W. G.; Norheim, Robt.; Snyder, N. F.; Hanson, A. P.; Campbell, J. E.; Lambert, F. B.; Buck, C. S.; Wardrope, Victor; Hickle, Sherman; Blakemore, R. B.; Odland, J. G.; Bjornson, J. A. T.; Haraldson, E. O.; Hoge, J. T.; Turner, C. C.; Lewis, D. S.

*Labor.*—Hill, of Cass, chairman; Coltom; Twitchell; Huso; Wardrope; Streeter; Turner, C. C.; Dean, Anderson.

*Live Stock.*—Huso, A. J., chairman; Davis, N. E.; Balsdon; Northrup, W. H.; Isaak, Aug.; Morkrid, C. I.; Hill, James, Bottineau; Fritz, F. F.; Kelley, M. W.; Odland, J. G.; Nyhus, Ole; Wing, O. B.; Gunderson, E. L.

*Municipal Corporations.*—Twitchell, chairman; Williams; Thompson; Fritz; Buck; Putnam; Turner, F. W.; Campbell; Watt.

*Military Affairs.*—Lewis, D. S., chairman; Bratton, L. H.; Hill, James; Butler, P. H.; Morrison, N.; Turner, F. W.; Hawkinson, N. W.; Williams, E. A.; Wiley, L. D.

*Mileage and Per Diem.*—Wiley, chairman; Ployhar, Huso, Dixon; Daxis; Pitkin; Smith, J. W.; Jacobson; Tucker,

*Manufactures.*—Bratton, chairman; Streeter; Williams; Morkrid, Dixon, Moen, Morrison, Johnson, Pendray.

*Public Buildings.*—Petterson, chairman; Colton; Butler, M. D.; Pendray, Sandbeck, Walsh, Everson, Moen, Bollinger.

*Public Health.*—Bartley, chairman; Pendray, Hedalen, Leu, O'Connor, Everson, Borusky, Dixon, Anderson.

*Public Debt.*—France, chairman; Lawbaugh, Stenehjem, Curry, Harty, Butler of Ramsey, Twitchell, Dean, Geiger.

*Public Printing.*—Streeter, D. R., chairman; Bratton, L. H.; Ployhar, F. E.; Small, W. A.; Wing, O. B.; Homan, John; Bjornson, J. A. T.; Hendrickson, S.; Lawbaugh, C. C.

*Penal Institutions.*—Fox, chairman; Huso, Norheim, Warriner, Twitchell, Northrup, Butler of Ransom, Butler of Ramsey, Hedalen.

*Revision and Correction of House Journals.*—O'Connor, chairman; Stenehjem, Stinger, Hickle, Endreson, Schroeder, Curry.

*Railroads.*—Thompson, A. M., chairman; Morrison, N.; Johnson, N. O.; Buck, C. S.; Putnam, T. N.; France, H. H.; Nyhus, Ole; Freitag, H. R.; Hendrickson, S.; Fox, Frank; Fritz, F. F.; Botzer, R. K.; Small, W. A.; Weis, Albert; Hill, James E., Cass County; Sorlie, O. J.; Calnan; Hart, Jno.; Warriner, D. L.

*Rules.*—Owens, chairman; Sorlie, Twichell, Divet, Buck, Norheim, Roble, Peterson, Northrup.

*State Library.*—Lambert, chairman; Hawkinson, Bollinger, Davis, Batzer, Hill of Bottineau, Haraldson, Martin, Leu.

*School and Public Lands.*—Sorlie, O. J., chairman; Husband, Kylo, Hill, Jas. E., Weis, Borusky, Bope, Kelley, Stenehjem.

*Supplies and Expenditures.*—Moen, chairman; Turner, C. C.; Bartley, Harty, Homan, Smith, S. F., Thompson, Campbell, Lawbaugh.

*State Affairs.*—Ployhar, F. E., chairman; Sorlie, O. J.; Butler, P. H.; Knox, C. E.; Miller, Hans C.; Husband, W. M.; Johnson, N. O.; Wiley, L. D.; Martin, W. E.; Doyle, J. J.; Carey, C. W.; Lindstrom, Oscar; Snyder, N. F.; Taylor, B. W.; Bollinger, Adam.

*Temperance.*—Hendrickson, chairman; Hjelmstad; Colton, Ed.; Warriner, D. L.; Everson, E. W.; Morkrid, C. I.;

Dixon, Arthur; Butler, M. D.; Pendray, Thos.; Tucker, Geo. A.; Bjornson, J. A. T.; Smith, Sid. F.; Lambert, F. B.; Leu, Louis A.; Ryan, J. J.

*Tax and Tax Laws.*—Norheim, chairman; Turner, F. W.; Owens, G. W.; Burnett, W. J.; Blakemore; Dynes, Jno.; Dixon, Arthur; Wing, O. B.; Bope, Geo. P.; Harty, H. C.; Lou, Louis A.; Schroeder, J. P.; Kelley, M. W.; Curry, Theo. K.; Bass, J. E.; Taylor, W. B.

*Warehouse and Grain Grading.*—Knox, chairman; Husband, Sandbeck, Petterson, Everson, Tucker, Raney; Smith, S. F.; Smith, J. W.; Wiley, Olsgard, Curry, Isaak, Hjort, Balsdon.

*Ways and Means.*—Dean, chairman; Hoge, Calnan, Hjelmstad, Burnett, Sandbeck, Watt, Petterson, Walsh, Huso, Gardiner, France, Nordheim, Bass, Stinger.

SPECIAL COMMITTEE REPORT.

*Mr. Speaker:*

Your committee appointed to investigate and report a list of necessary positions and employment not specially provided for by law, begs to report as follows:

We find it necessary to employ at least one more clerk, two stenographers, one janitor, one page and one woman attendant for the ladies' toilet.

We would recommend that this committee be continued until further possible positions are filled.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved that the report be adopted.

Which motion prevailed, and

The report was adopted.

Also

*Mr. Speaker:*

Your committee appointed to confer with a like committee appointed on the part of the Senate to secure and furnish for the Senate and House committee rooms report that the Northern Pacific Railway Co. has consented to the use of the Exposition Building for that purpose, only requiring that proper caretakers be appointed to look after the building. We have secured the necessary chairs and tables for

the committee rooms and have had two telephones installed one for the use of the Senate committees and one for the use of the House committees. We recommend that the Speaker appoint two janitors to look after the building.

Respectfully submitted,

E. A. WILLIAMS,  
JAMES E. HILL,  
R. J. GARDINER,  
Committee.

Mr. Williams moved that the report be adopted and the Motion prevailed, and

The report was adopted.

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

Mr. Moen of Benson introduced

House Bill No. 1.

A bill for an Act to amend Sections 525, 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Burnett introduced

House Bill No. 2.

A bill for an Act defining the taxation of real estate mortgages, and providing penalties for the violation thereof.

Was read the first and second time and

Referred to the committee on taxation.

Mr. Burnett introduced

House Bill No. 3.

A bill for an Act defining the method of assessing, determining the rate of taxation and disposition of taxes of railways, freight line companies, dining car companies, express companies, telegraph companies, telephone companies or co-operations engaged in carrying persons, property, or messages in the State of North Dakota.

Was read the first and second time and

Referred to the committee on tax laws.

Mr. Everson introduced

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the date of the actual delivery of the principal.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Blakemore introduced

House Bill No. 5.

*A joint resolution*, ratifying amendment to the Constitution of the United States.

*Whereas*, the Sixty-Second Congress of the United States of America, at the Second Session by a constitutional majority of two-thirds thereof, made and passed the following proposal to amend the Constitution of the United States of America in the following words, to-wit:

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Hendrickson introduced

House Bill No. 6.

A bill for an Act to amend Chapter 170 of the Laws of 1907, and providing for an item indemnifying owners of animals killed or destroyed against the law, for being affected with disease known as glanders, and providing for the cost of the proceedings.

Was read the first and second time and

Referred to the committee on live stock.

Mr. Martin introduced

House Bill No. 7.

A bill for an Act to amend Section 5511 of the Revised Codes of 1905, relating to the legal rate of interest and defining usury.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Hanson introduced

House Bill No. 8.

A joint resolution ratifying a proposed amendment to the Constitution of the United States, providing that a senator shall be elected by the people of the several states, etc.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Johnson introduced

House Bill No. 9.

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936 of the Revised Codes of 1905 of the State of North Dakota, relating to the Herd Law.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Twitchell introduced

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Was read the first and second time and

Referred to the committee on election.

Mr. Blakemore introduced

House Bill No. 11.

Concurrent resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereof, relating to elective franchise.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Sorlie moved that a committee of three be appointed to confer with a like committee from the Senate to select a suitable time for a joint session to hear a representative of the Panama-Pacific Canal Commission.

Which motion prevailed.



The Speaker appointed as such committee Messrs. Sorlie, Nyhus and Buck.

The oath of office was then administered to the following employes:

Warren Johnson, Edith Webster, Chas. N. Pettit, A. T. Sollum, Rose Cripe, Miss Ruth S. Morgan, Fred H. Trumann, Wilson Johnstone, Caroline Giard, A. E. Scace, Harold Sledman, A. C. Cooper, S. A. Moore, F. W. Dyke, J. T. Blacklock, W. C. Whartan, A. M. Grant, Josephine Baker, John Haren, Frank Tousley, Anna McConville, Julia Everson, Mrs. Leah Bennett, T. E. Metcalf, William Meyer.

Mr. Hawkins moved that the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

## NINTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 15th, 1913.

The House assembled at 2 o'clock P. M., pursuant to adjournment.

The Speaker presiding.

Prayer by chaplain.

Roll call.

All members present except Bjornson, Doyle, Geiger, Nyhus, Smith, of Kidder, Taylor, Tucker and Walsh, who were excused.

### REFERENCE TO THE JOURNAL.

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

Mr. Speaker:

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

On page 15, on line 10, change the word "Snider" to "Snyder."

On page 22, on line 6, change "Turner" to "Trumann."

On page 22, on line 7, change "Nils" to "Wilson."

On page 22, on line 8, change "Blacklack" to "Blacklock."

On page 22, on line 11, change "Mutcalf" to "Metcalf."

On page 17, on line 38, change "Lindtrom" to "Lundstrom."

On page 16, on line 41, change "Dixon" to "Small."

On page 17, on line 2, change "Small" to Dixon."

In the Journal of the first day, page 3, and following the roll call, as certified to by the Secretary of State, insert the words: "The oath of office was then administered by Judge Fisk of the Supreme Court."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

#### MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 15, 1913.

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 there be printed and the mailing clerks be directed to mail to each newspaper, educational institution, classified high schools, public libraries, and commercial clubs and county auditors and district judges in this state a copy of all bills and journals of the Senate and House of Representatives, and that each member may have five copies mailed.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Referred to Committee on Joint Rules.

PRESENTATION OF PETITIONS AND COMMUNICATIONS.

January 14, 1913.

*To the Members of the 13th Legislative Assembly from Morton County:*

Gentlemen:

In the matter of the purchase of additional land for the Reform School at Mandan, there is a 40-acre tract close to the school that we think should be purchased. It can be purchased at from \$1,200 to \$1,500.

The School owns the following described property situated in the County of Morton, State of North Dakota, to-wit: West half of the Southwest quarter, the Northeast quarter of the Southwest quarter, and the Southwest quarter of the Northwest quarter Section ten, Township 139 and Range 81. This land as we understand it is about three miles north of the institution and is too far away to be profitably farmed. It should be sold and the interest and income therefrom used for the benefit of the school.

Respectfully,

*Board of Control of State Institutions.*

JOHN CARMODY,  
F. W. EVANS,  
W. F. ROBERTSON,  
Members of Board.

Referred to Committee on Public School Lands.

Mr. Speaker:

The joint committee appointed to arrange for a demonstration by Mr. Fisher for the Exposition to be held at San Francisco in 1915, beg leave to report that Mr. Rhodes representing Mr. Fisher has arranged to have the meeting in the Exposition Building opposite the McKenzie Hotel at 8:00 o'clock P. M., Thursday, the 16th. Full accommodations for both the Senate and House have been arranged for.

Joint Committee,  
E. F. GILBERT,  
O. J. SORLIE,  
F. T. GRONVOLD,  
C. S. BUCK,  
W. O. PORTERFIELD,  
OLE NYHUS.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Speaker:

The chairman of the Judiciary Committee announces that the committee will meet and organize in the auditorium of the Exposition Building, at ten o'clock a. m., January 16th.

A. G. DIVET,  
*Chairman.*

#### MOTIONS AND RESOLUTIONS.

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

*Resolved*, That the Secretary of State be, and he is hereby authorized to procure and cause to be sent to each regularly published newspaper in the state copies of the daily legislative journals and bills; and for the mailing of such documents the Speaker of the House is authorized to detail one or more of the regularly employed House clerks not otherwise employed to assist the work of mailing same.

Referred to Committee on Joint Rules.

#### ON UNFINISHED BUSINESS.

Mr. Ployhar moved that the Speaker appoint a committee of three in concurrence with the resolution from the Senate for the purpose of investigating the present system of preserving the official record.

Which motion prevailed, and

The resolution was adopted.

The Speaker appointed Messrs. Putnam, Snyder and Walsh as members of the committee.

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

Mr. Bass introduced

House Bill No. 12.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for violation thereof.

Was read the first and second time and

Referred to the committee on corporations.

Mr. Endreson introduced

House Bill No. 13.

A bill for an Act to amend Chapter 170 of Laws of 1907, entitled, An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Was read the first and second time and

Referred to the committee on live stock.

Mr. Hedalen introduced

House Bill No. 14.

A bill for an Act relating to the boundaries, terms of court, and chambers of the district judge of the Seventh Judicial district amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Butler of Ramsey introduced

House Bill No. 15.

A bill for an Act to amend Section 12 of House Bill No. 210 of the Laws of 1911, to encourage elementary education.

Was read the first and second time and

Referred to the committee on education.

Mr. Twichell introduced

House Bill No. 16.

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 first and second time and

Referred to the committee on municipal corporations.

Mr. Butler of Ramsey introduced

House Bill No. 17.

A bill for an Act to provide for the erection of an industrial building and necessary improvements at the school for the deaf and dumb at Devils Lake, N. D., and making an appropriation therefor.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Carey introduced

House Bill No. 18.

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

Was read the first and second time and

Referred to the committee on election and privileges.

Mr. Hjelmstad introduced

House Bill No. 19.

A bill for an Act to provide for the appointment of a code commission to compile and publish the laws of the state of North Dakota and for the distribution and sale of the same.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Olsgard introduced

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Campbell introduced

House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Bratton introduced

## House Bill No. 22.

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of N. D. for 1909, and Sections 6238, 6240, 6242, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Hjelmstad introduced

## House Bill No. 23.

A joint resolution ratifying a proposed amendment to the Constitution of the United States to be known as Article XVI thereof.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Blakemore introduced

## House Bill No. 24.

A bill for an Act to amend Section No. 5119 of the Revised Codes of North Dakota of 1905, relating to succession of children or the issue of any deceased child omitted to be provided for in the will of any testator.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Hoge introduced

## House Bill No. 25.

A bill for an Act to provide a system by which qualified electors of this state may cast their vote at primary or general election without being personally present at the home polling place.

Was read the first and second time and

Referred to the committee on election and privileges.

Mr. Petterson introduced

## House Bill No. 26.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Mr. Twichell introduced

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

Was read the first and second time and

Referred to the committee on insurance.

Mr. Hedalen introduced

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what percent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.

Was read the first and second time and

Referred to the committee on banking.

Mr. Morton introduced

House Bill No. 29.

A bill for an Act providing for the appointment of shorthand reporters, and providing for their compensation and traveling expenses and amending Section 484 and Section 487 of the Revised Codes of 1905.

Referred to the committee on ways and means.

Mr. Norheim introduced

House Bill No. 30.

A bill for an Act to amend Section 111 of the Revised Codes of 1905 relating to the duties of the State Treasurer.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Hoge introduced

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30 of the Code of Civil procedure of the Revised Code of



the State of North Dakota of 1905, relating to cancellation of land contracts.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Hendrickson introduced  
House Bill No. 32.

Concurrent resolution amending the State Constitution of the State of North Dakota.

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

Mr. Butler introduced  
House Bill No. 33.

A bill for an Act to provide for the expenses of District Judges when acting outside of their counties.

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

Mr. Hoge introduced  
House Bill No. 34.

A Concurrent Resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to the appropriation of fines for state laws.

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

Mr. Gunderson introduced  
House Bill No. 35.

A bill for an Act requiring the Governor to establish a uniform system of accounting and reporting for all state officers, state institutions, county officers and school districts.

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

Mr. O'Connor introduced  
House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter

135 of the Laws of 1907 as amended by Chapter 141, Laws of 1909.

Was read the first and second time and

Referred to the committee on public health.

Mr. Speaker:

The committee on mileage and per diem respectfully announce that the committee will meet at Room 412 McKenzie Hotel at 8 P. M., Jan. 15th.

L. D. WILEY,  
Chairman.

The oath of office was administered to the following:

Miss Tellefson and F. R. Barnes.

Privileges of the floor were granted to J. J. Geidl of Lehr, H. H. Kemper of Minot, M. Baumgartner and William Jones of Emmons County.

Mr. Speaker announced: I would like to ask if all members have found seats so that you are seated at the present time?

Gentleman from Cass:

I am without a seat at the present time.

The matter was adjusted.

Mr. Speaker: Keys to the desks of members will be furnished this week. They have not yet been sorted.

Mr. Sorlie made a motion that the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

## TENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 16, 1913.

The House assembled at 2 o'clock P. M. pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll Call.

All present except Messrs. Doyle, Geiger, and Weis, who were excused.

## REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

In the Journal of the eighth day, page 1, line 10, change "Kyloo" to "Kyllo."

In the Journal of the first day, page 28, line 35, change "Townr" to "Towner," and on same line change "Blackmore" to "Blakemore."

In the Journal of the eighth day, page 15, lines 13 and 33, change "Blackmore" to "Blakemore." On page 16, on lines 19 and 25, change "Blackmore" to "Blakemore." On page 18, line 5, change "Blackmore" to "Blakemore." On page 20, on line 11, change "Blackmore" to "Blakemore." On page 21, line 24, change "Blackmore" to "Blakemore."

In the Journal of the ninth day, on page 2, change "Lundstrom" to "Lindstrom."

On page 2, line 26, change "ot" to "to."

On page 5, on line 6, change "Enderson" to "Endreson."

On page 7, line 20, change the word "testor" to "testator."

On page 5, line 22, should read "Mr. Butler of Ramsey."

On page 5, line 35, should read "Mr. Butler of Ramsey."

On page 22, line 47, change initials "E. L. Chance" to "D. L. Chance."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved that the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., January 16, 1913.

*Mr. Speaker:*

I have the honor to inform you that the President has appointed Messrs. Talcott, Davis and McDowell as members of the joint committee to investigate the present system of preserving the official record of the Senate and House.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also

Bismarck, N. D., January 16, 1913.

*Mr. Speaker:*

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

*Whereas*, It is necessary that the members of the Legislature be provided with stationery, desk supplies, postage and necessary articles involving the expenditure of funds;

*Therefore be it Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring:

That the Secretary of State be authorized and directed to furnish such supplies and postage upon the requisition of the members of the House and Senate, the Chief Clerk of the House and the Secretary of the Senate for the transaction of the business of the Legislative Assembly. The expense of carrying out the provisions of this resolution is hereby authorized from the general fund of the state as a proper charge against legislative expense.

Which the Senate amended by striking out the words "and postage."

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

#### PETITIONS AND COMMUNICATIONS.

To the Honorable A. T. Kraabel, Lieutenant Governor, and to the Honorable Col. John H. Fraine, Speaker of the House of Representatives: A petition from the North Dakota Annual Conference of the Methodist Episcopal Church.

*Resolved*, That we declare ourselves unalterably opposed to the principle of the initiative and referendum as applied to the Constitution of the State, and we direct our secretary to convey this declaration of our position to the Senate and House of Representatives of the coming Legislative Assembly, to convene in January, 1913, and we petition the members of said Senate and House to eliminate such provisions from any Act or Acts which come before them for approval.

(Signed) A. LINCOLN SHUTE,  
J. M. WALTERS,  
W. J. HUTCHESON,  
J. G. MORRISON,  
JAMES I. ASHER.

Done at the City of Williston, N. D., October, 1912.

Bishop Naphtali Luccock, presiding.

A. W. Brown, secretary.

To the Legislative Assembly of the State of North Dakota:

A Petition, introduced by A. L. Shute and adopted by the

North Dakota Annual Conference of the Methodist Episcopal Church:

*Whereas*, The law of the State of North Dakota does not permit the marriage ceremony to be solemnized by some persons now authorized by well established churches and religious organizations to officiate such service; and

*Whereas*, This condition works an unnecessary, an embarrassing, and a financial hardship to many pastors on remote and difficult fields; and

*Whereas*, In this respect our state is the lone exception in all the Central Northwest from Illinois to Montana, inclusive;

*Therefore, be it Resolved*, That we petition the Senate and the House of Representatives of the Legislative Assembly of the State of North Dakota so to amend the marriage laws of our state that all persons authorized by their respective churches to solemnize marriage shall be authorized so to do by the law of the State of North Dakota.

And the Secretary of this Conference is directed hereby to convey a copy of this petition to the President of the Senate and the Speaker of the House of Representatives of the coming session of the Legislative Assembly.

Done at Williston, N. D., this day, October 4th, 1912.

Bishop Naphtali Luccock presiding.

A. W. Brown, secretary.

January 15, 1913.

Hon. J. H. Fraine,

Speaker, House of Representatives,

Thirteenth Legislative Assembly.

Mr. Speaker:

The concurrent resolution of the Senate has been transmitted to the House looking toward the provision of all bills and journals of the House and Senate in quantities necessary to supply each newspaper, educational institution, classified high school, public library, commercial club, county auditor, and district judge in this state with a copy of each, and that each member of the House and Senate may have five copies mailed.

For the instruction of the Commissioners of Public Printing I beg to inquire if it will be practicable to attach to said concurrent resolution a clause providing that for the

purpose of the distribution thereinbefore named, the Commissioners of Public Printing are instructed to authorize the printing of . . . . . copies of all journals and bills.

Respectfully submitted,

W. W. TOUSLEY,  
Secretary Commissioners Public Printing.  
January 15, 1913.

Hon. J. H. Fraine,  
Speaker, House of Representatives,  
Thirteenth Legislative Assembly.

Mr. Speaker:

In further reference to the matter of concurrent resolution for printing of House and Senate Journals and Bills, I have the honor to inform you that investigations lead me to the understanding that there are, and must be provided for,

425 newspapers.  
10 educational institutions.  
108 classified high schools.  
37 public libraries.  
Estimated 100 commercial clubs.  
50 county auditors.  
12 district judges.  
161 Senators and Representatives.

Requiring 805 additional copies for mailing.

Making a total of 1,708 House and Senate Bills and Journals required as per terms of a proposed concurrent resolution; in addition to which there should be provided 50 or more copies for use of the state officers and Supreme Court Judges, and an additional quantity to supply requests of citizens, House and Senate committees, or the heads of state institutions not mentioned in the concurrent resolution. If within the discretion of the Assembly, I would respectfully recommend that your resolution authorize the printing of at least 2,000 copies.

Respectfully submitted,

W. W. TOUSLEY,  
Secretary Commissioners Public Printing.

*To the Legislative Assembly of the State of North Dakota:*

In compliance with the provisions of Chapter 221 of the Laws of 1911, the undersigned were appointed as a commission to draft a revision of the Probate Code of this state,

to be reported to this session of the Legislature for its consideration and action.

We hereby submit our report in the form of a proposed revision of the Probate Code of this state for your consideration and action.

A. G. HANSON,  
GEO. E. WALLACE,  
CHAS. S. EGO,  
Commissioners.

#### MESSAGE FROM THE SENTAEE.

Bismarck, N. D., January 16, 1913.

*Mr. Speaker:*

The Senate requests the return of the concurrent resolution relating to the expenditures for supplies and postage by the members of the House and Senate.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Kelly moved that the request be granted.

Mr. Speaker: It has been moved and seconded that the request be granted and the concurernt resolution be returned.

Which motion was adopted, and

The concurrent resolution was returned.

#### REPORT OF STANDING COMMITTEE ON JOINT RULES.

The committee on joint rules made the following report:

*Mr. Speaker:*

Your committee on joint rules, to whom was referred Senate concurrent resolution, "That there be printed and the mailing clerks be directed to mail to each newspaper, educational institution, classified high school, public library, commercial club, county auditor and district judge in this state, a copy of all bills and journals of the Senate and House of Representatives, and that each member may have five copies mailed," have had the same under consideration and recommend that the House concur in the resolution.

Dated January 16th, A. D. 1913,

C. S. BUCK,  
Chairman,



Mr. Buck moved that the report be adopted.

Mr. Dean moved that 2,000 copies of the Bills and Journals of the House be printed.

Seconded by Mr. Calnan of Ward.

Which motion prevailed.

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

Mr. C. C. Turner introduced

House Bill No. 37.

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 time and

Referred to the committee on agriculture.

Mr. Wardrope introduced

House Bill No. 38.

A bill for an Act to appropriate money for maintenance equipment and permanent improvements at the State University and Schools of Mines of North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Blakemore introduced

House Bill No. 39.

A bill for an Act to amend Section No. 85, Article 4, of the Constitution of the State of North Dakota, relating to the judicial department.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Sorlie introduced

House Bill No. 40.

A bill for an Act repealing Sections 2294, 2295 and 2296.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Johnson introduced

House Bill No. 41.

A bill for an Act amending Section 8377 of the Revised Codes of 1905, relating to proceedings on change of trial in justice's courts.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Owens introduced

House Bill No. 42.

A bill for an Act to amend and re-enact Section 9545 of the Revised Code of the State of North Dakota, providing for the taxation and collection of costs in criminal cases.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Leu introduced

House Bill No. 43.

A bill for an Act amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and an institution for the feeble-minded in connection therewith at the City of Fessenden, in the County of Wells.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Hedalen introduced

House Bill No. 44.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, relating to the trial by jury.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Watt introduced

House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and

the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Borusky introduced

House Bill No. 46.

A bill for an Act to amend and re-enact Chapter 126 of the Laws of 1909, relating to the foreclosure by advertisement of mortgages on real property.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Owens introduced

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgages.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Hjelmstad introduced

House Bill No. 48.

A bill for an Act providing for the purchase by County Commissioners districts, modern road machinery for operating the same and providing for the making of a levy to pay for the same.

Was read the first and second time and

Referred to the committee on highways.

Mr. Williams (by request) introduced

House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary and for making permanent improvements and additions thereto.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Dean introduced

House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.

Was read the first and second time and

Referred to the committee on elections.

Mr. Knox introduced

House Bill No. 51.

A bill for an Act to require a re-insurance reserve for mutual fire insurance companies.

Was read the first and second time and

Referred to the committee on insurance.

Mr. Williams introduced

House Bill No. 52.

A bill for an Act to repeal Article 21 of Chapter 32, entitled, Townsites located on public lands, of the Revised Codes of 1905.

Was read the first and second time and

Referred to the committee on school lands.

*Mr. Speaker:*

Before roll call I desire to announce to the House the death of W. R. Purdon, a member of this House during the Tenth Session, from Richland County.

Mr. Hoge: I would ask you to refer to the seventh order of business for the purpose of making a motion.

Mr. Speaker: Is there any dissenting voice?

There not being any, we will return to the seventh order of business.

Mr. Hoge: I would move that the printers of the bills be requested to print at the end of each bill the name of the committee to which the bill has been referred.

Mr. Speaker: For the information of Mr. Hoge I will say that the printers have so been notified.

Mr. Hoge then withdrew his motion.

Privileges of the floor were granted to Judge A. G. Hanson, Leland Watkins, Nicholas McKellar, C. F. Hauch from Carrington, Judge S. A. Sweetman of Sargent County, S. S. Klene, Flasher, N. D., Judge Wickersham of Ellendale, N. D., and Judge W. O. Lynch of LaMoure.

ANNOUNCEMENT.

*Mr. Speaker:*

The resolution adopted today moves for the transmission of a copy of the House Journal and bills, amongst others, to commercial clubs. I wish any gentleman who has within his district a commercial club would hand the name to the clerk, as the mailing list will be made up tonight.

Mr. Sorlie moved that the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

ELEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 17, 1913.

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

The Speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Davis, Doyle, Geiger, Hart, Morkrid, Wing, who were excused.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 1, line 11, change "Richmond" to "Richland."

On page 2 and following paragraph 2, insert the words "Roll call."

On page 2, omit the regular roll call of names of members present.

In page 8, on line 7, change "education" to "educational."

In page 8, on line 21, add (Turner) "C. C."

On page 9, on line 24, change the word "casts" to "costs."

On page 1, lines 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 21, and on page 2, lines 1, 2, 3, 4, 5 and 6, should be transferred to page 12 and placed in the same order preceding the sub-heading "Announcement."

On page 2, Messrs. Smith of Kidder and Bope are reported absent. Both members were present on the ninth day.

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved that the report be adopted.

Which motion prevailed, and

The report was adopted.

#### PETITIONS AND COMMUNICATIONS.

*Honorable J. H. Fraine, Representative:*

To the Honorable Members of the State Senate and the House of Representatives of the 1913 Legislature of the State of North Dakota:

GENTLEMEN: We, the undersigned farmers of Vesta, Golden and Norton Townships, Walsh County, North Dakota, in meeting assembled beg to call your attention to the petition below and kindly ask that our request be granted.

In August, 1912, the Honorable Board of Railroad Commissioners granted us and ordered the railway company to construct a siding half way between Adams and Lankin, right of way for same was bought by the railroad company, but business men at Lankin and Adams made a protest and induced the railroad company to apply to the Board of Railroad Commissioners for a rehearing, which request was granted; said rehearing was held November 8th, 1912. The Board of Railroad Commissioners then, considering that a

siding was necessary and proper according to Section 2261 of the Revised Codes of 1905, upheld their former decision in the case and ordered the railroad company to construct the siding.

Being that Section 4331 of the Revised Codes of 1905 is in conflict with said Section 2261 in that it requires the railroad company to construct siding where distance between stations is 12 miles or more, while Section 2261 requires railroad company to construct siding if stations are 10 miles or more apart.

In case referred to the distance between stations is 10.5 miles along railroad and 14 miles along section lines.

We are informed that special interests in Lankin are going to have legislation passed which will make Section 2261 ineffective or perhaps have said Section repealed, which would make our siding come under the requirements of Section 4331 which would give the said special interests a clear case, in an appeal to the State Supreme Court, from the Railroad Commissioners' order.

We, your petitioners, consider it inconsistent with public welfare that farmers along a railroad shall be required to haul their grain and other products they sell and buy, six to seven and in some instances eight miles.

We have made a careful and conservative estimate of the loss we sustained on account of being deprived of the use of that siding, on the 1912 crop, considering the slower marketing, the falling price and the increased cost of hauling the longer distance, and find that for the territory that would be benefitted from the siding referred to, the loss will not be less than \$18,000.00.

As we can not now refer to any certain bill or bills, we kindly ask that in legislation the producers' interest be considered in preference to requests from special interest-seeking individuals.

And for the best interest of the public in general and the producer especially, do we ask that you use your vote and influence to further such legislation that will repeal Section 4331 of the Revised Codes of 1905 and leave Section 2261 intact.

Signatures: Henry Mathison, freeholder; Ole Garnaas, renter; G. H. Garnaas, freeholder; C. L. Johnson, freeholder; Lars Erickson, freeholder; J. P. Lien, freeholder; A. G. Bylin, freeholder; C. J. Anderson, freeholder; Carl Bjornstad, renter; Peter Bratt, freeholder; Carl Anderson, renter.

er; Steffen K. Skorgen, freeholder; John A. Rosvold, freeholder; A. M. Johnson, freeholder; J. T. Gustafson, freeholder; Thos. Wooldridge, freeholder; P. J. Lien, freeholder; John Enerson, freeholder; Ellef O. Moe, freeholder; Kittil Berg, freeholder; Torgen Wiste, renter; Henry Berg, renter; Bernart Nelson, renter.

The undersigned, owing to unfavorable weather, being unable to attend meeting referred to above, hereby sign the above petition individually:

G. A. Wiste, freeholder; Carl Espelien, freeholder; S. Kjelland, freeholder; John Hoglund, freeholder; E. K. Hassel, freeholder; John Espelien, freeholder; A. Kjelland, freeholder; Carrie Severson, freeholder.

The undersigned, owing to unfavorable weather, being unable to attend meeting referred to above, hereby sign the above petition individually:

John Stenerson, renter; Iver Askim, landholder; E. M. Hoff, landholder; N. G. Grovom and H. N. Grovom, landholders; A. E. Slette, landholder; N. N. Grovom, landholder; G. P. Slette, landholder; Ole P. Lien, renter; Ole Frovarp, freeholder; K. S. Bolstad, freeholder; Carl Gustafson, freeholder; Ole Thorvilson, renter; Thos. Thompson, freeholder; John Trygg, renter; Gilman Stenerson, renter; Johan J. Johnson, landholder; J. O. Mogen, landholder; Jno. Loaasen, renter; Ole Loaasen, landholder; John Setnes, renter; E. S. Julin, freeholder; Karl Bolstad, freeholder; Christ Boe, renter; Ole O. Thorvilson, freeholder; John Syverson, freeholder.

Dated at Adams, North Dakota, January 6th, 1913.

The original is on file with Secretary of the Senate.

We beg to call attention to bill introduced by Senator Loftsgaard for purpose mentioned.

LaMoure, N. D., January 15, 1913.

*Whereas*, It is now required by Section 3 of Chapter 264 of the General School Laws of 1911 that all students of the senior classes of North Dakota high schools shall review in the last half of the senior year all the subjects taught in the grammar grades; and,

*Whereas*, Most of such students have during the first three years of their courses in high school, taken one or more of such grammar grade subjects in advanced high school study; and,



*Whereas*, Said review of all grammar grade subjects during the closing weeks of the senior year imposes a great burden upon such students at a time when they are closing their high school work, finishing their courses, and preparing commencement parts, so that the reviews are not only an injustice to the students but an impossible task.

*Therefore*, we the undersigned teachers, members of the school board and other citizens of LaMoire School District respectfully petition the present State Legislature to repeal Section 3 of Chapter 264 of the General School Laws of 1911.

P. A. McMILLEN,  
MARTHA FULLERTON,  
BLANCHE KAISER,  
LYDIA J. RIEBE,  
HARRY E. SMITH,  
R. S. TOWLE,  
High School Faculty.

W. I. STRUBLE,  
President Board of Education.

Mr. Streeter: I move that the petitions and communications that come in, unless there is a request made by some member, be printed in the Journal instead of read.

Mr. Lambert: I move that this motion be adopted.

Which motion prevailed, and

The motion was adopted.

#### STANDING COMMITTEES.

*Mr. Speaker:*

Your committee on mileage and per diem beg leave to submit the following report:

L. D. WILEY,  
Chairman.

DIST.	NAME	C. M. St. & P.	N. P.	G. N.	TEAM	SOO	TOTAL
1	John W. Hart.....	...	229	120	...	...	349
	W. N. Husband....	...	194	158	1	...	353
	Henry Geiger.....	...	194	158	5	...	357
2	J. W. Calnan.....	...	137	23	...	182	342
3	N. F. Hedalen.....	...	194	110	6	25	335
	P. L. Hjelmstad....	...	194	111	...	55	360

DIST.	NAME	C. M. St. & P.	N. P.	G. N.	TEAM	SOO	TOTAL
4	J. H. Fraine.....	...	194	120	...	...	314
5	J. S. Kylo.....	...	194	114	...	...	308
6	W. V. O'Connor....	...	194	78	...	...	272
7	W. S. Dean.....	...	194	58	...	14	266
8	W. J. Barnett.....	...	194	46	...	...	240
	Ed. Coltom.....	...	174	55	...	...	229
	O. J. Sorlie.....	...	194	52	...	...	246
9	D. S. Lewis.....	...	194	...	1	...	195
	Robt. B. Blakemore.	...	194	...	...	...	194
	L. L. Twitchell.....	...	194	...	1	...	195
10	B. N. Sanbeck.....	...	214	...	3	...	217
	John Dynes.....	...	194	21	5	...	220
11	Jas. E. Hill.....	...	174	20	...	...	194
	Wm. Watt.....	...	223	...	7	...	230
12	A. G. Divet.....	...	194	45	...	...	239
	Albert Weis.....	45	194	...	...	...	239
13	D. L. Warriner.....	...	...	...	...	180	180
	Nels Petterson.....	...	...	...	10	180	190
14	E. H. Butler.....	...	250	...	...	...	250
	James Walsh.....	...	137	...	...	30	167
15	F. E. Ployhar.....	...	137	...	...	...	137
16	W. H. Northrup....	...	152	14	2	...	168
	E. W. Everson.....	...	149	...	3	...	152
	A. J. Huso.....	...	194	92	4	...	290
17	R. J. Gardner.....	...	194	158	6	...	358
	C. J. Morkrid.....	...	194	110	10	...	314
18	Fred Borusky.....	...	194	196	10	...	400
19	W. A. Small.....	...	194	105	...	120	419
	Arthur Dixon.....	...	194	216	...	...	410
20	Victor Wardrope...	...	210	...	...	...	210
	Paul J. Moen.....	...	190	...	5	...	195
21	N. D. Butler.....	...	194	154	...	...	348
	Bernt Anderson....	...	194	185	8	...	387
	N. Morrison.....	...	194	167	12	...	373
22	N. W. Hawkinson...	...	194	167	57	...	418
	N. O. Johnson.....	...	194	200	...	...	394
23	Adam Ballinger....	...	73	...	...	...	73
	C. S. Buck.....	...	102	...	...	...	102
	Thos. Pendroy.....	...	102	...	7	...	109
	Geo. A. Tucker....	...	137	...	...	34	171
24	J. A. T. Bjornson..	...	...	...	...	150	150
	A. E. Raney.....	...	184	...	...	...	184
25	N. E. Davis.....	...	...	...	8	124	132
	C. E. Knox.....	...	170	...	4	...	174

DIST.	NAME	C. M. St. & P.	N. P.	G. N.	TEAM	SOO	TOTAL
26	Geo. G. Bope.....	...	42	...	...	...	42
	B. K. Batzer.....	...	46	...	...	...	46
	Sid. F. Smith.....	...	42	...	8	...	50
	D. R. Streeter.....	...	63	...	...	...	63
27	Frank Fox.....	*	*	*	*	*	*
	John Homan.....	*	*	*	*	*	*
	E. A. Williams.....	*	*	*	*	*	*
28	Jas. Hill.....	...	194	268	2	...	464
	H. C. Harty.....	...	194	219	...	...	413
	E. O. Haroldson....	...	194	211	...	40	445
	C. C. Jacobson.....	...	194	265	...	...	459
29	F. B. Lambert.....	...	137	...	...	182	319
	Hans C. Miller.....	...	137	...	...	182	319
	J. W. Smith.....	...	138	...	10	182	329
	A. M. Thompson....	...	137	...	...	182	319
30	L. D. Wiley.....	...	52	...	12	...	64
	W. E. Martin.....	...	5	...	25	...	30
	J. E. Campbell.....	...	6	...	...	...	6
31	Henry Klein.....	...	90	...	...	...	90
	F. W. Turner.....	...	115	...	...	...	115
	C. C. Turner.....	...	104	...	...	...	104
32	T. N. Putnam.....	...	145	...	...	...	145
	W. M. Bartley.....	...	174	...	...	...	174
33	Louis A. Leu.....	...	139	...	2	93	234
	T. O. Roble.....	...	137	...	4	108	249
34	F. F. Fritz.....	...	197	240	...	8	434
35	J. P. Schroeder....	...	208	...	...	...	208
36	N. W. Kelly.....	...	...	...	...	58	58
	H. H. France.....	...	200	...	4	...	204
	J. J. Doyle.....	...	...	...	...	79	79
37	C. W. Carey.....	...	...	...	10	204	214
	Nels Olsgard.....	...	214	...	4	...	218
38	A. P. Hanson.....	...	227	...	...	...	227
39	Robert J. List.....	135	282	...	...	...	417
	J. G. Odland.....	...	171	...	1	...	172
	Theo. K. Curry.....	125	282	...	12	...	429
40	Oscar Lindstrom...	...	137	245	...	27	409
	S. Hendrickson....	...	137	...	7	246	390
	H. Endreson.....	...	137	...	...	246	383
41	N. F. Snyder.....	...	135	122	45	182	484
	A. A. Stenehjem....	...	135	122	35	182	474
	Robert Norheim....	...	135	122	25	182	464
	W. G. Owens.....	...	135	122	1	182	439
	E. L. Gunderson....	...	135	92	...	182	409

DIST.	NAME	C. M. St. & P.	N. P.	G. N.	TEAM	SOO	TOTAL
42	L. H. Bratton.....	...	174	198	...	...	372
	Ole Nyhus .....	...	194	210	3	...	407
43	J. E. Bass.....	...	136	...	6	248	380
44	Ole C. Dosseth.....	...	137	22	29	182	370
	B. W. Taylor.....	...	137	60	...	182	379
45	S. H. Pitkin.....	...	137	...	7	159	303
46	H. R. Freitag.....	...	...	...	...	96	96
	J. T. Hoge.....	...	...	...	1	59	60
	O. B. Wing.....	...	...	...	9	45	54
47	Charles F. Kellogg..	...	33	...	...	...	33
	J. J. Ryan.....	...	110	...	8	...	118
48	C. C. Lawbaugh.....	...	...	90	40	...	130
	Sherman Hickie....	...	33	...	7	...	40
	August Isaak.....	...	...	...	15	88	103
49	J. L. Hjort.....	135	282	...	...	...	417
	H. J. Stinger.....	170	282	...	...	...	452
50	John D. Balsdon...	...	194	167	6	...	367

\*No mileage.

(Signed) N. E. DAVIS,  
C. C. JACOBSON,  
A. J. HUSO,  
J. W. SMITH,  
G. A. TUCKER,  
W. A. SMALL,  
S. H. PITKIN,  
FRANK E. PLOYHAR,  
Committee.

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

L. D. WILEY,  
Chairman.

#### MOTIONS AND RESOLUTIONS.

Mr. Hanson moved

That the Chief Clerk be instructed to have 200 pamphlets printed containing House rules and committee assignments. And also 200 placards containing the order of business.

Which motion prevailed.

Mr. Johnson introduced the following resolution:  
..Whereas, There is now pending in the House of Repre-

sentatives of the United States, a certain measure known as the Lafferty Bill; and,

*Whereas*, The object and purpose of said measure is to transfer the control and ownership of the national resources of the National from the Federal Government to the respective states in which such national resources are situated.

*Now, Therefore, Be it Resolved*, That the House of Representatives of the State of North Dakota, the Senate concurring, hereby protest against the aforesaid Lafferty Bill becoming a part of the laws of this Nation, hereby urge our United States Senators and Congressmen to use all honorable means within their power to defeat the passage of said bill and hereby reiterate our firm belief in the wisdom of what the statute law and historical custom of this Nation has taught from the beginning, that is: "The public domain of the United States belongs to the people of the United States. It does not belong to the states within which it is situated. It has always been administered for the Nation at large by the National Government. Neither the logic of any political doctrine, nor the necessities of existing conditions call for or justify, either a total abandonment or a partial curtailment of that system of national administration."

*Be it Further Resolved*, That a copy of this resolution be forwarded to Hon. H. T. Helgesen, Representative in Congress, and the Hon. P. J. McCumber and A. J. Gronna, Senators from the State of North Dakota.

Mr. Kylo introduced the following resolution:

Resoluion adopted by the Larimore Commercial Club, December 30th, 1912.

*Whereas*, The United States Congress is investigating and preparing to enact a law giving aid to good roads in cooperation with states and minor political bodies; and,

*Whereas*, It will be necessary for a state to appropriate money for that purpose before it can secure a share of such appropriation, and the State of North Dakota is limited by its Constitution of levy which will not admit of any substantial appropriation for that purpose, and the bonding limit is almost nominal, and was reached in the early days of the state's existence, and by increasing the bond limit, money can be secured at a very low rate of interest, which would not be felt by the people of the state as the good roads would result in saving to the people of the state each year more than the interest on the bonding investment; and,

*Whereas*, It will take six years to bring said amendment before the people of the state for their approval and before that time in all probability, Congress will have provided for national aid to good roads and other states will be receiving the benefit at our expense.

*Therefore be it Resolved* by the Larimore Commercial Club, That we respectfully petition the Thirteenth Legislative Assembly of the State of North Dakota to pass a resolution referring to the Fourteenth Legislative Assembly an amendment to the Constitution increasing the bonding limit of the state aid for good roads under state supervision.

Messrs. Divet, Weis, Carey and Oldsgard of Richland County, offer the following resolution and move its adoption:

*Whereas*, The Hon. William R. Purdon, a member of the tenth session of the House of Representatives of the State of North Dakota, for the Twelfth Legislative District, died yesterday, January 16th; and,

*Whereas*, The members of the House of Representatives have learned with sorrow of his passing to the great beyond;

*Be it Resolved*, That as a token of our respect and esteem for him, a copy of this resolution be engrossed and forwarded by the Chief Clerk of this House to the family of the late William R. Purdon.

Mr. Purdon was of the highest type of manhood. He was of the highest type of Christian. As man and Christian he was the living exemplification of a life than which there is known no better.

Possessed, himself, of a will too strong to yield to the temptations that beset the paths of men on the long journey through life, he was tolerant and charitable of the weaknesses of others. He lived the very spirit of the Golden Rule. His hand was ever extended to lift up the lowly and help his fallen brother rise. Regard for his God, his church, his family and his fellow man filled his daily life and gave him as fair and sweet a disposition as God has ever bestowed.

As business man, soldier and legislator he ever trod the path of righteousness and virtue. In the community in which he has lived his manhood has towered in our sight as an example of right living.

In his military service he was to his men and subordinate officers the guiding hand of a father and the beacon light

of example leading them ever away from the danger points of wild life and dissipation into that haven of safety, belief in their own worth and respectability.

And now he is dead. He will be missed. He will be missed in the family circle from the great arm chair. He will be missed in the civic and social life of his community and the state at large. He will be missed by his military associates when they gather in reunion around the camp fire. He will be missed in the Kingdom of God on earth to which he contributed by example beyond all men we ever knew. We are consoled only by the thought that he goes to enrich the kingdom of God on high.

#### CONCURRENT RESOLUTION.

*Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring, That the Mailing Clerks be directed to mail to each Farmer's Club in this state a copy of all bills and journals of the Senate and House of Representatives.

Mr. Hjelmstad moved that this concurrent resolution be adopted.

Mr. Leu moved that the concurrent resolution be amended to read:

"To such Farmer's Clubs as the members of the House and Senate shall designate."

The motion prevailed, and

The concurrent resolution as amended was adopted.

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

Mr. Turner introduced

House Bill No. 53.

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.

Was read the first and second time and

Referred to the committee on taxation and tax laws.

Mr. Morkrid introduced

House Bill No. 54.

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 North Dakota for 1905, relating to mechanics' liens, as amended by Chapter 158 of the Session Laws of North Dakota for the year 1905 and by Chapter 187 of the Session Laws of North Dakota for the year 1911.

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

Mr. F. W. Turner introduced  
House Bill No. 55.

Amending the Constitution of the State of North Dakota, relating to the elective franchises.

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

Mr. Husband introduced  
House Bill No. 56.

A bill for an Act to create a state text book commission and to provide for the adoption and use of uniform text books in the common schools of this state up to and including the eighth grade.

Was read the first and second time and  
Referred to the committee on education.

Mr. Huso introduced  
House Bill No. 57.

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.

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

Mr. Roble introduced  
House Bill No. 58.

A bill for an Act to amend Section 840 of the Revised Code of 1905, relating to the amount of garnishee.

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



Mr. Bjornson introduced

House Bill No. 59.

A bill for an Act to appropriate money for the better equipment of the school of pharmacy at the North Dakota Agricultural College at Fargo.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Wardrope introduced

House Bill No. 60.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to State Fairs.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Roble introduced

House Bill No. 61.

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

Was read the first and second time and

Referred to the committee on highways.

Mr. Klein introduced

House Bill No. 62.

A bill for an Act to amend Section 643 of the Revised Codes of North Dakota and to prevent the fraudulent or corrupt marking of ballots.

Was read the first and second time and

Referred to the committee on election privileges.

Mr. Twichell introduced

House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905 as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Was read the first and second time and

Referred to the committee on taxation and tax laws.

Mr. Calnan introduced

House Bill No. 64.

A bill for an Act to amend Section 2613 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1911, relating to compensation of county commissioners.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Lindstrom introduced

House Bill No. 65.

A bill for an Act to require operators of threshing machines to deposit a bond with the register of deeds, securing the payment of wages to laborers.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Buck introduced

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Northrup introduced

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper.

Was read the first and second time and

Referred to the committee on temperance.

Mr. Northrup introduced

House Bill No. 68.

A bill for an Act to provide for enjoining and keeping of public nuisances as defined by Section 9373 of the Code

of North Dakota and to prevent a person enjoined in one locality from keeping a similar nuisance in another locality.

Was read the first and second time and

Referred to the committee on temperance.

Mr. Smith of Kidder County introduced

House Bill No. 69.

A bill for an Act to amend Chapter 299 of the Session Laws of 1911, fixing time when real estate taxes become due and delinquent and describing penalties on delinquent taxes.

Was read the first and second time and

Referred to the committee on taxation and tax laws.

Mr. Stenhjem introduced

House Bill No. 70.

A bill for an Act to amend Section 650 of the Revised Codes of 1905, relating to the manner of making election returns and the compensation of officers.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Williams introduced

House Bill No. 71.

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.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Norheim introduced

House Bill No. 72.

A bill for an Act to amend Section 136 of the Revised Codes of 1905, relating to the duties of the Commissioner of Insurance.

Was read the first and second time and

Referred to the committee on insurance.

Mr. Bope introduced

## House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

Was read the first and second time and  
Referred to the committee on highways.

Mr. Bope introduced

## House Bill No. 74.

A bill for an Act to amend and re-enact "Article 21" of the Political Code of 1905, being Sections 1636 and 1637 of the Revised Codes of North Dakota of 1905, relating to gopher tax and petition.

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

## MESSAGE FROM THE SENATE.

Bismarck, N. D., January 17, 1913.

*Mr. Speaker:*

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

*Whereas*, It is necessary that the members of the Legislature be provided with stationery, desk supplies, postage and necessary articles involving the expenditure of funds;

*Therefore be it Resolved* by the House of Representatives of the State of North Dakota, the Senate concurring:

That the Secretary of State be authorized and directed to furnish such supplies and postage upon the requisition of the members of the House and Senate, the Chief Clerk of the House and the Secretary of the Senate for the transaction of the business of the Legislative Assembly. The expense of carrying out the provisions of this resolution is hereby authorized from the general fund of the state as a proper charge against legislative expense.

In which the House has concurred.

Which the Senate has amended by inserting the word "signed" before the word "requisition."

Which the Senate has adopted as amended.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Sorlie moved that we concur in the Senate amendment.

The roll was called and there were 96 ayes, 15 absent and not voting.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Nyhus
Balsdon	Hart	O'Connor
Bartley	Harty	Odland
Bass	Hawkinson	Olsgard
Batzer	Hedalen	Pendray
Bjornson	Hendrickson	Petterson
Blakemore	Hickle	Pitkin
Bollinger	Hill of Bottineau	Ployhar
Bope	Hill of Cass	Putnam
Borusky	Hjelmstad	Raney
Bratton	Hjort	Roble
Burnett	Hoge	Ryan
Butler of Ramsey	Homan	Sandbeck
Butler of Ransom	Husband	Schroeder
Calnan	Huso	Small
Carey	Isaak	Smith of Kidder
Coltom	Jacobson	Smith of Mountrail
Curry	Johnson	Sorlie
Davis	Kellogg	Stenehjem
Dean	Kelly	Stinger
Divet	Klein	Taylor
Dixon	Kyllo	Tucker
Dosseth	Lambert	Turner, C. C.
Dynes	Lawbaugh	Turner, F. W.
Endreson	Leu	Twichell
Everson	Lindstrom	Walsh
Fox	List	Wardrobe
Fraine	Miller	Warriner
France	Moen	Watt
Fritz	Morkrid	Wiley
Gardiner	Morrison	Williams
Gunderson	Norheim	Wing
Hanson	Northrup	Mr. Speaker

Absent and not voting, Messrs. Buck, Campbell, Doyle, Freitag, Geiger, Hart, Knox, Lewis, Owens, Small, Snyder, Streeter, Thompson, Weis, Martin.

Which motion prevailed.

#### ANNOUNCEMENTS.

Committee on highways will meet at rear of pool room at Grand Pacific Hotel, 7:00 P. M.

NORMAN MORRISON,  
Chairman.

Committee on live stock will meet at committee rooms in Exposition Building, 8 o'clock this evening.

A. J. Huso,  
Chairman.

The committee on appropriation will meet in the House Chamber immediately after adjournment.

BERNT ANDERSON,  
Chairman.

Mr. Williams: I move that a committee of three be appointed to confer with such state officials as are required by law to make report to the Governor and Legislature assembled and ascertain that if the report is not made when it will be made and when it will be placed on our desks.

Mr. Sorlie seconded the motion.

Which motion prevailed, and

The Speaker appointed as such committee Messrs. Hoge, Ryan and Hjelmstad.

Privileges of the floor were granted to Frank B. Streeter, of Linton, N. D.; M. A. Baldwin, Harry Alsop, E. A. Wilson, Dr. Callender, all of Cass County; Hon. J. J. Nierling, of Jamestown, and Peter Velsch, of Pierce County, N. D.; W. H. Horton, Devils Lake, N. D.

Mr. Hill moved that the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

## TWELFTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA.  
January, 18, 1913.

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. Buck, Geiger, Carey, Davis, Doyle, Isaak, Walsh, Weis.

### REFERENCE OF THE JOURNAL OF THE HOUSE.

*Mr. Speaker:*

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

On page 1, on line 11, change "Iournal" to "Journal."

On page 6, change "Divit" to "Divet."

On page 9, on line 25, change "Helgeson" to "Helgesen."

On page 11, line 24, change "Seante" to "Senate."

On page 12, line 9, add initials (Turner) "F. W."

On page 14, lines 25 and 32, change "Northrop" to "Northrup."

On page 17, in list of members voting aye, add "Roble."

On page 17, in roll call, change "Northrop" to "Northrup."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. Kelly moved

That report be adopted.

Which motion prevailed, and

The report was adopted.

#### PETITIONS AND RESOLUTIONS.

Mr. Kylo introduced the following petition:

Resolution for testing cows for tuberculosis adopted by the Larimore Commercial Club, Monday December 30th, 1912.

WHEREAS: Statistics prove that one out of every seven deaths in the United States is due to tuberculosis, and

WHEREAS: Scientific investigations have proven beyond a doubt that one of the chief causes of its prevalence is using of dairy products, *i. e.*, milk, cream, butter and cheese, from the tuberculosis cows, and

WHEREAS: Recently October 1st, 1912, Dr. Fraser of Edinburgh, has *proven* that nearly all bone and joint tuberculosis are caused not by the ordinary tubercle bacillus that infect the human being, but by the bovine type of tubercle bacillus, and

WHEREAS: There is a test known as the "Tuberculin Test" whereby it may be positively determined whether or not a cow is afflicted with tuberculosis, therefore,

*Be it Resolved:* That we respectfully petition our legislature to enact a law making the Tuberculin Test compulsory and that we request our State Senator and Representative to support such a measure and to use every honorable means to secure its enactment with Emergency Clause.

Referred to Committee on Live Stock.

## CONCURRENT RESOLUTION.

Mr. Streeter offers the following concurrent resolution and moves its adoption.

## RESOLUTION.

WHEREAS, There will be in the City of San Francisco in the year 1915 an exposition celebrating the completion of that newest wonder of the world, the Panama Canal, and

WHEREAS, The two Dakotas, being among the younger and less populous states, and therefore having a smaller income from taxation than the older commonwealths of the Union, are not so well prepared to have a proper representation at the Exposition as the wealthier states; And

WHEREAS, The people of the two Dakotas, both native and foreign-born are of the same blood, their occupation similar, and their farm products practically identical in nature, such as would make a harmonious exhibit if shown together at the Exposition;

*Therefore, Be it Resolved*, By the House of Representatives of the Thirteenth Legislative Assembly, the Senate Concurring:

*That* it is the sense of this Legislative Assembly that the State of North Dakota should be properly represented at the Panama-Pacific International Exposition to be held in 1915.

*That* it is also the sense of this Assembly that, should the Twin Dakotas unite in the erection of a building at the Exposition and in other matters connected with the Exposition so far as might be thought wise by the representatives of the two states who might have charge of the state exhibits, the same could be done at less expense and with more credit to both states than could be obtained by erecting separate buildings.

*That* it is the sense of this Legislative Assembly that every American commonwealth should be represented at this great function which the patriotic people of California in general and of San Francisco in particular have provided at enormous expense, that the nations of the earth might meet and join with America in celebrating the successful conclusion of the greatest engineering work recorded in the world's history, or seen through the misty atmosphere of tradition.



*That* the President of the Senate and the Speaker of the House are hereby authorized and requested to communicate with the like officers of the Legislative Assembly of the State of South Dakota requesting them to ascertain the sense of the Assembly of our sister state as to the matter of erection by the two states of a building at the Panama-Pacific International Exposition.

Referred to the Committee on State Affairs.

Mr. Butler moved that the rules be suspended, and the petition presented by the gentleman from Ransom county be read.

Which motion prevailed.

And the petition was read.

Introduced by Butler, of Ransom.

January 11th, 1913. Nine o'clock A. M. Board of County Commissioners of Ransom County, North Dakota, passed the following resolution to wit:—

WHEREAS, it appears that the premium for the surety bond of the County Treasurer of Ransom County has been fixed at \$350. for a \$50,000. bond by the nine surety companies that submitted bids for said bonds in this county. And

WHEREAS, this is an increase of over 191 per cent over the amount of premium paid for the surety bond of same amount for the outgoing treasurer.

THEREFORE, Be it resolved that the Board of County Commissioners of Ransom County recommend to the Legislature that Section No. 405 of the Revised Codes of 1905 be amended so as to permit the Board of County Commissioners in any County to approve the bonds of the County Treasurer with personal sureties when in their opinion the interest of the tax payers would be best served by so doing.

Be it further resolved that the auditor be and is hereby instructed to send a copy of this resolution to each member in the Legislature from this district and to the chairman and secretaries of the Auditors and County Commissioners' Association.

Be it further recommended that Chapter 109 of the 1911 Session Laws be recommended to be amended in a like manner.

By order of Board of County Commissioners,

C. E. ARNTSON.

County Auditor.

Referred to Committee on State Affairs.

### REPORT OF STANDING COMMITTEES.

The committee on judiciary made the following report:

*Mr. Speaker.*

Your committee on judiciary to whom was referred  
House bill No. One.

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 Section 527, on page two of the printed bill,

Strike out line six after the comma following the word  
"officer," all of lines seven and eight, and line nine up to and  
including the word "such," and insert in lieu thereof the  
words, "a true and correct copy of such venire, containing  
the name only of the juror to be served."

And in lines 12, 16 and 21,

Strike out the word "notice" wherever it appears, and in-  
sert instead thereof the words "copy of venire" in each of  
such respective places.

And in line 17,

Strike out the word "valid" and insert instead thereof the  
word "personal."

And,

Strike out line 24 after the word "venire," line 25, and line  
26 up to and including the word "residence," and insert in  
lieu thereof the words, "in the manner provided by law  
for the service of summons in civil actions."

And when so amended recommend the same do pass.

A. G. DIVET,

Chairman.

## REPORT OF SELECT COMMITTEES.

## REPORT OF JOINT COMMITTEE.

*Mr. President:*

Your special committee appointed under a concurrent resolution for the purpose of investigating the present system of transcribing and preserving the official records of the Senate and House of Representatives, relative to the transcribing of the enrolled bills of both houses of the legislative assembly, beg leave to report,

That after giving these matters full investigation and careful consideration, our recommendations have been drawn up in the form of two bills which will be introduced for your further consideration.

F. S. TALCOTT,  
WESLEY C. McDONNELL,  
J. E. DAVIS,  
T. N. PUTNAM,  
JAS. WALSH,  
N. F. SNYDER.

*Mr. Bjornson:*

I move that the report of the committee on mileage and per diem be referred for the purpose of correcting same.

Which motion prevailed, and

The motion was adopted.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Messrs. Watt and Curry introduced

House Bill No. 75.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911 relating to the term of office of township officers.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Bass introduced

House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Was read the first and second time and  
Referred to the committee on ways and means.  
Mr. Campbell introduced  
House Bill No. 77.

A bill for an Act to compel railway companies to protect certain of their employees from inclemencies of the weather while performing services and providing penalties for violation of the same.

Was read the first and second time and  
Referred to the committee on railways.  
Mr. Everson introduced  
House Bill No. 78.

A bill defining bootlegging, making it a crime, and fixing the punishment therefor.

Was read the first and second time and  
Referred to the committee on temperance.  
Mr. Kylo introduced  
House Bill No. 79.

A bill for an Act for payment of attorney's fees in certain cases.

Was read the first and second time and  
Referred to committee on insurance.  
Mr. Sorlie introduced  
House Bill No. 80.

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

Was read the first and second time and  
Referred to the committee on railways.  
Mr. Burnett introduced  
House Bill No. 81.

A bill for an Act defining the method of taxation of grain and seed and providing a penalty for the violation thereof.

Was read the first and second time and  
Referred to the committee on tax and tax laws.  
Mr. Thompson introduced  
House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Was read the first and second time and  
Referred to the committee on railways.  
Mr. Husband introduced  
House Bill No. 83.

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 2868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Was read the first and second time and  
Referred to the committee on state affairs.  
Mr. Calnan introduced  
House Bill No. 84.

A bill for an Act to amend Section 1868 of the Revised Codes of 1905, relating to compensation of overseers of the poor.

Was read the first and second time and  
Referred to the committee on state affairs.  
Mr. Smith of Kidder, introduced  
House Bill No. 85.

A bill for an Act to repeal Sections 1, 2 and 3, of Chapter 213 of the Session Laws of 1911, relating to party registration of electors desiring to vote at any primary election in this state.

Was read the first and second time and  
Referred to the committee on election and election privileges.  
Mr. Putnam introduced

House Bill No. 86.

A bill for an Act limiting the liability of innkeepers and hotelkeepers, and providing for their protection and fraud and security for charges.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Davis introduced

House Bill No. 87.

A bill for an Act relating to the White Stone Hill memorial Park and making an appropriation therefor.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Williams, (by request), introduced

House Bill No. 88.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Was read the first and second time and

Referred to the committee on agriculture.

Mr. Bope introduced

House Bill No. 89.

A bill for an Act entitled, an Act to amend Section 5513 of the Revised Codes of 1905, as amended by Chapter 311 of the Session Laws of 1911, relating to loan of money and usury.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Campbell moved

That the chairman of the Committee of Public Land and two other members of that committee be appointed by the Speaker to investigate the question of the advisability of buying lands described in House Bill No. 21.

Which motion prevailed, and

The Speaker appointed as such committee Messrs. Sorlie, Hill of Cass and Stenehjelm.

Privileges of the floor were granted to

George Hart of Ryder, N. D.

Ole Mikelson of Hazelton, N. D.

E. B. Johnson, Mandan, N. D.

Mr. Slipergrell, Krem, N. D.

Otto Brenfelt, New Leipzig, N. D.

Wm. Ruko, Mandan, N. D.

Frank W. Kiebird, Oliver County.

The Speaker administered the oath to the following:

Nels G. Grovom, clerk.

Mr. Sorlie moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

#### FOURTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 20, 1913.

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. Campbell, Geiger, Isaak, Klein, Miller, Pendray, and Weis.

Who were excused.

#### REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 3, line 29, change "state" to "states."

On page 8, last line, change "O'Connor" to "Putnam."

On page 10, on line 10, change "Grozom" to "Grovom."

On page 6, line 22, change "re-printed" to "referred."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. Kelly moved  
That the report be adopted.  
Which motion prevailed.

REPORT OF HOUSE JUDICIARY COMMITTEE.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 5.

Being a bill for a Joint Resolution Ratifying Amendment  
to the Constitution of the United States, providing that  
Senators be elected by the people of the several states.

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

By inserting in the caption of the the bill, before the word  
"Blakemore," the words "Hanson and Mr.," and further in  
the said caption, before the word "Amendment," the words  
"a Proposed."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 8.

Being a bill for a Joint Resolution ratifying a proposed  
amendment to the Constitution of the United States pro-  
viding that Senators shall be elected by the people of the  
several states.

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

A. G. DIVET,  
Chairman.

Also

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 11.

Being a bill for a Concurrent Resolution to amend Sec-  
tion 121 of Article 5 of the Constitution of the State of  
North Dakota and Article 2 of the amendments to the Con-  
stitution amendatory thereto, relating to elective franchise.



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

By striking out the words "six months" in line 7 on page 2 of the printed bill and inserting in the place thereof the words "one year."

And when so amended recommend the same do pass.

Also

A. G. DIVET,  
Chairman.

*Mr. Speaker:*

Your committee on judiciary to whom was referred House Bill No. 20.

Being a bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attacked.

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

By inserting before the first word in line one the words, "Section 1," and before the first word in line six the words, "Section 2," and before the first word in line ten the words, "Section 3."

And when so amended recommend that the same do pass.

Also

A. G. DIVET,  
Chairman.

*Mr. Speaker:*

Your committee on judiciary to whom was referred House Bill No. 23.

Being a bill for a Joint Resolution ratifying a proposed amendment to the Constitution of the United States to be known as Article XVI thereof, providing that Congress shall have power to lay and collect taxes on incomes.

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

Also

A. G. DIVET,  
Chairman.

*Mr. Speaker:*

Your committee on judiciary to whom was referred House Bill No. 34.

Being a bill for a Concurrent Resolution to amend Section 154 of the Constitution of the State of North Dakota relating to the appropriation of fines for State laws.

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

Also

A. G. DIVET,  
Chairman.

*Mr. Speaker:*

Your committee on judiciary to whom was referred House Bill No. 41.

Being a bill for an Act amending Section 8377 of the Revised Codes of 1905, relating to proceedings on change of trial in justice's courts.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### REPORT OF HOUSE COMMITTEE ON STATE AFFAIRS.

The committee on state affairs made the following report.

*Mr. Speaker:*

Your committee on state affairs to whom was referred House Bill No. 7.

A bill for an Act to amend Sections 5511 of the Revised Codes of 1905, relating to the legal rate of interest and defining usury.

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

In line 8 of the printed bill, strike out the word "nine" and insert in lieu thereof the word "ten."

And when so amended 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.

## REPORT FROM APPROPRIATION COMMITTEE.

*Mr. Speaker:*

The joint committee of the House and Senate on Appropriations reported that the committee will leave in the evening for Jamestown to visit and inspect the insane asylum. It is respectfully requested that the members be excused.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved  
That the members be excused.  
Which motion prevailed, and  
The members were excused.

## MESSAGE FROM THE SENATE.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 18, 1913.

*Mr. Speaker:*

I have the honor to inform you that the Senate has concurred in the House concurrent resolution relating to the mailing of Journals and Bills to Farmer's Clubs in this state.

Very respectfully,  
W. D. AUSTIN,  
Secretary.

*Mr. Speaker:*

Your committee appointed to make arrangements for the rooms for the various committees, beg leave to report as follows:

Judiciary Committee—East end of Auditorium, Exposition Building.

State Affairs—West end of Auditorium, Exposition Building.

Railroads—West end of Auditorium, Exposition Building.

Appropriations—West end of Auditorium, Exposition Building.

Ways and Means—Room No. 1, 2nd floor Exposition Building.

Education—Room No. 1, 2nd floor Exposition Building.

Tax and Tax Laws—Room No. 1, 2nd floor Exposition Building.

Highways—Room No. 2, 2nd floor Exposition Building.

Election and Election Privileges—Room No. 2, 2nd floor Exposition Building.

Banking—Room No. 2, 2nd floor Exposition Building.

Agriculture—Room No. 2, 2nd floor Exposition Building.

All other committees can arrange to meet in Rooms No. 3, 4, 5, or 6 as they may agree.

E. A. WILLIAMS, Chairman,  
JAMES E. HILL,  
R. J. GARDINER,  
Committee.

Mr. Williams moved

That the report be adopted

Which motion prevailed, and

The report was adopted.

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

Mr. Dixon introduced

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

Was read the first and second times and

Referred to the committee on election and election privileges.

Mr. Curry introduced

House Bill No. 91.

Title H. B. No. 91.

For an Act to amend Section 2384 of the Revised Codes of 1905 providing for the election of County Commissioners.

Was read the first and second times and

Referred to the committee on state affairs.

Mr. Twichell introduced

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled, an Act to provide for a commission system of government in cities which shall adopt the provisions of this Act.

Was read the first and second times and

Referred to the committee on municipal corporations.

Mr. Lewis introduced

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Was read the first and second times and

Referred to the committee on military affairs.

Mr. Lewis introduced

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a Stand of Colors.

Was read the first and second times and

Referred to the committee on military affairs.

Mr. Sorlie introduced

House Bill No. 95.

A bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905 relating to the duties of State's Attorneys and Attorney General.

Was read the first and second times and

Referred to the committee on judiciary.

Mr. Kylo introduced

House Bill No. 96.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Was read the first and second times and

Referred to the committee on railways.

Mr. Kylo introduced

House Bill No. 97.

A bill for an Act providing for false or misleading advertisements or statements as to or in connection with the sale of real estate.

Was read the first and second times and  
Referred to the committee on state affairs.

Mr. Petterson introduced

House Bill No. 98.

A bill for an Act providing for the repair and maintenance of highways by original townships and authorizing the expenditure of money therefor.

Was read the first and second times and  
Referred to the committee on highways.

Mr. Putnam introduced

House Bill No. 99.

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a State Hospital for the Insane and Institution for the Feeble Minded, in connection therewith, in the City of Carrington, County of Foster.

Was read the first and second times and  
Referred to the committee on judiciary.

Mr. Anderson introduced

House Bill No. 100.

A bill for an Act to amend Chapter 300 of the Session Laws of 1911, relating to delinquent personal property taxes and to the collection of taxes.

Was read the first and second times and  
Referred to the committee on taxes and tax laws.

Mr. Wing introduced

House Bill No. 101.

A bill for an Act relating to the legal rate of interest and defining usury and fixing the penalty for taking the same.

Was read the first and second times and  
Referred to committee on state affairs.

Privileges of the floor were granted to

L. D. McGahan of Minot, N. D.

C. D. Blakeslee of Fargo, N. D.

James McDonald of Cass County.

Geo. J. Smith of Plaza, N. D.

C. D. Litch of Dickinson, N. D.

Mr. Bjornson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

#### FIFTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 21, 1913.

The House assembled at 2 o'clock P. M. pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Anderson, Fox, Geiger, Hoge, Jacobson, Knox, List, Miller, Morrison, Pendry, Putnam and Small who were excused.

#### REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 4, line 15, change "Carey" to "Divet."

On page 6, and following the words "House Bill No. 91," strike out the words "title" and "withdrawn for amendment by Mr. Curry" and place in lieu thereof the title of House Bill No. 91.

On page 1, line 10, strike out "Turner, F. W."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

## PETITIONS AND RESOLUTIONS.

### PETITION.

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the Twenty-eighth Legislative District of the State of North Dakota over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the state Constitution which shall enable women to vote.

Signed by J. J. Weeks and 121 others.

### RESOLUTIONS PASSED BY THE NORTH DAKOTA LIVE STOCK ASSOCIATION AT ITS ANNUAL MEETING, JANUARY 16TH, 1913.

Recognizing the importance of the live stock industry to the prosperity of the state and the necessity for its encouragement and believing that the state fair offers the most valuable medium for the encouragement and promotion of this important industry, we therefore unanimously request the Legislative Assembly to appropriate out of the state funds not less than \$25,000.00 annually to the state fair so that this and other needed agricultural interests may be developed and encouraged, and further that a copy of this resolution, signed by the president and secretary, be forwarded to the President of the Senate and the Speaker of the House, that they be read in open session before these bodies.

*Whereas*, This organization has this day passed a resolution requesting the Legislative Assembly to appropriate \$25,000.00 annually to the State Fair Associations. *Be it*



*Resolved*, That each of us request of the representatives of our respective districts their vote and work for the passage of such a measure.

(Signed) DONALD CAMPBELL,  
President.

W. B. RICHARDS,  
Secretary.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., January 21, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith  
Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrolling and engrossing bills.

Also

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

#### REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 14,

Being a bill for an Act relating to the boundaries, terms of court and chambers of the District Judge of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

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

Add:

Section 3. Emergency.) Whereas, an emergency exists

in this, that the judicial business of Pembina County requires that terms of court should be held therein prior to July 1st, 1913, and no statutory provisions exist for holding court at the present county seat of Pembina County, 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.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

House Bill No. 22,

Being a bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905.

Have had the same under consideration and have adopted the following resolution:

*Whereas*, House Bill No. 22 and House Bill No. 54 both cover mechanics' lien laws and amendments thereto, and

*Whereas*, One of the said bills has been referred to the committee on state affairs;

*Therefore, be it Resolved*, That this matter be called to the attention of the Speaker, and that he be requested to refer both of the said bills to one committee.

A. G. DIVET,  
Chairman.

Also

House Bill No. 32,

Being a bill for a concurrent resolution amending the Constitution of the State of North Dakota in Section 89, providing for a Supreme Court of five judges, whose unanimous opinion shall be necessary in order to declare any legislative enactment or law unconstitutional.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

House Bill No. 39,

Being a bill for a concurrent resolution to amend Section 85, Article 4, of the Constitution of the State of North Dakota, relating to the judicial department, providing for reference of Supreme Court judgments or decrees to fifteen Supreme Judicial Referees.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

House Bill No. 55,

Being a bill for a concurrent resolution to amend the Constitution of the State of North Dakota, relating to the elective franchise.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

House Bill No. 58,

Being a bill for an Act to amend Section 8401 of the Revised Code of 1905, relating to the amount of garnishee.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Mr. Hendrickson moved

That House Bill No. 32 be considered separately.

Which motion prevailed.

Mr. Hendrickson moved

That House Bill No. 32 be referred to the committee of the whole House.

Which motion prevailed.

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. 29,

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 state affairs made the following report:

*Mr. Speaker:*

Your committee on state affairs to whom was referred

House Bill No. 54,

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 North Dakota for 1905, relating to mechanics' liens, as amended by Chapter 158 of the Session Laws of North Dakota for the Year 1905, and by Chapter 187 of the Session Laws of North Dakota for the year 1911.

Have had the same under consideration and recommend that the same be returned to the House and referred to the judiciary committee.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

Concurrent resolution, regarding the erection of a joint building at the Panama-Pacific International Exposition.

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

House Bill No. 30,

A bill for an Act to amend Section No. 111 of the Revised Codes of 1905, relating to the duties of the state treasurer.

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

Strike out "No. 11" in the first line of the printed bill, and insert "No. 111" in place thereof.

In line 29 of the printed bill, before the word "date" insert the following: "Date, amount and the name of the person to whom payable."

In line 36 of the printed bill, strike out the word "such" and insert "each" in place thereof.

In line 41 correct the fifth word to read "Governor."

In line 44 correct the second and third words to read "the balances."

In line 57 change the words "to his own possession" to "in his own possession."

And when so amended recommend 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

House Bill No. 35,

A bill for an Act requiring the governor to establish a uniform system of accounting and reporting for all state officers, state institutions, county officers and school districts.

Have had the same under consideration and recommend that the same be referred to the appropriations committee.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

A petition from the board of county commissioners of Ransom County regarding the cost of surety bond for county treasurer.

Have had the same under consideration and recommend that the same be adopted, and a committee has been appointed to draft a bill amending Section 405 of the Revised Codes of 1905 so as to permit the board of county commissioners in any county to approve the bonds of the county treasurer with personal sureties.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also

House Bill No. 33,

A bill for an Act to provide for the expenses of District Judges when acting outside of their home counties.

Have had the same under consideration and recommended 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

House Bill No. 46,

A bill for an Act to amend and re-enact Chapter 126 of the Laws of 1909, relating to the foreclosure by advertisement of mortgages on real property.

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

House Bill No. 47,

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgage.

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

Commencing with the word "and" in line 8 of the printed bill and strike out the balance of line 8, all of line 9 and line 10 up to the word "and."

And when so amended recommend 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

House Bill No. 64,

A bill for an Act to amend Section 2613 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1911, relating to compensation of county commissioners.

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

House Bill No. 74,

A bill for an act to amend and re-enact "Article 21" of the Political Code of 1905, being Sections 1636 and 1637 of the Revised Codes of North Dakota of 1905, relating to gopher tax and petition.

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.

Mr. Ployhar moved

That inasmuch as House Bill No. 22 had been referred to the state affairs committee by the Speaker that the report of the state affairs committee on House Bill No. 54 be withdrawn.

Which motion prevailed, and

The report was withdrawn.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., January 21, 1913.

*Mr. Speaker:*

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

#### CONCURRENT RESOLUTION.

*Whereas*, In His infinite wisdom our Almighty Father has removed from our midst to the Great Beyond our beloved friend and honored Judge, the late Chief Justice David E. Morgan, and

*Whereas*, In his years of service as a Judge in this state, comprehending in addition to many years upon the District Bench, eleven years of service as Justice of the Supreme Court, seven of which were as Chief Justice, he displayed and showed a breadth of mind and understanding of the fundamental principles of right and justice and devotion to duty for the upbuilding of law and a character embellished by nobility of thought and action that has been not only of incalculable benefit to this state but has endeared him in the hearts and minds of the citizens of this state as a true exemplification of an honest, faithful, fearless and upright judge;

*Therefore be it Resolved*, By the Senate of North Dakota, the House of Representatives concurring therein, That the members of the Thirteenth Legislative Assembly express herewith their great obligation and gratitude for his high services as judge in behalf of the state; and hereby pay a well deserved tribute to his memory for his great work performed as a jurist and to his noble and upright character as a man.

*Be it Further Resolved*, That a copy of this resolution be

engrossed and sent to the family of the late Chief Justice David E. Morgan by the Secretary of Senate; and

*Be it Further Resolved*, That a committee consisting of three Senators and three Representatives be named by their respective presiding officers to arrange for a joint session of this Legislative Assembly to commemorate his public services and his name.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., January 21, 1913.

*Mr. Speaker:*

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

*Whereas*, The State of North Dakota has suffered an irretrievable loss in the death of one of its ablest Judges, the late Charles F. Templeton, of Grand Forks, North Dakota, who passed away on the third day of January, 1913, while still in the services of the state, and

*Whereas*, His long career of efficient and high achievement in the service of the people as Attorney General, and as Judge of the District and Supreme Courts in the territory of Dakota, and as District Judge of the First Judicial District in this state for many years, has commended him and his memory to the hearts of all citizens, and

*Whereas*, His high ideals and upright character as a man, his great learning as a scholar, his fearlessness, impartiality and devotion to duty, as a Judge, always offered to the people of this Commonwealth the secure feeling that, in his tribunal, as far as was within his power, justice would be rendered fearlessly without favor and without delay.

*Therefore, be it Resolved*, By the Senate of North Dakota, the House of Representatives concurring therein, that the members of the Thirteenth Legislative Assembly, hereby express their deep appreciation of the services by him so rendered to this Commonwealth, and sincerely regretting the great loss now sustained by this state through his death, extend this memorial as a tribute to his memory in grateful recognition of the deep obligation of the state to him and his memory.

*Be it Further Resolved*, That a copy of this resolution be engrossed and sent to the family of the late Charles F. Templeton by the Secretary of the Senate; and,

*Be it Further Resolved*, That a committee consisting of three Senators and three Representatives be named by their respective presiding officers to arrange for a joint session of this Legislative Assembly to commemorate his public services and his name.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Lambert moved

That Bill No. 33 be considered separately.

Mr. Thompson moved

To amend by referring the bill to the committee on judiciary.

The question being upon the amendment,

The amendment lost.

The question then being upon the original motion,

The motion was lost.

Mr. Streeter moved

That that portion of the report of the state affairs committee relating to the concurrent resolution regarding the erection of a joint building at the Panama-Pacific Exposition be withdrawn and referred to the committee of the whole.

Which motion was lost.

Mr. Ployhar moved

That House Bill No. 7 be re-referred to the committee on state affairs.

Which motion prevailed, and

The bill was so referred.

Mr. Curry requested that he be permitted to withdraw Bill No. 91.

Mr. Watt moved

That the request be granted.

Which motion prevailed, and

The request was granted.

#### REPORT OF SELECT COMMITTEE.

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

GENTLEMEN: Your special committee appointed to ascertain the cause of the delay in delivery of the official reports of the different state departments and state institutions to this Legislative Assembly, beg leave to submit the following report:

We have interviewed directly or indirectly twenty-two of the different state departments and state institutions of this state and find that the reports of the respective institutions are in the hands of the Knight Printing Company, at Fargo, who holds the contract for the printing thereof.

Said reports were delivered by the Printing Commission to said printing company as follows:

Five in the last part of November and early in December.

Nine on December 23rd.

One on December 24th.

One on December 28th.

One on December 29th, and

Five on January 4, 1913.

Your committee communicated with said Knight Printing Company and has been informed that several of the reports will be coming during the next few days, while some of them will possibly not be ready for delivery until after the adjournment of the Session.

Section 73 of the Revised Code provides:

"All officers and boards required to make reports to the Legislative Assembly shall make such reports on or before the first day of September and all such reports, whether required annually or bi-annually shall be made to and including the 30th day of June preceding, except when otherwise specifically provided by law. The governor, upon receipt of such reports shall deliver the same to the Commis-

sioners of Public Printing to be printed and he shall lay such printed reports before the Legislative Assembly at its next session, together with his biennial message."

It is thus apparent that the law regarding the requirement of making such reports has not been complied with and it is therefore ineffective. Your committee would recommend such amendments to the law requiring such official reports as to insure the prompt compliance therewith.

Respectfully submitted,

J. T. HOGE,

J. J. RYAN,

PEDER L. HJELMSTAD,

Committee.

Mr. Sorlie moved

That the report be printed in the Journal and acted on tomorrow.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

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

*Whereas*, The present service now rendered by the House Pages is very unsatisfactory and insufficient;

*Therefore, be it Resolved*, That the Chief Clerk be and is hereby instructed to assign a certain number of desks to each Page to attend to and that thereafter any Page who fails to perform his duty, shall be promptly removed and others appointed in his stead who shall not be under the age of fourteen (14) years.

H. R. FREITAG.

Which motion prevailed, and

The resolution was adopted.

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

Mr. Nyhus (by request) introduced

House Bill No. 102.

A bill for an Act to amend Sections 2584 and 2585 of the Revised Codes of North Dakota for 1905, relating to the fees to be charged and collected by the clerk of courts.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Huso introduced

House Bill No. 103.

A bill for an Act to provide for uniform blanks in real estate transfers and providing for the enforcement thereof.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Smith of Kidder introduced

House Bill No. 104.

A bill for an Act to amend Section 66 of Chapter 266 of the Session Laws of 1911, relating to the bonds of schools district officers.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. F. W. Turner introduced

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

Was read the first and second time and

Referred to the committee on counties and county boundaries.

Mr. Gunderson introduced

House Bill No. 106.

A bill for an Act creating a state text book commission and defining its duties and powers.

Was read the first and second time and

Referred to the committee on education.

Mr. Walsh introduced

House Bill No. 107.

A bill for an Act to Repeal all of Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Pitkin introduced

House Bill No. 108.

A concurrent resolution, amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and institution for the feeble-minded, in connection therewith, in the City of Velva, County of McHenry.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Moen introduced

House Bill No. 109.

A bill for an Act to amend Section 9353 of the Revised Codes of 1905, relating to the penalty for manufacturing and selling intoxicating liquors contrary to law.

Was read the first and second time and

Referred to the committee on temperance.

Messrs. Moen and Wardrope introduced

House Bill No. 110.

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane at the City of Leeds, County of Benson.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Curry introduced

House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Bratton introduced

House Bill No. 112.

A bill for an Act to amend Paragraph 21 of Section 2610 of the Political Code of North Dakota for 1905, providing

for the compensation of justices of the peace and duties performed.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Leu introduced

House Bill No. 113.

A bill for an Act to repeal Chapter 114 of the Laws of 1911, relating to the bonding of county commissioners.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Ployhar introduced

House Bill No. 114.

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Johnson introduced

House Bill No. 115.

A bill for an Act to amend Chapter 138, relating to 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 otherwise provided therein.

Was read the first and second time and

Referred to the committee on railways.

Mr. Huso introduced

House Bill No. 116.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the 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 first and second time and

Referred to the committee on tax and tax laws.



INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrolling and engrossing bills.

Was read the first and second time and

Referred to the committee on joint rules.

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

Was read the first and second time and

Referred to the committee on state affairs.

## GENERAL ORDERS.

Mr. Williams moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Williams to the chair.

When the committee arose it submitted the following report:

*Mr. Speaker:*

The committee of the whole have had under consideration

House Bill No. 1,

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 Section 527, on page two of the printed bill,

Strike out line 6 after the comma following the word "officer," all of lines 7 and 8, and line 9 up to and including the word "such," and insert in lieu thereof the words "a true and correct copy of such venire, containing the name only of the juror to be served."

And in lines 12, 16 and 21,

Strike out the word "notice" wherever it appears, and insert instead thereof the words "copy of venire" in each of such respective places.

And in line 17,

Strike out the word "valid" and insert instead thereof the word "personal."

And,

Strike out line 24 after the word "venire," line 25, and line 26 up to and including the word "residence," and insert in lieu thereof the words, "in the manner provided by law for the service of summons in civil actions."

And when so amended recommended the same do pass.

Also

House Bill No. 11.

Being a bill for a Concurrent Resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereto, relating to elective franchise.

By striking out the words "six months" in line 7 on page 2 of the printed bill and inserting in the place thereof the words "one year."

And when so amended recommend the same do pass.

Also

House Bill No. 5.

Being a bill for a Joint Resolution Ratifying Amendment to the Constitution of the United States, providing that Senators be elected by the people of the several states.

By inserting in the caption of the bill, before the word "Blakemore," the words "Hanson and Mr.," and further in the said caption, before the word "Amendment," the words "a Proposed."

And when so amended recommend the same do pass.

Also

House Bill No. 20.

Being a bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attacked.

By inserting before the first word in line one the words "Section 1," and before the first word in line six the words, "Section 2," and before the first word in line ten the words, "Section 3."

And when so amended recommend that the same do pass.

Mr. Williams moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Privileges of the floor extended to the following:

A. G. Crane, of Minot, N. D.; J. K. McLeod, W. F. Berrier and W. D. Dopking of Flasher, N. D.; Dr. Prescott, Steele, N. D.

Mr. Campbell moved

That we do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

#### SIXTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 22, 1913.

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. Fox, Tucker, Hickie, Johnson, Petterson, Putnam, Sorlie, Stenchjem, Weis, who were excused.

#### REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

Your committee on revision and correction of the Jour-

nal of the fifteenth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 1, line 11, omit "Schroeder" and "Stinger."

On page 11, line 28, change "incaluable" to "incalculable."

On page 15, line 12, change "Hjilmstad" to "Hjelmstad."

On page 17, lines 20 and 21, change "Daoka" to "Dakota."

On page 12, line 40, change "extent" to "extend."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### COMMUNICATION.

January 22, 1913.

*To the Members of the Senate and House of Representatives of the Thirteenth Legislative Assembly.*

Gentlemen: We today received a letter from the Knight Printing Co., stating that the report of the Board of Control would be printed and ready for use in about one week.

Yours truly,

*Board of Control of State Institutions,*

F. L. BRANDT,  
Secretary.

#### REPORT OF STANDING COMMITTEES.

The committee on ways and means made the following report:

*Mr. Speaker:*

Your committee on ways and means to whom was referred

House Bill No. 31,

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

By striking out Sections 1, 2 and 3 of said bill; and after

the word "follows" in line 2 on page 3 commence new paragraph by inserting "Section 7497" and changing the figure 4 in line 1 on said page to figure "1."

In line 1 on page 4 change the figure 4 to figure 2.

After the word "located" insert the following:

"An affidavit by the owner or vendor of such real estate, his assigns or his attorney to the effect that the default complained of in the notice of cancellation has not been cured, and"

Also in the first line on page 5 change the figure 5 after word section to figure "3," and in the first line of the emergency clause change the figure 6 to a figure "4."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 40.

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

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on tax and tax laws made the following report:

*Mr. Speaker:*

Your committee on tax and tax laws to whom was referred

House Bill No. 63.

For an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended in 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 amended as follows:

In line 9 of the printed bill, after the word "refuse" strike out the word "to" and insert the word "or," and

In line 13 of the printed bill, after the word "of" strike out the word "the."

And when so amended recommend the same do pass.

ROBERT NORHEIM,  
Chairman.

Mr. Robert Norheim 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:*

The committee on temperance to whom was referred  
House Bill No. 68.

A bill for an Act to provide for enjoining the keeping of public nuisances, as defined by Section 9373 of the Code of North Dakota and to prevent a person enjoined in one locality from keeping a similar nuisance in another locality.

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

S. HENDRICKSON,  
Chairman.

Also,

House Bill No. 78,

A bill defining boot legging, making it a crime and fixing the penalty therefor.

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

By inserting after the words "a bill" in the printed bill, the following: "For an Act entitled an Act," and after the title of the bill insert "Be it enacted by the Legislative Assembly of the State of North Dakota," and on page 1, line 1, after the words "Section 1," add "Bootlegging defined," and on page 2, line 15, after the word "also," insert the word "held," and on page 2, line 1, after the words "Section 2," add the word "penalty."

And when so amended recommend the same do pass.

S. HENDRICKSON,  
Chairman.

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

A RESOLUTION.

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

*Be it Resolved*, That no bill be introduced after the fortieth day of this session, save and except upon the suspension of the rules of this House.

Which motion prevailed, and  
The resolution was adopted.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Morkrid introduced  
House Bill No. 117.

A bill for an Act providing for the taxation of incomes, prescribing the duties of the state tax commission relative thereto, making an appropriation for carrying into effect the provisions hereof, and for other purposes.

Was read the first and second time and  
Referred to the committee on tax and tax laws.

Mr. Freitag introduced  
House Bill No. 118.

A bill for an Act providing that state banks may borrow money to an amount equal to its capital and unimpaired surplus.

Was read the first and second time and  
Referred to the committee on banking.

Mr. Buck introduced  
House Bill No. 119.

A bill for an Act authorizing the court or judge to remove officers for misfeasance, malfeasance or nonfeasance

in office, and providing the method of procedure therefor.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Dixon introduced

House Bill No. 120.

A bill for an Act providing for the payment of taxes for road purposes and its distribution.

Was read the first and second time and

Referred to the committee on highways.

Mr. Bass introduced

House Bill No. 121.

A bill for an Act to provide for the inspection of steam boilers, and providing for licensing engineers of steam engines.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Dean introduced

House Bill No. 122.

A bill for an Act to amend Sections 1, 2, and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Martin introduced

House Bill No. 123.

A bill for an Act to provide for the annual publication of by-laws by domestic corporations.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Mr. Martin introduced

House Bill No. 124.

A bill for an Act to provide for the publication of the



articles of incorporation and by-laws of foreign corporations.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Mr. Martin introduced

House Bill No. 125.

A bill for an Act to provide for the publication for foreign corporations of their by-laws and articles of incorporation prior to the filing of their next annual report.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Mr. Martin introduced

House Bill No. 126.

A bill for an Act to provide for the publication of the laws of the state.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Martin introduced

House Bill No. 127.

A bill for an Act to require domestic corporations to publish their articles of incorporation.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Mr. Huso introduced

House Bill No. 128.

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane in the City of New Salem, County of Morton.

Was read the first and second time and

Referred to the committee on state affairs,

Mr. O'Connor introduced

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Hanson introduced

House Bill No. 130.

A bill for an Act amending and re-enacting Section 4638 of the Revised Codes of 1905, as amended by Chapter 55 of the Session Laws of 1911, relating to banking corporations.

Was read the first and second time and

Referred to the committee on banking.

Mr. Ployhar introduced

House Bill No. 131.

A bill for an Act to amend and re-enact Section 6057 of the Revised Codes for 1905, relating to standard policies for insurance companies and the limitation of actions.

Was read the first and second time and

Referred to the committee on insurance.

Mr. Smith of Kidder introduced

House Bill No. 132.

A bill for an Act to amend Sections 48 and 57, of Chapter 266, of the Session Laws of 1911, relating to the election of officers in common school districts.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Ployhar and Mr. Blakemore introduced

House Bill No. 133.

Concurrent resolution for an amendment of the Constitution, providing for the initiative and referendum, and the provisions thereof, the recall of public officers and future amendments to the Constitution.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Fritz introduced

House Bill No. 134.

A bill for an Act to amend Section 5 of Chapter 279 of the Laws of 1911, relating to liens on the colts of licensed stallions and providing for a lien on mares served.

Was read the first and second time and

Referred to the committee on live stock.

#### GENERAL ORDERS.

Mr. Thompson moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Thompson to the chair.

When the committee arose it submitted the following report:

*Mr. Speaker:*

The committee of the whole have had under consideration

House Bill No. 32,

And have reached no conclusion thereon.

A. M. THOMPSON,  
Chairman.

#### COURTESIES OF THE FLOOR.

The privileges of the floor were granted to Paul Kurtz, of Hazelton, N. D.; John Wray, of Hazelton, N. D.; D. P. Robinson, Garrison, N. D.; Erick Bowman, of Kulm, and E. H. Stenvick, of Minot, N. D.

Mr. Ployhar moved

That the House do adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

SEVENTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 23, 1913.

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. Carey, Knox, Johnson, Petterson, who were excused.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 1, in paragraph noting absentees at roll call, omit "Northrup" and "Doyle."

On page 5, omit line 21.

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

## PETITIONS AND COMMUNICATIONS.

*Whereas*, The government of the United States has announced that the Panama Canal is about to be completed and opened to the commerce and navies of the world; and,

*Whereas*, This is an accomplishment on the part of the American people of which every citizen is justly proud; and,

*Whereas*, The Congress of the United States has designated the City of San Francisco as the place for the holding of a great international celebration in honor of the event, and has invited all the nations of the world to participate; and,

*Whereas*, The pride of our nation in this great achievement can only be properly expressed through the participation of all the states of our Union; now, therefore,

*Be it Resolved*, That our Senators and Representatives in the State Legislature be hereby memorialized to support such legislation as will insure the participation of the State of North Dakota at the Panama-Pacific International Exposition in a manner befitting its importance and dignity in the sisterhood of states.

We, the members of the Lakota Commercial Club, of Lakota, Nelson County, North Dakota, heartily endorse the above resolution.

*The Lakota Commercial Club,*

THOS. J. BAIRD,  
President.

EDWIN F. HUGHES,  
Secretary.

OFFICE OF SECRETARY OF STATE,  
BISMARCK, NORTH DAKOTA,  
January 16, 1913.

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

Sirs: I, Thomas Hall, secretary of state, of the State of North Dakota, do hereby certify that the following proposed constitutional amendments were passed by the Twelfth Legislative Assembly and are hereby respectfully

submitted to the Thirteenth Legislative Assembly, for your approval or rejection.

Very respectfully,

THOMAS HALL,  
Secretary of State.

PROPOSED CONSTITUTIONAL AMENDMENT.

*Uniformity of Taxation and Classification of Property.*

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.

The following proposed amendments to Sections 176 and 179 as amended by Article 4 of the Constitution of North Dakota, of Article 11 of the Constitution of the State of North Dakota, is referred to the Legislative Assembly to be chosen at the next general election in said state, to be by the said last mentioned Legislative Assembly submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment.) Section 176 of the Constitution of the State of North Dakota is amended to read as follows:

Section 176. Taxes shall be uniform upon the same class of property including franchises within the territorial limits of the authority levying the tax, and shall be levied and collected for public purposes only, but the property of the United States, and of the state, county and municipal corporations shall be exempt from taxation; and the Legislative Assembly shall by a general law exempt from taxation, property used exclusively for school, religious, cemetery, charitable or other public purposes and personal property to any amount not exceeding in value two hundred dollars for each individual liable to taxation; *provided*, that all taxes and exemptions in force when this amendment is adopted shall remain in force, in the same manner and to the same extent, until otherwise provided by statute.

Amendment.) Section 170 as amended by Article 4 of the Constitution of North Dakota of the Constitution of the State of North Dakota is amended to read as follows:

Section 179. All taxable property except as hereinafter in this Section provided, shall be assessed in the county, city, township, village or district in which it is situated, in

the manner prescribed by law. The property, including franchises of all railroads operated in this state, and of all express companies, freight line companies, sleeping car companies, car equipment companies, or private car line companies, telegraph or telephone companies or corporations operating in this state and used directly or indirectly in the carrying of persons, property, or messages, shall be assessed by the state board of equalization in a manner prescribed by such state board or commission as may be provided by law. But should any railroad allow any portion of its railway to be used for any purpose other than the operation of a railroad thereon, such portion of its railway, while so used, shall be assessed in the manner provided for the assessment of other real property.

PROPOSED CONSTITUTIONAL AMENDMENT.

*Public Institutions.*

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

That the following proposed amendment to Article 19, Section 216, of the Constitution of the State of North Dakota, is agreed to and hereby referred to the Legislative Assembly to be chosen at the next general election in the State of North Dakota, to be by said last mentioned Legislative Assembly submitted to the qualified electors of said state, for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment.) Article 19, Section 216, of the Constitution of the State of North Dakota, is amended so as to read as follows:

Section 216. The following named public institutions are hereby permanently located as hereinafter provided, each to have so much of the remaining grant of one hundred and seventy thousand acres of land made by the United States for "other educational and charitable institutions," as is allotted by law, viz:

First: A soldiers' home, when located, or such charitable institution as the Legislative Assembly may determine, at Lisbon, in the County of Ransom, with a grant of forty thousand acres of land.

Second: The school for the blind of North Dakota, at Bathgate, in the County of Pembina, with a grant of thirty thousand acres.

Third: An industrial school and school for manual training, or such other educational or charitable institution as the Legislative Assembly may provide, at the town of Ellendale, in the County of Dickey, with a grant of forty thousand acres.

Fourth: A school of forestry, or such other institution as the Legislative Assembly may determine, at the City of Bottineau, in the County of Bottineau.

Fifth: A scientific school, or such other educational or charitable institution as the Legislative Assembly may prescribe, at the City of Wahpeton, County of Richland, with a grant of forty thousand acres.

Sixth: A state normal school at the City of Minot, in the County of Ward; *provided*, that no other institution of a character similar to any one of those located by this article, shall be established or maintained without a revision of this Constitution.

#### PROPOSED CONSTITUTIONAL AMENDMENT.

##### *Providing for the Initiative, Referendum and Recall.*

For amendment of the Constitution providing for the initiative and referendum, and the provisions thereof, the recall of public officers and future amendments to the Constitution.

That the following amendments to the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election be published and upon agreement to be by the Legislative Assembly so next chosen, as aforesaid, submitted to the people at the general election in the year 1914 for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendments.) Sections twenty-five (25), fifty-seven (57), fifty-eight (58), fifty-nine (59), and sixty-five (65) of Article two (2) and Section 201 of Article fourteen (14), and Section 202 of Article fifteen (15) of the Constitution of the State of North Dakota shall be and are hereby amended to read as follows:

Section 25. The legislative authority of the state shall be vested in a Legislative Assembly, consisting of a Senate and House of Representatives, but the people reserve to themselves the power:

First. To propose laws, legislative measures, resolutions and amendments to the Constitution and to enact and ap-



prove or reject the same at the polls independent of the Legislative Assembly or the governor (except that amendments to the Constitution shall be once referred to the Legislative Assembly), and

Second, at their own option, to order submitted to them, and to enact, approve and confirm or reject and annul at the polls any Act, measure or resolution, or item, section, part or parts of any such as submitted to, proposed, enacted or rejected by the Legislative Assembly, or vetoed by the governor.

The power first above reserved by the people is the initiative and the second is the referendum.

Every initiative petition shall include the full text of the measure proposed, and not more than eight per cent, nor in any case more than twenty thousand (20,000) legal electors shall be required to petition for and propose any measure to compel it to be submitted to the people at the polls, independent and regardless of, or notwithstanding non-enactment thereof, by the Legislative Assembly or veto by the governor; providing that the initiative petition proposing an amendment or amendments to the Constitution shall be signed by not more than 15 per cent of the legal electors in at least one-half of the counties of the state.

Not more than five per cent, nor in any case more than ten thousand (10,000) legal electors, shall be required to petition and propose any measure or resolution for enactment or agreement by the Legislative Assembly, or to order and employ the referendum power as to the initiative measure or resolution so submitted, or as to any other Act, measure or resolution or part thereof, as herein provided under the second power reserved by the people.

All initiative petitions for measures, except for municipal and wholly local legislation, shall be filed in the office of the secretary of state not less than four months prior to the election at which they are to be voted on, within twenty days after the opening session of the Legislative Assembly. And whenever so filed and not submitted to vote at the election last preceding, shall be transmitted to the House of Representatives at the opening session thereof (except proposed constitutional amendments approved at the preceding election shall be transmitted to the state Senate together with any not voted on), or within ten days after filing; *provided*, none shall be so transmitted after the thirtieth day of the term.

Initiative measures shall take precedence over all others in such Legislative Assembly except appropriation bills and

constitutional amendments referred by the people or a preceding Legislative Assembly, and shall be enacted, referred or rejected, without amendment, by the Legislative Assembly at that term. If enacted, such measures shall be subject to referendum. If not enacted and not entitled hereby to be submitted to vote, then the Legislative Assembly, as it enacts other bills, may refer such proposed measures to the electors, either alone or together with any to the same purpose and end, proposed and preferred by the Legislative Assembly.

Whenever it shall be necessary for the immediate preservation of the public peace, health or safety that a law shall become effective without delay, such necessity shall be stated in a separate section, and if, by a vote of yeas and nays, three-fourths of all members elected to each house, city council or commission, as the case may be, shall vote on a separate roll call, in favor of the measure going into instant operation because necessary for the immediate preservation of the public peace, health or safety, such law shall become operative upon approval by the governor or mayor, as the case may be; *provided*, that an emergency shall not be declared in any measure creating or abolishing any office, or to change the salary, term or duty of any officer, or in disposing of any lands and natural resources belonging to the state.

Referendum petitions or orders shall be filed in the office of the secretary of state not less than ninety days after the final adjournment of the Legislative Assembly which passed or to which was referred the measure on which referendum is demanded.

A referendum petition ordering submitted an emergency law shall not affect the same until said law is rejected and annulled at the polls, whereupon such law, item, section or part thereof so submitted shall be repealed.

The filing of a referendum petition ordering submitted one or more items, sections or parts of any duly enacted act, legislative measure, resolution or ordinance shall not delay the remainder, not so ordered, from becoming operative.

Whenever the purpose and object sought, stated and contained in conflicting or competing measures or resolutions submitted to the people, shall be affirmatively approved by a majority of the votes cast for and against such measures or resolutions, then the measure or resolution, embodying the purpose or object so approved, which received the largest number of affirmative votes shall thereby become the

law or constitutional amendment and all others shall thereby be rejected and repealed.

The veto power of the governor or mayor shall not extend to measures initiated by or referred to or enacted by the people.

All elections on general, local and special measures referred to the people of the state or of any locality shall be had at the biennial regular general elections, except when otherwise provided by law, but counties, cities and towns may provide for special elections on their municipal and wholly local legislation.

In case of laws, chiefly of local interest, whether submitted by initiative or referendum petition or by the Legislative Assembly, as for example, the division or creation of counties or creation of new or additional offices or officers, the same shall be submitted to, voted on and approved or rejected only by the people of the counties chiefly interested.

Any measure submitted to the people at the polls, shall become enacted, be and become the law when it is approved by a majority of the votes cast thereon (except as herein provided when conflicting or competing measures are submitted), and shall be in force and effect and become operative upon date of the certified statement of such vote by the state board of canvassers.

Proposed amendments to the Constitution shall in all cases be submitted to the people for approval or rejection.

No statute, ordinance or resolution approved and enacted by vote of the electors shall be amended, repealed or in any particular nullified by any subsequent legislation by the Legislative Assembly, city council or commission, except by a three-fourths vote of all the members elected thereto, taken by yeas and nays.

The enacting clause of all initiative bills shall be "Be it enacted by the people of the State of North Dakota." And of all ordinances "Be it ordained by the people of (name of municipality.)" This Section shall not be construed to deprive any member of the Legislative Assembly, city council or commission, of the right to introduce any measure, nor shall this amendment be construed to limit in any degree the inherent right of petition to any person or persons.

The whole number of votes cast for the office of secretary of state at the regular election last preceding the fil-

ing of any initiative or referendum petition shall be the basis on which the number of legal electors necessary to sign such petition shall be computed.

It shall be the duty of the secretary of state to submit to the electors at the polls all measures proposed and ordered by petitions or referred by the Legislative Assembly, so entitled and filed in his office, and to transmit all others to the Legislative Assembly in accordance herewith, and he and all other officers shall be guided by the general laws, the act submitting this amendment and the terms hereof until legislation shall be especially provided.

It shall be the duty of the Legislative Assembly to which this amendment is referred to make provision by law for its execution in accordance herewith, in anticipation of its ratification by the people.

All original initiative petitions shall be returned to or filed in the office of the secretary of state by the secretary of the Senate not later than ten days after the final adjournment of that branch of the Legislative Assembly, with endorsement thereon, or securely attached thereto, showing full and complete record of the action taken relative thereto in either and both houses of the Legislative Assembly and its final disposition thereof.

The initiative and referendum powers are hereby further reserved to the electors of each municipality and district, as to all local, special and municipal legislation of every character, in and for their respective municipalities and districts. The provisions of this Section shall apply as far as may be made applicable to city councils and commission forms of city government.

Every extension, enlargement, grant or conveyance of a franchise, or of any right, property, easement, lease or occupation of or in any road, street, alley or park, or any part thereof, or in any real property owned by a municipal corporation, whether the same be made by statute, ordinance, resolution or otherwise, shall be subject to referendum by petition.

Until general laws shall prescribe the manner of exercising the initiative and referendum powers as to their municipal legislation, cities and towns may provide by ordinance therefor. But not more than ten per cent of local electors may be required to order the referendum, not more than fifteen per cent to propose any measure by initiative in any city or town, and petitions for such measures ordering submitted shall be filed with such officers

within the county, city or district as is by law provided for the filing of petitions for nomination of candidates for public office.

This amendment shall be self-executing, but legislation may be enacted especially to facilitate its operation.

Section 57. Any bill may originate in either house of the Legislative Assembly, and a bill so originating, passed by one house may be amended by the other.

Section 58. No law shall be passed by the Legislative Assembly except by a bill adopted by both houses, and no bill shall be so altered and amended on its passage through either house as to change its original purpose.

Section 59. The enacting clause of every law originating in the Legislative Assembly shall be as follows: "Be it enacted by the Legislative Assembly of the State of North Dakota."

Section 65. No bill (other than that approved and enacted by the people at the polls) shall become a law except by a vote of a majority of all the members-elect in each house, nor unless, on its final passage in the Legislative Assembly the vote to be taken by yeas and nays, and the names of those voting be entered on the journal.

The words "Legislative Assembly shall pass," "Legislative Assembly shall provide," "approve," etc., or words similar or equivalent in this Constitution or any amendments thereto, wherever occurring, shall not be construed to grant to the Legislative Assembly any exclusive authority of legislating, nor in any way to limit the initiative and referendum reserved by the people.

#### ARTICLE XIV.

Section 201. No person shall be liable to impeachment twice for the same offense.

Section 201-A. Every public officer in North Dakota is subject, as herein provided, to recall by the legal voters of the state or of the electoral district from which he is elected. There may be required thirty per cent, but not more, of the number of electors who voted in his district at the preceding election for the office of the secretary of state to file their petition demanding his recall by the people. They shall set forth in said petition the reasons for said demand. If he shall file an offer of his resignation, it shall be accepted and take effect on the day it is filed, and the vacancy shall be filled as may be provided by law. If he shall not resign within five days after the petition

is filed, a special election shall be ordered to be held within twenty days in his said electoral district to determine whether the people will recall said officer.

On the sample ballot at said election shall be printed in not more than two hundred words, the reasons for demanding the recall of said officer as set forth in the recall petition, and in not more than two hundred words the officer's justification of his course in office. He shall continue to perform the duties of his office until the result of said special election shall be officially declared. Other candidates for the office, previously nominated, may be voted for at said special election. The candidate who shall receive the highest number of votes shall be deemed elected for the remainder of the term, whether it be the person against whom the recall petition was filed, or another. The recall petition shall be filed with the officer with whom a petition for nomination to such office should be filed, and the recalled officer's resignation, should he resign, shall be filed with the same officer and the same officer shall order a special election when it is required. No such petition shall be circulated against any officer until he has actually held his office six months, save and except that it may be filed against a Senator or Representative in the Legislative Assembly or a member of a city council, or commission or mayor at any time after five days from the beginning of his term of office.

After one such petition and special election, no further recall petition shall be filed against same officer during the term for which he was elected unless such further petitioners shall first pay into the public treasury which has paid such special election expenses, the whole of its expenses for the preceding special election. Such additional legislation as may aid the operation of this Section shall be provided by law, including provision for payment by the public treasury of the reasonable special election campaign expenses of such officer.

#### ARTICLE XV.

Future Amendments.) Section 202. Any amendment or amendments to this Constitution may be proposed in either house of the Legislative Assembly, or by the people by initiative petition. Every initiative petition shall include the full text of the amendment or amendments proposed and shall be filed in the office of the secretary of state not less than four months prior to the election at which such proposed amendment or amendments shall be voted on.

When any measure, act or resolution, or item, section or part or parts of any such (irrespective of source) proposed as an amendment or amendments to this Constitution, and published as provided by law, for three months previous to any general state election, and at such election, shall be approved by a majority of the electors voting thereon, and, without amendment, such proposed and approved amendment or amendments shall be agreed to and confirmed by a majority of the members elected to each of the two houses of the next Legislative Assembly, the same shall be enacted in the journals of the two houses with the yea and nay vote and the names of the members voting thereon; then and thereby such amendment or amendments shall become a part of the Constitution of this state.

If not so agreed to and confirmed by the Legislative Assembly at that term, without amendment, then such proposed and approved amendment or amendments shall be submitted by the secretary of state, a second time to the electors at the ensuing regular general election, or special election provided by law. And, if the same shall be the second time approved and ratified by a majority of the electors voting thereon, then and thereby such amendment or amendments shall become a part of the Constitution of this state.

Or, if the Legislative Assembly shall agree to any amendment or amendments (excepting any approved at the last preceding election, above provided for), the same shall be entered in both journals with the yea and nay vote as aforesaid, and it shall be the duty of the Legislative Assembly to refer the same to the people for approval or rejection at the ensuing general election, or a special state election, provided by law; and such proposed amendment or amendments shall be published as aforesaid and be submitted to the electors at the polls; and if approved and confirmed by a majority of the electors voting thereon, then and thereby such amendment or amendments shall become a part of the Constitution of this state.

All amendments submitted to the voters and approved as herein provided shall be effective and operative as a part of the Constitution on the date of the certified statement of such vote by the state board of canvassers. If two or more amendments shall be submitted at the same election they shall be submitted in such manner that the electors shall vote for or against each amendment separately; but may be presented, designated and identified on the ballot as provided by law.

No convention shall be called to amend or prepare or

propose amendments to this Constitution, or to propose a new Constitution, unless the law providing for such convention shall first be approved by the people on a referendum vote at a regular general election.

REPORTS OF STANDING COMMITTEES.

*Mr. Speaker:*

Your committee on mileage and per diem beg leave to submit the following report:

DIST.	NAME	C. M. St. & P.	N. P.	G. N.	TEAM	SOO	TOTAL
1	John W. Hart.....	...	229	120	...	...	349
	W. N. Husband.....	...	194	158	1	...	353
2	Henry Geiger.....	...	194	158	5	...	357
	J. W. Calnan.....	...	137	23	...	182	342
3	N. F. Hedalen.....	...	194	110	6	25	335
	P. L. Hjelmstad....	...	194	111	...	55	360
4	J. H. Fraine.....	...	194	120	...	...	314
5	J. S. Kylo.....	...	194	114	...	...	308
6	W. V. O'Connor....	...	194	78	...	...	272
7	W. S. Dean.....	...	194	58	...	14	266
8	W. J. Barnett.....	...	194	46	...	...	240
	Ed. Coltom .....	...	174	55	...	...	229
	O. J. Sorlie.....	...	194	52	...	...	246
9	D. S. Lewis.....	...	194	...	1	...	195
	Robt. B. Blakemore.	...	194	...	...	...	194
	L. L. Twitchell.....	...	194	...	1	...	195
10	B. N. Sanbeck.....	...	214	...	3	...	217
	John Dynes .....	...	194	21	5	...	220
11	Jas. E. Hill.....	...	174	20	...	...	194
	Wm. Watt .....	...	223	...	7	...	230
12	A. G. Divet.....	45	194	...	...	...	239
	Albert Weis .....	45	194	...	...	...	239
13	D. L. Warriner.....	...	...	...	...	180	180
	Nels Petterson .....	...	...	...	10	180	190
14	E. H. Butler.....	...	250	...	...	...	250
	James Walsh .....	...	137	...	...	30	167
15	F. E. Ployhar.....	...	137	...	...	...	137
16	W. H. Northrup....	...	152	14	2	...	168
	E. W. Everson.....	...	149	...	3	...	152
	A. J. Huso.....	...	194	92	4	...	290
17	R. J. Gardner.....	...	194	158	6	...	358
	C. J. Morkrid.....	...	194	110	10	...	314
18	Fred Borusky.....	...	194	196	10	...	400



DIST.	NAME	C. M. St. & P.	N. P.	G. N.	TEAM	SOO	TOTAL
19	W. A. Small.....	...	194	105	...	120	419
	Arthur Dixon.....	...	194	216	...	...	410
20	Victor Wardrope...	...	210	...	...	...	210
	Paul J. Moen.....	...	190	...	5	...	195
21	N. D. Butler.....	...	194	154	...	...	348
	Bernt Anderson....	...	194	185	8	...	387
	N. Morrison.....	...	194	167	12	...	373
22	N. W. Hawkinson...	...	194	167	57	...	418
	N. O. Johnson.....	...	194	200	...	...	394
23	Adam Ballinger....	...	73	...	...	...	73
	C. S. Buck.....	...	102	...	...	...	102
	Thos. Pendray....	...	102	...	7	...	109
	Geo. A. Tucker....	...	137	...	...	34	171
24	J. A. T. Jjornson..	...	...	150	...	...	150
	A. E. Raney.....	...	184	...	...	...	184
25	N. E. Davis.....	...	...	...	8	124	132
	C. E. Knox.....	...	170	...	4	...	174
26	Geo. G. Bope.....	...	42	...	...	...	42
	B. K. Batzer.....	...	46	...	...	...	46
	Sid. F. Smith.....	...	42	...	8	...	50
	D. R. Streeter....	...	63	...	...	...	63
27	Frank Fox.....	*	*	*	*	*	*
	John Homan.....	*	*	*	*	*	*
	E. A. Williams....	*	*	*	*	*	*
28	Jas. Hill.....	...	194	268	2	...	464
	H. C. Harty.....	...	194	219	...	...	413
	E. O. Haroldson...	...	194	211	...	40	445
	C. C. Jacobson....	...	194	265	...	...	459
29	F. B. Lambert.....	...	137	...	...	182	319
	Hans C. Miller....	...	137	...	...	182	319
	J. W. Smith.....	...	138	...	10	182	329
	A. M. Thompson...	...	137	...	...	182	319
30	L. D. Wylie.....	...	52	...	12	...	64
	W. E. Martin.....	...	5	...	25	...	30
	J. E. Campbell....	...	6	...	...	...	6
31	Henry Klein.....	...	90	...	...	...	90
	F. W. Turner.....	...	115	...	...	...	115
	C. C. Turner.....	...	104	...	...	...	104
32	T. N. Putnam.....	...	145	...	...	...	145
	W. M. Bartley....	...	174	...	...	...	174
33	Louis A. Leu.....	...	139	...	2	93	234
	T. O. Roble.....	...	137	...	4	108	249
34	F. F. Fritz.....	...	197	240	...	8	434
35	J. P. Schroeder....	...	208	...	...	...	208

DIST.	NAME	C. M. St. & P.	N. P.	G. N.	TEAM	SOO	TOTAL
36	N. W. Kelly.....	...	...	...	...	58	58
	H. H. France.....	...	200	...	4	...	204
	J. J. Doyle.....	...	...	...	...	79	79
37	C. W. Carey.....	...	...	...	10	204	214
	Nels Olsgard .....	...	214	...	4	...	218
38	A. P. Hanson.....	...	227	...	...	...	227
39	Robert J. List.....	135	282	...	...	...	417
	J. G. Odland.....	...	171	...	1	...	172
	Theo. K. Curry.....	125	282	...	12	...	429
40	Oscar Lindstrom...	...	137	245	...	27	409
	S. Hendrickson.....	...	137	...	7	246	390
	H. Endreson.....	...	137	...	...	246	383
41	N. F. Snyder.....	...	135	122	45	182	484
	A. A. Stenehjem.....	...	135	122	35	182	474
	Robert Norheim....	...	135	122	25	182	464
	W. G. Owens.....	...	135	122	1	182	439
	E. L. Gunderson....	...	135	92	...	182	409
42	L. H. Bratton.....	...	174	198	...	...	372
	Ole Nyhus .....	...	194	210	3	...	407
43	J. E. Bass.....	...	136	...	6	248	380
44	Ole C. Dosseth.....	...	137	22	29	182	370
	B. W. Taylor.....	...	137	60	...	182	379
45	S. H. Pitkin.....	...	137	...	7	159	303
46	H. R. Freitag.....	...	...	...	...	96	96
	J. T. Hoge.....	...	...	...	1	59	60
	O. B. Wing.....	...	...	...	9	45	54
47	Charles F. Kellogg..	...	33	...	...	...	33
	J. J. Ryan.....	...	110	...	8	...	118
48	C. C. Lawbaugh....	...	...	90	40	...	130
	Sherman Hickle....	...	33	...	7	...	40
	August Isaak.....	...	...	...	15	88	103
49	J. L. Hjort.....	135	282	...	...	...	417
	H. J. Stinger.....	170	282	...	...	...	452
50	John D. Balsdon...	...	194	167	6	...	367

\*No mileage.

Mileage figures one way only.

(Signed)

N. E. DAVIS,  
 C. C. JACOBSON,  
 A. J. HUSO,  
 J. W. SMITH,  
 G. A. TUCKER,  
 W. A. SMALL,  
 S. H. PITKIN,  
 FRANK E. PLOYHAR,  
 Committee.

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

L. D. WILEY,  
Chairman.

Mr. Owens moved

That the reading of the report be suspended with and that it be printed in the Journal.

Which motion prevailed.

*Mr. Speaker:*

Your committee on joint rules beg leave to report for adoption the same joint rules for the government of the Senate and House as were adopted by the Legislative Assembly of 1911, with the following amendment:

In Rule 10 strike out the word "two" and insert in lieu thereof the word "three."

Respectfully submitted,  
H. W. ALLEN,  
Chairman of the Senate Committee.

C. S. BUCK,  
Chairman of the House Committee.

Mr. Buck moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on live stock made the following report:

*Mr. Speaker:*

Your committee on live stock to whom was referred House Bill No. 6,

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

A. J. HUSO,  
Chairman.

Mr. Huso moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 13.

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

A. J. Huso,  
Chairman.

Mr. Huso moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 57.

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

A. J. Huso,  
Chairman.

Mr. Huso 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. 39,

Being a bill for a concurrent resolution to amend Section No. 85, Article 4, of the Constitution of the State of North Dakota, relating to the judicial department, and providing for the constitution of a body to be known as Supreme Judicial Referees.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 24, majority report,

Being a bill for an Act to amend and re-enact Section numbered 5119 of the Revised Codes of North Dakota for 1905, relating to succession of children, or the issue of any deceased child, omitted to be provided for in the will of any testator.

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

By striking out the first three words in line 7, page 1, of the bill, to-wit, the words, "words of the," and inserting after the word "will" in the same line the word "itself."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

Minority report on House Bill No. 24.

The undersigned member of your committee on judiciary after having House Bill No. 24 under consideration, do recommend to this body that the said bill be indefinitely postponed.

F. B. LAMBERT,  
Member.

The committee on agriculture made the following report:

*Mr. Speaker:*

Your committee on agriculture to whom was referred House Bill No. 88,

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

JAMES HILL,  
Chairman.

Mr. Hill moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 37.

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

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 tax and tax laws made the following report:

*Mr. Speaker:*

Your committee on tax and tax laws to whom was referred

House Bill No. 2,

A bill for an Act defining the taxation of real estate mortgages, and providing penalties for the violation thereof.

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

ROBERT NORHEIM,  
Chairman.

Mr. Robert Norheim moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 3,

A bill for an Act defining the methods of assessing, determining the rate of taxation and disposition of taxes of railroads, 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.

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

ROBERT NORHEIM,  
Chairman.

Mr. Robert Norheim moved

That the report be adopted.

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

Also,

House Bill No. 53,

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.

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

ROBERT NORHEIM,  
Chairman.

Mr. Robert Norheim moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### REPORTS OF SELECT COMMITTEES.

*Mr. Speaker:*

Your committee appointed to investigate the Reform School at Mandan to advise this House as to the advisability of selling a quarter section of land, which that institution owns, and buy a forty-acre tract of land adjoining the school, beg leave to make the following report:

The one hundred sixty (160) acres in question is about three miles from the institution and therefore is absolutely of no use to the said institution. It has been leased for hay and pasture purposes for several years at a cash rent of \$25.00 per year, which amount when figured on interest basis would be less than one per cent (1 per cent) of its present cash value. We therefore recommend that this land be sold.

The forty-acre tract that the institution requests permission to buy is adjoining the land now owned by them. The first purchase by the state for this institution was a forty-acre lot. They then bought eighty acres just adjoining the first forty on the west, making three forty-acre lots. The board now asks permission to buy the fourth forty-acre lot which would square out the farm, making one hundred sixty (160) acres in one square block. The institution is in need of this land for pasture purposes and it would make

a valuable addition to the farm. We therefore recommend that the Board of Control be instructed to communicate with the owner and buy the land if it can be bought for what they in their judgment believe is a reasonable price.

We recommend the superintendent of the institution, Mr. Brown, for his untiring efforts, his economical and thoughtful management, his kind treatment, yet absolute control of the children in his care.

Respectfully submitted,

O. J. SORLIE,

J. E. HILL,

A. A. STENEHJEM.

Mr. Campbell moved

That the report be referred to the committee on appropriations.

Which motion prevailed.

Mr. Hjelmstad introduced the following resolution:

*Whereas*, It has been found necessary to employ certain clerks and other employees for the proper transaction of the business of the House of Representatives, of the Thirteenth Legislative Assembly not enumerated in Chapter 164 of the Laws of 1907; and,

*Whereas*, Said Chapter does not prescribe the rate of compensation for any employee not mentioned in said Chapter;

*Now, Therefore, Be it Resolved*, That the pay of the proofreader heretofore appointed by the House shall be six dollars per day; that the pay of the assistant journal clerk heretofore appointed in addition to the one provided for in said Chapter 164 shall be four dollars per day, and the pay of four mailing clerks heretofore appointed shall be four dollars per day, and, further, that payment of such employees shall be made from time to time, the same as other employees of this House, and that pay shall date from the time of commencement of service of each employee.

And moves its adoption.

Mr. Streeter moved

That the resolution be referred to the employment committee.

Which motion prevailed, and

The resolution was so referred.



## MOTIONS AND RESOLUTIONS.

RESOLUTIONS ADOPTED BY THE TRI-STATE GRAIN GROWERS'  
ASSOCIATION AT THEIR ANNUAL CONVENTION IN THE CITY  
OF FARGO, JANUARY 14 TO 17, INCLUSIVE, A. D. 1913.

We do hereby express our opinion that the farmers and agriculturalists of the three states represented in this convention do suffer a serious disadvantage as compared with the other business interests of said states in not possessing a proper and efficient method whereby credit and capital can be easily and readily obtained for the advancement, development and carrying on of the business in which they are at the present time engaged, and that the farmers of those states pay out and expend a very large sum of money each year in additional interest over and beyond that paid up and expended by the other business interests of the said states for the same amount of money to be used in carrying on the business of said industries other than farming. Besides the much greater loss which the farming interests suffer through being crippled in the further development and building up of their business through lack of proper credit and capital necessary for that purpose.

We believe that this condition of affairs warrants serious consideration and investigation to devise a proper remedy to meet the serious hindrances along those lines from which we suffer, and as a step leading in the right direction we heartily commend the recommendation of Governor Hanna of the State of North Dakota, that he be authorized and empowered to appoint two commissioners on part of the State of North Dakota, to make a full and complete investigation of the methods adopted in other countries and states for the purpose of remedying these harsh conditions which oppress us at the present time. And we further recommend to the Governor of the State of Minnesota and the Governor of the State of South Dakota, that they and each of them, join with Governor Hanna in attempting to secure the consent of their respective Legislatures for leave to appoint similar commissioners for the same purpose. And we respectfully and earnestly urge and request upon the Legislatures of the States of North Dakota, Minnesota and South Dakota that they give this matter their earnest and careful consideration and make a suitable appropriation for the investigation of this subject and for the devising of ways and means to remedy the conditions which exist and to pay the expenses of commissioners to be appointed by the governors of their respective states pursuant to the terms of this resolution.

That the president and secretary of this association be requested to certify to the Governors of the States of North Dakota, South Dakota and Minnesota copies of these resolutions as the same may be adopted by this association with the request that they transmit the same to the Legislatures of their respective state for appropriate legislation in accordance with the resolutions and requests contained herein.

Mr. J. W. Smith moved

That the resolution be referred to committee on agriculture.

Which motion prevailed, and

The resolution was referred to the committee on agriculture.

Mr. Dean offers the following resolution and moves its adoption:

*Whereas*, The work now assigned the House committee on ways and means is of sufficient magnitude to justify the employment of a special clerk;

*Therefore, Be it Resolved*, By the House of Representatives of the State of North Dakota, That the chairman of said committee be and is hereby authorized to appoint a clerk therefor at a salary the same as other committee clerks are paid.

Mr. Streeter moved

That the resolution be referred to the committee on employment.

Which motion prevailed.

#### UNFINISHED BUSINESS.

Mr. Sorlie:

I move that we concur in the Concurrent Resolution received from the Senate relating to a committee consisting of three Senators and three Representatives to arrange for a joint session on memorials of Chief Justice David E. Morgan and Judge Charles E. Templeton.

Which motion prevailed, and

The Speaker appointed as such committee:

Messrs. Buck, Campbell and Doyle.

Mr. Sorlie moved

That the report of the Select Committee on reports of the different state departments and state institutions be referred to the committee as a Whole House.

Which motion prevailed, and

The report was referred to the Committee of the Whole House.

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

Mr. Curry introduced

House Bill No. 135.

A bill for an Act providing for the nomination and election of County Commissioners at large by the voters of the county.

Was read the first and second times and

Referred to the committee on election and election privileges.

Mr. Smith of Kidder introduced

House Bill No. 136.

A bill for an Act to amend Section 84, of Chapter 266, of the Session Laws of 1911, relating to Consolidation of schools and conveying the pupils.

Was read the first and second times and

Referred to the committee on education.

Mr. Bope introduced

House Bill No. 137.

A bill for an Act to amend Section 10243 of the Revised Codes of 1905, relating to reprints, commutations and pardons.

Was read the first and second times and

Referred to the committee on ways and means.

Mr. Bope introduced

House Bill No. 138.

A bill for an Act to amend Section 2082 of the Revised

Codes of 1905, as amended by Chapter 50 of the Session Laws of 1909, also Section 2083 of the Revised Codes of 1905, relating to bounty for tree planting.

Was read the first and second times and

Referred to the committee on forestry.

Mr. Stinger introduced

House Bill No. 139.

A bill for an Act providing for properly expending public money on highways.

Was read the first and second times and

Referred to the committee on highways.

Mr. Kylo introduced

House Bill No. 140.

A bill for an Act to regulate the time and manner in which common carriers doing business in the State shall adjust and pay freight overcharges and claims for loss or damage to property.

Was read the first and second times and

Referred to the committee on railways.

Mr. Hoge introduced

House Bill No. 141.

A bill for an Act to amend and re-enact Section 4633 of the Revised Code of North Dakota, relating to right of way for telephone lines and conditions precedent thereto.

Was read the first and second times and

Referred to the committee on ways and means.

Mr. Hoge introduced

House Bill No. 142.

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a State Hospital for the Insane and Institution for the Feeble Minded in connection therewith as may hereafter be provided by law in the Village of Garrison, in the County of McLean.

Was read the first and second times and

Referred to the committee on state affairs.

Mr. Owens introduced

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances, devisees, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

Was read the first and second times and

Referred to the committee on tax and tax laws.

Mr. Smith of Kidder introduced

House Bill No. 144.

A bill for an Act to repeal Section 23 of Chapter 266, of the Session Laws of 1911, relating to the annual meeting of school officers.

Was read the first and second times and

Referred to the committee on education.

Mr. Lambert introduced

House Bill No. 145.

A bill for an Act entitled, "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs or treatment and board of patients in the insane hospital."

Was read the first and second times and

Referred to the committee on state affairs.

Mr. O'Connor introduced

House Bill No. 146.

A bill for an Act to amend Section 2, of Chapter 220, of the Session Laws of 1909, entitled, "An Act relating to evidence regarding the claim of title to real estate."

Was read the first and second times and

Referred to the committee on judiciary.

Mr. Anderson introduced

House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books

by the Public Library Commission with especial reference to the needs of farmers, school and community libraries.

Was read the first and second times and

Referred to the committee on appropriations.

Mr. Thompson introduced

House Bill No. 148.

A Concurrent Resolution authorizing the appointment of two delegates from North Dakota as members of a commission which is to investigate European systems of Rural credits and report thereon, and making an appropriation therefor.

Was read the first and second times and

Referred to the committee on agriculture.

Mr. List introduced

House Bill No. 149.

A bill for an Act to require all persons who may be entitled to have a mechanic's lien, to file for record a notice of his intention to file a verified account and to perfect such mechanic's lien, and to provide a penalty for not filing a notice of such intention.

Was read the first and second times and

Referred to the committee on state affairs.

Mr. Hanson moved

That the House resolve 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. Hanson to the Chair.

When the committee of the whole arose it submitted the following report:

*Mr. Speaker:*

House Bill No. 32.

Being a bill for a Concurrent Resolution amending the Constitution of the State of North Dakota in Section 8 providing for a Supreme Court of five judges, whose unanimous opinion shall be necessary to declare any legislative enactment or law unconstitutional.

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

Also

*Mr. Speaker:*

House Bill No. 14.

Being a bill for an Act relating to the boundaries, terms of court and chambers of the District Judge of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Add:

Section 3. Emergency.) Whereas, an emergency exists in this, that the judicial business of Pembina County requires that terms of court should be held therein prior to July 1st, 1913, and no statutory provisions exist for holding court at the present county seat of Pembina County 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.

Also

House Bill No. 30.

A bill for an Act to amend Section No. 111 of the Revised Codes of 1905, relating to the duties of the state treasurer.

Strike out "No. 11" in the first line of the printed bill, and insert "No. 111" in place thereof.

In line 29 of the printed bill, before the word "date" insert the following: "Date, amount and the name of the person to whom payable."

In line 36 of the printed bill, strike out the word "such" and insert "each" in place thereof.

In line 41 correct the fifth word to read "Governor."

In line 44 correct the second and third words to read "the balances."

In line 57 change the words "to his own possession" to "in his own possession."

And when so amended recommend the same do pass.

Also

House Bill No. 47,

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgage.

Commencing with the word "and" in line 8 of the printed bill and strike out the balance of line 8, all of line 9 and line 10 up to the word "and."

And when so amended recommend the same do pass.

Also

House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

In line 9 of the printed bill, after the word "refuse" strike out the word "to" and insert the word "or," and

In line 13 of the printed bill, after the word "of" strike out the word "the."

And when so amended recommend the same do pass.

Also

House Bill No. 78.

A bill defining boot legging making it a crime and fixing the penalty therefor.

By inserting after the words "a bill" in the printed bill, the following: "For an Act entitled an Act." and after the title of the bill insert "Be it enacted by the Legislative Assembly of the State of North Dakota," and on page 1, line 1, after the words "Section 1," add "Bootlegging defined," and on page 2, line 15, after the word "also," insert the word "held," and on page 2, line 1, after the words "Section 2," add the word "penalty."

And when so amended recommend the same do pass.

Also

House Bill No. 31.

By striking out Sections 1, 2 and 3 of said bill; and after the word "follows" in line 2 on page 3 commence new paragraph by inserting "Section 7497" and changing the figure 4 in line 1 on said page to figure "1,"



In line 1 on page 4 change the figure 4 to figure 2.

After the word "located" insert the following:

"An affidavit by the owner or vendor of such real estate, his assigns or his attorney to the effect that the default complained of in the notice of cancellation has not been cured, and"

Also in the first line on page 5 change the figure 5 after word section to figure "3," and in the first line of the emergency clause change the figure 6 to a figure "4."

And when so amended recommend the same do pass.

Also

Report of select committee on state institution and state department's reports.

Recommend that the committee be continued, and that they be instructed to correspond with the Knight Printing Company and see if some arrangement cannot be made so that these reports can be on our desk by February 15th.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

A. P. HANSON,  
Chairman.

Mr. Lindstrom moved

To withdraw House Bill No. 65 for the purpose of re-framing the same.

Which motion prevailed, and

House Bill No. 65 was withdrawn.

#### COURTESIES OF THE FLOOR.

The privileges of the floor were granted to the following:

E. C. Harney of Burleigh County, A. Schollander of Jamestown, Adison Leech of Frago, Mr. Gaffey and wife, Geo. Rose, E. E. Cassels, Fred Graham, S. Coleman, C. E. Knox of Ellendale, N. D., E. H. Stenvick, Minot, and F. N. Pitkin of Sawyer, N. D., Sidney F. Theman, Tower City, and Dr. W. F. Crew of Devils Lake, N. D.

The oath of office was administered to F. R. Casey, a mailing clerk by the Speaker.

Mr. Thompson moved  
That the House do adjourn.  
Which motion prevailed, and  
The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

EIGHTEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 24, 1913.

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. Olsgard, Stenehjem, Weis, Carey, who were excused.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 1, in list of absentees noted in roll call, strike out "Everson."

On page 30, fourth line from bottom of page, change "Stenrick" to "Stenvick."

On page 31, beginning with and including the words "House Bill No. 32," strike out all lines which follow on said page.

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### COMMUNICATION.

December 27, 1912.

*To the Governor and Members of the Legislature:*

Gentlemen: In accordance with Chapter 9, of the Session Laws of 1911, I am transmitting to you in printed form the report of the Temporary Educational Commission. The report consists of Part A, in which are included the findings of the commission, and Part B, consisting of the views of educators, statistical tables, and data bearing upon the questions before the commission.

Respectfully submitted,

FRANK L. McVEY,  
Chairman.

GEORGE A. McFARLAND,  
Secretary.

Referred to committee on education.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 5,

A joint resolution ratifying a proposed amendment to the Constitution of the United States,

Also,

House Bill No. 11,

A concurrent resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota, and Article 2 of the amendments to the Constitution amendatory thereof, relating to elective franchise.

Also,

House Bill No. 20,

A bill for an Act validating certain execution sales heretofore made, and limiting the time within which the same may be attacked.

Also,

House Bill No. 40,

A bill for an Act repealing Sections 2294, 2295 and 2296 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Also,

House Bill No. 1,

A bill for an Act to amend Sections 525 and 527 of the Revised Codes of 1905, relating to the summoning of jurors. And find the same correctly enrolled.

N. T. HEDALEN,  
Chairman.

The committee on insurance made the following report:

*Mr. Speaker:*

Your committee on insurance to whom was referred

House Bill No. 51,

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,

House Bill No. 72,

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,

House Bill No. 79,

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 railways made the following report:

*Mr. Speaker:*

Your committee on railways to whom was referred

House Bill No. 77,

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.

Also,

House Bill No. 82,

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

Strike out the word "of" in line 5 of the bill and insert the word "or" in lieu thereof.

And when so amended recommend the same do pass.

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on election and election privileges made the following report:

*Mr. Speaker:*

Your committee on election and election privileges to whom was referred

House Bill No. 25,

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

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 50,

Have had the same under consideration and request that the same be re-referred to the committee on ways and means for the reason that another House Bill of a similar nature has already been referred to that committee.

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 62,

Have had the same under consideration and a majority thereof does recommend that the same be indefinitely postponed.

A minority of said committee does recommend that the said bill do pass.

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 85,

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

A minority of said committee recommends that the said bill be indefinitely postponed.

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope 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. 84,

A bill for an Act to amend Section 1868 of the Revised Codes of 1905, relating to compensation of overseers of the poor.

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,

Senate Bill No. 81,

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

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

Strike out the words "of Article 4" in the first line of the title of the printed bill. Also add the letter "s" to the word "Code" in the same line. Strike out the words "of Article 4" in line 1 of the printed bill. In line 21 of the printed bill change the comma to a period after the word "journal" and strike out the balance of the paragraph. In line 24 of the printed bill, after the word "each," insert the following "which shall be in half morocco."

After Section 1 of the printed bill insert the following: "Section 2. Emergency.) Inasmuch as an emergency exists, this law shall take effect and be in force from and after its passage and approval.

And when so amended recommend 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.

REPORT OF A VISIT MADE BY THE COMMITTEE ON APPROPRIATIONS, OF BOTH HOUSES, TO THE ASYLUM FOR THE INSANE, AT JAMESTOWN, ON THE 21ST DAY OF JANUARY, 1913.

*To the House of Representatives and Senate of the Thirteenth Legislative Assembly of the State of North Dakota:*

At a joint meeting of the appropriation committee of the House and Senate, held on Saturday, January 18th, 1913, the matter of appropriation for the asylum for the insane



was thoroughly discussed by the two committees, and from our understanding at that time, it was apparent that the needs of this institution were very imperative; and from the fact that a large amount of money was to be asked for new buildings for this institution, it was deemed wise that the two committees visit, personally, the institution to inspect the same thoroughly so that they might thoroughly understand the necessary improvements to properly care for the needs of the patients during the next biennial period. The committee felt the necessity at this time of making a thorough investigation of the institution, for the reason that it was given to understand that large appropriations would be asked from some other sources, and from the further fact that the appropriation contemplated for the asylum was greatly in excess of the customary appropriations made in the past for that institution, and the amount available.

Your committee left Bismarck the evening of January 20th, arriving at Jamestown at 11:00 o'clock. The next morning we were taken to the institution by conveyances furnished by the officers, and immediately began a thorough inspection of all the buildings on the grounds. There was no special entertainment provided, nor any prominent citizens of the City of Jamestown present to specify the particular needs of the institutions, and the matter was left entirely to the visiting committee. Piloted by Dr. Hotchkiss, superintendent, and Mr. M. D. Williams, steward, the committee went through the different wards, the sleeping quarters, and thoroughly inspected every building. From the first building to the last, the overcrowded condition was very apparent.

At the beginning of the last biennial period, the population of the institution was two hundred twenty-five in excess of the capacity to properly care of. During this last biennial period there has been a gain in population of one hundred seventy-eight, of which one hundred have been taken care of by the erection of a new building, which leaves seventy-five at the beginning of the period, so that at this time there are three-hundred three patients more than the institution can properly take care of.

The committee found conditions in this institution that they little dreamed of could exist in a state institution, finding twenty to twenty-five men sleeping in the basement, in poorly ventilated rooms, with low ceilings, oftentimes two in a bed, and in one particular room there was only two hundred twenty-seven cubic feet of air available for each patient, while the proper amount of air under healthful conditions should be at least two thousand cubic feet for

each person. Under these conditions, it is absolutely impossible to secure ventilation and to have the best sanitary conditions.

In one ward that your committee visited, the beds were so close together that it was necessary for the women patients to climb over the foot of the beds to retire.

One of the matters which was called very vividly to the attention of the committee was the inability of the hospital authorities to properly segregate the patients according to the different varieties of dementia. We are informed that in order to treat insane patients it is necessary that they be classified and separated into wards where there will be less cause for disturbance, and where they can best be cared for.

The lack of room necessitates the placing of patients, many times, in wards of the hospital where they improperly belong, because there is no place where patients, upon their arrival, can be kept by themselves and their especial kind of dementia of which they are possessed be ascertained, so that it is unfair to the hospital authorities, and works disaster many times in the case of the patients themselves. In this connection, your committee strongly recommend that an appropriation be made for a receiving ward where patients, upon their arrival, can come under the more direct eye of the superintendent, and be more properly placed. This ward would provide space for one hundred patients, and possibly in a more congested time, could be increased twenty-five per cent.

The second feature which struck your committee very forcibly was the increase among tuberculosis patients, and among the male population these patients so afflicted are mingled with the others so that the disease is undoubtedly spreading, the increase in the preceding biennial period being one hundred per cent. Your committee was informed by the superintendent that he was certain that at least one dozen patients discharged from the institution during the last biennial period, apparently cured mentally, had died from tuberculosis contracted during their stay in the institution. By reason of this condition, your committee strongly recommends a building to be used for the segregation of the afflicted male patients as the proper solution for this condition. Your committee recommends that the amount of appropriation for this building be approximately the same as for the receiving ward first mentioned.

The next matter which seemed of the utmost importance and one which of necessity upon the erection of the two

buildings above mentioned would have to be prepared for, would be the erection of a power house and the installation of certain improvements connected with the furnishing of the same, the addition of boilers and machinery. It is also contemplated in this power house to have a machine shop and storage capacity for fuel. The institution, up to this fall, has been compelled to haul the fuel from Jamestown by team, a distance of two miles. Your committee beg to report that the Midland Continental Railroad has built a spur track up to the present engine house and we are also informed that the Northern Pacific Railroad is ready now to build a spur track from Jamestown to the institution. This will save to the state the expense of hauling the fuel, which we understand was done at a cost of about twenty-six cents a ton. The institution uses lignite coal, and at the present time any surplus that they may have on hand is piled out on the open prairie, causing a direct loss. It is proposed in the new power house to have sufficient storage capacity for this fuel and your committee strongly recommends an appropriation which would furnish the necessary light and heat at this time.

An outside ward building and farm house which would take care of the farm help and about 40 patients who might be termed "trusties." This building could be erected cheaper than the proportionate cost per patient of the regular ward buildings of the institution, and seems the proper thing to do. A large proportion of the farm help at this time are housed in the fourth story of one of the ward buildings. The doors of the floors below are all locked each night, and if fire should break out, or an emergency arise whereby this help was needed, it would be a hard matter for them to be of any assistance before considerable time had elapsed. The water supply of the institution is inadequate for its needs, as there is unquestionably a need for a larger supply of water. The tank erected on the grounds at the time of your committee's visit was only about half full, and in case of conflagration, it is estimated that the water supply couldn't last over thirty minutes. This is a condition which should not exist, and your committee strongly recommends an appropriation necessary to defray the expenses of obtaining an adequate water supply.

Your committee was impressed very favorably with the cleanliness and neatness of the institution. The buildings themselves were scrupulously clean. The beds and bedding had very close scrutiny and it was apparent that the management believed in the use of plenty of soap and water.

The committee notices particularly that considerable of

the farm work and ordinary labor about the institution was performed by patients, and taking this into consideration, certain outside improvements like the removal of some of the old barns to get room for the spur tracks for the railroad, the erection of a piggery and chicken coop, improvement of the grounds, and such matters as these could be properly left to the management to work out with the labor they have without any direct appropriation from the state.

Respectfully submitted,

C. W. PLAIN, Chairman,  
 P. W. VAIL,  
 H. P. JACOBSEN,  
 P. T. KRETSCHMAR,  
 JOHN WILLIAMS,  
 C. E. DAVIDSON,  
 A. S. GIBBENS,  
 H. W. ALLEN,  
 ED. HOVERSON,  
 CHAS. ELLINGSON,  
 WESLEY C. McDOWELL,

Senate Committee on Appropriations.

BERNT ANDERSON, Chairman,  
 W. V. O'CONNOR,  
 T. N. PUTNAM,  
 H. C. HARTY,  
 C. E. KNOX,  
 R. J. LIST,  
 H. C. MILLER,  
 THOMAS PENDRAY,

House Committee on Appropriations.

#### REPORT OF SELECT COMMITTEE.

*Mr. Speaker:*

The committee on employment to whom was submitted the resolution authorizing the chairman of the ways and means committee to appoint a clerk for the ways and means committee, offer the following amendment:

That the clerk appointed by the ways and means committee shall act as clerk for the committee on railways and that a clerk from the House shall be appointed when necessary, to meet with the committee on tax and tax laws and when so amended move that the same do pass.

N. T. HEDALEN,  
 Chairman.

Also,

The committee on employment to whom was referred the resolution relating to the salary of employees when salary is not specified by law, have had the same under consideration and recommend that the same do pass.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Ployhar moved

That all insane hospital bills be referred to the committee on state affairs.

Which motion prevailed.

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

Mr. Thompson introduced

House Bill No. 150.

A bill for an Act regulating the sale of binding twine and preventing deception and fraud in the sale thereof.

Was read the first and second time and

Referred to the committee on agriculture.

Mr. Buck introduced

House Bill No. 151.

A bill for an Act to amend Chapter 277 of the Session Laws of 1911 of the State of North Dakota, prohibiting the use of snuff.

Was read the first and second time and

Referred to the committee on public health.

Mr. Harty introduced

House Bill No. 152.

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry and to assist in the maintenance thereof, and making appropriation therefor.

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

Mr. Owens introduced

House Bill No. 153.

A bill for an Act relating to the qualifications of locomotive firemen.

Was read the first and second time and  
Referred to the committee on railroads.

Mr. Balsdon introduced

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

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

Mr. Bartley introduced

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

Was read the first and second time and  
Referred to the committee on public health.

Mr. Lambert introduced

House Bill No. 156.

A concurrent resolution, amending the Constitution of the State of North Dakota relating to the legislative department and providing for the initiative and referendum as applied to laws.

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

Mr. Freitag introduced

House Bill No. 157.

A concurrent resolution, amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and institution for the feeble-minded in connection therewith, in the City of Max, County of McLean.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Bollinger introduced

House Bill No. 158.

A bill for an Act to amend Chapter 132 of the laws of North Dakota for 1911, and Section 7117 of the Revised Codes of North Dakota of 1905, relating to the additional exemptions allowed the head of a family residing in North Dakota.

Was read the first and second time and

Referred to the committee on ways and means.

### THIRD READING OF HOUSE BILLS.

House Bill No. 1.

A bill for an Act to amend Sections 525, 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 ayes 103, nays 1, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Davis	Hawkinson
Balsdon	Dean	Hedalen
Bartley	Divet	Hendrickson
Bass	Dixon	Hickle
Batzer	Dosseth	Hill of Bottineau
Bjornson	Doyle	Hill of Cass
Blakemore	Dynes	Hjelmstad
Bollinger	Endreson	Hjort
Bope	Everson	Hoge
Borusky	Fox	Homan
Bratton	France	Husband
Burnett	Freitag	Huso
Butler of Ramsey	Gardiner	Isaak
Butler of Kansom	Geiger	Jacobson
Calnan	Hanson	Kellogg
Carey	Haraldson	Kelly
Coltom	Hart	Klein
Curry	Harty	

Messrs.—	Messrs.—	Messrs.—
Knox	Olsgard	Stinger
Kylo	Owens	Streeter
Lambert	Pendray	Taylor
Lawbaugh	Petterson	Thompson
Leu	Pitkin	Tucker
Lindstrom	Putnam	Turner, C. C.
List	Raney	Turner, F. W.
Martin	Roble	Twichell
Miller	Ryan	Walsh
Moen	Sandbeck	Wardrope
Morkrid	Schroeder	Warriner
Morrison	Small	Watt
Norheim	Smith of Kidder	Wiley
Northrup	Smith of Mountrail	Williams
Nyhus	Snyder	Mr. Speaker
O'Connor	Sorlie	
Odland	Stenhjem	

Those voting in the negative were:

Messrs.—  
Campbell

Absent and not voting, Messrs. Buck, Fritz, Johnson, Lewis, Ployhar, Weis and Wing, being excused.

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 1 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 5.

A Joint Resolution, ratifying amendment to the Constitution of the United States.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, absent and not voting 10.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Borusky	Curry
Balsdon	Bratton	Davis
Bartley	Burnett	Dean
Bass	Butler of Ramsey	Divet
Batzer	Butler of Ransom	Dixon
Bjornson	Calnan	Dosseth
Blakemore	Campbell	Doyle
Bollinger	Carey	Dynes
Bope	Coltom	Endreson



Messrs.—	Messrs.—	Messrs.—
Everson	Klein	Ryan
France	Kyllo	Sandbeck
Freitag	Lambert	Schroeder
Fritz	Lawbaugh	Small
Gardiner	Leu	Smith of Kidder
Geiger	Lindstrom	Smith of Mountrail
Gunderson	List	Snyder
Hanson	Martin	Sorlie
Haraldson	Miller	Stenehjem
Hart	Moen	Stinger
Harty	Morkrid	Streeter
Hawkinson	Morrison	Taylor
Hedalen	Norheim	Thompson
Hendrickson	Northrup	Turner, C. C.
Hickle	Nyhus	Turner, F. W.
Hill of Bottineau	O'Connor	Twichell
Hill of Cass	Odland	Walsh
Hjelmstad	Olsgard	Wardrope
Hjort	Owens	Warriner
Homan	Pendray	Watt
Husband	Petterson	Weis
Huso	Pitkin	Wiley
Isaak	Ployhar	Williams
Jacobson	Putnam	Mr. Speaker
Kellogg	Raney	
Kelly	Roble	

Absent and not voting, Messrs. Buck, Fox, France, Hoge, Johnson, Knox, Lewis, Small, Tucker and Wing.

So the bill passed and the title was agreed to.

Mr. Hanson moved

That the vote by which House Bill No. 5 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 11.

A Concurrent Resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereof, to elective franchise.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 98, absent and not voting 13.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Batzer	Borusky
Balsdon	Bjornson	Bratton
Bartley	Bollinger	Burnett
Bass	Bope	Butler of Ramsey

Messrs.—	Messrs.—	Messrs.—
Butler of Ransom	Hjelmstad	Pitkin
Calnan	Hjort	Ployhar
Carey	Homan	Putnam
Coltom	Husband	Raney
Curry	Isaak	Roble
Davis	Jacobson	Ryan
Dean	Johnson	Sandbeck
Divet	Kellogg	Schroeder
Dixon	Kelly	Smith of Kidder
Dosseth	Klein	Smith of Mountrail
Dynes	Knox	Snyder
Endreson	Kyllo	Sorlie
Everson	Lambert	Stenehjem
France	List	Streeter
Freitag	Leu	Taylor
Fritz	Lindstrom	Thompson
Gardiner	Martin	Turner, C. C.
Geiger	Miller	Turner, F. W.
Gunderson	Moen	Twichell
Hanson	Morkrid	Walsh
Haraldson	Morrison	Wardrope
Hart	Northrop	Warriner
Harty	Nyhus	Watt
Hawkinson	O'Connor	Wiley
Hedalen	Odland	Williams
Hendrickson	Olsgard	Wing
Hickle	Owens	Mr. Speaker
Hill of Bottineau	Pendray	
Hill of Cass	Petterson	

Absent and not voting, Messrs. Buck, Campbell, Doyle, Haraldson, Huso, Lawbaugh, Lewis, Northrup.

So the bill passed and the title was agreed to.

Mr. Blakemore moved

That the vote by which House Bill No. 11 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

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 4, absent and not voting 16.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	O'Connor
Balsdon	Harty	Odland
Bartley	Hedalen	Olsgard
Bass	Hickle	Owens
Batzer	Hill of Bottineau	Pendray
Bjornson	Hill of Cass	Pitkin
Blakemore	Hjelmstad	Ployhar
Bollinger	Hoge	Putnam
Bope	Homan	Raney
Borusky	Husband	Roble
Bratton	Isaak	Ryan
Burnett	Jacobson	Sandbeck
Butler of Ransom	Johnson	Schroeder
Calnan	Kellogg	Smith of Kidder
Carey	Kelly	Smith of Mountrail
Coltom	Klein	Snyder
Curry	Knox	Sorlie
Davis	Kyllo	Streeter
Dean	Lambert	Taylor
Divet	Lawbaugh	Turner, C. C.
Dosseth	Lindstrom	Turner, F. W.
Dvnes	List	Twichell
Everson	Martin	Walsh
France	Miller	Wardrope
Fritz	Moen	Warriner
Gardiner	Morkrid	Watt
Geiger	Morrison	Wiley
Gunderson	Northrop	Williams
Hanson	Northrup	Mr. Speaker
Haraldson	Nyhus	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dixon	Hawkinson	Thompson
Freitag		

Absent and not voting, Messrs. Buck, Butler, Endreson, Fox, Hendrickson, Hjort, Huso, Leu, Lewis, Small, Pettersen, Stenehjem, Stinger, Tucker, Weis and Wing.

So the bill passed and the title was agreed to.

Mr. Olsgard moved

That the vote by which House Bill No. 20 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 40.

A bill for an Act repealing Sections 2294, 2295 and 2296.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 13, absent and not voting 17.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	O'Connor
Bartley	Hedalen	Odland
Bass	Hendrickson	Olsgard
Bjornson	Hickle	Pendray
Blakemore	Hill of Bottineau	Petterson
Borusky	Hill of Cass	Pitkin
Bratton	Hjelmstad	Putnam
Burnett	Hjort	Roble
Carey	Hoge	Ryan
Curry	Homan	Sandbeck
Dean	Husband	Small
Divet	Isaak	Smith of Kidder
Dixon	Jacobson	Smith of Mountrail
Dosseth	Johnson	Snyder
Doyle	Kellogg	Sorlie
Dynes	Kelly	Stenehjem
Endreson	Klein	Stinger
Everson	Kyllo	Taylor
Fraine	Lambert	Turner, C. C.
France	Lawbaugh	Turner, F. W.
Freitag	Leu	Twichell
Fritz	Lindstrom	Walsh
Gardiner	List	Wardrobe
Geiger	Martin	Warriner
Gunderson	Miller	Watt
Hanson	Moen	Williams
Haraldson	Morkrid	Wing
Hart	Morrison	Mr. Speaker
Harty	Northrop	

Those who voted in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Coltom	Raney
Bollinger	Martin	Streeter
Bope	Nyhus	Thompson
Campbell	Owens	Wiley

Absent and not voting, Messrs. Balsdon, Bratton, Buck, Butler, Calnan, Davis, Fox, Huso, Knox, Lewis, Polyhar, Schroeder, Tucker, Weis.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 40 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## THIRD READING OF SENATE BILLS.

Mr. Ployhar moved

That the rules be suspended and the amendment to Senate Bill No. 81 be adopted, and the bill be considered engrossed and placed on its third reading for final passage.

Which motion prevailed, and

The amendments were adopted.

Senate Bill No. 81.

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State 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 ayes 98, nays 2, absent and not voting 11.

Those who voted in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Nyhus
Balsdon	Haraldson	O'Connor
Bartley	Harty	Odland
Bass	Hawkinson	Olsgard
Batzer	Hedalen	Pendray
Bjornson	Hendrickson	Pitkin
Bollinger	Hickle	Ployhar
Bope	Hill of Bottineau	Putnam
Borusky	Hill of Cass	Raney
Bratton	Hjelmstad	Roble
Burnett	Hjort	Ryan
Butler of Ramsey	Hoge	Sandbeck
Calnan	Homan	Schroeder
Carey	Husband	Small
Coltom	Huso	Smith of Kidder
Curry	Jacobson	Smith of Mountrail
Dean	Johnson	Snyder
Divet	Kellogg	Sorlie
Dixon	Kelly	Stenhjem
Dosseth	Klein	Stinger
Doyle	Knox	Streeter
Dynes	Lambert	Taylor
Endreson	Lawbaugh	Turner, C. C.
Everson	Leu	Turner, F. W.
Fox	Lindstrom	Twichell
Fraine	List	Walsh
France	Martin	Wardrobe
Freitag	Miller	Warriner
Fritz	Moen	Wiley
Gardiner	Morkrid	Williams
Geiger	Norheim	Wing
Gunderson	Northrup	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—
Campbell	Hart

Absent and not voting, Messrs. Blakemore, Buck, Butler, Isaak, Petterson, Thompson, Tucker, Watt and Weis.

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which Senate Bill No. 81 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### GENERAL ORDERS.

Mr. Streeter moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole. Mr. Speaker called Mr. Streeter to the chair.

When the committee arose it submitted the following report:

*Mr. Speaker:*

The committee of the whole have had under consideration

House Bill No. 24.

And recommend the same do pass.

D. R. STREETER,  
Chairman.

Mr. Burnett moved

To withdraw House Bill No. 81.

Which motion prevailed, and

The bill was withdrawn.

## COURTESIES OF THE FLOOR.

Privileges of the floor were granted to T. G. C. Kennelly, Mandan, N. D.; Rex. Craig, of Lisbon, N. D.; T. F. Muthy, of Dickinson, and W. J. Elliott, of Dickinson.

The oath of office was administered to Katherine Dwyer by the Speaker.

Mr. Hill moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

 NINETEENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 25, 1913.

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. Buck, Burnett, Hart, Knox, Lewis, Small, who were excused.

## REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 8, lines 25 and 26, change "Hotchiss" to "Hotchkiss."

On page 14, in roll call, omit one "Geiger."

On page 15, in roll call, add "Turner, F. W."

On page 15, strike out lines 30 and 31, and insert in lieu thereof "A joint resolution ratifying a proposed amendment to the Constitution of the United States."

On page 16, strike out lines 37 and 38, and insert in lieu thereof "A concurrent resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota, and Article 2 of the amendments to the Constitution amendatory thereof, relating to elective franchise."

On page 17, add "List" in roll call voting in the affirmative.

On page 17, in absentees noted, change "Lawbaugh" to "Laubaugh," and in the same line omit "List."

On page 19, in roll call of members voting in the affirmative, add "Hjort."

On page 21, line 4, change "Blackmore" to "Blakemore."

On page 21, line 28, change "Sorlie" to "Burnett."

On page 21, strike out the last four lines on said page.

On page 13, line 15, change "to" to "of."

On page 19 in roll call of members voting in the affirmative add "Bratton."

On page 19 in list of members absent and not voting strike out "Bratton."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

#### COMMUNICATION.

*To the Honorable Members of the Thirteenth Legislative Assembly:*

There is no doubt in the mind of any North Dakotan that this session of your Legislature will be productive of the usual quota of bills and amendments and, etc.

Among this is, and no doubt will be, the good roads movement and its legislation, and this is all well, but what about encouraging the movement for "timber culture," foresting



at least in part our prairie state? Any North Dakotan knows what this means to himself and his state, and I am one that believes that it means more in the way of development towards enhancing the value of our land and our state than all the recommended expenditures for our natural resources development so far told.

We have our public road laws, they are compulsory. Why can we not have the law work in favor of a timber culture law for the planting of trees along our public highways (at least along say one side of the roads, for instance on the north side)?

In some of our states they have a law to this effect and it is in some instances or localities enforced.

In Europe, and especially Germany, they have a very strict forestry law, that one cannot cut down a tree unless he replants one and tends to its growth for ten years.

In our state we have a school of forestry at Bottineau, and they are educating a number of our young men, and how could they be better employed, than giving each of them a superintendency of a district or a portion of a county as forestry master?

If you and any citizen of our state will stop to think it over, the immense destruction our prairie farms and homes suffer for the want of timber growth, and especially our cultivated fields in the spring of the year that are often wind-swept to the extent that they have to be resown; the lack of timber and wind-breaks is the cause of the hot winds at the most critical period of our crops,—the winter severity I need not mention.

We should not only have part of our road lines planted with trees, but also the quarter section lines.

We have in our state, perhaps like in many other states, to a certain extent squandered good public money upon (in other words let us call it) craven politics and politicians and sometimes they have called it public enterprise.

But no public improvements could give more substantial and lasting value and bring the right kind of settlers into our state than such undertakings. It is evident to any North Dakotan, and visible to any outsider that comes in here, that our broad prairie should be garnered by more timber belts, and what a material change this would make in all our agriculture.

Can and will your Honorable Legislators look upon this question to the end that you can find it possible to at least

curtail in some or in fact most of the appropriations asked for, and make a first commencement (and with an amendment to our public highway tree planting law) make an appropriation to give it a start?

Can we not better afford to be without the expense of being represented at the coming Panama Canal Exposition and on the other hand expend that amount of money for such internal improvement that any one could point to us with pride and be a lasting blessing to all living within our state?

There are also many other things that have in the past made demands on our tax moneys which without any loss to any one could be in part made less. You may take for example the state appropriation to the state fairs. I think it is needless for me to say that these fairs or exhibits have grown more and more into a corporated commercial venture, and for a material gain, first to the fair corporations next to the city centers and also to the exhibitors.

Holland and Belgium have their flood walls to prevent the destruction by floods from the seas, can we not in North Dakota take the look upon our conditions,—a practically timberless prairie state that is wind-swept in summer and in winter we have at times the unwelcome blizzards.

To you, Honorable Legislators, I will say: Give this, my proposal, at least a partial commencement, with the interest that a North Dakotan has, that has lived in our state for thirty-two (32) years.

Very respectfully,

C. J. SUNDAHL,  
Niagara, N. D.

#### REPORTS OF STANDING COMMITTEES.

The committee on election and election privileges made the following report:

*Mr. Speaker:*

Your committee on election and election privileges to whom was referred

House Bill No. 18,

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

On line 3, on page 2 of the printed bill, immediately after the figures "620," insert the words "Ballots, how delivered. Official stamps."

On line 3, on page 2 of the printed bill, immediately after the figures "650" insert the words "Returns, how and where made. Compensation of officers."

On line 15, on page 2 of the printed bill, the said line 15 being the second line from the bottom on said page 2 of the printed bill, strike out the word "five" and insert instead thereof the word "ten."

On line 68, on page 5 of the printed bill after the word "auditor" on said line 68, strike out the words "and the same compensation shall be allowed for such delivery as is allowed in this Section for returning the poll book, ballots and statement to the auditor" and insert instead of the words so stricken out the words "at the same time, by the same person, returning the ballots, and no extra compensation shall be allowed for such delivery."

On line 82, on page 5 of the printed bill, immediately before the word "all" insert "Section 3. Repeal."

And when so amended recommend that the same do pass.

VICTOR WARDROPE,

Chairman.

Mr. Wardrope 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. 86,

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:

Your committee on municipal corporations to whom was referred

House Bill No. 42,

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

L. L. TWICHELL,  
Chairman.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 92,

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

L. L. TWICHELL,  
Chairman.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

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

Mr. Wiley introduced

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner's fees.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. P. H. Butler introduced

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

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

Mr. Kylo introduced  
House Bill No. 161.

A bill for an Act to prohibit the hunting of chickens with  
dogs.

Was read the first and second time and  
Referred to the committee on game and fish.

Mr. Sanbeck introduced  
House Bill No. 162.

A bill for an Act to amend Section 1 of Chapter 172 of  
the Laws of 1907, relating to who may solemnize marriages.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Norheim introduced  
House Bill No. 163.

A bill for an Act to provide for the preparing of a state  
budget.

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

Mr. Batzer (by request) introduced  
House Bill No. 164.

A bill for an Act to amend Chapter 82 of the Session Laws  
of North Dakota of 1909, relating to the nomination and  
election of judges of the Supreme, District and County  
Courts.

Was read the first and second time and  
Referred to the committee on election privileges.

Mr. Odland introduced  
House Bill No. 165.

A bill for an Act to define co-operative associations to  
authorize their incorporation, and to declare an emergency.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Mr. Smith of Ward County introduced

House Bill No. 166.

A bill for an Act to repeal Chapter 201 of the Session Laws of 1911, relating to taxation of transient merchants.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Hoge introduced

House Bill No. 167.

A bill for an Act to amend and re-enact Section 6 of Chapter 129 of the Session Laws of 1911, relating to limitation of general election expenses.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Blakemore introduced

House Bill No. 168.

A bill for an Act to regulate in certain class of cases the entry by county auditors of notations of prior taxes of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Ployhar introduced

House Bill No. 169.

A bill for an Act to provide physical connections and joint rates between telephone and telegraph companies.

Was read the first and second time and

Referred to the committee on judiciary.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., January 25, 1913.

*Mr. Speaker:*

I have the honor to inform you that the President of the

Senate has appointed Messrs. Bronson, Hyland and Cashel as Senate members of the joint committee to arrange for joint memorial service in memory of the late Chief Justice Morgan and Judge Templeton.

Also,

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Senate Bill No. 67.

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.

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911, relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

#### GENERAL ORDERS.

Mr. Divet 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. Divet 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. 85,

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911, relating to party regulations of electors desiring to vote at any primary election in this state.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 82,

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

And recommend the same do pass.

Also,

House Bill No. 62,

A bill for an Act to amend Section 643 of the Revised Codes of North Dakota and to prevent the fraudulent or corrupt marking of ballots.

And recommend that the same be indefinitely postponed.

A. G. DIVET,  
Chairman.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Geo. W. Fraine and O. H. Tinglestead.

Mr. Bass moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

#### GENERAL ORDERS.

House Bill No. 18,

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



## TWENTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 27, 1913.

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. Divet and Kellogg, who were excused.

## REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 9, line 31, change "nown" to "known."

On page 1, in roll call of members noted absent, omit "Pendray," "Burnett" and "Small."

On page 4, next to last line, change the figure "630" to the figure "620."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 13. .

A bill for an Act to amend Chapter 170 of the Laws of 1907, entitled "An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders."

Also,

House Bill No. 14.

A bill for an Act entitled "An Act relating to the boundaries, terms of court and chambers of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909."

Also,

House Bill No. 30.

A bill for an Act to amend Section 111 of the Revised Codes of 1905, relating to the duties of the state treasurer.

Also,

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30, of the Code of Civil Procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

Also,

House Bill No. 32.

Concurrent resolution amending the State Constitution of the State of North Dakota.

Also,

House Bill No. 57.

A bill for an Act to prevent fraudulent registration and

sale of animals as being pure bred, and to amend Section 9007 of the Revised Code of 1905.

Also,

House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Also,

House Bill No. 78.

A bill for an Act entitled "An Act defining bootlegging, making it a crime, and fixing the punishment therefor."

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen 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. 15,

A bill for an Act amending Section 12 of House Bill No. 210, of the Laws of 1911 to encourage elementary education.

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

Before the name M. D. Butler insert "introduced by."

In line 1 of the title strike out the words and figures "House Bill 210" and insert in lieu thereof "Chapter 35" and in the same line before the word "laws" insert the word "session."

At the end of line 2 of the title change the period to a comma and add the following "and make appropriation therefor."

In line 1 of the printed bill, after Section 1 insert the word "amendment" and in the same line strike out the words and figures "House Bill No. 210" and insert in lieu thereof "Chapter 35 of the Session Laws of 1911."

In line 3 strike out the figure "2" and insert in lieu thereof the figures "12"

And when so amended report same favorably with recommendation that it be referred to the committee on appropriations.

O. C. DOSSETH,  
Chairman.

Mr. Dosseth moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 144.

A bill for an Act to repeal Section 23 of Chapter 266 of the Session Laws of 1911, relating to the annual meeting of school officers.

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

O. C. DOSSETH,  
Chairman.

Mr. Dosseth moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on highways made the following report:

*Mr. Speaker:*

Your committee on highways to whom was referred

House Bill No. 48,

Relating to purchase of road machinery by commissioners' districts.

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

NORMAN MORRISON,  
Chairman.

Mr. Morrison moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 61,

To repeal Sections 3187, 3188, 3189, 3190 and 3191 of Revised Codes of 1905, relating to guideposts.

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

That at beginning of line 1 be inserted the words "Section 1. Repeal.)"

And when so amended recommend the same do pass.

NORMAN MORRISON,  
Chairman.

Mr. Morrison moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

A minority report of House Bill No. 120,

Relating to the payment of taxes for road purposes and its distribution.

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

WM. WATT,  
JOHN DYNES,  
NELS OLSGARD,  
SHERMAN HICKLE.

Also,

A majority report of House Bill No. 120.

Relating to the payment of taxes for road purposes and its distribution.

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

Strike out all of Sections 2 and 3 of said bill, and insert

in lieu thereof: "Section 2. Repeal.) All Acts or parts of Acts in conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

NORMAN MORRISON,  
Chairman.

Mr. Morrison 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. 76,

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

After the enacting clause, insert "Section 1. Amendment.)" In line 2 of the printed bill after the words North Dakota, insert "of 1911."

And when so amended recommend 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,

House Bill No. 113.

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,

House Bill No. 122.

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

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on taxes and tax laws made the following report:

*Mr. Speaker:*

A minority of your committee on taxes and tax laws to whom was referred

House Bill No. 69.

A bill for an Act to amend Chapter 299 of the Session Laws of 1911, fixing time when real estate taxes become due and delinquent and describing penalties on delinquent taxes.

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

J. E. BASS,  
GEO. G. BOPE.

Also,

The majority of your committee on tax and tax laws to whom was referred

House Bill No. 69.

For an Act to amend Chapter 299 of the Session Laws of 1911, fixing time when real estate taxes become due and delinquent and describing penalties on delinquent taxes.

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

ROBERT NORHEIM,  
Chairman.

Mr. Norheim 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. 95.

Being a bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of state's attorneys and attorney general.

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

In line 1 insert before the word "Amendment" the word "Section" and the figure "1."

Strike out line 3.

In line 4 insert before the figure "2494" the word "Section."

In line 17 add after the word "suits" the word "brought."

In line 104 insert before the word "The" the figure "12."

In line 116 insert after the word "part" the words "to another part."

In line 122 insert before the word "All" the word "Section," the figure "2" and the word "Repeal."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 112.

Being a bill for an Act to amend paragraph 21 of Section 2610 of the Political Code of North Dakota for 1905, providing for the compensation of justices of the peace for duties performed.

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

A. G. DIVET,  
Chairman.



Mr. Thompson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Coltom offered the following concurrent resolution:

##### HOUSE CONCURRENT RESOLUTION.

Memorializing the Congress of the United States to pass the measure now pending in the Senate known as the Kenyon-Sheppard Bill:

*Whereas*, There is now on the statutes of the state a law forbidding the sale or transportation of intoxicating liquors in the State of North Dakota; and,

*Whereas*, The interstate common carriers are bringing into our state large quantities of intoxicating liquors to be sold in open violation of our state laws, and to the great injury of the people of the state; and,

*Whereas*, There is now pending in the Congress of the United States a measure known as the Kenyon-Sheppard bill, which has for its purpose the prevention of interstate shipments of liquors into states where the laws of the state forbid the sale of same;

*Therefore be it Resolved* by the House of Representatives of the State of North Dakota (the Senate concurring), That the Congress of the United States be, and the same is hereby, earnestly memorialized and requested to pass the Kenyon-Sheppard bill at the earliest date possible, and without amendment.

*Be it Further Resolved*, That a copy of these resolutions properly certified, be forwarded at once to the Speaker of the House of Representatives and to the President of the Senate.

Referred to committee on temperance.

Mr. Anderson moved

That the report of the committee on visitation to the insane asylum at Jamestown, which was printed in the Journal, be adopted.

Which motion prevailed, and

The report was adopted.

Mr. Kylo asked unanimous consent to withdraw House Bill No. 161.

Which request was granted, and  
House Bill No. 161 was withdrawn.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Calnan introduced  
House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between telephone companies defining the same and giving the State Board of Railroad Commissioners certain powers in connection therewith.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Sorlie introduced  
House Bill No. 171.

A bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of state's attorney's and attorney general.

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

Mr. Twichell introduced  
House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bond shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Was read the first and second time and  
Referred to the committee on corporations.

Mr. Northrup introduced  
House Bill No. 173.

A bill for an Act repealing Chapter 158 of the Session Laws of 1907.

Was read the first and second time and

Referred to the committee on insurance.

Mr. Warriner introduced

House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Blakemore introduced

House Bill No. 175.

A concurrent resolution for amendment of the Constitution of the State of North Dakota, relating to judicial department.

Referred to the committee on judiciary.

Mr. Blakemore (by request) introduced

House Bill No. 176.

A bill for an Act to amend Section 8366 of the Revised Codes of North Dakota for 1905, as amended by Chapter 2 of the Laws of 1909, relating to service by publication of summons in justice courts.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Blakemore (by request) introduced

House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Was read the first and second time and

Referred to committee on state affairs.

Mr. Gunderson introduced

House Bill No. 178.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, relating to the right of trial by jury.

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

Mr. Morrison introduced

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood reservation in Ramsey County, North Dakota.

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

Mr. Twichell introduced

House Bill No. 180.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the first and second time and  
Referred to the committee on municipal corporations.

Mr. Coltom introduced

House Bill No. 181.

House concurrent resolution memorializing the Congress of the United States to pass the measure now pending in the Senate known as the Kenyon-Sheppard Bill.

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

Mr. Gardner introduced

House Bill No. 182.

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.

Was read the first and second time and  
Referred to the committee on warehouses and grain grading.

Mr. Klein introduced

House Bill No. 183.

A bill for an Act for the publication of commissioners' proceedings and fixing the legal rate for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the 1905 Revised Codes, as amended by Chapter 232 of the 1911 Session Laws of the State of North Dakota, relating to the publication of the proceedings of boards of county commissioners, and the legal rates thereof.

Was read the first and second time and  
Referred to the committee on public printing.

Mr. Weis introduced

House Bill No. 184.

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.

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

Mr. Bratton introduced

House Bill No. 185.

A bill for an Act fixing the charges to be paid to the railroads for transporting the North Dakota National Guard or the North Dakota Reserve Militia and their baggage; the terms of transporting the same and prescribing the penalty for violations of said Act.

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

Mr. Fritz introduced

House Bill No. 186.

A bill for an Act to amend and re-enact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Was read the first and second time and  
Referred to the committee on municipal corporations.

Mr. Bope introduced

House Bill No. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302,

Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Burnett introduced

House Bill No. 188.

A bill for an Act to amend Section 1871 of the Revised Codes of 1905, relating to the purchase, sale and management of an asylum for the poor.

Was read the first and second time and

Referred to committee on state affairs.

Mr. Stenchjem (by request) introduced

House Bill No. 189.

A bill for an Act creating a free employment bureau.

Was read the first and second time and

Referred to the committee on agriculture.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 81.

A bill to amend Section 54 of the Code of the State of North Dakota for 1905.

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

#### MESSAGES FROM THE SENATE.

Bismarck, N. D., January 27, 1913.

*Mr. Speaker:*

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

*Be it Resolved* by the Senate of the Legislative Assembly, the House of Representatives concurring, That when this Legislative Assembly adjourns on Thursday, January 30th, it shall stand adjourned until Tuesday, February 4th, 1913.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also,

*Mr. Speaker:*

I have the honor to inform you that acting under the suggestion of Governor L. B. Hanna in regard to a joint committee to investigate the cost of legislative printing, the President has appointed as such committee Messrs. Nelson, Hanley and Gilbert.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also,

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 18.

A bill for a joint resolution ratifying an amendment to Section three, Article one, of the Constitution of the United States.

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911 relating to school houses and sites.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

### THIRD READING OF HOUSE BILLS.

House Bill No. 13.

A bill for an Act to amend Chapter 170 of the Laws of 1907, entitled 'an Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	O'Connor
Balsdon	Harty	Odland
Bartley	Hawkinson	Olsgard
Bass	Hedalen	Owens
Batzer	Hendrickson	Pendray
Bjornson	Hickle	Petterson
Blakemore	Hill of Bottineau	Pitkin
Bollinger	Hill of Cass	Ployhar
Bope	Hjelmstad	Putnam
Borusky	Hjort	Raney
Bratton	Homan	Roble
Buck	Husband	Ryan
Burnett	Huso	Sandbeck
Butler of Ramsey.	Isaak	Schroeder
Butler of Ransom	Jacobson	Small
Calnan	Johnson	Smith of Kidder
Carey	Kellogg	Smith of Ward
Coltom	Kelly	Snyder
Curry	Klein	Stenehjem
Davis	Knox	Stinger
Dean	Kyllo	Streeter
Dixon	Lambert	Taylor
Dosseth	Lawbaugh	Thompson
Doyle	Leu	Tucker
Dynes	Lewis	Turner, C. C.
Endreson	Lindstrom	Turner, F. W.
Everson	List	Twichell
Fox	Martin	Walsh
France	Miller	Wardrobe
Freitag	Moen	Warriner
Fritz	Morkrid	Watt
Gardiner	Morrison	Weis
Geiger	Norheim	Wiley
Gunderson	Northrup	Williams
Hanson	Nyhus	Mr. Speaker

Absent and not voting, Messrs. Campbell, Divet, Hart, Hoge, Sorlie, Wing.

So the bill passed and the title was agreed to.

Mr. Endreson moved

That the vote by which House Bill No. 13 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 14.

A bill for an Act relating to the boundaries, terms of court and chambers of the district judge of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, 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 ayes 99, nays 3, absent and not voting 9.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	O'Connor
Balsdon	Harty	Odland
Bartley	Hawkinson	Olgard
Bass	Hedalen	Owens
Batzer	Hendrickson	Pendray
Bjornson	Hickle	Petterson
Blakemore	Hill of Bottineau	Pitkin
Bollinger	Hill of Cass	Raney
Bope	Hjelmstad	Roble
Borusky	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Homan	Schroeder
Butler of Ramsey	Huso	Smith of Kidder
Butler of Ransom	Isaak	Snyder
Calnan	Jacobson	Sorlie
Campbell	Johnson	Stenehjem
Carey	Kelly	Stinger
Coltom	Klein	Streeter
Curry	Knox	Taylor
Davis	Kyllo	Thompson
Dean	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Dynes	Lewis	Twichell
Endreson	Lindstrom	Walsh
Everson	List	Wardrope
Fox	Miller	Warriner
France	Moen	Watt
Freitag	Morkrid	Weis
Fritz	Morrison	Wiley
Gardiner	Norheim	Williams
Gunderson	Northrup	Wing
Hanson	Nyhus	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Geiger	Husband	Martin

Absent and not voting, Messrs. Bratton, Divet, Dixon, Hart, Kellogg, Ployhar, Putnam, Small, Smith of Ward.

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which House Bill No. 14 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 30.

A bill for an Act to amend Section 111 of the Revised Codes of 1905, relating to the duties of the state treasurer.

Was read the third time.

Mr. Norheim asked for the unanimous consent to amend House Bill No. 30 as follows: In line 2 of the bill after the figures "1905" insert "as amended by Chapter 220 of the Session Laws of 1907."

Which request was granted, and

The bill was so amended.

The question being on the final passage of the bill.

The roll was called and there were ayes 100, nays 2, absent and not voting 9.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Olsgard
Balsdon	Hawkinson	Owens
Bartley	Hedalen	Pendray
Bass	Hendrickson	Pitkin
Batzer	Hickle	Ployhar
Bjornson	Hill of Bottineau	Putnam
Blakemore	Hill of Cass	Raney
Bollinger	Hjelmstad	Roble
Bope	Hjort	Ryan
Borusky	Homan	Sandbeck
Buck	Husband	Schroeder
Burnett	Huso	Smith of Kidder
Butler of Ramsey	Isaak	Smith of Ward
Butler of Ransom	Jacobson	Snyder
Calnan	Johnson	Sorlie
Carey	Kelly	Stenhjem
Coltom	Klein	Stinger
Davis	Knox	Streeter
Dean	Kyllo	Taylor
Dixon	Lambert	Thompson
Dosseth	Lawbaugh	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Martin	Twichell
Everson	Miller	Walsh
Fox	Moen	Wardrope
France	Morkrid	Warriner
Freitag	Morrison	Watt
Fritz	Norheim	Weis
Gardiner	Northrup	Wiley
Geiger	Nyhus	Williams
Gunderson	O'Connor	Wing
Hanson	Odland	Mr. Speaker
Haraldson		

Those voting in the negative were:

Messrs.—	Messrs.—
Curry	List

Absent and not voting, Messrs. Bratton, Campbell, Divet, Hart, Hoge, Kellogg, Lindstrom, Petterson, Small.

House Bill No. 31.

Being a bill for an Act to amend and re-enact Article 3, Chapter 30, of the Code of Civil Procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

Was read the third time.

Mr. Wardrope moved

That House Bill No. 31 be referred to the committee on judiciary.

Which motion prevailed, and

The bill was so referred.

House Bill No. 78.

A bill for an Act defining bootlegging, making it a crime and fixing 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 92, nays 10, absent and not voting 9.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hjort
Balsdon	Dixon	Hoge
Bartley	Dosseth	Homan
Bass	Doyle	Husband
Bjornson	Dynes	Huso
Blakemore	Everson	Jacobson
Bollinger	Fox	Johnson
Bope	France	Kelly
Borusky	Gardiner	Knox
Bratton	Geiger	Kyllo
Buck	Gunderson	Lambert
Burnett	Hanson	Lawbaugh
Butler of Ramsey	Haraldson	Leu
Butler of Ransom	Harty	Lewis
Calnan	Hawkinson	Lindstrom
Carey	Hedalen	List
Coltom	Hill of Bottineau	Miller
Curry	Hill of Cass	Moen
Davis	Hjelmstad	Morkrid

Messrs.—	Messrs.—	Messrs.—
Morrison	Putnam	Taylor
Norheim	Raney	Tucker
Northrup	Roble	Turner, F. W.
Nyhus	Sandbeck	Twichell
O'Connor	Schroeder	Wardrope
Odland	Small	Warriner
Olsgard	Smith of Kidder	Watt
Owens	Smith of Ward	Weis
Pendray	Snyder	Williams
Petterson	Sorlie	Wing
Pitkin	Stenehjem	Mr. Speaker
Ployhar	Stinger	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Klein	Turner, C. C.
Fritz	Martin	Wiley
Hendrickson	Ryan	
Isaak	Streeter	

Absent and not voting, Messrs. Campbell, Divet, Endreson, Freitag, Hart, Hickle, Kellogg, Thompson, Walsh.

So the bill passed and the title was agreed to.

Mr. Everson moved

That the vote by which House Bill No. 78 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 57.

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 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 ayes 102, absent and not voting 9.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Borusky	Curry
Balsdon	Bratton	Davis
Bartley	Buck	Dean
Bass	Burnett	Dixon
Batzer	Butler of Ramsey	Dosseth
Bjornson	Butler of Ransom	Doyle
Blakemore	Calnan	Dynes
Bollinger	Carey	Everson
Bope	Coltom	Fox

Messrs.—	Messrs.—	Messrs.—
France	Klein	Ryan
Freitag	Knox	Sandbeck
Fritz	Kyllo	Schroeder
Gardiner	Lambert	Small
Geiger	Lawbaugh	Smith of Kidder
Gunderson	Leu	Smith of Ward
Hanson	Lewis	Snyder
Haraldson	Lindstrom	Sorlie
Harty	Martin	Stinger
Hawkinson	Miller	Streeter
Hedalen	Moen	Taylor
Hendrickson	Morkrid	Thompson
Hickle	Morrison	Tucker
Hill of Bottineau	Norheim	Turner, C. C.
Hill of Cass	Northrup	Turner, F. W.
Hjelmstad	Nyhus	Twichell
Hjort	O'Connor	Walsh
Hoge	Odland	Wardrope
Homàn	Owens	Warriner
Husband	Pendray	Watt
Huso	Pitkin	Weis
Jacobson	Ployhar	Wiley
Johnson	Putnam	Williams
Kellogg	Raney	Wing
Kelly	Roble	Mr. Speaker

Absent and not voting, Messrs. Campbell, Divet, Endreson, Isaak, List, Olsgard, Petterson, Stenehjem.

### House Bill No. 63.

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905, as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 101, nays 2, absent and not voting, 8.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ransom	Dvnes
Balsdon	Calnan	Endreson
Bartley	Carey	Everson
Bass	Coltom	Fox
Batzer	Curry	France
Blakemore	Davis	Freitag
Bope	Dean	Fritz
Buck	Dixon	Gardiner
Burnett	Dosseth	Geiger
Butler of Ramsey	Doyle	Gunderson

Messrs.—	Messrs.—	Messrs.—
Hanson	Leu	Schroeder
Haraldson	Lewis	Small
Hart	Lindstrom	Smith of Kidder
Harty	List	Smith of Ward
Hedalen	Miller	Snyder
Hendrickson	Moen	Sorlie
Hickle	Morkrid	Stenehjelm
Hill of Bottineat	Morrison	Stinger
Hill of Cass	Norheim	Streeter
Hjelmstad	Northrup	Taylor
Hjort	Nyhus	Thompson
Hoge	O'Connor	Tucker
Homan	Odland	Turner, C. C.
Husband	Olsgard	Turner, F. W.
Huso	Owens	Twitchell
Isaak	Fendray	Walsh
Jacobson	Petterson	Wardrobe
Johnson	Pitkjin	Warriner
Kelly	Ployhar	Watt
Klein	Putnam	Weis
Knox	Raney	Williams
Kyllo	Roble	Wing
Lambert	Ryan	Mr. Speaker
Lawbaugh	Sandbeck	

Those voting in the negative were:

Messrs.—	Messrs.—
Borusky	Hawkinson

Absent and not voting, Messrs. Bjornson, Bollinger, Bratton, Campbell, Divet, Kellogg, Martin, Wiley.

So the bill passed and the title was agreed to.

Mr. Twitchell moved

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

Which motion prevailed.

House Bill No. 32.

For a concurrent resolution amending the State Constitution of the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 54, nays 54, absent and not voting 3.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Roble
Balsdon	Hawkinson	Ryan
Bass	Hedalen	Sandbeck
Bollinger	Hjelmstad	Schroeder
Bratton	Husband	Small
Burnett	Huso	Smith of Kidder
Butler of Ramsey	Isaak	Smith of Ward
Calnan	Jacobson	Sorlie
Coltom	Kelly	Stenchjem
Davis	Klein	Streeter
Dean	Lawbaugh	Turner, C. C.
Dixon	Leu	Turner, F. W.
Doyle	Lindstrom	Walsh
Dynes	Martin	Warriner
Endreson	Miller	Wiley
Everson	Morkrid	Williams
Fox	Nyhus	Wing
Freitag	Pitkin	Mr. Speaker

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hart	O'Connor
Batzer	Harty	Odland
Bjornson	Hendrickson	Olsgard
Blakemore	Hickle	Owens
Bope	Hill of Bottineau	Pendray
Borusky	Hill of Cass	Petterson
Buck	Hjort	Ployhar
Butler of Ransom	Hoge	Putnam
Campbell	Homan	Raney
Carey	Johnson	Snyder
Curry	Knox	Stinger
Dosseth'	Kyllo	Thompson
France	Lambert	Taylor
Fritz	Lewis	Tucker
Gardiner	List	Twichell
Geiger	Moen	Wardrope
Hanson	Morrison	Watt
Haraldson	Norheim	Weis

Absent and not voting, Messrs. Divet, Kellogg, Northrup.

So the bill was lost.

## MESSAGE FROM THE GOVERNOR.

*To the Members of the House of Representatives:*

I wish to call your attention to a resolution passed by the commissioners of public printing at a meeting held by them January 25, 1913.

“Moved by Mr. Olson that the attention of the governor be called to the fact that we have been asked to advance

the seventy-five per cent allowed by law on estimated work completed and in course of completion for the Thirteenth Legislative Assembly, and in view of the fact that the printer estimates that he has completed and in process of completion to exceed \$10,000.00 worth of legislative printing, this commission believes it will be wise if the governor will call the attention of the House and Senate to this fact, with the end in view that a committee may be appointed to investigate and decide what if any cut could be made in the printing now being ordered; the idea being to reduce the expense of unnecessary legislative printing and the incidental cost of postage for its distribution. Seconded by Mr. Jorgenson, and the question on being put to a vote was declared carried, all members voting 'aye.'"

I would respectfully suggest to the Senate and House that a joint committee be named to confer with the governor and commissioners of public printing to see if some way cannot be devised by which this very large expenditure for legislative printing can be cut down. The session of the Legislature is only one-third through and if it has cost us more than \$10,000.00 for the first twenty days of the session, it will be readily seen that it will cost us thirty to thirty-five thousand dollars for legislative printing by the time the session is over, which would be an average of more than \$500.00 per day.

Trusting that this matter may be given proper attention, I am,

Sincerely,

L. B. HANNA,  
Governor.

Mr. Owens moved

That the Speaker be authorized to appoint a committee of three to act jointly with the committee appointed by the President of the Senate on the message from the governor relating to public printing.

Which motion prevailed, and

The Speaker appointed as such committee Messrs. Burnett, Bratton and Small.

Mr. Thompson moved

That the twelfth order of business be referred to for the purpose of considering the message from the Senate.

Which motion prevailed, and

The twelfth order of business was returned to.



Mr. Anderson moved

That the House concur in the Senate resolution in regard to the proposed adjournment of the House and Senate.

The question being on the passage of the motion.

The roll was called and there were ayes 63, nays 43, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Owens
Balsdon	Geiger	Fendray
Bartley	Gunderson	Petterson
Bass	Hedalen	Ployhar
Bjornson	Hendrickson	Putnam
Blakemore	Hjelmstad	Raney
Borusky	Homan	Sandbeck
Bratton	Husband	Schroeder
Burnett	Isaak	Small
Butler of Ramsey	Jacobson	Smith of Kidder
Butler of Ransom	Klein	Thompson
Calnan	Knox	Taylor
Carey	Kylo	Turner, C. C.
Davis	Lawbaugh	Turner, F. W.
Dean	Lewis	Twichell
Dosseth	Lindstrom	Walsh
Doyle	Miller	Wardrobe
Dynes	Moen	Watt
Endreson	Morkrid	Wiley
Everson	Morrison	Wing
Fritz	Norheim	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hill of Cass	Olsgard
Bollinger	Hjort	Pitkin
Bope	Hoge	Roble
Buck	Huso	Ryan
Coltom	Kellogg	Smith of Ward
Curry	Kelly	Snyder
Dixon	Lambert	Sorlie
Fox	Leu	Stenhjem
France	List	Stinger
Freitag	Martin	Streeter
Hanson	Northrup	Tucker
Haraldson	Nyhus	Warriner
Harty	O'Connor	Weis
Hickle	Odland	Williams
Hill of Bottineau		

Absent and not voting, Messrs. Campbell, Divet, Hart, Johnson, Hawkinson.

So the motion passed and the House concurred.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Senate Bill No. 53.

A bill for an Act to re-enact Section 42 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

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

Senate Bill No. 67.

A concurrent resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

Was read the first and second time and  
Referred to the committee on highways and bridges.

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911, relating to the terms of court in various counties comprising the Fourth Judicial District of this state.

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

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Was read the first and second time and  
Referred to the committee on education.

Senate Bill No. 18.

A joint resolution ratifying an amendment to Section three, Article one of the Constitution of the United States.

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

Mr. Williams asked

That the House return to the ninth order of business.

Which request was granted, and

The ninth order of business was taken up.

## INTRODUCTION OF HOUSE BILLS.

Mr. Sorlie introduced

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Mr. Williams introduced

House Bill No. 191.

A bill for an Act making an appropriation to purchase additional land for the State Penitentiary at Bismarck.

Mr. Miller introduced

House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Messrs. Hjort and Stinger introduced

House Bill No. 193.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the Agricultural Sub-experiment Station located at Hettinger.

Messrs. Hjort and Stinger introduced

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

## COURTESIES OF THE FLOOR.

Privileges of the floor were granted to C. E. Blackorby, of Hansboro; M. Staehnke, of Morton County; H. A. Burgeson, Dickinson; Harry Denz, Belfield; J. R. Waters, Beach; Ray Andrews, Beach; G. N. Keneslon, of Hettinger; A. F. Cole, Geo. W. Wilkurson, V. E. Haskins, Ellendale; F. McAuliff, Mandan, N. D.

Mr. Wardrope moved  
That the House do now adjourn.  
Which motion prevailed, and  
The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

TWENTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 28, 1913.

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. Hickle, Johnson, Morrison, who were excused.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 1, line 9, omit "Hart."

On page 16, line 41, change "Hendrickson" to "Enderson."

On page 17, add "Geiger" to roll call of members voting in the negative on House Bill No. 14.

On page 22, next to last line, change the figure "34" to "54."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### COMMUNICATION.

The following communication was then presented:

January 25, 1913.

Hon. P. H. Butler,

Bismarck, N. D.

Dear Sir: We are informed that an effort is being made and a bill introduced to provide for a uniform system of text books in the common schools. We have the free text book system in Ransom County.

This bill we believe to be in the interests of the American Book Company, which in our judgment is one of the biggest trusts in the country.

We believe the bill to be against the best interests of the state and ask you to use your influence against it.

Respectfully,

W. F. GRANGE,  
T. A. CURTIS,  
ALFRED M. KIELLO,  
C. D. CLOW,

Board of Education, Lisbon, N. D.

*To Governor L. B. Hanna and the Members of the Thirteenth Legislative Assembly, Bismarck, North Dakota:*

Gentlemen: The Twelfth Legislative Assembly passed a concurrent resolution instructing the Governor to appoint a committee for the purpose of investigating the Panama-Pacific International Exposition, to be held in San Francisco, California, in 1915, and to report to the Thirteenth Legislative Assembly the scope of said exposition and the benefits that North Dakota might derive therefrom. In con-

formity to said resolution the committee, appointed, beg leave to submit their findings.

This committee has carefully investigated the purposes of the exposition and concludes that it will be the largest in the expenditure of money for buildings, grounds and other necessary features which has ever been held. It is estimated by the management that the value of the buildings, grounds and special features exclusive of the exhibits, will require the expenditure of one hundred million dollars. There can be no doubt from the information before the committee, that this exposition will be in every way successful, and it would seem beneficial to the State of North Dakota to make a reasonable display of its great resources, at this time, when so many people from all parts of the world will assemble to honor the completion of the greatest engineering enterprise that any nation has ever undertaken.

Many of our citizens have been interviewed by the committee with reference to the kind and character of displays that our state should make and the committee believes that it is possible for North Dakota to make a display that will be unique, instructive and of great commercial benefit to our state.

There should be at this exposition: First, a full display of our agricultural products. Second, there should be a display made of our coal and clay products. While North Dakota stands first in the rank of states as a cereal producer, yet we have within our borders one-sixth of all the coal in the United States. This coal, by the modern process of briquetting can be made of almost incalculable value to our state. It would be possible to erect on the exposition grounds a building in which a small briquetting plant could be operated. Ovens for the manufacture of our clay into pottery and brick could be operated on the grounds at small expense. We believe that it would be almost self-sustaining from the sale of finished pottery. A briquetting plant and potteries in operation would be a most attractive exhibit, and would attract the attention of capital, we believe, for the development of our vast coal and clay deposits. The school of mines of the University of North Dakota could make a display of the briquetting and pottery industries that would be second to none.

We also desire to call your attention to the plant and bird life of North Dakota of which an exhibit should be made, and we particularly call your attention to the work of Dr. J. Lunell, of Leeds, North Dakota, who has made some wonderful scientific discoveries in North Dakota along these lines.

We find that many of the valuable and unique displays that might be made can be secured for practically nothing through the kindness of the citizens who own them.

Your committee has carefully considered the wonderful resources of our state and at a time when nearly every state will be represented at this great exposition. It would seem that our state with its many possibilities should not overlook the opportunity of making at least a reasonable display, and your committee recommend a proper display of the resources of our state. Your committee would respectfully recommend that a suitable site be secured on the grounds and a building erected suitable for the needs of a proper exhibit.

We would recommend an appropriation of \$50,000.00 for this purpose. Many of the western states are appropriating as much as \$500,000.00 each, and some of the eastern states larger amounts, and from all the information your committee was able to secure fifty thousand dollars (\$50,000.00) would be a reasonable sum to properly display the resources of our great state.

The committee beg leave to state that while their appointment was to report on the Panama-Pacific International Exposition at San Francisco, they could not wholly overlook the other great exposition which is to be held at the same time at San Diego, California. This great exposition will scarcely be second to the one held at San Francisco, and in some respects it will be superior. The citizens of San Diego have already subscribed seven million dollars for this great enterprise which will be located near the center of the city. Many of the magnificent buildings are already completed, and this committee believes that San Diego being the first port of call on all traffic north from the great Panama Canal that practically all of the people who visit San Francisco will also visit San Diego, and our state should therefore be represented there.

There is a large colony of the pioneers who helped build North Dakota who reside at San Diego, and the committee has been faithfully urged by our old time citizens to make a display at their exposition also, and the committee believes through the loyalty expressed by these men and women that North Dakota would derive as much benefit from a reasonable display of its resources at San Diego as at San Francisco. We believe that a display of our agricultural products could be made at San Diego for a very small sum and we feel confident that our old friends down there would take pleasure in extolling the virtues of North Dakota.

In conclusion, we heartily recommend for the consideration of the Thirteenth Legislative Assembly a suitable exhibit for the State of North Dakota, at both San Francisco and San Diego. We believe that an appropriation of fifty thousand dollars (\$50,000.00) would be a reasonable appropriation considering the magnitude and scope of these great expositions, and we believe that this sum carefully expended would bring many valuable returns to our state.

The committee has forwarded to his excellency, Governor L. B. Hanna, such literature, letters and other information bearing on this subject as they had in their possession.

Respectfully submitted,

JOHN BRUEGGER,  
 JOS. M. KELLY,  
 MARION EDWARDS,  
 C. D. LORD,  
 GEO. E. DAVIS,  
 Committee.

#### REPORTS OF STANDING COMMITTEES.

The committee on joint rules made the following report:

*Mr. Speaker:*

Your committee on joint rules have had under consideration Senate Bill No. 80, and recommend that the same be amended as follows:

Line 1 of the printed bill be amended by omitting the words "article five" and substituting in place thereof the words "Political Code" and omit in line 1 of the title the word "Code" and substitute in place thereof the word "Codes."

In line 1 of Section 1 the words "Article five" be omitted and there be substituted in place thereof the words "the Political Code," and in line 2 of Section 1 that the word "Code" be omitted and that there be substituted in place thereof the word "Codes," and that when so amended that the same do pass.

C. S. BUCK,  
 Chairman.

Mr. Buck moved

That the rules be suspended and that the amendment be concurred in and the bill go to its third reading and final passage.

Which motion prevailed, and



The report of the committee was adopted.

The committee on temperance made the following report:

*Mr. Speaker:*

Your committee on temperance to whom was referred  
House Concurrent Resolution

Memorializing to Congress of the United States to pass the measure now pending in the Senate known as the Kenyon-Sheppard bill.

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

S. HENDRICKSON,  
Chairman.

Mr. Hendrickson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 67.

A bill for an Act prohibiting and making a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper.

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

Strike out all of Section 3 and insert in lieu thereof "All Acts and parts of Acts in conflict with this Act are hereby repealed." Strike out all of Section 4.

And when so amended recommend the same do pass.

S. HENDRICKSON,  
Chairman.

Mr. Hendrickson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on highways made the following report;

*Mr. Speaker:*

Your committee on highways to whom was referred  
House Bill No. 73.

Relating to county road funds.

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

That in line 9 of Section 1 strike out all after the word  
"county" and up to and including the word "village."

And when so amended recommend the same do pass.

NORMAN MORRISON,  
Chairman.

Mr. Morrison 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 re-  
port:

*Mr. Speaker:*

Your committee on ways and means to whom was re-  
ferred

House Bill No. 50.

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 "clerk" strike  
out the word "and," and after the word "assessor" in the  
same line strike out the words "each for a term of one  
year," also strike out the first word of line 6, being the word  
"and."

And when so amended recommend 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,

House Bill No. 75.

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,

House Bill No. 104.

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 tax and tax laws made the following report:

*Mr. Speaker:*

Your committee on tax and tax laws to whom was referred

House Bill No. 100.

A bill for an Act to amend Chapter 300 of the Session Laws of 1911, relating to delinquent personal property taxes and to the collection of taxes.

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

ROBERT NORHEIM,  
Chairman.

Mr. Norheim moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes."

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

ROBERT NORHEIM,  
Chairman.

Mr. Norheim 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. 36.

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

On line 39, page 3, printed bill, after the word "restaurant," insert the following: "Where fifty cents or more per meal is charged."

Strike out all on page 2, line 28, printed bill, after the word "fumigated," up to and including the word "hours," line 29.

And when so amended recommend the same to pass.

W. M. BARTLEY,  
Chairman.

Mr. Bartley 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. 68,

Being a bill for an Act repealing Chapter 174 of the Session Laws of 1911, relating to the terms of court in various counties comprising the Fourth Judicial District in this state.

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

A. M. THOMPSON,  
Acting Chairman.

Mr. Thompson 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. 24.

A bill for an Act to amend and re-enact Section numbered 5119 of the Revised Codes of North Dakota of 1905, relating to succession of children or the issue of any deceased child omitted to be provided for in the will of any testator.

Also,

House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Also,

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905, of the State of North Dakota, relating to chattel mortgages.

Also,

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen 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:*

A minority of your committee on judiciary to whom was referred

House Bill No. 133,

Being a concurrent resolution providing for the initiative and referendum and the provisions thereof, the recall of public officers and future amendments to the Constitution.

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

Signed by C. S. BUCK,  
O. C. DOSSETH,  
F. B. LAMBERT,  
N. W. HAWKINSON,  
J. T. HOGE.

A majority of your committee on judiciary to whom was referred

House Bill No. 133,

Being a concurrent resolution providing for the initiative and referendum and the provisions thereof, the recall of public officers and future amendments to the Constitution.

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

Signed by A. M. THOMPSON,  
Acting Chairman.  
D. S. LEWIS,  
ROBT. NORHEIM,  
R. B. BLAKEMORE,  
C. C. TURNER,  
J. G. ODLAND,  
A. P. HANSON,  
J. A. T. BJORNSON,  
VICTOR WARDROPE,  
E. O. HARALDSON,  
N. F. SNYDER.

Mr. Thompson moved

That the majority report be adopted,

Mr. Lambert moved

To amend by making House Bill No. 133 a special order for Wednesday, February 5th, at 3 o'clock P. M.

The question being upon the amendment,

The motion to amend prevailed.

The question being upon the original question, as amended,

The same prevailed, and

House Bill No. 133 was made a special order of business for Wednesday, February 5, at 3 o'clock P. M.

Mr. Ployhar asked that the vote on House Bill No. 133 be reconsidered, and

The roll was called.

There were 48 ayes, 55 nays, absent and not voting 8.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Curry	Hjort
Bjornson	Davis	Homan
Blakemore	Divet	Husband
Bolliager	Fox	Jacobson
Borusky	France	Johnson
Bratton	Fritz	Kellogg
Calnan	Hanson	Kelly
Campbell	Haraldson	Klein
Carey	Hill of Bottineau	Knox

Messrs.—	Messrs.—	Messrs.—
Leu	Odland	Turner, C. C.
Lindstrom	Ployhar	Twichell
List	Raney	Wardrope
Miller	Ryan	Weis
Norheim	Stenehjelm	Wiley
Nyhus	Stinger	Wing
O'Connor	Streeter	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Pettersen
Balsdon	Hawkinson	Pitkin
Bartley	Hedalen	Putnam
Bass	Hendrickson	Roble
Bope	Hickle	Sandbeck
Buck	Hill of Cass	Schroeder
Burnett	Hjelmstad	Small
Butler of Ramsey	Hoge	Smith of Kidder
Butler of Ransom	Isaak	Smith of Ward
Coltom	Kyllo	Snyder
Dean	Lambert	Sorlie
Dixon	Lawbaugh	Tucker
Dosseth	Moen	Turner, F. W.
Dynes	Morkrid	Walsh
Endreson	Morrison	Warriner
Freitag	Northrup	Watt
Gardiner	Olsgard	Williams
Geiger	Owens	Mr. Speaker
Gunderson	Pendray	

Absent and not voting, Messrs. Doyle, Everson, Harty, Huso, Lewis, Martin, Thompson, Taylor.

So the resolution was lost.

The committee on state affairs made the following report:

*Mr. Speaker:*

Your committee on state affairs to whom was referred

House Bill No. 121.

A bill for an Act to provide for the inspection of steam boilers, and provide for licensing engineers of steam engines.

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,

House Bill No. 102.

A bill for an Act amending Sections 2584 and 2585 of the Revised Codes of North Dakota, 1905, relating to the fees to be charged and collected by the clerk of courts.

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,

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors 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.

Also,

House Bill No. 107.

A bill for an Act to repeal all of Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

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 school and public lands made the following report:

*Mr. Speaker:*

Your committee on school and public lands to whom was referred

House Bill No. 52.

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

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### REPORT OF SELECT COMMITTEE.

*To the Members of the House of Representatives of the State of North Dakota.*

Gentlemen: Your special committee appointed for the purpose of investigating the cause of the delayed reports of the various state officers and state institutions, beg leave to submit the following supplementary report:

Your committee finds that a large number of the reports were held by the printing commission or its secretary for several days after the same had been filed with the governor and received by the printing commission before transmitting same to the printer. For instance, the treasurer's report for the biennial period ending October 31st, was filed with the governor on November 23d, and on the same date received by the printing commission, but was not transmitted to the printer until December 9th. Your committee has had a personal interview with the manager of the Knight Printing Company, who has the printing of said reports in hand, and obtained the promise that the following reports, which have been the most generally called for by different members of the House, would be rushed to completion at the earliest possible date, namely: Secretary of State, Railroad Commission, University, Agricultural College, Board of Control, Board of Equalization, Normal Board and State Engineer.

Your committee further reports that the Board of Control of Game and Fish, which, under the provisions of Chapter 141 of the Laws of 1911, is required to report to the governor on or before December 31st, of each even numbered year, has so far failed to submit any report whatever and your committee recommends that the said board be required to file such report forthwith.

Respectfully submitted,

J. T. HOGE,

J. J. RYAN,

PEDER L. HJELMSTAD,

Committee.

Mr. Owens moved

That this report be referred back to the special committee, and that there be attached thereto a statement showing the dates on which the various state officials should report, the dates when they did report, the dates when the reports were delivered to the governor, dates when they were sent to the printer, and the Section of law governing the time when the reports should be filed.

Which motion prevailed, and

The report was referred back to the special committee.

## RESOLUTIONS.

### CONCURRENT RESOLUTION.

Mr. Anderson introduced the following concurrent resolution:

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

*Whereas*, An appropriation has been asked by the North Dakota State Tuberculosis Sanitarium from this Legislative Assembly and, *whereas*, the information as to the needs of such institution and as to the use made of moneys heretofore appropriated to such institution, is not sufficient to enable the appropriation committee of the Senate and House to determine the actual needs of such institution and, *whereas*, at a joint meeting of the committees on appropriations of the House and Senate it was recommended that a committee of five, three from the House and two from the Senate, be appointed to investigate as to the needs and affairs of such institution.

*Now, Therefore, Be it Resolved*, That the Speaker of the House is hereby authorized to appoint a committee of three

to act with the committee of two to be appointed by the President of the Senate, such joint committee to investigate the needs and affairs of the North Dakota Tuberculosis Sanitarium and to report to this Assembly its findings and recommendations.

Mr. Anderson moved

The adoption of the resolution.

Which motion prevailed, and

The report was adopted.

The Speaker then appointed as such committee Messrs. Twichell, Huso and Haraldson.

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

Mr. Sorlie introduced

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Was read the first and second time and

Referred to the committee on railways.

Mr. Williams introduced

House Bill No. 191.

A bill for an Act making an appropriation to purchase additional land for the State Penitentiary at Bismarck.

Was read the first and second time and

Referred to the committee on penal institutions.

Mr. Miller introduced

House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

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

Mr. Hjort introduced

House Bill No. 193.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the Agricultural Sub-experiment Station located at Hettinger.

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

Messrs. Hjort and Stinger introduced

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

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

Mr. Batzer introduced

House Bill No. 195.

A bill for an Act to appropriate the sum of fourteen hundred dollars with which to pay amounts due under Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws for the year 1907, for the arrest and conviction of cattle and horse thieves.

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

Mr. Geiger introduced

House Bill No. 196.

A bill for an Act to provide that counties may require adjoining land owners to build, maintain and keep in repair partition fences between them.

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

Mr. Twichell introduced

House Bill No. 197.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Twichell introduced

House Bill No. 198.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Fritz introduced

House Bill No. 199.

A concurrent resolution, amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and institution for the feeble-minded in connection, therewith, in the City of Towner, County of McHenry.

Was read the first and second time and

Referred to committee on state affairs.

Mr. Kylo introduced

House Bill No. 200.

A bill for an Act to amend Chapter 74 of the Laws of 1907 (being an amendment to Section 2580 of the Revised Codes of 1905), relating to the salary of the Clerk of the District Court.

Was read the first and second time and

Referred to committee on state affairs.

Mr. Hill (by request) introduced

House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Was read the first and second time and

Referred to committee on state affairs.

Mr. Buck introduced

House Bill No. 202.

A bill for an Act entitled "An Act relating to the liability of municipalities for injuries caused by defective streets or sidewalks."

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Buck introduced

House Bill No. 203.

A bill for an Act to amend Section 7 of Chapter 46 of the Session Laws of 1907, relating to cities.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Nyhus introduced

House Bill No. 204.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing that the county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff and state's attorney shall be elected for a term of four years; and providing that members of the House of Representatives of the Legislative Assembly shall be elected for a term of four years.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Jacobson introduced

House Bill No. 205.

A bill for an Act to amend and re-enact Sections 1, 4 and 5 of Chapter 208 of the Session Laws of the year 1911, relating to the primary election of national delegates.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Odland introduced

House Bill No. 206.

A bill for an Act to amend Chapter 201, Session Laws, 1911, relating to transient merchants and peddlers.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Bass (by request) introduced

House Bill No. 207.

A bill for an Act to determine the interests of the holders of chattel mortgages upon crops; to prevent fraud in the application of chattel mortgages given to secure future advances; to define the rights of parties under farm leases and cropping contracts, and to require the filing of the same.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. C. C. Turner introduced

House Bill No. 208.

A bill for an Act to amend Section 1 of Chapter 232 of the Session Laws of 1911, relating 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 board of county commissioners.

Was read the first and second time and

Referred to the committee on public printing.

Mr. Hoge introduced

House Bill No. 209.

A bill for an Act to amend and re-enact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary election ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Hjort introduced

House Bill No. 210.



A bill for an Act to amend Section 1, Chapter 111, Laws of North Dakota, for the year 1907, and providing a penalty for failure to comply with provisions of said Chapter 111.

Was read the first and second time and

Referred to the committee on warehouse and grain grading.

Messrs. Divet and Weis introduced

House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the State Park at Fort Abercrombie, in Richland County, North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

The Committee on State Affairs introduced

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

Was read the first and second time and

Referred to committee on state affairs.

Mr. Husband introduced

House Bill No. 213.

A bill for an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of said Codes, and providing for the relief of poor persons.

Was read the first and second time and

Referred to committee on state affairs.

Mr. Williams introduced

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Williams introduced

House Bill No. 215.

A bill for an Act to provide for the issuance of city bonds for certain purposes, limiting the issue and providing for the sale thereof; also to legalize certain city warrants and to repeal Sections 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990 and 2991 of the Political Code of 1905 and all amendments thereto, and all other Acts or parts of Acts in conflict with this Act.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Williams introduced

House Bill No. 216.

A bill for an Act to provide for the issuance of village bonds for certain purposes, limiting the issuance of same, and to provide for the registration and sale of such bonds by the village treasurer, and legalize certain village warrants.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Williams introduced

House Bill No. 217.

A bill for an Act entitled "An Act amending Section 7218 of the Revised Codes of 1905, relating to appeals."

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Williams introduced

House Bill No. 218.

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Doyle introduced

## House Bill No. 219.

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

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Sorlie (by request) introduced

## House Bill No. 220.

A bill for an Act to amend Section 9404 of the 1905 Revised Codes of North Dakota, relating to state's attorneys acting contrary to official duty.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Moen introduced

## House Bill No. 221.

A bill for an Act to amend Section 643 of the Revised Codes of 1905, relating to assistance to electors who by reason of disability are unable to mark their ballots.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Kylo introduced

## House Bill No. 222.

A bill for an Act to amend Section 2584 of the Revised Codes of North Dakota for the year 1905, relating to fees of clerks of the district court.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Lindstrom introduced

## House Bill No. 223.

A bill for an Act to prohibit the building of a public school house within less than 80 rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than 80 rods from a public school house.

Was read the first and second time and

Referred to the committee on education.

Mr. Freitag (by request) introduced

House Bill No. 224.

A bill for an Act to amend Section 4049 of the Revised Codes of 1905, relating to causes for divorce.

Was read the first and second time and

Referred to the committee on judiciary.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 90.

A bill for an Act entitled "An Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

Was read the first and second time and

Referred to the committee on highways.

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Codes of 1905 of the State of North Dakota, relating to chattel mortgages.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 104, nays 2, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—  
Anderson  
Balsdon  
Bartley  
Bass  
Baxter

Messrs.—  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky

Messrs.—  
Bratton  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom

Messrs.—	Messrs.—	Messrs.—
Calnan	Hjelmstad	Ployhar
Campbell	Hoge	Putnam
Carey	Homan	Raney
Coltom	Husband	Roble
Curry	Huso	Ryan
Davis	Isaak	Sandbeck
Dean	Jacobson	Schroeder
Dixon	Johnson	Small
Dosseth	Kellogg	Smith of Kidder
Doyle	Kelly	Smith of Ward
Enderson	Klein	Snyder
Everson	Knox	Sorlie
Fox	Kyllo	Stenchjem
France	Lawbaugh	Stinger
Freitag	Leu	Streeter
Fritz	Lindstrom	Taylor
Gardiner	List	Thompson
Geiger	Miller	Tucker
Gunderson	Moen	Turner, F. W.
Hanson	Morkrid	Twichell
Haraldson	Norheim	Walsh
Hart	Northrup	Wardrope
Harty	Nyhus	Warriner
Hawkinson	O'Connor	Watt
Hedalen	Odland	Weis
Hendrickson	Olsgard	Wiley
Hickle	Owens	Williams
Hill of Bottineau	Pendray	Wing
Hill of Cass	Petterson	Mr. Speaker
Hjort	Pitkin	

Those voting in the negative were:

Messrs.—	Messrs.—
Lambert	Morrison

Absent and not voting, Messrs. Divet, Dynes, Lewis, Martin, Turner, C. C.

So the bill passed and the title was agreed to.

House Bill No. 82.

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 104, nays 2, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bjornson	Bratton
Balsdon	Blakemore	Buck
Bartley	Bollinger	Burnett
Bass	Bope	Butler of Ramsey
Batzler	Borusky	Butler of Ransom

Messrs.—	Messrs.—	Messrs.—
Calnan	Hoge	Pitkin
Campbell	Husband	Ployhar
Carey	Huso	Putnam
Coltom	Isaak	Roble
Curry	Jacobson	Ryan
Davis	Kellogg	Sandbeck
Dean	Kelly	Schroeder
Divet	Klein	Small
Dixon	Knox	Smith of Kidder
Dosseth	Kyllo	Smith of Ward
Dynes	Lambert	Snyder
Endreson	Lawbaugh	Sorlie
Everson	Leu	Stenhjem
Fox	Lewis	Stinger
France	Lindstrom	Streeter
Freitag	List	Taylor
Fritz	Martin	Thompson
Geiger	Miller	Tucker
Gunderson	Moen	Turner, C. C.
Hanson	Morkrid	Turner, F. W.
Haraldson	Morrison	Twichell
Hart	Norheim	Wardrope
Harty	Northrup	Warriner
Hawkinson	Nyhus	Watt
Hedalen	O'Connor	Weis
Hendrickson	Odland	Wiley
Hill of Bottineau	Olsgard	Williams
Hill of Cass	Owens	Wing
Hjelmstad	Pendray	Mr. Speaker
Hjort	Petterson	

Those voting in the negative were:

Messrs.—	Messrs.—
Homan	Raney

Absent and not voting, Messrs. Doyle, Gardiner, Hickle, Johnson, Walsh.

So the bill passed and the title was agreed to.

House Concurrent Resolution.

Offered by Mr. Coltom.

The roll was called and there were ayes 89, nays 11, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bope	Campbell
Balsdon	Borusky	Carey
Bartley	Buck	Coltom
Bass	Burnett	Curry
Batzer	Butler of Ramsey	Davis
Blakemore	Butler of Ransom	Dean
Bollinger	Calnan	Divet

Messrs.—	Messrs.—	Messrs.—
Dixon	Huso	Pitkin
Dosseth	Jacobson	Putnam
Doyle	Kelly	Raney
Dynes	Knox	Roble
Endreson	Kyllo	Sandbeck
Everson	Lambert	Small
Fox	Lawbaugh	Smith of Kidder
France	Leu	Smith of Ward
Geiger	Lindstrom	Snyder
Gunderson	List	Sorlie
Hanson	Miller	Stinger
Haraldson	Moen	Taylor
Harty	Morkrid	Thompson
Hawkinson	Morrison	Twichell
Hedalen	Norheim	Walsh
Hendrickson	Northrup	Wardrope
Hickle	Nyhus	Warriner
Hill of Bottineau	O'Connor	Watt
Hill of Cass	Odland	Williams
Hjelmstad	Olsgard	Wing
Hjort	Owens	Mr. Speaker
Hoge	Pendray	
Husband	Petterson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Klein	Turner, F. W.
Fritz	Ryan	Weis
Homan	Streeter	Wiley
Kellogg	Tucker	Schroeder

Absent and not voting, Messrs. Bratton, Freitag, Gardiner, Hart, Isaak, Johnson, Lewis, Martin, Ployhar, Stenehjem, Turner, C. C.

So the bill passed and the title was agreed to.

Mr. Butler moved

That the House return to the seventh order of business.

Which motion prevailed, and

The House returned to the seventh order of business.

Mr. Butler moved

That the House return to concurrent resolution introduced by Mr. Coltom and that the same be put on third reading, be considered engrossed and put on third reading for final passage.

Which motion prevailed.

Mr. Calnan moved

That House Bill No. 169, referred to the committee on judiciary, be referred to the committee on ways and means, as No. 170, a bill of a similar nature has been referred to that committee.

Which motion prevailed, and

House Bill No. 169 was referred to the committee on ways and means.

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

Which request was granted.

Mr. Coltom asked unanimous consent to withdraw House Bill No. 81.

Which consent was granted.

#### MESSAGES FROM THE SENATE.

Bismarck, N. D., January 27, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911, relating to motor license and road regulations.

Senate Bill No. 90.

A bill for an Act entitled "An Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., January 28, 1912.

*Mr. Speaker:*

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

*Be it Resolved by the Senate, the House of Representatives concurring:* That a committee of three from the Senate with a like number from the House of Representatives be appointed to arrange for a reception of the Representatives of the Student Council of the North Dakota Agricultural College; a joint session of both Houses, on February 12, 1913, and that President John H. Worst be invited to deliver a Memorial Address at that time in honor of the anniversary of Lincoln's Birthday.



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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., January 28, 1912.

*Mr. Speaker:*

I have the honor to inform you that the President has appointed as members of the joint committee to arrange for the reception of the Representatives of the Student Council of the North Dakota Agricultural College the following:

Messrs. Williams, Hookway and Trageton.

Very respectfully,

W. D. AUSTIN,  
Secretary.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State 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 ayes 86, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hill of Cass
Balsdon	Dixon	Hjort
Bartley	Dosseth	Husband
Bass	Doyle	Huso
Batzer	Dynes	Isaak
Bjornson	Endreson	Jacobson
Blakemore	Everson	Kelly
Bollinger	France	Klein
Bope	Fritz	Knox
Borusky	Gardiner	Kylo
Burnett	Geiger	Lambert
Butler of Ramsey	Gunderson	Leu
Burier of Ransom	Harty	Lindstrom
Calnan	Hawkinson	List
Campbell	Hedalen	Moen
Carey	Hendrickson	Morkrid
Coltom	Hickle	Morrison
Curry	Hill of Bottineau	Northrup

## Messrs.—

Nyhus  
O'Connor  
Odland  
Owens  
Pendray  
Pettersen  
Pitkin  
Putnam  
Raney  
Roble  
Ryan

## Messrs.—

Sandbeck  
Schroeder  
Small  
Smith of Kidder  
Smith of Ward  
Sorlie  
Stenehjelm  
Stinger  
Streeter  
Taylor  
Tucker

## Messrs.—

Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Warriner  
Weis  
Williams  
Wing  
Mr. Speaker

## Absent and not voting:

## Messrs.—

Bratton  
Buck  
Davis  
Divet  
Fox  
Freitag  
Hanson  
Haraldson  
Hart

## Messrs.—

Hjelmstad  
Hoge  
Homan  
Johnson  
Kellogg  
Lawbaugh  
Lewis  
Martin

## Messrs.—

Miller  
Norheim  
Olsgaard  
Ployhar  
Snyder  
Thompson  
Watt  
Wiley

So the bill passed and the title was agreed to.

## GENERAL ORDERS.

Mr. Wardrope 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 then called Mr. Wardrope 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. 18.

And report progress on the same but no final action taken. The committee begs leave to sit again.

VICTOR WARDROPE,  
Chairman.

Mr. Thompson moved

That the railroad committee be excused for committee meeting.

Which motion prevailed, and

The members of the railroad committee were excused.

## GENERAL ORDERS.

Mr. Wardrope 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. Wardrope 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. 18,

And have amended the report of the standing committee on the same as follows:

Change "on line 3, on page 2" to "on line 3, on page 1."

Page 5, line 75, of the printed bill, after "proceedings," insert "and such ballots shall be received in evidence without further identification or foundation being laid."

Also,

House Bill No. 69,

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 15,

And have concurred in the amendments recommended, and when so amended recommend that the bill be referred to the committee on appropriations.

Also,

House Bill No. 61,

And recommend the same do pass when amended as recommended by the standing committee.

Also,

House Bill No. 120,

And recommend that the same be indefinitely postponed.

Mr. Hawkinson moved

That the report of the committee on House Bill No. 120 be considered separately.

Which motion prevailed, and

Mr. Dickson moved

That House Bill No. 120 be made a special order after the consideration of House Bill No. 133.

Which motion prevailed.

Also,

House Bill No. 95,

And recommend that the same do pass when amended as recommended.

VICTOR WARDROPE,  
Chairman.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were extended to George Ells, of Omeme; E. N. Bosworth, Flasher; W. W. King, Otis Herkest, of Fargo; W. J. Wiley, Fred Hanson, L. F. Sullivan, Mandan.

Mr. Dean moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

#### TWENTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 29, 1912.

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. Bratton, Burnett, Johnson, Small, who were excused.

## REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 13, and following the list of members absent on roll call, insert the words "So the motion for reconsideration on House Bill No. 133 was lost."

On page 26 and following list of members absent on roll call on House Bill No. 47, insert the words "So the bill passed and the title was agreed to."

On page 28, in roll call of members voting in the affirmative, omit "Schroeder" and on same page add "Schroeder" to list of members voting in the negative.

On page 27 and following the list of members absent on roll call on House Bill No. 82, insert the words "So the bill was passed and the title was agreed to."

On page 27, strike out lines 39 and 40.

On page 28, and following the list of members absent on roll call on House Concurrent Resolution offered by Mr. Coltom, insert the words "So the resolution was passed and the title was agreed to."

On page 31, and following the list of members absent on roll call on Senate Bill No. 80, insert the words "So the bill was passed and the title was agreed to."

On page 32, add to the bottom of said page "Mr. Hawkinson moved that the report of the committee on House Bill No. 120 be considered separately, which motion prevailed, and Mr. Dickson moved that House Bill No. 120 be made a special order after the consideration of House Bill No. 133, which motion prevailed and the motion was adopted."

On page 35, line 6, change figures "132" to "122."

On page 35, line 14, insert between figures "3188" and "3190" the figures "3189."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved  
That the report be adopted.

Which motion prevailed, and  
The report was adopted.

#### PETITIONS.

Pekin, N. D., January 2, 1913.

*To the Members of the Legislative Assembly of North Dakota:*

We, the undersigned voters, as well as stockholders of the Farmers' Elevator Company, located at Pekin, North Dakota, do hereby petition your honorable body to pass legislation recommended by the legislative committee of the Farmers' Grain Dealers' Association of North Dakota, having in view the correction of abuses connected with collections, under the present system of crop mortgages, crop liens, and crop payments. Also the passing of a law similar to the Wisconsin or Nebraska laws (with modifications to suit North Dakota conditions), which will legalize the organization of what are known as co-operative companies, who pay part or all of their net earnings, by what is known as the pro-rata plan.

Signed by J. O. Johnson and six others.

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Twenty-eighth Legislative District of the State of North Dakota over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by John H. Kirk and forty-five others.

Mr. Speaker: The chair will withdraw House Bill No. 201 from the committee on state affairs and refer it to the committee on agriculture.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 18.

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

Also,

House Bill No. 52.

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. 61.

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

Also,

House Bill No. 76.

A bill for an Act to amend Section 4 of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Also,

House Bill No. 95.

A bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of state's attorneys and attorney general.

Also,

House Bill No. 107.

A bill for an Act to repeal all of Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Also,

House Bill No. 113.

A bill for an Act to repeal Chapter 114 of the Laws of 1911, relating to the bonding of county commissioners.

Also,

House Bill No. 120.

A bill for an Act providing for the payment of taxes for road purposes and its distribution.

Also,

House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Also,

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

Also,

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

MESSAGE FROM THE SENATE.

Bismarck, N. D., January 29, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905, relating to county mutual insurance companies.

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolves and coyotes.

Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heir 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 and your favorable consideration is respectfully requested.

Very respectfully,

W. D. AUSTIN,  
Secretary.

The committee on banking made the following report:

*Mr. Speaker:*

Your committee on banking to whom was referred

House Bill No. 130.

A bill for an Act amending and re-enacting Section 4638 of the Revised Codes of 1905, as amended by Chapter 55 of the Session Laws of 1911, relating to banking corporations,



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

A. P. HANSON,  
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.

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

On page 1, line 3, after the figure "54," insert "Section 1."

On line 8, same page, immediately preceding the word "surplus" insert "unimpaired."

On page 2, in line 12, immediately preceding the word "surplus" insert "unimpaired," and on line 14, on same page immediately preceding the word "surplus" insert the word "unimpaired."

And when so amended recommend 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 tax and tax laws made the following report:

*Mr. Speaker:*

Your committee on tax and tax laws to whom was referred

House Bill No. 116.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to uniformity of taxation

and permitting the classification of property for the purpose of taxation and relating further to the assessment and taxation of certain public utility companies.

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

On line 7, on page 2, of the printed bill, after the word "shall" strike out the word "be" and insert the word "by."

And on line 14, on page 3, of the printed bill, after the word "board" strike out the word "of" and insert the word "or."

And when so amended recommend the same do pass.

ROBERT NORHEIM,  
Chairman.

Mr. Norheim moved

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

Which motion prevailed, and

The bill was placed on the third reading.

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. 158.

A bill for an Act to amend Chapter 132 of the laws of North Dakota for 1911 and Section 7117 of the Revised Codes of North Dakota of 1905, relating to the additional exemptions allowed the head of a family residing in North Dakota.

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

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 137.

A bill for an Act to amend Section 1024 of the Revised Codes of 1905, relating to reprieves, commutations and pardons.

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,

The committee on municipal corporations made the following report:

*Mr. Speaker:*

Your committee on municipal corporations to whom was referred

House Bill No. 71.

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 amended as follows:

By inserting in line 5, of page 1, after the word "the" the word "city."

And when so amended recommend the same do pass.

L. L. TWICHELL,  
Chairman.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

The committee on county and county boundaries made the following report:

*Mr. Speaker:*

Your committee on county and county boundaries to whom was referred

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

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

H. GEIGER,  
Chairman.

Mr. Geiger moved

That the report be adopted..

Which motion prevailed, and

The report of the committee was adopted.

## RESOLUTIONS.

### CONCURRENT RESOLUTION.

Mr. Louis A. Leu introduced the following concurrent resolution:

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

*Whereas*, In view of the fact that the printing expenditures of this Thirteenth Legislative Assembly threatens to assume three times the volume of any preceding Assembly, and in view of the fact that retrenchments in such expenditures become imperative,

*Therefore be it Resolved by the House of Representatives, the Senate Concurring*, That each branch secure the services of a competent person to act as editor of the proceedings of such branch. His duties shall be to edit and have published a daily bulletin, giving therein a concise abstract of the legislative proceedings of his respective branch and a general synopsis of every message received, and of every resolution and bill introduced.

A printed copy of such bulletin shall be on the desk of each member of this Legislature on the morning following such proceedings, and if any important corrections therein are necessary, the same shall be ordered made therein, by its respective branch and upon motion said bulletin shall be ordered sent out the same day in its corrected form, to every address appearing now on the mailing list of this Assembly instead of the complete journals, resolutions and bills as is done now and for that purpose twenty-five hundred copies shall be printed of each issue; and be it further resolved by the House of Representatives, the Senate concurring, that the present printing of twenty-five hun-

dred copies of each journal, resolution and bill be reduced to five hundred copies of each.

This resolution to go into effect on Tuesday, the fourth day of February, 1913.

Mr. Streeter moved

That the resolution be placed on the table for further reference.

Which motion prevailed, and

The resolution was laid on the table.

Mr. Butler moved

To withdraw House Bill No. 107.

Which motion prevailed, and

House Bill No. 107 was withdrawn.

#### UNFINISHED BUSINESS.

Mr. Thompson moved

That the House concur in the concurrent resolution, relating to a committee from each chamber to be appointed to arrange for a joint session to receive the representatives of the Student Council of the North Dakota Agricultural College.

Which motion prevailed, and

The concurrent resolution concurred in.

The Speaker appointed as such committee Messrs. Williams, Tucker and Stenehjem .

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

Mr. Divet introduced

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Divet introduced

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Owens (by request) introduced

House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Hill of Cass introduced

House Bill No. 228.

A bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort for gambling or disorderly purpose, and prescribing remedies for the prevention and penalties for the violation of the same.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Walsh introduced

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Martin introduced

House Bill No. 230.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the taxation of farm property.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Twichell introduced

House Bill No. 231.

A bill for an Act repealing Section 1904 of the Revised Codes of North Dakota of 1905.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Lindstrom introduced

House Bill No. 232.

A bill for an Act to create October 12th in each year a legal holiday to be known as Columbus Day.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Bartley introduced

House Bill No. 233.

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

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Bartley introduced

House Bill No. 234.

A bill for an Act to amend Section 19 of 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," and the amendment thereto, Chapter 37, Session Laws of 1909.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. C. C. Turner introduced

House Bill No. 235.

A bill for an Act to require the agricultural experiment stations in this state, under the direction and control of the State Agricultural College, to publish some of their bulletins in the Scandinavian and the German languages.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Knox introduced

House Bill No. 236.

A bill for an Act to refund to Dickey County, certain taxes paid to the state, but which were later decreed to be improperly levied and assessed and were collected by the tax payer from said county and making an appropriation.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Miller introduced

House Bill No. 237.

A bill for an Act to amend Section 2593 of the Revised Codes of 1905 of the State of North Dakota, relating to provision for deputies for county auditors.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Homan (by request) introduced

House Bill No. 238.

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

Was read the first and second time and

Referred to the committee on education.

Mr. Hendrickson introduced

House Bill No. 239.

A bill for an Act to amend and re-enact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale, and providing for the manner of preparing copy for, and the publication of, the auditor's notice of tax sale, and



for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Bjornson introduced

House Bill No. 240.

A bill for an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

Was read the first and second time and

Referred to the committee on education.

Mr. Bjornson introduced

House Bill No. 241.

A bill for an Act to amend and re-enact Chapter 250 of the Session Laws of 1911, relating to requiring emigrants to file tax receipts.

Was read the first and second time and

Referred to the committee on railways.

House Bill No. 24.

A bill for an Act to amend and re-enact Section numbered 5119 of the Revised Codes of North Dakota of 1905, relating to succession of children or the issue of any deceased child omitted to be provided for in the will of any testator.

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 58, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Dynes	Kellogg
Blakemore	Endreson	Kylo
Borusky	Everson	Lewis
Burnett	Freitag	List
Campbell	Hanson	Moen
Coltom	Hart	Norheim
Curry	Hickle	O'Connor
Davis	Hill of Cass	Odland
Diyet	Hoge	Owens
Doyle	Izaak	Pitkin

Messrs.—  
Raney  
Ryan  
Sandbeck  
Snyder  
Stenehjelm  
Streeter

Messrs.—  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Watt

Messrs.—  
Wiley  
Williams  
Wing  
Mr. Speaker

Those voting in the negative were:

Messrs.—  
Anderson  
Balsdon  
Bartley  
Bass  
Batzer  
Bollinger  
Bope  
Bratton  
Buck  
Builer of Ramsey  
Butler of Ransom  
Calnan  
Carey  
Dean  
Dixon  
Dosseth  
Fox  
France  
Fritz  
Gardiner

Messrs.—  
Geiger  
Gunderson  
Haraldson  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hill of Bottineau  
Hjelmstad  
Hjort  
Husband  
Huso  
Jacobson  
Kelly  
Klein  
Knox  
Lambert  
Leu  
Lindstrom  
Miller

Messrs.—  
Morkrid  
Morrison  
Northrup  
Nyhus  
Olsgard  
Pendray  
Putnam  
Roble  
Schroeder  
Small  
Smith of Kidder  
Smith of Ward  
Sorlie  
Stinger  
Thompson  
Taylor  
Warriner  
Weis

Absent and not voting:

Messrs.—  
Homan  
Johnson  
Lawbaugh

Messrs.—  
Martin  
Petterson  
Ployhar

Messrs.—  
Tucker

So the bill was lost.

Mr. Lambert moved

That the vote by which House Bill No. 24 lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 113.

A bill for an Act to repeal Chapter 114 of the Laws of 1911, relating to the bonding of county commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 56, nays 47, absent and not voting 8.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fritz	Morrison
Bartley	Hart	Northrup
Bass	Hawkinson	Nyhus
Bjornson	Hedalen	Olland
Bollinger	Hendrickson	Pendray
Borusky	Hickle	Putnam
Bratton	Hill of Bottineau	Roble
Buck	Hjelmstad	Sandbeck
Burnett	Hjort	Smith of Ward
Butler of Ramsey	Hoge	Sorlie
Butler of Ransom	Husband	Stinger
Coltom	Huso	Thompson
Davis	Isaak	Tucker
Dean	Kelly	Warriner
Divet	Knox	Watt
Dynes	Leu	Weis
Everson	Lewis	Wing
France	Miller	Mr. Speaker
Freitag	Moen	

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Haraldson	Owens
Batzer	Harty	Petterson
Bope	Homan	Pitkin
Calnan	Johnson	Ployhar
Campbell	Jacobson	Raney
Carey	Kellogg	Ryan
Curry	Klein	Schroeder
Dixon	Kyllo	Smith of Kidder
Dosseth	Lambert	Streeter
Doyle	Lindstrom	Taylor
Endreson	List	Turner, C. C.
Fox	Martin	Turner, F. W.
Gardiner	Morkrid	Twichell
Geiger	Norheim	Wardrope
Gunderson	O'Connor	Wiley
Hanson	Olsgard	Williams

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Stenehjem	Walsh
Hill of Cass	Small	
Lawbaugh	Snyder	

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which House Bill No. 113 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## House Bill No. 122.

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays 14, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Owens
Balsdon	Hart	Pencray
Bartley	Harty	Petterson
Bass	Hawkinson	Pitkin
Bjornson	Hedalen	Ployhar
Blakemore	Hendrickson	Raney
Bollinger	Hickle	Roble
Bope	Hill of Bottineau	Sandbeck
Borusky	Hill of Cass	Schroeder
Bratton	Hjelmstad	Small
Buck	Hjort	Smith of Kidder
Burnett	Hoge	Smith of Ward
Butler of Ramsey	Husband	Snyder
Butler of Ransom	Husc	Sorlie
Calnan	Isaac	Stenehjerm
Campbell	Jacobson	Stinger
Carey	Kelly	Streeter
Coltom	Kyllo	Taylor
Curry	Leu	Tucker
Davis	Lewis	Turner, C. C.
Dean	Lindstrom	Turner, F. W.
Divet	List	Twichell
Dixon	Martin	Walsh
Dynes	Miller	Wardrope
Endreson	Morkrid	Warriner
Everson	Norheim	Watt
Freitag	Northrup	Weis
Fritz	Nyhus	Wiley
Gardiner	O'Connor	Williams
Geiger	Odland	Wing
Gunderson	Olsgard	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Homan	Putnam
Dosseth	Klein	Ryan
Doyle	Knox	Thompson
Fox	Lambert	
France	Morrison	

Absent and not voting, Messrs. Haraldson, Johnson, Kellogg, Lawbaugh and Moen, who were excused.

So the bill passed and the title was agreed to.

Mr. Dean 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.

House Bill No. 18.

A bill for an Act to amend Sections 620 and 650 of the Revised Codes of 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 ayes 73, nays 22, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hill of Cass	Ployhar
Bass	Hjelmstad	Raney
Batzer	Hjort	Roble
Bjornson	Hoge	Ryan
Bollinger	Husband	Sandbeck
Bope	Huso	Schroeder
Burnett	Jacobson	Smith of Kidder
Carey	Kelly	Smith of Ward
Coltom	Klein	Stenhjem
Curry	Knox	Stinger
Davis	Kyllo	Streeter
Dean	Lambert	Taylor
Divet	Lewis	Tucker
Dosseth	Lindstrom	Turner, C. C.
Doyle	List	Turner, F. W.
Dynes	Martin	Twichell
Everson	Miller	Walsh
France	Morkrid	Wardrobe
Geiger	Northrup	Warriner
Gunderson	O'Connor	Watt
Hanson	Odland	Weis
Haraldson	Olsgard	Wiley
Harty	Owens	Williams
Hawkinson	Pendray	Mr. Speaker
Hedalen	Pitkin	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Dixon	Moen
Borusky	Fox	Morrison
Bratton	Fritz	Nyhus
Butler of Ramsey	Gardiner	Putnam
Butler of Ransom	Hart	Thompson
Calnan	Hendrickson	Wing
Campbell	Hill of Bottineau	
Endreson	Leu	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Anderson	Homan	Norheim
Blakemore	Isaak	Petterson
Buck	Johnson	Small
Freitag	Kellogg	Snyder
Hickle	Lawbaugh	Sorlie

So the bill passed and the title was agreed to.

Mr. Carey moved

That the vote by which House Bill No. 18 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 to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 11, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hickle	Pendray
Baldon	Hill of Cass	Pitkin
Bartley	Hjelmstad	Putnam
Bass	Hjort	Raney
Batzer	Hoge	Roble
Bjornson	Husband	Ryan
Blakemore	Husc	Sandbeck
Bollinger	Isaak	Schroeder
Bope	Jacobson	Small
Borusky	Kellogg	Smith of Kidder
Bratton	Kelly	Smith of Ward
Butler of Ramsey	Klein	Stenehjem
Butler of Ransom	Kyllo	Stinger
Carey	Leu	Streeter
Divet	Lewis	Thompson
Dixon	Lindstrom	Taylor
Dynes	List	Turner, C. C.
Endreson	-Martin	Twichell
Everson	Miller	Walsh
Freitag	Morkrid	Wardrobe
Gardiner	Norheim	Warriner
Geiger	Northrup	Watt
Gunderson	Nyhus	Weis
Haraldson	O'Connor	Williams
Hawkinson	Odland	Wing
Hedalen	Olsgard	Mr. Speaker
Hendrickson		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Curry	Harty
Calnan	Dosseth	Sorlie
Campbell	Fox	Turner, F. W.
Coltom	Hanson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Hill of Bottineau	Morrison
Davis	Homan	Owens
Dean	Johnson	Petterson
Doyle	Knox	Ployhar
France	Lambert	Snyder
Fritz	Lawbaugh	Tucker
Hart	Moen	Wiley

So the bill passed and the title was agreed to.

Mr. Roble 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.

House Bill No. 95.

A bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of state's attorneys and attorney general.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66, nays 8, absent and not voting 37.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hoge
Balsdon	Divet	Husband
Bartley	Dynes	Huso
Bass	Endreson	Isaak
Bjornson	Everson	Jacobson
Bollinger	Fox	Leu
Borusky	Hanson	Lewis
Buck	Harty	Miller
Burnett	Hedalen	Moen
Butler of Ransom	Hendrickson	Norheim
Calnan	Hickle	Nobus
Campbell	Hill of Bottineau	O'Connor
Carey	Hill of Cass	Odland
Coltom	Hjelmstad	Owens
Curry	Hjort	Pendray

Messrs.—	Messrs.—	Messrs.—
Petterson	Sorlie	Watt
Pitkin	Tucker	Weis
Putnam	Turner, F. W.	Williams
Raney	Twichell	Wing
Sandbeck	Walsh	Mr. Speaker
Schroeder	Wardrope	
Snyder	Warriner	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bope	Smith of Kidder	Turner, C. C.
Dixon	Streeter	Wiley
Hawkinson	Thompson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Haraldson	Martin
Blakemore	Hart	Morkrid
Bratton	Homan	Morrison
Butler of Ramsey	Johnson	Northrup
Davis	Kellogg	Oisgard
Dosseth	Kelly	Ployhar
Doyle	Klein	Roble
France	Knox	Ryan
Freitag	Kyllo	Small
Fritz	Lambert	Smith of Ward
Gardiner	Lawbaugh	Stenehjem
Geiger	Lindstrom	Stinger
Gunderson	List	Taylor

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 95 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 requiring treasurer of fair associations to give a bond to the directors thereof.

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 6, absent and not voting 34.



## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Petterson
Balsdon	Hjelmstad	Pitkin
Bass	Hjort	Putnam
Bjornson	Hoge	Raney
Borusky	Homan	Sandbeck
Buck	Huso	Schroeder
Burnett	Isaak	Smith of Kidder
Butler of Ransom	Jacobson	Snyder
Curry	Kellogg	Sorlie
Davis	Kelly	Stenhjem
Dean	Kyllo	Streeter
Dixon	Lambert	Taylor
Doyle	Leu	Tucker
Dynes	Lewis	Turner, C. C.
Endreson	Moen	Turner, F. W.
Everson	Morkrid	Twichell
Fox	Morrison	Walsh
France	Norheim	Warriner
Fritz	Nyhus	Watt
Geiger	O'Connor	Weis
Gunderson	Odland	Williams
Hanson	Olsgard	Wing
Harty	Owens	Mr. Speaker
Hawkinson	Pendray	

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Divet	Wardrope
Coltom	Thompson	Wiley

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Haraldson	Lindstrom
Batzer	Hart	List
Blakemore	Hendrickson	Martin
Bollinger	Hickle	Miller
Bope	Hill of Bottineau	Northrup
Bratton	Hill of Cass	Ployhar
Butler of Ramsey	Husband	Roble
Calnan	Johnson	Ryan
Carey	Klein	Small
Dosseth	Knox	Smith of Ward
Freitag	Lawbaugh	Stinger
Gardiner		

So the bill passed and the title was agreed to.

Mr. Balsdon 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. 52.

A bill for an Act to repeal Article 21 of Chapter 32, en-

titled, townsites located on public lands, of the Revised Codes of 1905.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 1, absent and not voting 33.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Petterson
Balsdon	Hill of Bottineau	Ployhar
Bartley	Hill of Cass	Putnam
Bass	Hjelmstad	Raney
Bollinger	Hjort	Ryan
Bope	Hoge	Sandbeck
Buck	Homan	Schroeder
Burnett	Husø	Small
Butler of Ramsey	Isaak	Smith of Kidder
Butler of Ransom	Jacobson	Snyder
Calnan	Kellogg	Sorlie
Carey	Kelly	Stenehjerm
Coltom	Knox	Thompson
Curry	Kyllo	Taylor
Davis	Lambert	Turner, C. C.
Dean	Lewis	Turner, F. W.
Divet	Lindstrom	Twichell
Dixon	Miller	Walsh
Dosseth	Moen	Wardrope
Everson	Morrison	Warriner
Fox	Norheim	Watt
France	O'Connor	Weis
Fritz	Odland	Williams
Hanson	Olsgard	Wing
Hart	Owens	Mr. Speaker
Hedalen	Pendray	

Those voting in the negative were: Mr. Campbell.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Gunderson	Martin
Bjornson	Haraldson	Morkrid
Blakemore	Harty	Northrup
Borusky	Hawkinson	Nyhus
Bratton	Hickle	Pitkin
Doyle	Husband	Roble
Dynes	Johnson	Smith of Ward
Endreson	Klein	Stinger
Freitag	Lawbaugh	Streeter
Gardiner	List	Tucker
Geiger	List	Burnett

House Bill No. 129.

A bill for an Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

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 5, absent and not voting 33.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Pendray
Balsdon	Hill of Bottineau	Pitkin
Bass	Hjelmstad	Ployhar
Bjornson	Hjort	Raney
Blakemore	Hoge	Sandbeck
Bollinger	Homan	Schroeder
Bope	Huso	Smith of Kidder
Borusky	Isaak	Smith of Ward
Buck	Jacobson	Snyder
Butler of Ransom	Kellogg	Sorlie
Calnan	Kelly	Stenhjem
Carey	Knox	Stinger
Coltom	Lewis	Streeter
Curry	Lindstrom	Thompson
Dixon	Martin	Taylor
Dosseth	Miller	Tucker
Dynes	Morrison	Turner, C. C.
Endreson	Norheim	Turner, F. W.
Everson	Northrup	Twichell
Fox	Nyhus	Wardrope
France	O'Connor	Watt
Gardiner	Odland	Williams
Geiger	Olsgard	Wing
Hanson	Owens	Mr. Speaker
Hedalen		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Leu	Warriner
Doyle	Petterson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Haraldson	Lawbaugh
Batzer	Hart	List
Bratton	Harty	Moen
Burnett	Hawkinson	Morkrid
Butler of Ramsey	Hickle	Putnam
Davis	Hill of Cass	Roble
Dean	Husband	Ryan
Divet	Johnson	Small
Freitag	Klein	Walsh
Fritz	Kyllo	Weis
Gunderson	Lambert	Wiley

So the bill passed and the title was agreed to.

Mr. O'Connor moved

That the vote by which House Bill No. 129 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled "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 ayes 81, nays 1, absent and not voting, 29.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	O'Connor
Balsdon	Gunderson	Odland
Bartley	Hanson	Olsgard
Bass	Hedalen	Owens
Bjornson	Hendrickson	Pendray
Blakemore	Hill of Bottineau	Petterson
Bollinger	Hill of Cass	Pitkin
Bope	Hjelmstad	Ployhar
Borusky	Hjort	Putnam
Bratton	Hoge	Raney
Buck	Homan	Sandbeck
Burnett	Husband	Schroeder
Calnan	Isaak	Stenehjem
Carey	Jacobson	Stinger
Coltom	Johnson	Taylor
Curry	Kellogg	Thompson
Davis	Kelly	Turner, C. C.
Dean	Knox	Turner, F. W.
Divet	Kyllo	Twichell
Dynes	Lawbaugh	Walsh
Endreson	Leu	Warriner
Everson	Lewis	Watt
Fox	Lindstrom	Weis
France	List	Wiley
Freitag	Miller	Williams
Fritz	Moen	Wing
Gardiner	Nyhus	Mr. Speaker

Those voting in the negative were: Mr. Campbell.

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hickle	Ryan
Butler of Ramsey	Huso	Small
Butler of Ransom	Klein	Smith of Kidder
Dixon	Lambert	Smith of Ward
Dosseth	Martin	Snyder
Doyle	Morkrid	Sorlie
Haraldson	Morrison	Streeter
Hart	Norheim	Tucker
Harty	Northrup	Wardrope
Hawkinson	Roble	
Messrs.—		
Campbell		

So the bill passed and the title was agreed to.

Mr. Twichell moved

That the vote by which House Bill No. 92 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MESSAGE FROM THE SENATE.

Bismarck, N. D., January 29, 1913.

*Mr. Speaker:*

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

*Whereas*, A committee of three from the House and three from the Senate has been appointed pursuant to the suggestion of Governor L. B. Hanna, in a communication to this Legislative Assembly to investigate the cost of legislative printing, with the view of reducing the cost of the same.

*Whereas*, The committee has had some of the matters requiring attention under consideration.

*Therefore be it Resolved by the Senate, the House concurring*, That the bills of the House and Senate be hereafter sent only to all newspapers and county auditors, but that the journals of the two Houses be sent to all the addresses now on the mailing list; that on the front page of the journal of each House at the top of the page be printed the following words, to-wit:

“Any person interested in any bill may have a copy thereof by sending a request to his representative in either

House or Senate." That one thousand of each of the Senate and House bills be printed instead of the number now printed; that hereafter the House and Senate Journal be set solid and without paragraphing, except as indicated on the copy prepared by the Journal Clerk.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Thompson moved

That the House concur in the Senate concurrent resolution, and that this motion be referred to the committee on supplies and expenditures.

Which motion prevailed, and

The concurrent resolution was so referred.

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

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905, relating to County Mutual Insurance Companies.

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to county for killing wolves and coyotes.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heir and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Was read the first and second time and

Referred to the committee on judiciary.

## Senate Bill No. 68.

A bill for an Act to provide for enjoining the keeper of public nuisances, as defined by Section 9373 of the Code of North Dakota, and to prevent a person enjoined in one locality from keeping a similar nuisance in another locality.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66, absent and not voting 45.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Pendray
Balsdon	Harty	Pitkin
Bartley	Hawkinson	Putnam
Bass	Hedalen	Raney
Bjornson	Hendrickson	Ryan
Blakemore	Hjelmstad	Sandbeck
Bope	Hjort	Schroeder
Borusky	Hoge	Smith of Kidder
Buck	Homan	Snyder
Burnett	Huso	Stenehjerm
Calnan	Isaak	Taylor
Campbell	Jacobson	Turner, F. W.
Coltom	Kellogg	Twichell
Curry	Kelly	Walsh
Dean	Knox	Wardrope
Divet	Kyllo	Warriner
Dosseth	Leu	Watt
Doyle	Lewis	Weis
Everson	Moen	Williams
Fox	Morrison	Wing
Fritz	Nyhus	Mr. Speaker
Gardiner	O'Connor	
Hanson	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hickle	Odland
Bollinger	Hill of Bottineau	Olsgard
Bratton	Hill of Cass	Petterson
Butler of Ramsey	Husband	Ployhar
Butler of Ransom	Johnson	Roble
Carey	Klein	Small
Davis	Lambert	Smith of Ward
Dixon	Lawbaugh	Sorlie
Dynes	Lindstrom	Stinger
Endreson	List	Streeter
France	Martin	Thompson
Freitag	Miller	Tucker
Geiger	Morkrid	Turner, C. C.
Gunderson	Norheim	Wiley
Haraldson	Northrup	

GENERAL ORDERS.

Mr. Buck 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. Buck to the chair.

When the committee arose it submitted the following report:

*Mr. Speaker:*

The committee of the whole have had under consideration

House Bill No. 76.

And have adopted the amendments offered by the committee, on temperance; have also adopted the following amendment:

Strike out all of bill after the word "month" in line 11 and add "except that in all counties having a population of more than twenty-five thousand according to the last census, the chief deputy sheriff shall receive a salary of one hundred twenty-five dollars per month."

And when so amended recommend the same do pass.

Also

House Bill No. 67.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 73.

And recommend that the same do pass as amended.

Also,

House Bill No. 50.

And recommend that the same do pass as amended.

Also,

House Bill No. 36.

And recommend that the same do pass as amended.

C. S. BUCK,  
Chairman.



Mr. Hendrickson moved

That the report of the committee be amended so that House Bill No. 67 be recommended "do pass as amended."

Which motion prevailed, and

The report was so amended.

Mr. Buck moved

That the report of the committee when amended as to House Bill No. 67 be adopted.

Which motion prevailed, and

The report was adopted.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Joseph Williams, Grand Forks; Mr. Nelson, Mr. King, O. A. Haskins, Mr. Oberon, Paul Moen, Judge K. E. Leighton, Minot; Rev. D. T. Dierdorff, Dr. Wm. Hotchkiss, Jamestown, N. D.; R. V. Cook, Mandan; D. C. Wright, Wilton; Mr. Casey, Dickinson; George Brown, Dickinson; J. W. I. Slege and John Tohm, of Medina.

Mr. Hanson moved

That the House do adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

#### TWENTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 30, 1913.

The House assembled at 2 o'clock P. M., pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Anderson, Balsdon, Bass, Bjornson, Bratton, Burnett, Butler of Ransom, Carey, Dynes, Everson, Gardiner, Hart, Huso, Isaak, Lawbaugh, Morkrid, Morrison, Odland, Olsgard, Owens, Petterson, Ployhar, Sanbeck, Schroeder, Small, Sorlie, Wardrope, Watt, Weis, Wiley, who were excused.

#### REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

Your committee on revision and correction of the journal of the twenty-third day, have carefully examined the same and recommend that the same be corrected as follows:

On page 8, transpose line 23 to follow line 17 and lines 20, 21 and 22 to follow the new line (18).

On page 15, following roll call, strike out the words "passed and the title was agreed to" and insert in lieu thereof the words "was lost."

On page 16 in roll call of members voting in the negative add "Jacobson," and on same page strike out "Johnson" in absentees noted in roll call.

On pages 23 and 24 correct roll calls, said roll calls being a record of the vote on House Bills Nos. 52 and 129.

Senate Bill 68, change from absent to yes, Calnan.

Senate Bill 18, change from absent to yes, Doyle.

On page 24, transpose the last line on said page to the top of page 24.

On page 30, line 8, change the figure "57" to "67."

On page 20, journal of the twenty-first day, line 23, change "Huso" to "Everson."

Anderson from absent to yes on House Bill No. 129, page 28, recites House title showed by Senate title, Stinger, House Bill No. 52, voted aye.

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

MESSAGE FROM THE SENATE.

Bismarck, N. D., January 30, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith  
Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Also,

Senate Bill No. 59.

A bill for an Act for the registration of farm names.

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised Codes of 1905, relating to Mechanics' Liens and the enforcement thereof.

Also,

Senate Bill No. 48.

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

PETITION.

*To the Honorable Members of the House of Representatives:*

We, the underisgned voters of the State of North Dakota,

petition your honorable body to use all honorable means to repeal the lumber lien laws.

Signed by Martin Schmidt and sixteen others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 130.

A bill for an Act amending and re-enacting Section 4638 of the Revised Codes of 1905, as amended by Chapter 55 of Session Laws of 1911, relating to banking corporations.

Also,

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10, Chapter 135, of the Laws of 1907, as amended by Chapter 141, Laws of 1909.

Also,

House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office, and to repeal Section 3111 of the Revised Codes of 1905.

Also,

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper.

Also,

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

Also,

House Bill No. 116.

A concurrent resolution amending the Constitution of North Dakota, relating to the 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 find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed, and

The report was adopted.

The committee on ways and means made the following report:

*Mr. Speaker:*

Your committee on ways and means to whom was referred

House Bill No. 162.

A bill for an Act to amend Section 1 of Chapter 172 of the Laws of 1907, relating to who may solemnize marriages.

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,

House Bill No. 141.

A bill for an Act to amend and re-enact Section 4633 of the Revised Code of North Dakota relating to right-of-way for telephone lines and conditions precedent thereto.

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

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

## COURTESIES OF THE FLOOR.

Privileges of the floor were granted to G. Grimson, of Cavalier.

Mr. Hendrickson moved  
That the House do now adjourn.  
Which motion prevailed, and  
The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

 TWENTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 4, 1913.

The House assembled at 2 o'clock P. M. pursuant to adjournment. The Speaker not being present, the Chief Clerk called the House to order. Upon motion by Mr. Buck, Mr. Williams of Burleigh County, was nominated and elected Speaker pro-tem.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Anderson, Balsdon, Bass, Bollinger, Burnett, Butler of Ramsey, Carey, Divet, Dixon, Dosseth, Dynes, Enderson, France, Gardiner, Geiger, Gunderson, Harty, Hendrickson, Hill of Bottineau, Hill of Cass, Hjelmstad, Jacobsen, Johnson, Kellogg, Klein, Lawbaugh, Lewis, Miller, Moen, Morkrid, Morrison, Odland, Ols-gard, Ployhar, Small, Smith of Ward, Snyder, Sorlie, Steneh-jem, Thompson, Taylor, Tucker, Wardrope, Watt, Weis.

## 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 twenty-fourth day, have carefully examined the same and find the same correct.

And recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved  
 That the report be adopted.  
 Which motion prevailed, and  
 The report was adopted.

#### PETITION.

Turtle Lake, N. D., January 4, 1913.

*Hon. O. B. Wing, Washburn, N. D.*

Dear Sir: We, the undersigned citizens and taxpayers of McLean County, most earnestly solicit your influence and vote in favor of lowering the present 12 per cent rate of interest in North Dakota.

Signed by E. J. Jones and 200 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

And find the same correctly engrossed.

N. T. HEDALEN,  
 Chairman.

Mr. Hedalen 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. 103.

Being a bill for an Act to provide for uniform blanks in real estate transfers and providing for the enforcement thereof.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

Also,

House Bill No. 160.

Being a bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

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

Strike out, in Section 1, line 4, of the printed bill, the words "court wherein such judgment was" and the letters "orig" of the word "originally."

Also strike out in the said Section 1, in line 5, the letters "inally" of the said word "originally" and the words "rendered and to" and insert in lieu thereof the words "clerk of."

Also strike out in Section 2, line 1 thereof, the words "court or" and insert instead the words "of court."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed, and

The report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Turner moved

That House Bill No. 208, which was refererd to the printing committee, be re-referred to the committee on state affairs.

Which motion prevailed.



Mr. Nyhus asked unanimous consent to withdraw House Bill No. 204.

Which consent was granted, and  
House Bill No. 204 was withdrawn.

At 2:15 Mr. Dean moved

That the House take a 30-minute recess.

Which motion prevailed.

The House re-assembled at 2:45 pursuant to a recess taken.

### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 4, 1913.

*Mr. Speaker:*

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

Memorializing the Congress of the United States to pass the measure now pending in the Senate known as the Kenyon-Sheppard Bill:

*Whereas*, There is now on the statutes of the state a law forbidding the sale or transportation of intoxicating liquors in the State of North Dakota; and,

*Whereas*, The interstate common carriers are bringing into our state large quantities of intoxicating liquors to be sold in open violation of our state laws, and to the great injury of the people of the state; and,

*Whereas*, There is now pending in the Congress of the United States a measure known as the Kenyon-Sheppard bill, which has for its purpose the prevention of interstate shipments of liquor into states where the laws of the state forbid the sale of same;

*Therefore be it Resolved* by the House of Representatives of the State of North Dakota (the Senate concurring), That the Congress of the United States be, and the same is hereby earnestly memorialized and requested to pass the Kenyon-Sheppard bill at the earliest date possible, and without amendment.

*Be it Further Resolved*, That a copy of these resolutions properly certified, be forwarded at once to the Speaker of the House of Representatives and to the President of the Senate.

Which the Senate has amended by inserting the words "To our Senators and Representatives in Congress and" before the words "Speaker of the House of Representatives and to the President of the Senate."

Which the Senate has adopted as amended.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., February 4, 1913.

*Mr. Speaker:*

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

*Whereas*, Automobiles have become a necessity and are owned quite generally over the United States; and,

*Whereas*, There are many automobiles that have been used for some time and are still of value to the owners, but would bring very little if offered for sale; and,

*Whereas*, The present rates are the same on new and used automobiles and the classifications are such that it amounts almost to the prohibiting of shipment of a used automobile from the fact that the freight often in a shipment of any great distance amounts to the value of the automobile shipped; and,

*Whereas*, This seems to us to be a hardship on the shipper and unjust.

*Therefore be it Resolved* by the Senate, the House of Representatives concurring, That our railroad commissioners be asked to take this subject up with the Interstate Commerce Commission and urge that a used car be given a classification so they may be shipped with household effects as other used vehicles are now allowed and that a rate be made so that it does not amount as now to confiscation or giving away of a used car.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Fritz introduced

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of

gratuities or tips by the patrons or employes of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Snyder introduced

House Bill No. 243.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, extending the term of office of the governor from two to four years and providing for the appointment of a secretary of state, auditor, treasurer, superintendent of public instruction, commissioner of insurance, three commissioners of railroads, an attorney general, and one commissioner of agriculture and labor.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Roble introduced

House Bill No. 244.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing that the county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff, state's attorney and county superintendent of schools shall be elected for a term of four years, and providing that members of the House of Representatives of the Legislative Assembly shall be elected for a term of four years.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Fritz introduced

House Bill No. 245.

A bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905 and prescribing the instances where the right of eminent domain may be exercised for public uses.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Fritz introduced

House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violations of the provisions of this Act.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. T. N. Putnam introduced

House Bill No. 247.

A bill for an Act making an appropriation for carrying out provisions of the law, relating to the duties of the commissioner of agriculture and labor.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Lambert introduced

House Bill No. 248.

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Martin introduced

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Williams introduced

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Williams introduced

House Bill No. 251.

A bill for an Act to provide an economical way of delivering building material, labor and supplies on the capitol site by extending the state trolley line; providing the necessary equipment and making an appropriation therefor.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Hawkinson introduced

House Bill No. 252.

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Hawkinson introduced

House Bill No. 253.

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

Was read the first and second time and

Referred to the committee on public health.

Mr. Hawkinson introduced

House Bill No. 254.

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum and the provisions thereof.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. E. O. Haraldson introduced

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the

Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Was read the first and second time and

Referred to the committee on forestry.

Mr. Calnan introduced

House Bill No. 256.

A bill for an Act providing for a bounty for and defining shelter hedges.

Was read the first and second time and

Referred to the committee on forestry.

Mr. Warriner introduced

House Bill No. 257.

A bill for an Act amending and re-enacting Section 2594 of the Revised Codes of 1905, relating to salary of register of deeds.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Norheim introduced

House Bill No. 258.

A bill for an Act to limit tax levies during the years 1913 and 1914, to restrict debt limits, and to regulate salaries of officers which, under existing laws, depend upon assessed valuation.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Hoge introduced

House Bill No. 259.

A bill for an Act to amend and re-enact Section 1559 of the Revised Codes of North Dakota of 1905, relating to collections of delinquent taxes.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Owens introduced

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Lindstrom introduced

House Bill No. 261.

A bill for an Act to amend Section 7459 of the Revised Code of 1905, relating to publication of notice of foreclosure and publisher's affidavit of publication.

Was read the first and second time and

Referred to the committee on public printing.

Mr. Lindstrom introduced

House Bill No. 262.

A bill for an Act to amend Chapter 50 of the Session Laws of 1909, relating to bounties for tree planting.

Was read the first and second time and

Referred to the committee on forestry.

Mr. Streeter introduced

House Bill No. 263.

A bill for an Act amending and re-enacting Chapter 250, Session Laws of 1911, requiring the shipper or shippers of emigrant movables, household goods or live stock to deposit with the agent of the transportation company to which such property is offered for shipment, a county treasurer's tax receipt showing that all taxes on such property has been paid.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Streeter introduced

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Fox introduced

House Bill No. 265.

A bill for an Act to amend and re-enact Section 1637 of the Revised Code of the year 1905 of the State of North Dakota, relating to gopher and prairie dog bounties.

Was read the first and second time and

• Referred to the committee on ways and means.

Mr. H. H. France introduced

House Bill No. 266.

A bill for an Act to provide what facts shall be set forth in an emergency clause.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Moen introduced

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Was read the first and second time and

Referred to the committee on live stock.

Mr. W. V. O'Connor introduced

House Bill No. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Hoge asked unanimous consent to return to the seventh order of business.

• Which consent was given, and

The House returned to the seventh order of business.

Mr. Hoge moved



That House Bill No. 254 be not printed, and that the same be referred to the committee of the whole for consideration in connection with House Bill No. 133.

Which motion was lost.

### THIRD READING OF HOUSE BILLS.

House Bill No. 130.

A bill for an Act amending and re-enacting Section 4638 of the Revised Codes of 1905, as amended by Chapter 55 of the Session Laws of 1911, relating to banking corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 41, nays 42, absent and not voting 28.

• Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Pitkin
Batzer	Hendrickson	Ployhar
Bjornson	Hjort	Putnam
Blakemore	Hoge	Raney
Bope	Huso	Ryan
Buck	Knox	Stenehjem
Butler of Ramsey	Kyllo	Streeter
Curry	Lewis	Turner, F. W.
Dean	List	Twichell
Divet	Martin	Warriner
Freitag	Moen	Watt
Fritz	Norheim	Williams
Hanson	Northrup	Mr. Speaker
Hart	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Geiger	Olgard
Borusky	Haraldson	Owens
Burnett	Hawkinson	Pendray
Butler of Ransom	Hedalen	Roble
Calnan	Hill of Cass	Schroeder
Campbell	Homan	Smith of Kidder
Carey	Husband	Snyder
Coltom	Isaak	Stinger
Davis	Kelly	Tucker
Dixon	Lambert	Turner, C. C.
Doyle	Leu	Walsh
Fox	Lindstrom	Weis
France	Morkrid	Wiley
Gardiner	Nyhus	Wing

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hill of Bottineau	Odland
Bass	Hjelmstad	Pettersen
Bollinger	Jacobson	Sandbeck
Bratton	Johnson	Small
Dosseth	Kellogg	Smith of Ward
Dynes	Klein	Sorlie
Endreson	Lawbaugh	Thompson
Everson	Miller	Taylor
Gunderson	Morrison	Wardrope
Hickle		

So the bill was lost.

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, 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 ayes 71, nays 3, absent and not voting 37.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hart	Pendray
Batzer	Harty	Pitkin
Bjornson	Hawkinson	Putnam
Blakemore	Hedalen	Raney
Bope	Hendrickson	Roble
Borusky	Hill of Cass	Ryan
Bratton	Hjort	Sandbeck
Buck	Hoge	Schroeder
Burnett	Homan	Smith of Kidder
Butler of Ramsey	Husband	Snyder
Butler of Ransom	Isaak	Stinger
Calnan	Kellogg	Streeter
Campbell	Kelly	Tucker
Carey	Kyllo	Turner, C. C.
Curry	Lambert	Turner, F. W.
Dean	Leu	Twitchell
Divet	Lewis	Walsh
Everson	Lindstrom	Warriner
Fox	List	Weis
France	Moen	Wiley
Freitag	Northrup	Williams
Gardiner	Nyhus	Wing
Hanson	O'Connor	Mr. Speaker
Haraldson	Owens	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Martin	Morkrid

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Heckle	Odland
Balsdon	Hill of Bottineau	Olgard
Bass	Hjelmstad	Pettersen
Bollinger	Huso	Ployhar
Davis	Jacobson	Small
Dixon	Johnson	Smith of Ward
Dosseth	Klein	Sorlie
Doyle	Knox	Stenehjem
Dynes	Lawbaugh	Thompson
Endreson	Miller	Taylor
Fritz	Morrison	Wardrope
Geiger	Norheim	Watt
Gunderson		

So the bill passed and the title was agreed to.

## House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66, nays 21, absent and not voting 24.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Haraldson	Olgard
Bartley	Hart	Owens
Batzer	Harty	Pendray
Bope	Hawkinson	Pitkin
Borusky	Hedalen	Ployhar
Bratton	Hendrickson	Putnam
Buck	Hickle	Raney
Burnett	Hill of Cass	Roble
Butler of Ramsey	Hjort	Sandbeck
Butler of Ransom	Husband	Smith of Kidder
Calnan	Knox	Snyder
Carey	Kyllo	Sorlie
Coltom	Lambert	Stenehjem
Curry	Leu	Stinger
Davis	Lewis	Tucker
Dean	List	Twichell
Divet	Moen	Walsh
Dixon	Morkrid	Warriner
Everson	Norheim	Watt
Freitag	Northrup	Weis
Gardiner	Nyhus	Williams
Hanson	O'Connor	Mr. Speaker

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Fritz	Ryan
Blakemore	Homan	Schroeder
Bollinger	Isaak	Streeter
Campbell	Kellogg	Turner, C. C.
Doyle	Kelly	Turner, F. W.
Fox	Lindstrom	Wiley
France	Martin	Wing

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hjelmstad	Morrison
Bass	Hoge	Odland
Dosseth	Huso	Petterson
Dynes	Jacobson	Small
Endreson	Johnson	Smith of Ward
Geiger	Klein	Thompson
Gunderson	Lawbaugh	Taylor
Hill of Bottineau	Miller	Wardrope

So the bill passed and the title was agreed to.

## House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

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 6, absent and not voting 33.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	France	Kelly
Bartley	Freitag	Lambert
Batzer	Fritz	Leu
Bjornson	Gardiner	Lewis
Blakemore	Hanson	Lindstrom
Bope	Haraldson	Martin
Borusky	Hart	Moen
Bratton	Harty	Morkrid
Buck	Hawkinson	Norheim
Burnett	Hedalen	Nyhus
Butler of Ramsey	Hendrickson	O'Connor
Butler of Ransom	Hickle	Olsgard
Calnan	Hill of Cass	Owens
Coltom	Hjort	Pendray
Dean	Hoge	Pitkin
Divet	Homan	Putnam
Dixon	Huso	Raney
Doyle	Isaak	Roble
Fox	Kellogg	Sandbeck

Messrs.—	Messrs.—	Messrs.—
Schroeder	Tucker	Warriner
Smith of Kidder	Turner, C. C.	Watt
Sorlie	Turner, F. W.	Weis
Stinger	Twichell	Williams
Streeter	Wardrope	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Husband	Kyllo
Curry	Knox	List

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hill of Bottineau	Ployhar
Bass	Hjelmstad	Ryan
Bollinger	Jacobson	Small
Carey	Johnson	Smith of Ward
Davis	Klein	Snyder
Dosseth	Lawbaugh	Stenhjem
Dynes	Miller	Thompson
Endreson	Morrison	Taylor
Everson	Northrup	Wardrope
Geiger	Odland	Wiley
Gunderson	Petterson	Wing

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 73 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 50.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 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 ayes 69, nays 11, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Borusky	Calnan
Batzer	Bratton	Campbell
Bjornson	Buck	Carey
Blakemore	Burnett	Curry
Bollinger	Butler of Ramsey	Davis
Bope	Butler of Ransom	Dean

Messrs.—	Messrs.—	Messrs.—
Divet	Knox	Putnam
Dixon	Kyllo	Raney
Doyle	Leu	Roble
Everson	Lewis	Ryan
Fox	Lindstrom	Sandbeck
France	List	Schroeder
Fritz	Martin	Smith of Kidder
Gardiner	Moen	Stenhjem
Hart	Morkrid	Stinger
Hedalen	Northrup	Streeter
Hickle	Nyhus	Tucker
Hjort	O'Connor	Warriner
Homan	Olsgard	Watt
Husband	Owens	Weis
Isaak	Pendray	Wiley
Kellogg	Pitkin	Williams
Kelly	Ployhar	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Harty	Snyder
Freitag	Hawkinson	Turner, F. W.
Hanson	Hendrickson	Wing
Haraldson	Lambert	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hoge	Petterson
Balsdon	Huso	Small
Bass	Jacobson	Smith of Ward
Dosseth	Johnson	Sorlie
Dynes	Klein	Thompson
Endreson	Lawbaugh	Taylor
Geiger	Miller	Turner, C. C.
Gunderson	Morrison	Twichell
Hill of Bottineau	Norheim	Walsh
Hill of Cass	Odland	Wardrope
Hjelmstad		

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 50 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 116.

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

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 7, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hanson	Norheim
Batzer	Haraldson	Northrup
Bjornson	Hart	Nyhus
Blakemore	Harty	O'Connor
Bope	Hawkinson	Owens
Borusky	Hedalen	Pitkin
Bratton	Hendrickson	Ployhar
Buck	Hickle	Raney
Burnett	Hjort	Roble
Butler of Ramsey	Hoge	Ryan
Calnan	Homan	Schroeder
Campbell	Husband	Smith of Kidder
Carey	Huso	Sorlie
Curry	Isaak	Stenhjem
Davis	Kellogg	Stinger
Dean	Kelly	Streeter
Divet	Knox	Tucker
Dixon	Kyllo	Turner, C. C.
Dynes	Leu	Turner, F. W.
Everson	Lewis	Walsh
France	Lindstrom	Warriner
Freitag	List	Williams
Fritz	Martin	Wing
Gardiner	Moen	Mr. Speaker
Geiger	Morkrid	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Lambert	Watt
Fox	Pendray	Wiley
Hill of Cass		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hjelmstad	Putnam
Bartley	Jacobson	Sandbeck
Bass	Johnson	Small
Bollinger	Klein	Smith of Ward
Butler of Ransom	Lawbaugh	Snyder
Dosseth	Miller	Thompson
Doyle	Morrison	Taylor
Endreson	Odland	Twichell
Gunderson	Olsgard	Wardrope
Hill of Bottineau	Petterson	Weis

So the bill passed and the title was agreed to.

Mr. Norheim moved

That the vote by which House Bill No. 116 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 105.

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.

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 6, absent and not voting 33.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hanson	O'Connor
Batzer	Harty	Owens
Bjornson	Hedalen	Pendray
Blakemore	Hendrickson	Pitkin
Bope	Hickle	Ployhar
Borusky	Hill of Cass	Putnam
Buck	Hjort	Raney
Burnett	Hoge	Roble
Butler of Ramsey	Husband	Ryan
Butler of Ransom	Huso	Schroeder
Calnan	Isaak	Smith of Kidder
Carey	Kelly	Snyder
Curry	Knox	Sorlie
Davis	Kyllo	Stenehjem
Dean	Lambert	Stinger
Dixon	Lewis	Turner, C. C.
Doyle	Lindstrom	Turner, F. W.
Everson	List	Twichell
Fox	Martin	Walsh
France	Moen	Warriner
Freitag	Morkrid	Watt
Fritz	Norheim	Weis
Gardiner	Northrup	Williams
Geiger	Nyhus	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Divet	Leu
Coltom	Hart	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bollinger	Dynes
Bartley	Bratton	Endreson
Bass	Dosseth	Gunderson



Messrs.—	Messrs.—	Messrs.—
Haraldson	Klein	Small
Hawkinson	Lawbaugh	Smith of Ward
Hill of Bottineau	Miller	Streeter
Hjelmstad	Morrison	Thompson
Homan	Odland	Taylor
Jacobson	Olsgard	Tucker
Johnson	Petterson	Wardrope
Kellogg	Sandbeck	Wing

So the bill passed and the title was agreed to.

### CONSIDERATION OF MESSAGES FROM SENATE.

Mr. Burnett moved

That the House concur in the concurrent resolution just sent over by the Senate relative to the Kenyon-Sheppard bill.

Which motion prevailed.

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

Senate Bill No. 22.

A bill for an Act to amend Section 6246 of the Revised Codes of 1905 relating to Mechanics' Liens and the enforcement thereof.

Was read the first and second time and  
Referred to the committee on state affairs.  
Senate Bill No. 48.

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof.

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

Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Was read the first and second time and

Referred to the committee on public health.

Senate Bill No. 59.

A bill for an Act for the registration of farm names.

Was read the first and second time and

Referred to the committee on county and county boundaries.

GENERAL ORDERS.

Mr. Harty 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. 71.

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporation may be used for 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.

And recommend that the same do pass as amended.

Mr. Kelly moved

That the report be adopted.

Which motion prevailed.

H. C. HARTY,  
Chairman.

## COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Frank L. Putnam of Carrington; J. D. Meyers of Blackwater; W. L. Lauder, Hon. J. N. Coffey, H. H. Gluk, Mr. F. Daniels, Frank R. Daniels, S. G. Severtson, of Sheyenne; Frank R. Philip, E. Burg, Mott; J. T. Sullivan, J. J. Solum, H. R. Belzing, Geo. W. Freerks, of Wahpeton; R. S. Linde, L. R. Linde, Henry Fuithe, B. H. Critchfield, A. M. Bond, S. A. Mikalson, Hazelton; H. W. Batzer, Hazelton; W. D. McCluton.

Mr. Watt moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

## THIRTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 5, 1913.

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. Doyle, Hjelmstad, Jacobson, Morkrid, Raney, Smith of Ward and Johnson.

## 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 twenty-ninth day, have carefully examined the same and find the same correct.

And recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved  
That the report be adopted.  
Which motion prevailed, and  
The report was adopted.

### PETITIONS AND COMMUNICATIONS.

February 1, 1913.

*Speaker of the House of Representatives, Bismarck, North Dakota:*

Dear Sir: I have the honor to transmit herewith resolution passed by the convention of delegates of the North Dakota State Union of the American Society of Equity, held at Velva, N. D., January 28th and 29th, which is as follows:

*"Resolved, That we recommend to the Legislature now in session at Bismarck, that House Bill No. 133, introduced by Representatives Blakemore of Fargo and Ployhar of Valley City, providing for the initiative, referendum and recall, be passed by the said Legislative Assembly without change and referred to a vote of the people at the next general election for their approval or rejection."*

I trust that your honorable body, the House of Representatives, will see fit to comply with this request of our organization by passing favorably on said measure.

Respectfully submitted,

J. M. ANDERSON,  
Secretary.

Referred to committee on judiciary.

The undersigned men and women, citizens and voters of Northwood, respectfully represent that to the best of our knowledge public sentiment in our city and in this Fifth Legislative District is favorable to the passage of an equal suffrage bill and we urgently request our Senator and Representative in the Legislature to favor by vote and influence the extension of suffrage to women at the earliest possible date.

Signed by A. O. Kato and 109 others.

*To the Honorable Members of the House of Representatives:*

We, the undersigned voters of the State of North Dakota,

petition your honorable body to use all honorable means to repeal the lumber lien laws.

Signed by G. A. Ericson and 30 others.

### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 4, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 28.

A bill for an Act entitled "An Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporations may be used for 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,

House Bill No. 71.

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."

Also,

House Concurrent Resolution

Memorializing the Congress of the United States to pass the measure now pending in the Senate known as the Kenyon-Sheppard Bill, as amended by the Senate and concurred in by the House.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted

Which motion prevailed, and

The report of the committee was adopted.

The committee on supplies and expenditures made the following report:

*Mr. Speaker:*

A majority of your committee on supplies and expenditures to whom was referred

Senate concurrent resolution relating to printing bills and journals.

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

Strike out all words after the words "number now printed."

And when so amended recommend the same be concurred in.

PAUL J. MOEN,  
Chairman.

S. F. SMITH,  
W. M. BARTLEY,  
C. C. TURNER,  
A. M. THOMPSON,  
H. C. HARTY.

Minority report of the House committee on supplies and expenditures:

The committee on supplies and expenditures to whom was referred concurrent resolution of the Senate.

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

This resolution to the effect that the bills of the House and Senate be hereafter sent only to newspapers and county auditors.

J. E. CAMPBELL,  
Member of the Committee.

Mr. Hendrickson moved

That the concurrent resolution be referred to the committee of the whole house.

Which motion prevailed.

#### REPORT OF SELECT COMMITTEE.

*Mr. Speaker:*

Your committee, appointed to confer with a like committee appointed on the part of the Senate to arrange for the reception of representatives of the Student Council of the North Dakota Agricultural College, beg leave to report that we have conferred with the Senate committee and the joint committee recommends that the Senate and House meet in joint session in the hall of the House of Representatives on February 12, 1913, at two o'clock P. M., to receive the Student Council, and that President John H. Worst, of the State Agricultural College, be invited to deliver a memorial address at that time in honor of the anniversary of Lincoln's birthday.

E. A. WILLIAMS,  
G. A. TUCKER,  
A. A. STENEHJEM,  
House Committee.

JOHN E. WILLIAMS,  
O. O. TRAGETON,  
Senate Committee.

Mr. Williams moved

That the report be adopted

Which motion prevailed, and  
The report was adopted.

#### MOTIONS AND RESOLUTIONS.

Mr. Curry asked unanimous consent to withdraw House Bill No. 135.

Which consent was given, and  
House Bill No. 135 was withdrawn.

Mr. Hendrickson moved

That House Bill No. 239 be withdrawn from the committee on ways and means and referred to the committee on public printing.

Which motion prevailed.

Concurrent resolution introduced by Representative E. L. Gunderson:

The Thirteenth Legislative Assembly of the State of North Dakota, in session assembled, most respectfully requests the United States Senate to pass the agricultural extension bill, passed by the House of Representatives during the second session of the Sixty-second Congress, being H. R. No. 22871.

We believe this measure represents constructive legislation of the truest type and if enacted into law will secure benefit for a large and important class of our people who are in need of the provisions contained therein. Our nation's welfare depends largely upon the success of our agricultural class and it is therefore essential that we should endeavor to bring about higher efficiency and better contentment to those who are occupied as the tillers of our soil.

As compared with many European countries, we believe that agriculture throughout the United States is in a state of low development and that the rural population of our country is not getting its full share of the general prosperity we are enjoying. This bill meets conditions in a practical way and will insure success to the movement that has this object in view and we therefore consider it the most important legislative movement that can be accomplished at this time.

We desire to call attention to the beneficial results obtained from the land-grant colleges established by an Act



of Congress in 1862, also the congressional Act of twenty-five years ago, providing for agricultural experimental stations. Both these Acts have proven so satisfactory and successful that supplementary legislation increasing the appropriations and efficiency of both has been enacted from time to time and we believe that the time has now arrived when the approved experience and methods accumulated by these institutions should be brought to the practical farmer in the manner set forth in this bill. Another fact that is worthy of due consideration by your honorable body is the popular demand for this legislation as evidenced by the farmers themselves through their better farming associations and other organizations, as well as the press, the colleges, the experimental stations, bankers' associations and other business interests, both private and corporate.

The Legislative Assembly of the State of North Dakota believes that this bill should become a law without delay in order that the legislatures of the states that are now in session may be given an opportunity to accept its provisions so as to avoid the delay of two years or more in receiving the benefits of its operations and therefore respectfully urges upon the Senate of the United States early consideration and early passage of same.

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

That our members in the United States Senate be requested to bring this memorial before that honorable body and to use all honorable means to insure the passage of said bill.

*Be it Further Resolved,* That the Chief Clerk of the House of Representatives be instructed to send a copy of this memorial to each of our senators in Congress on the final passage of same.

Referred to committee on agriculture.

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

Mr. Calnan introduced

House Bill No. 269.

A bill for an Act making an appropriation for the maintenance of departments of agriculture, manual training and

domestic economy in state high, graded and consolidated schools, as provided by Chapter 40 of the Session Laws of 1911.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Geiger introduced

House Bill No. 270.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Owens introduced

House Bill No. 271.

A bill for an Act creating a state immigration commission for the purpose of encouraging immigration and development of the resources of the state by publicity thereof and providing an appropriation therefor.

Was read the first and second time and

Referred to the committee on immigration.

Mr. Calnan introduced

House Bill No. 272.

A bill for an Act to amend Section 59 of Article 5 of the Session Laws of 1911 relating to meetings of board. Fees.

Was read the first and second time and

Referred to the committee on education.

Mr. O'Connor introduced

House Bill No. 273.

A bill for an Act entitled "An Act to amend Section 7 of Chapter 6 of the Laws of 1911, relating to motor license and road regulations."

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Williams introduced

**House Bill No. 274.**

A bill for an Act authorizing the board of trustees of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for capitol park and site purposes and making an appropriation therefor.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Nyhus introduced

**House Bill No. 275.**

For an amendment to the Constitution of the of the State of North Dakota, providing that the county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff, county superintendent of schools and state's attorney shall be elected for a term of four years; and providing that members of the House of Representatives of the Legislative Assembly be elected for a term of four years.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Wing introduced

**House Bill No. 276.**

A bill for an Act to provide for the sinking of test wells in order to ascertain the grade of coal in stratas lower than where ordinary lignite is found, and making an appropriation therefor.

Was read the first and second time and

Referred to the committee on coal and coal lands.

Mr. Huso introduced

**House-Bill No. 277.**

A bill for an Act to require all persons, firms, co-partnerships, associations or corporations operating as track buyers of grain to furnish a bond and take out a state license.

Was read the first and second time and

Referred to the committee on warehouse grain grading.

Mr. Divet introduced

**House Bill No. 278.**

A bill for an Act appropriating money to compensate A.

G. Hanson, Charles S. Ego and George E. Wallace, members of the Probate Code commission for balance per diem and extra services during the term of service on said commission.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Huso introduced

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

Was read the first and second time and

Referred to the committee on warehouse grain grading.

Mr. Hedalen introduced

House Bill No. 280.

A bill for an Act to provide that in weighing and grading flax or any other grain where the amount of dockage shall be stated in so many per cent per bushel and the equivalent thereof in pounds or fraction thereof, and prescribing duty of public elevators and warehouses in relation thereto.

Was read the first and second time and

Referred to the committee on warehouse grain grading.

Mr. Hedalen introduced

House Bill No. 281.

A concurrent resolution for amendments 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.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Dean introduced

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Lewis introduced

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Wardrobe and Mr. Buck introduced

House Bill No. 284.

A bill for an Act for the inspection of fermented and spirituous liquors, malt liquors, wines, ciders and all beverages manufactured, sold or offered for sale as a substitute for intoxicating liquors, and providing for the appointment of a state inspector and deputies, prescribing their duties, designating their fees, and prescribing rules and regulations for such inspection, providing for the payment and disposition of such fees, providing penalties for the violation of the provisions of this Act, designating ports of entry where liquor shipped into this state shall be inspected.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Snyder introduced

House Bill No. 285.

A bill for an Act appropriating money to provide for the erection, equipment and maintenance of a pumping and acclimatizing plant at the biological station at Devils Lake, North Dakota, and to carry on scientifically controlled experiments with animals and plants, and to provide abundant biological material and microscopical preparations free to the high schools and the rural consolidated schools of North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Fritz introduced

House Bill No. 286.

A bill for an Act to amend Section 1 of Chapter 164 of the Session Laws of 1907, relating to legislative officers and employes and their compensation.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Hendrickson introduced

House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury on account of glandered horses.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Moen introduced

House Bill No. 288.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Nyhus introduced

House Bill No. 289.

A bill for an Act to amend Section 1 of Chapter 42 of the Session Laws of 1909, relating to automobiles.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. F. W. Turner introduced

House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property of companies or associations and the listing of the same.

Referred to the committee on tax and tax laws.

Mr. Leu introduced

House Bill No. 291.

A bill for an Act to amend and re-enact Section 1 of Chapter 177 of the Session Laws of 1907, pertaining to attorney's fees in foreclosures of liens and mortgages.

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

Mr. Bratton introduced  
House Bill No. 292.

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane in the City of Rugby, County of Pierce.

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

House Bill No. 292 ordered not printed.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 68.

A bill for an Act repealing Chapter 174 of the Session Laws of 1911, relating to the terms of court in various counties comprising the Fourth Judicial District of this State.

Senate Bill No. 80.

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrolling and engrossing bills.

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

### THIRD READING OF HOUSE BILLS.

House Bill No. 76, not being properly engrossed, was referred back to committee on engrossment.

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code 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 ayes 80, nays 21, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	O'Connor
Balsdon	Hedalen	Odland
Bartley	Hendrickson	Owens
Bass	Hickle	Pendray
Bjornson	Hill of Bottineau	Petterson
Blakemore	Hill of Cass	Pitkin
Bollinger	Hjort	Ployhar
Bratton	Homan	Putnam
Buck	Husband	Raney
Burnett	Isaak	Roble
Butler of Ramsey	Kellogg	Ryan
Butler of Ransom	Kelly	Sandbeck
Curry	Klein	Snyder
Davis	Knox	Sorlie
Dean	Kyllo	Stenhjem
Divet	Lambert	Streeter
Dosseth	Lawbaugh	Tucker
Dynes	Leu	Turner, C. C.
Endreson	Lewis	Turner, F. W.
Everson	List	Twichell
Fox	Martin	Warriner
Fritz	Moen	Watt
Gardiner	Morkrid	Weis
Geiger	Morrison	Wiley
Hanson	Norheim	Williams
Haraldson	Northrup	Mr. Speaker
Hart	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Dixon	Miller
Bope	Doyle	Schroeder
Borusky	Freitag	Smith of Kidder
Calnan	Hawkinson	Taylor
Campbell	Hoge	Walsh
Carey	Huso	Wardrope
Coltom	Lindstrom	Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
France	Johnson	Stinger
Gunderson	Olsgard	Thompson
Hjelmstad	Small	
Jacobson	Smith of Ward	

So the bill passed and the title was agreed to.

Mr. Hedalen moved

That the vote by which House Bill No. 28 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 71.



A bill for an Act entitled "An Act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1895, relating to cities."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 95, nays 3, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Pendray
Balsdon	Hedalen	Petterson
Bartley	Hendrickson	Pitkin
Bass	Hill of Bottineau	Ployhar
Batzer	Hill of Cass	Putnam
Bjornson	Hjort	Raney
Blakemore	Hoge	Roble
Bollinger	Homan	Ryan
Bope	Husband	Sandbeck
Borusky	Huso	Schroeder
Bratton	Isaak	Smith of Kidder
Buck	Jacobson	Snyder
Burnett	Kellogg	Sorlie
Butler of Ramsey	Kelly	Stinger
Calnan	Klein	Streeter
Campbell	Knox	Thompson
Carey	Kyllo	Taylor
Curry	Lawbaugh	Tucker
Dean	Leu	Turner, C. C.
Divet	Lewis	Turner, F. W.
Dixon	Lindstrom	Twichell
Dosseth	List	Walsh
Dynes	Martin	Wardrope
Endreson	Miller	Warriner
Everson	Moer	Watt
Fox	Morkrid	Weis
Freitag	Morrison	Wiley
Fritz	Norheim	Williams
Gardiner	Nyhus	Wing
Geiger	O'Connor	Mr. Speaker
Hanson	Odland	
Haraldson	Owens	
Harty		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Lambert	Northrup

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Butler of Ransom	Hart	Small
Davis	Hickle	Smith of Ward
Doyle	Hjelmstad	Stenhjem
France	Johnson	
Gunderson	Olsgard	

So the bill passed and the title was agreed to.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

Was read the first and second time and

Referred to the committee on election and election privileges.

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

Was read the first and second time and

Referred to the committee on public health.

GENERAL ORDERS.

Mr. Dean 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. Dean 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. 160.

Being a bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

And when amended recommend the same do pass.

Also,

House Bill No. 133.

A bill for an Act to amend the Constitution providing for the initiative and referendum and the provisions thereof, the recall of public officers and future amendments to the Constitution.

And recommend that the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report of the committee of the whole be adopted.

Which motion prevailed, and

The report was adopted.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to H. D. Mack, Dickey, N. D.; Pierce Eagan, R. H. Yank, Chris. McWold, Emil Drewelon, Henry Gaebe, Daniel Dietz, Wm. Lehfeld, Carl Blank, George Kremer, R. S. Lunde, L. R. Lunde, W. C. Gibb, Stanley; O. M. Kilen, Stanley; H. M. Jensen, Palermo; Mr. G. Grimson, Langdon; Col. Carroll, Paul V. Wesser, Dickinson; Geo. Purchase, Halliday; Hon. Frank Lish, Dickinson; O. R. Myers, Dickinson; G. S. Cryne, Gladstone; Mr. Ruble, Driscoll; G. W. Narin, Richardton; John Pfeifer, Louis Schachim, Richardton; R. P. Gecz, Mr. Lewis, F. E. Smith, Wahpeton; Leon Darocher, Theo. Feland, Chas. McDonald, F. P. McQuillan, Peter Schantz, F. A. McAuliff, of Mandan; Harry Severn, Flasher; John Bruegger, Williston; H. Hallemburg, Carson; Jos. Lange, Shields.

Mr. Hill moved that the House do now take a recess until 1:30 P. M. tomorrow.

Which motion prevailed, and

The House took a recess.

M. J. GEORGE,  
Chief Clerk.

THIRTIETH DAY AFTER RECESS.

The House convened at 1:30 P. M., pursuant to recess taken.

The Speaker presiding.

Upon motion the seventh order of business was referred to.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. H. H. France introduced

House Bill No. 293.

A bill for an Act to appropriate money for the expenses of the state government and for other purposes; to repeal certain laws which may conflict with this general appropriations bill, when such repeal is specifically stated following; specifying the amount and time for which such appropriations shall be available, and providing the manner in which the appropriations herein made shall be paid.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Twichell introduced

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

Was read the first and second time and

Referred to the committee on agriculture.

Mr. Stinger introduced

House Bill No. 295.

A bill for an Act to amend Sections 4, 7, and 12 of Chapter 35 of School Laws of 1911, relating to improving conditions of rural consolidated schools.

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

Mr. Calnan introduced

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

Was read the first and second time and

Referred to the committee on railways.

Mr. Fox introduced

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Borusky introduced

House Bill No. 298.

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 time and

Referred to the committee on ways and means.

Mr. Williams introduced

House Bill No. 299.

A bill for an Act creating a state board to be known as the capitol commission; fixing the manner of appointment and the compensation of the members thereof; prescribing their powers and duties and authorizing the erection of a state capitol.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Miller introduced

House Bill No. 300.

A bill for an Act making an appropriation for the mining sub-station at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Leu introduced

House Bill No. 301.

A bill for an Act to amend Section 1 of Chapter 300 of the Session Laws of 1911, relating to personal property taxes, when they shall become due and delinquent, how and when they shall be paid and describing penalties and interest thereon, and distress.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Isaak moved

That the House do now adjourn.

Which motion prevailed.

---

THIRTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 6, 1913.

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. Doyle, Haraldson, Hill of Bottineau, Hjelmstad, Johnson.

## 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 thirtieth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 13, and following line 7, insert the following words:

“Was read the first and second time, and

Referred to the committee on state affairs.”

“House Bill No. 292 ordered not printed.”

On page 13, and following line 2, insert the words “Mr. Bratton introduced.”

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

## PETITIONS AND COMMUNICATIONS.

*To the Honorable Members of the House of Representatives:*

We, the undersigned voters of the State of North Dakota, petition your honorable body to use all honorable means to repeal the lumber lien laws.

Signed by Harry Howland and sixteen others.

## REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 76.

A bill for an Act to amend Section 4 of Chapter 275 of the Session Laws of the State of North Dakota for the year

1911, relating to the office of sheriff, and providing for deputies.

Also

House Bill No. 133.

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum and the provisions thereof, the recall of public officers and future amendments to the Constitution.

Also,

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on tax and tax laws made the following report:

*Mr. Speaker:*

Your committee on tax and tax laws to whom was referred

House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

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

ROBERT NORHEIM,  
Chairman.

Mr. Norheim moved

That the report be adopted.

Which motion prevailed.

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. 221.

A bill for an Act to amend Section 643 of the Revised Codes of 1905, relating to assistance to electors who by reason of disability are unable to mark their ballots.

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

In line 8 of the printed bill after the word "ballot" insert the following: "*Provided*, that no person so assisting shall mark to exceed five (5) ballots at any one election."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 167.

A bill for an Act to amend and re-enact Section 6 of Chapter 129 of the Session Laws of 1911, relating to limitation of general election expenses.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 237.

A bill for an Act to amend Section 2593 of the Revised Codes of 1905 of the State of North Dakota, relating to provision for deputies for county auditors.

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.

The committee on agriculture made the following report:

*Mr. Speaker:*

Your committee on agriculture to whom was referred

House Bill No. 148.

A concurrent resolution authorizing the appointment of two delegates from North Dakota as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

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

JAS. HILL,  
Chairman.

Also,

House Bill No. 148.

A concurrent resolution authorizing the appointment of two delegates from North Dakota as members of a commission which is to investigate European systems of rural credits and report thereon, and making an appropriation therefor.

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

JAS. HILL,  
Chairman.

Also,

House Bill No. 150.

A bill for an Act regulating the sale of binding twine and preventing deception and fraud in the sale thereof.

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

JAS. HILL,  
Chairman.

Also,

House Bill No. 150.

A bill for an Act regulating the sale of binding twine and preventing deception and fraud in the sale thereof.

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

JAS. HILL,  
Chairman.

Mr. Hill moved

That the report be adopted.

Which motion prevailed.

The committee on railroads made the following report:

*Mr. Speaker:*

Your committee on railroads to whom was referred

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violating thereof.

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

In line one (1) of Section one (1) of the printed bill, after the word "mile," strike out the words "and family mileage books."

And when so amended recommend the same do pass.

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 153.

A bill for an Act relating to the qualifications of locomotive firemen.

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

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 241.

A bill for an Act to amend and re-enact Chapter 250 of the Session Laws of 1911, relating to requiring emigrants to file tax receipts.

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

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 140.

A bill for an Act to regulate the time and manner in which common carriers doing business in the state shall

adjust and pay freight overcharges and claims for loss or damage to property.

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.

Also,

House Bill No. 80.

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

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

After the word "A bill" strike out all of said bill and insert in lieu thereof the following:

Providing closets or privies for the accommodation of the public at railroad stations and keeping them and the waiting room in a sanitary condition, and penalty for violation thereof, and repealing Chapter 238 of the Session Laws of 1911.

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

Section 1. Closets, Where Provided.) All railroad companies operating railroads in North Dakota shall provide and maintain at any and all railroad stations in the state where passengers' tickets are sold within reasonable excess of the depot a water closet, earth-closet or privy for the accommodation of railroad employes and the traveling public, or where a sewerage system is maintained within three hundred feet of such station waiting room, then and in that case the water closet shall be within the station house. Entirely separate compartments for men and women shall be provided. The water closet, earth-closet or privy for males shall have urinals arranged with conduits of galvanized iron or other impervious material, draining into a sewer, vault or other suitable place which will prevent the creation of a nuisance.

Sec. 2. Authority to Inspect.) The board of railroad commissioners of the state or the local health officer or health

commissioner of the township, incorporated village or city in which the depot is located, shall have authority to inspect such water closets, earth-closets or privies from time to time and if they are found to be in an unsanitary condition, he or they shall notify the proper officials of the railroad company, stating in what respect such water closets, earth-closets or privies are unsanitary, and it shall be the duty of the railroad company within a reasonable time, to make such alterations or repairs as will remove the unsanitary conditions complained of.

Sec. 3. Waiting Rooms, How and When Cleaned.) The waiting rooms at the railroad stations in this state shall be scrubbed or washed at least once a week with some standard disinfectant and such waiting rooms shall at all times be maintained in a comfortable and sanitary condition.

Sec. 4. Repeal.) Chapter 238 of the Session Laws of 1911 is hereby repealed.

Sec 5. Penalty.) Any failure to comply with the provisions of this Act shall upon conviction be punished by a fine of not less than twenty dollars or more than one hundred dollars.

And when so amended recommend the same do pass.

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 115.

A bill for an Act to amend Chapter 138, relating to 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 otherwise provided therein.

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

On page 4 of the printed bill, in line 56, after the word "Act," insert the following:

*Provided*, further, that the term "employees" as used in this paragraph shall include furloughed, pensioned and superannuated employes, persons who have become disabled or infirm in the service of any such common carrier, and the remains of a person killed in the employment of a carrier, and the ex-employes traveling for the purpose of entering the service of any such common carrier; and the term "families" as used in this paragraph shall include the

families of those persons named in this provision, also the families of persons killed and the widows during the widowhood and minor children during minority, of persons who died while in the service of any such common carrier.

And when so amended recommend the same do pass.

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed.

Also,

The minority of your committee on railroads to whom was referred

House Bill No. 115.

A bill for an Act to amend Chapter 138 of the Session Laws of 1911, relating to 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 violation thereof, except as otherwise provided therein.

Have had the same under consideration and the minority of your committee recommend that in Section one (1), line two (2), of the printed bill, after the word "same," all of said bill be stricken out and insert in lieu thereof "is hereby repealed."

H. H. FRANCE,  
S. HENDRICKSON,  
F. F. FRITZ,  
R. K. BATZER,  
OLE NYHUS.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 6, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Code of 1905, relating to stock running at large.

## Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

## Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

## MOTIONS AND RESOLUTIONS.

Resolution introduced by Mr. Fox:

*Whereas*, According to the printed report of the stallion registration board for December 31, 1912, they show \$3,244.88 expended for clerk hire from October 28, 1910, to December 31, 1912, and the actual clerical work of this board is conducted at the state agricultural college by persons drawing pay from the salary fund of the state agricultural college: and,

*Whereas*, The farmers adjacent to Bismarck, North Dakota, deplore the fact that the warden of the state penitentiary sells vegetables, milk and cream in Bismarck in direct competition with said farmers; and,

*Whereas*, Said farmers can not pay taxes and compete with the state government. and convict labor, in such business; and.

*Whereas*, Said warden has performed work for private parties in the city of Bismarck, and in Burleigh County. which work prevented taxpayers of this state from having employment; and,

*Whereas*, The daily average number of convicts in the penitentiary during 1907 was about 40 per cent greater than the daily average in 1912, while the legislature appropriated 50 per cent more for maintenance in 1911 than was appropriated in 1907, or about 100 per cent increase per capita; and,

*Whereas*, Under Section 2, of Chapter 62, of the Session Laws of 1911, it is currently reported that members of the board of control have violated their oath of office taken under said Section 2, Chapter 62, of the Session Laws of 1911,

in that they are not devoting all their time to the duties of their office, but are drawing salaries from other sources, contrary to the aforesaid law; and,

*Whereas*, It is currently reported that some members of the tax commission have knowingly and willingly violated Section 4 of Chapter 303 of the Session Laws of 1911, in that they are engaged in other occupations which do interfere with their duties as tax commissioners, and which occupations prevent fair and unbiased judgments, and which have caused them to be away from their office in the state capitol at the usual hours when other state officials perform their work and duties; and,

*Whereas*, Under Chapter 216 of the Session Laws of 1909 the attorney general of this state had his salary raised to three thousand five hundred dollars a year so that he could afford to devote all of his time to the onerous duties of that office, and under Chapter 219 of the Session Laws of 1909 he also had an additional assistant attorney general added to his office force, and said attorney general and one assistant could not perform the various burdensome duties of said office, and in the same law he caused the salaries of said assistant attorney generals to be raised from eighteen hundred dollars to twenty-five hundred dollars, annually, so that he could hire competent men as his assistants; and,

*Whereas*, In the past and at the present time each and all of the officers in the attorney general's office are engaged in the private practice of law in the City of Bismarck, North Dakota; and,

*Whereas*, One F. C. Heffron holds an appointment from said attorney general, under Section 9372 of the Revised Codes of 1905, as assistant attorney general of North Dakota, and draws expenses from the state treasurer's office; and,

*Whereas*, The attorney general has had three offices fitted up for the personal use of himself, his two assistants and stenographers, on the same floor of the state capitol building as the state law library and Supreme Court; and,

*Whereas*, He had one of his office stenographers, paid by the state, spend day after day in his private law office in the City National Bank Block, Bismarck, North Dakota, while the State of North Dakota paid her \$100.00 per month for services at the state capitol; and,

*Whereas*, It is a well known fact that our present state engineer has held his office and drawn his salary of twenty-five hundred dollars per annum contrary to Section 7608 of



the Revised Codes of 1905, which Section specifically states "he shall not engage in private practice," and contrary to this law he has been drawing a salary as city engineer of Bismarck, North Dakota, and it is currently reported that he has also received compensation for personal services rendered other parties in this state during his official term as state engineer; and,

*Whereas*, It is currently reported that the fees received by the secretary of state during the years 1911 and 1912, under the provisions of Section 6, of the Session Laws of 1911, were not turned over to the state treasurer according to the provisions of Section 379, of the Revised Codes of 1905; and,

*Whereas*, The salaries and expenses of said department were not audited by the state auditing board, according to the provisions of Section 237, of the Revised Codes of 1905, and Chapter 49 of the Session Laws of 1907, and Chapter 51, of the Session Laws of 1911; and,

*Whereas*, The state auditor's warrants No. 111297 and No. 111590 show that the secretary of state on October 23, 1912, purchased five thousand, size 10½ plain, white two-cent stamped envelopes at the Bismarck post office, and it was currently reported at that time that the same were all used to send out his personal political "dope" for the November election; and,

*Whereas*, The Legislature is honestly striving to assist the governor to see that all laws are obeyed and enforced, and that all public servants render honest service; therefore

*Be it Resolved by the House of Representatives*, That a committee of three be appointed by the Speaker of this House for the purpose of investigating these matters, and ascertaining what measures are necessary, if any, to prevent their recurrence; and,

*Be it Further Resolved*, That said committee may appoint any acceptable person now in the employ of the House to act as clerk of such committee; and said committee shall report in writing prior to the fiftieth day of this session, unless further time may be asked, and granted.

Mr. Fox moved

The adoption of this resolution.

Which motion prevailed, and

The Speaker appointed as such committee Messrs F. W. Turner, Kellogg and Bope.

Mr. Williams offered the following resolution:

*Resolved* that the following and attached report of the Special Committee, appointed by the House of Representatives of the Twelfth Legislative Assembly to examine into the conditions of the State Capitol Building, the Power House and Electric Railroad, be printed in the Journal and when so printed be referred to the Committee on State Affairs for their consideration in connection with the Capitol Commission bill.

REPORT OF SPECIAL COMMITTEE.

*Mr. Speaker:*

Your committee appointed to examine into the conditions of the state capitol building, the power house and electric railroad, beg leave to submit the following report:

We have carefully examined the exterior and interior walls of the building as well as the interior of every room in the building, the heating, ventilating and lighting system as well as the power house, electric road and equipment. We find the exterior walls of those parts of the building erected in 1889 and 1894 in dangerous condition, due to serious defects, probably owing to settlement of the foundations and the weight imposed upon the different floors, and to the deterioration of the material used in construction. In our opinion these exterior walls are in a dangerous condition, and if the ordinances of the city of Bismarck provided for a building inspector with close inspection of public buildings, it would probably be condemned as unsafe.

The roof of the entire building is in a deplorable condition, and although it has had continuous repairs annually, yet it admits storm water to the interior of the building, causing the crumbling and falling of the plaster in many of the rooms and discoloring of others. There is not a single room in the two older parts of the building but shows the effects of storm water coming through the roof and walls of the building.

The interior walls of the building show bad cracks in many of the arches, and in our opinion are unsafe. The floor of the rotunda between the House and Senate chambers in our opinion is unsafe today, even though it has been shored up by the superintendent of the building.

The plaster on the ceilings and walls of the entire building in order to be safe and to look reasonably well for a capitol building of this state, should be entirely removed

and renewed. The floors of the rotundas and corridors in the two older parts of the building are unsightly and should be removed and replaced by floors more sightly and substantial.

We find that there is practically no ventilation of the entire building. The plumbing in all of the toilet rooms is unquestionably unsanitary and dangerous to the health of the occupants.

It is questionable whether the storage vaults in the older parts of the building would stand the heat caused by the burning of the building. The heating system of the building is inadequate, out of date and expensive to maintain. The lighting system is giving fairly good satisfaction, but the insulation is in such condition that we believe it to be dangerous.

We desire to call your attention to the fact that if a fire should break out in this building between the hours of six o'clock in the evening and eight o'clock in the morning, that it is improbable that any part of the building or its contents could be saved. This is due not only to the fact that we have no fire protection, but also to the fact that we have many small dark rooms in the basement and attic that are used for storage of unused material, papers and out of date reports, which would furnish ideal conditions for the progress of a fire and very poor conditions for fighting fire. The storage tanks with a combined capacity of approximately five thousand gallons are situated in the attic, and owing to the fact that they are used for the various closets as well as for fire protection and are filled by pump from the power house when empty, they are not at all times prepared for a fire, and the amount of hose and the men to man it in case a fire should get started would preclude the possibility of extinguishing a fire.

We find the building of the power plant to be in fair condition. The engines and generators are needing some repairs. The steam connections between the engines and the boilers are in poor condition, should be overhauled and renewed. As far as we could determine the boilers are in fair condition, although the settings of these boilers should be rebuilt.

The electric connections from the power house to the buildings and to the street railroad line are in very poor condition. The pumps used for the boiler supply and for fire protection are in fairly good condition but in our opinion the fire protection pumping with its system of supply

and distribution, is entirely inadequate for the service which would be required of it in case of fire.

We desire to call your attention to the fact that there is probably outside of the vaults in the capitol building one hundred thousand dollars worth of valuable material which is a constant hazard and risk which the state is carrying without any fire protection whatever. Much of this material is invaluable in that it could never be replaced should it be destroyed.

The carpenter shop, which is in the east wing of the old building, in our opinion is a positive menace to the building, and should be taken out at the earliest possible moment.

It also appears upon investigation that there is no room in any of the buildings suitable for holding the sessions of the supreme court. The old supreme court chamber on the third floor is in such a dilapidated condition that it is absolutely unsafe for this purpose, and entirely out of keeping with the needs of the court of this state. The sessions of the court are held sometimes in the Senate Chamber and other times in the House Chamber, which are unsuited in every way for this purpose.

The attorney general, since the adjournment of the last legislature, and the convening of the present one, utilized the house retiring rooms and committee rooms, and since the convening of the present legislature has had a small room constructed in the east wing of the old building, which room is entirely inadequate for the work of this office.

There are but very few committee rooms for the various committees of the legislature, and consequently the committees are meeting in the office rooms in the building, and the meeting of these committees in these offices are a source of annoyance not only to the occupants of the rooms, preventing them from accomplishing but very little work while the legislature is in session, but are a source of annoyance and trouble to the members of the various committees themselves.

The grounds about the capitol building are small and not laid out with any preconceived plan or design as to future extension or beautifying.

In our opinion to attempt to repair the capitol building except as to adequate fire protection would be neither economical or practical. We therefore recommend to the legislature now in session that immediate steps be taken looking to the construction of a new capitol building suit-

able to the needs and in keeping with the dignity of this state, and that steps also be taken at the same time to employ a competent landscape architect to design a plan for the improvement of the capitol grounds and park so that all future work in this direction may be done in a systematic manner.

Your committee also submits herewith, a report of Architect A. J. O'Shea of Fargo, and request that the same be spread upon the Journal, with the report of the committee, and your committee recommends that Mr. O'Shea be allowed \$50.00 and expenses for the services rendered your committee upon submitting proper voucher to be audited by proper board and O. K.'d by the chairman of your committee.

Respectfully submitted,

JAMES TURNER, Chairman,  
GEO. P. HOMNES,  
W. J. PRICE.

#### REPORT OF ARCHITECT A. J. O'SHEA.

The building generally, while in no immediate danger of collapse, shows serious indications of disintegration, and judging by the rapidity with which the faults have developed, will be untenable in five years from now, unless practically reconstructed, which would cost almost as much as a new building and result would be at best an undesirable structure.

In this report, therefore, only such repairs are considered as are necessary to render the building weatherproof, safe and habitable for from five to seven years.

#### OUTSIDE OF BUILDING.

An examination of the outside of the building shows innumerable cracks extending through the walls of the entire building, including the recent addition, indicating faulty or insufficient footings under the foundation walls. While there is no immediate danger of the collapse of any wall, the faulty or insufficient footings will in a comparatively short time cause the destruction of the building.

Removal of the footings and replacement of proper footings and removal and replacement of the face brick, while possible, would, from a commercial point of view, be unadvisable.

It would be advisable, however, as soon as the weather permits, to repair any cracked arches over windows or

doors and to repair the brickwork at tops of outside walls where the same have been weather damaged.

It would be advisable to repair the cornice and roof gutters and rain leaders, to prevent further damage to the brickwork.

A new roof covered with metal flashings is absolutely necessary on the entire structure.

About one hundred eighty windows need refitting and weather proofing, as the windows are old and shrunken; this could be best done by using substantial zinc weather strips, and pointing all sills and flashing some sills.

There are some other minor repairs which it would be advisable to make on the outside of the building.

#### INSIDE OF BUILDING.

It is necessary to place substantial beams and posts in the rotunda in basement and on first floor, also a steel beam under one wall of the library, over the west corridor on first floor.

An examination of the roof of the old part of the structure shows the main supporting trusses in apparent good condition, but the lighter beams and struts and joists are insufficient to carry a moderate snow load, and immediate steps should be taken to reinforce the roof, care being taken to allow practically no snow to lay on the roof until it is properly strengthened.

It is advisable to place proper steps or step-ladders at various points on the upper story, to the attic and in the attic where the levels differ, and proper board runways should be placed in the attic so that access could be had to the different parts of the attic without danger of damaging the plaster.

It would be advisable to remove the water tanks from the attic.

Wherever the plastering is loose, the lath as well as the plaster should be removed and replaced with new materials. This would apply to all ceilings which have not been replaced in recent years.

All walls and ceilings of all rooms and offices should be tinted in colors without any attempt at ornamentation. It would not be necessary to re-decorate any of the rooms or offices where no plastering has to be removed or patched.

It would be advisable to give all varnished woodwork a

coat of varnish, half rubbed, after all minor repairs are made to doors, windows and other woodwork.

It is advisable that the supreme court be provided with a new court room, utilizing the old Senate Chamber for that purpose, lowering part of the ceiling to restore the symmetry of the room, replastering all walls and ceilings, bur-lapping the walls and ceilings, panelling the ceiling and wainscoting the room with marble, the object being to give to the room a simple elegance commensurate with the dig-nity of its use. The marble, the most expensive item in the treatment of the court room, could be re-used in another structure with very little loss in value.

The electric wiring is in very bad condition and should be repaired so as to lessen the risk from fire.

The steam and water pipes to the power house should be dug up and properly covered.

No tunnel is recommended for the same at this time.

The boilers in the power house should be re-set as soon as possible. The brick work of same is in very bad condi-tion.

To improve the water supply, it is advisable that a pneu-matic system be procured, the tank of suitable capacity be-ing placed in the basement of the capitol building, and a gasoline engine and pump installed in the power house and connected to the tank by proper piping.

This style of water supply system is an improvement on the elevated tank or stand pipe.

While the plumbing is not what is called first class, no changes to the same are herein considered.

While there is practically no systematic ventilation in the building, no installation of mechanical ventilation is herein considered, in view of the expense of same and the depre-ciating character of the building.

The cost of making the repairs and improvements herein advised would be a sum not amounting to over seventeen thousand five hundred (\$17,000) dollars.

Scaffolding and repairing brickwork.....	\$	600.00
Repairing cornice work, gutters and water leaders		500.00
Seven year composition roof.....		1,325.00
Repairing and putting zinc weather strips on 180 windows .....		720.00
Steel beams and posts in place.....		700.00
Strengthening roof .....		1,000.00

Steps, ladders and gangways.....	150.00
Plastering .....	2,000.00
Decorating and painting.....	2,000.00
New court room.....	3,200.00
Electric wiring .....	800.00
Repairs to steam mains and boxing same and digging .....	450.00
Brickwork and repairs in power house.....	800.00
Pneumatic water supply.....	2,000.00
Contingencies .....	2,000.00
	\$17,445.00

A minority of your committee make the following report:

While the State of North Dakota is badly in need of a new capitol building, the financial conditions prevailing in the state and country generally are not now favorable for the securing of the amount of money required.

The recent failure of crops has caused a shrinkage of local money supplies and the suspension of land sale has so depressed the prices for farm lands that the state lands available for the construction of a capitol, if sold now, could not realize anything like the full value

With the subsiding of political unrest and a return to normal conditions and bountiful crops, capitol lands can be sold at reasonable value and other means provided for a new building without burdening the people with new taxation.

Hence it is the recommendation of your committee that only necessary repairs be made on the present building until such time as financial and other conditions may warrant the building of a new capitol.

JAMES KENNEDY,

Mr. Morrison introduced the following resolution:

*Whereas*, Members of this House have been informed that certain state officers have failed to qualify in not filing their oath and bond within the time provided by law, that official bonds have been approved which have been insufficient under the statute, and others have been approved a year or more after they had been filed with the secretary of state; that compensation has been drawn from the state treasury while such officers were defacto, and as such were not entitled under the law to any compensation or fees, having failed to qualify as provided by law; therefore

*Be it Resolved* by the House of Representatives, That the Speaker appoint a committee of three (3) members to in-



investigate and report to this House all matters covered by this resolution beginning January first, 1909, and up to the present date, and also to investigate the report on the law covering these transactions should they be found true in order that this House may take such action as in its judgment is proper and warranted.

Mr. Butler moved

That the resolution be adopted.

Which motion prevailed, and

The Speaker appointed as such committee Messrs. Har-aldson, Campbell and Streeter.

#### FOSTER COUNTY BETTER FARMING ASSOCIATION.

*To the Senators and Representatives of the Thirty-second District:*

At a meeting of the Foster County Better Farming Association, held at the court house in the City of Carrington, North Dakota, the following resolution was, after a full discussion, passed:

*Resolved*, That it is the sense of this meeting that the present method of collection of road taxes is inadequate and insufficient to accomplish the objects for which the taxes are levied owing to the lack of harmony as to the proper methods of road making and repairs, and that the collection of road taxes in cash would result in more uniform and better roads and would be a more equitable method of taxation.

*It is Further Resolved*, That our Senator and Representatives in the State Legislature be urged to use their influence for the passage of laws which will enable the collection of road taxes in cash, and that a copy of this resolution be sent to each of them.

Dated Carrington, North Dakota, February third, nineteen thirteen.

J. M. RIDGEWAY,  
Chairman.

Attest:

W. F. MOORE,  
Secretary.

## MESSAGE FROM THE SENATE.

Bismarck, N. D., February 5, 1913.

*Mr. Speaker:*

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

*Whereas*, There have been introduced in Congress three bills (Numbers H. R. 36, H. R. 4428, S. 2367), to afford Federal protection to migratory game birds and song birds; and,

*Whereas*, There is a very general sentiment in this state in favor of such protection, and an urgent request for the enactment of such a law has been made, as appears by the numerous petitions received; now, therefore,

*Resolved* (the House concurring), That Congress be and hereby is requested to enact a law giving ample protection to migratory game birds and our best beloved song bird, the robin of the north and all other migratory song birds.

*Resolved*, That the legislatures of all other states of the United States, now in session or when next convened, be and they are hereby respectfully requested to join in this request by the adoption of this or an equivalent resolution.

*Resolved, Further*, That the secretary of state be and he hereby is directed to transmit copies of this resolution to the Senate and the House of Representatives of the United States, and to the several members of said body representing this state therein.

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

Very respectfully,

W D. AUSTIN,  
Secretary.

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

Mr. Leu introduced  
House Bill No. 302.

A bill for an Act to amend Section 1 of Chapter 299 of the Session Laws of 1911, relating to real estate taxes, when they shall become due and delinquent, how and when they shall be paid, and describing penalties and interest thereon.

Was read the first and second time and  
Referred to the committee on tax and tax laws.

Mr. Thompson (by request) introduced

House Bill No. 303.

A bill for an Act providing for the payment by the county to the public administrator of the costs of administration in estates not having sufficient funds to pay the same.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Thompson (by request) introduced

House Bill No. 304.

A bill for an Act to amend and re-enact Sections 27, 29, and 41 of Chapter 80 of the Session Laws of the State of North Dakota for the year 1909, regulating the practice in county courts, having increased jurisdiction, and matters relating thereto; fixing the fees to be charged by the clerk of county court, compensation of the clerk of the county court with increased jurisdiction and their duties, and the procedure relative to trials of civil actions by a jury.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Northrup introduced

House Bill No. 305.

A bill for an Act to provide for the support of needy women whose husbands are dead, or whose husbands are prisoners, and who are the mothers of one or more children under fourteen years of age.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Wiley (by request) introduced

House Bill No. 306.

A bill for an Act to amend Section 6 of Chapter 226 of the Laws of 1911, being an Act relating to compensation of field officer.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Walsh introduced

House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota, as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of

title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. O'Connor introduced

House Bill No. 308.

A bill for an Act entitled "An Act to amend Sections 2254, 2255, 2257, and 2260, Revised Codes of North Dakota, of 1905, relating to sites for warehouses, elevators and feed mills on railroad right of way.

Was read the first and second time and

Referred to the committee on railways.

Mr. Wardrope introduced

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Code of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Was read the first and second time and

Referred to the committee on labor.

Mr. Hill of Cass introduced

House Bill No. 310.

A bill for an Act to prevent the spread of noxious weeds by conveyances used in hauling grain.

Was read the first and second time and

Referred to the committee on agriculture.

Mr. Streeter introduced

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

Was read the first and second time and

Referred to the committee on military affairs.

Mr. Sorlie introduced

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of Constitutional Amendments.

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

### THIRD READING OF HOUSE BILLS.

House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

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 20, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Cass	Pendray
Bass	Hjort	Petterson
Bjornson	Hoge	Pitkin
Blakemore	Husband	Ployhar
Burnett	Huso	Putnam
Butler of Ramsey	Jacobson	Raney
Butler of Ransom	Kellogg	Roble
Calnan	Kelly	Sandbeck
Carey	Klein	Schroeder
Curry	Knox	Small
Divet	Lambert	Snyder
Dixon	Lawbaugh	Sorlie
Dosseth	Leu	Stenehjem
Doyle	Lewis	Stinger
Dynes	Lindstrom	Thompson
Enderson	List	Taylor
Everson	Martin	Tucker
France	Miller	Turner, C. C.
Fritz	Moen	Turner, F. W.
Gardiner	Morkrid	Twichell
Geiger	Morrison	Walsh
Gunderson	Norheim	Warriner
Hanson	Northrup	Watt
Haraldson	O'Connor	Weis
Harty	Odland	Wiley
Hawkinson	Olsgard	Williams
Hendrickson	Owens	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Dean	Kyllo
Bollinger	Freitag	Nyhus
Bope	Hart	Ryan
Borusky	Hedalen	Smith of Kidder
Bratton	Hickle	Streeter
Buck	Homan	Wing
Coltom	Isaak	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Smith of Ward
Balsdon	Hill of Bottineau	Wardrope
Campbell	Hjelmstad	
Davis	Johnson	

So the bill passed and the title was agreed to.

Mr. Twichell moved

That the vote by which House Bill No. 76 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 133.

Concurrent resolution for an amendment of the Constitution, providing for the initiative and referendum, and the provisions therof, the 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.

The roll was called and there were ayes 78, nays 27, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Odland
Balsdon	Gunderson	Olsgard
Bartley	Hanson	Petterson
Bass	Haraldson	Pitkin
Batzer	Harty	Ployhar
Bjornson	Hedalen	Raney
Blakemore	Hendrickson	Roble
Bollinger	Hickle	Ryan
Bope	Hjort	Schroeder
Borusky	Homan	Small
Bratton	Isaak	Snyder
Burnett	Jacobson	Stenehjem
Butler of Ramsey	Kellogg	Stinger
Calnan	Kelly	Streeter
Carey	Klein	Thompson
Curry	Lawbaugh	Taylor
Dean	Leu	Tucker
Divet	Lewis	Turner, C. C.
Dixon	Lindstrom	Turner, F. W.
Doyle	List	Twichell
Dynes	Martin	Walsh
Endreson	Miller	Wardrope
Fox	Morrison	Weis
France	Norheim	Wiley
Freitag	Nyhus	Wing
Fritz	O'Connor	Mr. Speaker

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buck	Hill of Cass	Northrup
Butler of Ransom	Hoge	Owens
Coltom	Husband	Pendray
Davis	Huso	Putnam
Dosseth	Knox	Sandbeck
Everson	Kyllo	Smith of Kidder
Geiger	Lambert	Sorlie
Hart	Moen	Warriner
Hawkinson	Morkrid	Watt

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hjelmstad	Smith of Ward
Hill of Bottineau	Johnson	Williams

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which House Bill No. 133 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 99, nays 2, absent and not voting 10.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hendrickson
Balsdon	Divet	Hickle
Bartley	Dixon	Hill of Cass
Bass	Dosseth	Hjort
Batzer	Doyle	Hoge
Bjornson	Dynes	Homan
Blakemore	Endreson	Husband
Bollinger	Everson	Huso
Bope	France	Isaak
Borusky	Freitag	Jacobson
Bratton	Fritz	Kellogg
Buck	Gardiner	Kelly
Burnett	Geiger	Klein
Butler of Ramsey	Gunderson	Knox
Butler of Ransom	Hanson	Lambert
Calnan	Haraldson	Lawbaugh
Carey	Harty	Leu
Curry	Hawkinson	Lewis
Davis	Hedalen	Lindstrom

Messrs.—  
List  
Martin  
Miller  
Moen  
Morkrid  
Norheim  
Northrup  
Nyhus  
O'Connor  
Odland  
Olgard  
Owens  
Pendray  
Pettersen

Messrs.—  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble  
Ryan  
Sandbeck  
Small  
Smith of Kidder  
Snyder  
Sorlie  
Stenehjerm  
Stinger  
Streeter

Messrs.—  
Thompson  
Taylor  
Tucker  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrobe  
Warriner  
Watt  
Weis  
Wiley  
Wing  
Mr. Speaker

Those voting in the negative were:

Messrs.—  
Cottom

Messrs.—  
Hart

Absent and not voting:

Messrs.—  
Campbell  
Fox  
Hill of Bottineau  
Hjelmstad

Messrs.—  
Johnson  
Kyllo  
Morrison  
Schroeder

Messrs.—  
Smith of Ward  
Williams

So the bill passed and the title was agreed to.

Mr. Streeter asked unanimous consent to return to the ninth order of business.

Which consent was granted.

### INTRODUCTION OF HOUSE BILLS.

Mr. Streeter introduced the following bill:

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

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

Section 1. Amendment.) Section 1213, Chapter 278, Session Laws of 1911, is hereby amended to read as follows:

Section 1213. Board of Trustees. Duties and Compensation.) The general supervision and government of the soldiers' home shall be vested in a board of five trustees, to be styled "The board of trustees of the soldiers' home," each member of which shall have served in the army or navy of the United States or is a member of the National Guard of North Dakota, and four of whom shall be appointed by the governor, by and with the consent of the Senate, two of whom shall be from the county wherein the institution is located. The members of the board shall hold their



office for the term of three, four and five years respectively. The time for which each member shall hold his office shall be designated in his certificate of appointment. The commander or chief officer of the organization known as the Grand Army of the Republic shall be ex-officio a member of said board, with the same powers, duties and privileges as the other members thereof. The compensation of the trustees shall be three dollars per day each for not exceeding twenty-four days in any one year, and their necessary expenses while performing the duties of their office.

Sec. 2. Repeal.) All Acts or parts of Acts in conflict herewith are hereby repealed.

Sec. 3. Emergency.) Whereas, under the present law the per diem and expenses of the trustees of the soldiers' home are paid from the general fund of the state, while the soldiers' home has sufficient income to enable its board of trustees to pay from the soldiers' home fund such per diem and expenses. Therefore an emergency exists, and this Act shall be in force from and after its passage and approval.

The Speaker referred the concurrent resolution relating to "Used automobiles" to committee on railways.

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

### Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Code of 1905, relating to stock running at large.

Was read the first and second time and

Referred to the committee on live stock.

### Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Was read the first and second time and

Referred to the committee on election and election privileges.

### Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.

Was read the first and second time and

Referred to the committee on judiciary.

### Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Was read the first and second time and

Referred to the committee on ways and means.

#### GENERAL ORDERS.

Mr. Lambert 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. Lambert 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. 120.

A bill for an Act providing for the payment of taxes for road purposes and its distribution.

And recommend that the same be made a special order of business for Monday, February 10th, at 3 o'clock.

Also,

Senate concurrent resolution relating to printing bills and journals.

And recommend that the minority report of the committee be adopted.

F. B. LAMBERT,  
Chairman.

Mr. Thompson moved

That the report be divided.

Which motion prevailed.

Mr. Dean moved

That the report on House Bill No. 120 be adopted.

Which motion prevailed.

Mr. Divet moved

Which motion prevailed.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to I. S. Berge, Velva; M. W. Spaulding, Grand Forks; H. A. Peterson, H. F. O'Hare, J. F. Nelson, Glen Ullin; A. W. Gray, Kenmare; C. W. Beyers,

Bottineau; Frank Ries, Erie; Mike Henne, Yeland; C. W. Beyer, Bottineau; E. H. Taueng, Maddock; R. W. Austin, New Rockford; Phil Mason, Jamestown; Mr. Olmstead, Kenmare; H. C. Lynn, Linton.

Mr. Ployhar moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

THIRTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 7, 1913.

The House assembled at 2 o'clock P. M., pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain,

Roll call.

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

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

Strike out the first four lines (after title) in Journal of thirtieth day after recess and insert the same immediately following the date line, Journal of the thirty-first day.

On page 10, line 27, change the figure "139" to "138."

On page 31, strike out lines 34, 35 and 36, and insert the words "That the report of the committee of the whole as read be adopted."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

#### PETITIONS AND COMMUNICATIONS.

Presented by B. N. Sandbeck.

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Tenth Legislative District of the State of North Dakota, over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by C. O. Fuskind and thirty-six others.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 167.

A bill for an Act to amend and re-enact Section six (6) of Chapter 129 of the Session Laws of 1911, relating to limitation of general election expenses.

Also,

House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Also,

House Bill No. 241.

A bill for an Act to amend and re-enact Chapter 250 of

the Session Laws of 1911, relating to requiring emigrants to file tax receipts.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on railroads made the following report:

*Mr. Speaker:*

Your committee on railroads to whom was referred  
House Bill No. 96.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

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.

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. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolves and coyotes.

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

In Section 1953 of the original bill after the words "two dollars" add "or more than three dollars."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 207.

A bill for an Act to determine the interests of the holders of chattel mortgages upon crops; to prevent fraud in the application of chattel mortgages given to secure future advances; to define the rights of parties under farm leases and cropping contracts, and to require the filing of the same.

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.

The committee on municipal corporations made the following report:

*Mr. Speaker:*

Your committee on municipal corporations to whom was referred

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

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

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 198.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.

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

L. L. TWICHELL,  
Chairman.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 217.

Being a bill for an Act entitled "An Act amending Section 7218 of the Revised Codes of 1905, relating to appeals."

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

A. M. THOMPSON,  
Acting Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed.

Also,

A majority of your committee on judiciary to whom was referred

House Bill No. 228.

Being a bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort, for gambling or disorderly purpose, and prescribing remedies for the prevention, and penalties for the violation of the same.

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

A. M. THOMPSON,  
Acting Chairman.

Also,

A minority of your committee on judiciary to whom was referred

House Bill No. 228.

Being a bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort, for gambling or disorderly purpose, and prescribing remedies for the prevention, and penalties for the violation of the same.

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

F. B. LAMBERT,  
Chairman.

N. W. HAWKINSON,  
C. S. BUCK,  
J. T. HOGE.

Mr. Lambert moved

That the reports on House Bill No. 228 be placed on calendar for general orders.

Which motion prevailed.

Also,

House Bill No. 226.

Being a bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

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

At the end of the title to the bill, change the period to a comma and add the following: "and to appropriate money for the payment thereof." Also,

On page 4 of the printed bill, after Section 5, insert the following: "Section 6. Appropriation.) There is hereby appropriated, out of the general funds of the state not otherwise appropriated, the sum of \$1,000 per annum, or so much thereof as shall be necessary, to carry out the provisions of this Act." Also,

On page 4 of the printed bill, in line numbered 1, strike out the figure "6" and insert in lieu thereof the figure "7."

And when so amended recommend the same do pass.

A. M. THOMPSON,  
Acting Chairman.

Also,

House Bill No. 171.

Being a bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year



1905, relating to the duties of state's attorneys and attorney general.

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

A. M. THOMPSON,  
Acting Chairman.

Also,

House Bill No. 231.

Being a bill for an Act repealing Section 1904 of the Revised Codes of North Dakota of 1905.

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

A. M. THOMPSON,  
Acting Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed.

The committee on state affairs made the following report:

*Mr. Speaker:*

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

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury and providing that interest shall be computed from the date of the actual delivery of the principal.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

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

House Bill No. 4.

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

W. E. MARTIN,  
L. D. WILEY,

Mr. Ployhar moved

That House Bill No. 4 be placed on the calendar for general orders.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Bismarck, N. D., February 7, 1913.

Mr. Bass introduced the following resolution:

*Be it Resolved by the House of Representatives, That the Chief Clerk be authorized to have printed as many more of the House rules as may be necessary. The supply of two hundred having been exhausted.*

Mr. Bass moved

That the resolution be adopted.

Which motion prevailed.

Mr. Williams asked unanimous consent to withdraw House Bill No. 299 from the public printer for correction and amendments.

Which consent was given.

Mr. Fritz asked unanimous consent to withdraw House Bill No. 286.

Which consent was given.

#### UNFINISHED BUSINESS.

Concurrent resolution, relating to migratory game birds and song birds, was referred to committee on game and fish.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 7, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property."

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers and the compensation thereof.

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

Very respectfully

W. D. AUSTIN,  
Secretary.

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

Mr. O'Connor introduced

House Bill No. 313.

A bill for an Act to legalize certain sheriff's certificates and sheriff's deeds in foreclosures by advertisement.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. O'Connor introduced

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Kylo introduced

House Bill No. 315.

A bill for an Act to amend and re-enact Section 514 of the Revised Codes of North Dakota for the year 1905, relating to the qualifications of jurors.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Butler of Ramsey introduced

House Bill No. 316.

A bill for an Act to amend and re-enact Section 29 of Chapter 182 of the Laws of 1907.

Was read the first and second time and

Referred to the committee on public health.

Mr. Balsdon (by request) introduced

House Bill No. 317.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907, and Chapter 50 of the Laws of 1909,

Was read the first and second time and

Referred to the committee on forestry.

Mr. Bass introduced

House Bill No. 318.

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic and to provide for licensing chiropractors and to prescribe penalties for the violation of this Act.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Bass introduced

House Bill No. 319.

A bill for an Act to amend Section 3, of Chapter 129, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Calnan introduced

House Bill No. 320.

A bill for an Act repealing Section 3 of Chapter 264 of Session Laws of 1911.

Was read the first and second time and

Referred to the committee on education.

Mr. Morrison introduced

House Bill No. 321.

A bill for an Act to amend Section 2020 of the Revised Code of 1905, relating to registration fees and compensation of the state board of veterinary examiners, and the amendment thereto, Chapter 282, Session Laws of 1911.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Hoge introduced

House Bill No. 322.

A bill for an Act to amend and re-enact Chapter 117 of the Laws of 1911, relating to designation of official papers.

Was read the first and second time and

Referred to the committee on public printing.

Mr. Lewis introduced

House Bill No. 323.

A bill for an Act to regulate the practice of photography and licensing of persons to carry on to teach such practice, and to insure the better education of such practitioners in the State of North Dakota, and to regulate the selling and offering for sale within the State of North Dakota of the products of photography, as herein defined, and to provide penalties for violations of this Act.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Walsh introduced

House Bill No. 324.

A bill for an Act to prohibit trespassing on railway rights of way.

Was read the first and second time and

Referred to the committee on state affairs.

### THIRD READING OF HOUSE BILLS.

House Bill No. 227.

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 94, nays 3, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bope	Coltom
Balsdon	Borusky	Curry
Bartley	Bratton	Davis
Bass	Buck	Dean
Batzer	Burnett	Divet
Bjornson	Butler of Ramsey	Dixon
Blakemore	Calnan	Dosseth
Bollinger	Carey	Doyle

Messrs.—	Messrs.—	Messrs.—
Dynes	Kelly	Ryan
Endreson	Klein	Schroeder
Everson	Knox	Small
France	Lambert	Smith of Kidder
Freitag	Lawbaugh	Snyder
Fritz	Leu	Sorlie
Geiger	Lewis	Stenehjem
Gunderson	Lindstrom	Stinger
Hanson	List	Streeter
Haraldson	Miller	Thompson
Hart	Morrison	Taylor
Harty	Norheim	Tucker
Hedalen	Northrup	Turner, C. C.
Hendrickson	Nyhus	Twichell
Hickle	O'Connor	Walsh
Hjelmstad	Odland	Wardrope
Hjort	Olsgard	Warriner
Hoge	Owens	Watt
Homan	Pendray	Weis
Husband	Petterson	Wiley
Huso	Pitkin	Williams
Isaak	Ployhar	Wing
Jacobson	Putnam	
Kellogg	Raney	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Gardiner	Hawkinson	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Butler of Ransom	Johnson	Roble
Campbell	Kyllo	Sandbeck
Fox	Martin	Smith of Ward
Hill of Bottineau	Moen	Turner, F. W.
Hill of Cass	Morkrid	

So the bill passed and the title was agreed to.

House Bill No. 167.

A bill for an Act to amend and re-enact Section 6 of Chapter 129 of the Session Laws of 1911, relating to limitation of general election expenses.

Was read the third time, and

Mr. Burnett moved

That further consideration of House Bill No. 167 be indefinitely postponed.

Mr. Owens moved

The previous question, the question being: Shall the main question be now put.

Which motion was lost.

Question now being that House Bill No. 167 be indefinitely postponed.

Which motion prevailed.

House Bill No. 241.

A bill for an Act to amend and re-enact Chapter 250 of the Session Laws of 1911, relating to requiring emigrants to file tax receipts.

Was read the third time, and

Mr. Bjornson moved

That House Bill No. 241 be amended to read as follows: After the word "transportation," in line 9, Section 1, insert "out of the county," so as to read "transportation out of the county."

Which motion prevailed.

Mr. Streeter moved

That House Bill No. 241 be re referred to the committee on railways.

Which motion prevailed.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers and the compensation thereof.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property."

Was read the first and second time and

Referred to the committee on railroads.

## GENERAL ORDERS.

Mr. Sorlie moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Sorlie 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. 221.

A bill for an Act to amend Section 643 of the Revised Codes of 1905, relating to assistance to electors who by reason of disability are unable to mark their ballots.

And recommend that the same be referred to the committee on election and election privileges.

Also,

House Bill No. 80.

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

And recommend that the same do pass when amended.

Also,

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violating thereof.

And recommend same do pass as amended.

Also

House Bill No. 115.



A bill for an Act to amend Chapter 139, relating to 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 otherwise provided therein.

And recommend the same be indefinitely postponed.

O. J. SORLIE,  
Chairman.

Mr. Sorlie moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Hon. Tracy Bangs, Grand Forks; P. W. Glovitch, H. O. Batzer, Hazelton; J. Dexter, Larimore; H. C. Hanson, Washburn; Dr. M. H. Sawyer, Washburn; W. E. Byerly, of Velva.

Mr. Thompson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

THIRTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 8, 1913.

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. Buck, Johnson; Mr. Smith of Ward and Mr. Freitag excused, as they are in hospital.

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 thirty-second day, have carefully examined the same and recommend that the same be corrected as follows:

On page 3 strike out lines 29, 30 and 31, and insert in lieu thereof the title of Senate Bill No. 62.

On page 8 and immediately following line 16 (words House Bill No. 299) insert the words "from the public printer for correction and amendments."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

#### PETITIONS AND COMMUNICATIONS.

*To the Senate and House of Representatives of the Legislature of the State of North Dakota:*

We, the undersigned citizens and voters of the State of North Dakota, respectfully petition you, the honorable body of law-makers of said state, to promote better farming, by creating a strong state banking institution for the benefit of the citizens of this state, by passing the following constitutional amendment:

First. That the State of North Dakota authorize the establishment of a "Real Estate Bank" to make loans on farm property within the state.

Second. That the state further authorize the sale of one million dollars' worth of bonds at the lowest rate of interest, not exceeding four (4) per cent for a period of twenty-five years as a foundation for the fund for the real estate bank. The loaning rate on farm property shall not exceed six (6) per cent. The bank shall have the right to buy and sell its own paper and guarantee the same, to act as agents for the buyer in collecting interest and further act as agent for outside parties in loaning moneys. But in selling its own paper or acting as agent the basis of rate shall not be higher than the rate of the original bonds. All profit of said bank shall constitute foundation capital for perpetual use for farm loans on farm property in this state, and the State Legislature of the state shall make laws governing the management and mode of conducting said real estate bank, and is further authorized to increase its capital from time to time by sales of bonds.

Signed by J. O. Munger and 75 others.

*To the Senate and House of Representatives of the Legislature of the State of North Dakota:*

We, the undersigned citizens and voters of the State of North Dakota, do hereby petition your honorable body that you pass legislation amending the interest and usury laws as follows:

1. That the maximum rate of interest which can be made by contract shall not exceed the rate of 10 per cent per annum.

2. That where a higher rate of interest is charged that the same shall annul the contract and make the entire sum of both principal and interest uncollectable and that where it appears that a higher rate than 10 per cent per annum shall be sought to be enforced that it shall be a sufficient defense to show that an excessive rate of interest is being or about to be collected.

3. That usury be made a crime and punishable by both fine and imprisonment.

Signed by J. O. Munger and 55 others.

*To the Senate and House of Representatives of the State Legislature of the State of North Dakota:*

We, the undersigned citizens and voters of the State of North Dakota, do hereby petition your honorable body that you provide for the following regulation concerning committees composed of your members to consider measures and bill introduced and by you referred to such committees. That every committee when a bill or measure has been referred to such committee, that such committee immediately consider such measure and return the same to the House or Senate from which it was received with the committee's recommendation accompanying it, and in case such measure or bill is not so reported back within said eight days that the House or Senate from which it was received immediately select a special committee to consider such measure, which said special committee shall immediately consider such measure or bill and make its recommendation concerning the same within eight days thereafter.

Past legislative conduct justifies the petitioners in making this petition, as it has been repeatedly the custom of obstructionists to send bills and measures to committees from which they have never been reported back to the House from which they were received.

Signed by J. O. Munger and 75 others.

*To the Honorable Members of the House of Representatives:*

We, the undersigned voters of the State of North Dakota, petition your honorable body to use all honorable means to repeal the lumber lien laws.

Signed by N. W. Simon and 30 others.

### LINCOLN DAY PROGRAM.

STATE CAPITOL

*Bismarck, North Dakota.*

Wednesday, February 12, 1913.

Auspices Students of the North Dakota Agricultural College.

#### PRELUDE.

N. D. A. C. Cadet Band Concert

2:00 to 2:30 P. M.

- A. March—"Coroebus" .....*Boehnlein*
- B. Polish Dance .....*Scharwenka*
- C. Cornet Solo—"Good-Bye" .....*Tosti*  
By Chief Musician Harold Bachman.
- D. Selection from the Opera "The Quaker Girl"...*Monchton*

#### PROGRAM.

2:30 P. M.

Presiding Officer.....Clarence A. Williams

March—"President Worst".....Dr. Putnam

N. D. A. C. Cadet Band.

Reading of Lincoln's Gettysburg Speech.

"To Watch O'er Thee" "The Heart Bowed Down"

College "Y" Quartet.

Address—"Abraham Lincoln".....John Henry Worst

"The Vacant Chair".....College "Y" Quartet

"Air de Ballet, Pas des Amphores".....*Chaminade*

N. D. A. C. Cadet Band.

Star Spangled Banner.

Finale.....The "Flour" Girls

SPECIAL PETITION.

*The House, Bismarck, N. D.*

We, the undersigned citizens of the State of North Dakota, residents of the City of Bottineau, being in the Twenty-eighth District, do hereby specially petition your honorable body in behalf of suffrage for the women of our state.

Signed by W. J. Walker, and eighteen others.

REPORTS OF STANDING COMMITTEES.

The committee on live stock made the following report:

*Mr. Speaker:*

Your committee on live stock to whom was referred  
Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of 1905, relating to stock running at large.

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

A. J. HUSO,  
Chairman.

Mr. Huso moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
Senate Bill No. 53.

A bill for an Act to amend and re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

Also,

Senate Bill No. 90.

For an Act, entitled: An Act to amend and re-enact Chapter 131 of the laws of 1909 relating to garnishment proceedings in justice courts.

Also,

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

In the title of the enrolled bill, strike out all after the words "A bill," and insert in lieu thereof the following: "For an Act to amend and re-enact Section 8405 of the Revised Codes of 1905, as amended by Chapter 131 of the Session Laws of 1909, relating to garnishment proceedings in justice courts."

And strike out all in line 1, Section 1, of the enrolled bill before the word "Chapter," and insert in lieu thereof the following: "Amendment."

And in line 2 of the said Section 1, after the word "amended," insert the following: "and re-enacted."

And in line 3 of the said Section 1, insert before the word "if" the following: "Section 8405. When Court May Render Judgment.)"

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

Also,

Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heirs and the share of such heirs respectively in the claims to certain real estate by action in the district court.

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

After the enacting clause insert the following: "Section

1. Amendment.) Chapter 121 of the Session Laws of 1911 is hereby amended and re-enacted to read as follows:

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

The committee on election and election privileges made the following report:

*Mr. Speaker:*

Your committee on election and election privileges to whom was referred

Senate Bill No. 26.

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.

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

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

Also,

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

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

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

Also,

House Bill No. 132.



A bill for an Act to amend Sections. 48 and 57, of Chapter 266, of the Session Laws of 1911, relating to the election of officers in common school districts.

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

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

Also,

A majority of your committee on elections and election privileges to whom was referred

House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

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

A minority of your said committee recommend that the same do pass.

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

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

On line 1, page 1, of printed bill, before the word "Section" insert "Section 1. Amendment.)"

On line 3, page 1, before the word "Charitable" insert the words "Section 10."

And when so amended recommend the same do pass.

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

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. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

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.

Also,

House Bill No. 257.

A bill for an Act amending and re-enacting Section 2594 of the Revised Codes of 1905, relating to salary of register of deeds.

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.

Also,

House Bill No. 265.

A bill for an Act to amend and re-enact Section 1637 of the Revised Codes of the year 1905 of the State of North Dakota, relating to gopher and prairie dog bounties.

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.

The committee on state affairs made the following report:

*Mr. Speaker:*

Your committee on state affairs to whom was referred House Bill No. 166.

A bill for an Act to repeal Chapter 201 of the Session Laws of 1911, relating to taxation of transient merchants.

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.

Also,

House Bill No. 126.

A bill for an Act to provide for the publication of the laws of the 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.

Also,

House Bill No. 101.

A bill for an Act relating to the legal rate of interest and defining usury and fixing the penalty for taking the same.

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.

Also,

House Bill No. 89.

A bill for an Act entitled, an Act to amend Section 5513 of the Revised Codes of 1905, as amended by Chapter 311 of the Session Laws of 1911, relating to loan of money and usury.

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.

Also,

House Bill No. 54.

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 North Dakota for 1905, relating to mechanics' liens, as amended by Chapter 158 of the Session Laws of North Dakota for the year 1905, and by Chapter 187 of the Session Laws of North Dakota for the year 1911.

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.

Also,

House Bill No. 7.

A bill for an Act to amend Section 5511 of the Revised Codes of 1905, relating to the legal rate of interest and defining usury.

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.

Also,

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

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

After the title of the bill in the printed bill and before line No. 1, insert the enacting clause as follows: "Be it Enacted by the Legislative Assembly of the State of North Dakota:"

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 168.

A bill for an Act to regulate in certain class of cases, the entry by county auditors of notations of prior tax sales of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

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

In line 7 of the printed bill after the word "certificate" insert the following words "to the holder of a certificate."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 163.

A bill for an Act to provide for the preparing of a state budget.

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

In line 8, on page 3 of the printed bill, after the word "appropriation," change the period to a comma and add the following, "as given by each department."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs of treatment and board of patients in the insane hospital."

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

In line 9 of the printed bill, after the word "family" insert the following: "or when it is shown to be to the best interest of the estate." Also in line 17 of the printed bill, after the word "family," insert the following: "or when it is shown to be to the best interest of the estate."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 248.

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

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.

Also,

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by the patrons or employes of public places or public service corporations, and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

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.

Also,

House Bill No. 213.

A bill for an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856, and 1861 of the said Codes, and providing for the relief of poor persons.

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.

Also,

House Bill No. 188.

A bill for an Act to amend Section 1871 of the Revised Codes of 1905, relating to the purchase, sale and management of an asylum for the poor.

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.

Also,

House Bill No. 97.

A bill for an Act providing for false or misleading advertisements or statements as to or in connection with the sale of real estate.

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

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed.

Also,

House Bill No. 22.

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6243, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905, relating to mechanics' liens, the filing of mechanics' liens, the giving notice to contractors and sub-contractors, and the recording and priority of liens and all matters appertaining to the creation, existence and enforcement of mechanics' liens.

Have had the same under consideration and recommend that the same be referred to the committee of the whole.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed.

Also,

House Bill No. 244.

A bill for an amendment to the Constitution of the State of North Dakota, providing that the county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff,



state's attorney and county superintendent of schools shall be elected for a term of four years, and providing that members of the House of Representatives of the Legislative Assembly shall be elected for a term of four years.

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.

Also,

House Bill No. 232.

A bill for an 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.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed.

Also,

House Bill No. 222.

A bill for an Act to amend Section 2584 of the Revised Codes of North Dakota for the year 1905, relating to the fees of clerks of the district court.

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.

Also,

House Bill No. 200.

A bill for an Act to amend Chapter 74 of the Laws of 1907 (being an amendment to Section 2580 of the Revised Codes

of 1905), relating to the salary of clerk of the district court.

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.

Also,

House Bill No. 196.

A bill for an Act to provide that counties may require adjoining land owners to build, maintain and keep in repair partition fences between them.

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

Chairman.

FRANK E. PLOYHAR,

Mr. Sorlie moved

That House Bill No. 196 be re-referred to committee on ways and means.

Which motion prevailed.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911, of the State of North Dakota, relating to public schools.

Also,

House Bill No. 80.

A bill for an Act entitled "An Act providing closets at railroad stations and keeping them and the waiting room in a sanitary condition, and penalty for violation thereof, and repealing Chapter 238 of the Session Laws of 1911."

Also,

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Also,

House Bill No. 198.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to power of city council, as amended by Chapter 79 of the Session Laws of 1911.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

Mr. Twichell moved

That the rules be suspended and the communication from the attorney general be read.

Which motion prevailed.

STATE OF NORTH DAKOTA  
*Office of Attorney General.*

Bismarck, February 8, 1913.

*The Honorable Speaker of the House of Representatives for the State of North Dakota, and the Honorable House of Representatives:*

In view of the fact that on February 6, A. D. 1913, Representative Fox of Burleigh County, introduced a certain resolution for the investigation of certain offices and officers of the State of North Dakota, including the office of the attorney general, as shown by House Journal for Thursday, February 6, 1913, on pages 12, 13 and 14, I desire to respectfully communicate to your honorable body in respect thereto, calling your attention to what in my candid opinion marks the resolution as grossly unfair and impartial to the officers and offices it seeks to investigate, and so palpably

unjust and erroneous in its charges that I am justified in believing that it was introduced without investigation as to the facts charged therein by Mr. Fox at the instigation of persons not members of the Legislature who inspired the resolution purely for personal and political reasons. In support of such I respectfully call your attention to the following language found on page 13: "Whereas, the attorney general has had three offices fitted up for the personal use of himself, his two assistants and stenographers, on the same floor of the state capitol building as the state law library and Supreme Court." I expressly and explicitly state that there has never at any time been such a report current; that no person ever reported such a statement of facts to Mr. Fox.

Again, on page 14, the following statement: "Whereas, it is currently reported that the fees received by the secretary of state during the years 1911 and 1912, under the provisions of Section 6 of the Session Laws of 1911, were not turned over to the state treasurer according to the provisions of Section 379 of the Revised Codes of 1905." This statement fairly charges the secretary of state with having collected certain fees and neglected to pay them over to the proper officer as provided by law. I charge that at the time Mr. Fox introduced this resolution he knew of his own personal knowledge that the provisions of law governing the disposition of the fees mentioned by the secretary of state was contained in Section 14 of Chapter 6 of the Session Laws of 1911, which provides that the secretary of state shall at the end of every month pay said fees into the county treasurer and not the state treasurer; that Mr. Fox was a member of the 1911 session of the Legislature and voted for said chapter. That no claim is made that the secretary of state has not properly and fully accounted to the various county auditors of this state for all such fees so collected, but that he intended to convey the impression to your honorable body that the secretary of state had collected fees which he had not disposed of according to law, when he either knew such statement to be false or was without any information on the subject.

That at the twelfth session of the Legislature an investigation was had of several of the state offices, but among such offices investigated there was none investigated where the head of such department was what is known as a "stalwart republican"; that in Mr. Fox's resolution for investigation he includes only such offices as are filled by what is known as "progressive republicans" or "democrats."

I therefore respectfully request your honorable body to not only make the investigation of the offices mentioned in

this resolution thorough, and in respect to the office of the attorney general, I pledge to aid your committee in every way I can in its investigation, but I also respectfully request that in fairness to those of us who are to be investigated and in fairness to the state, and in fairness to your honorable body, that you include in such investigation all other state officers.

Very respectfully yours,

ANDREW MILLER,  
Attorney General.

Mr. Streeter moved

That the communication from the attorney general be referred to the investigation committee.

Which motion prevailed.

#### REPORT OF SELECT COMMITTEE.

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

Gentlemen: Your special committee appointed to ascertain the cause of the delay of official reports of the state officers and departments beg leave to submit a further supplementary report:

The laws under which such state officer, institution or department is required to report, the date of such report, the filing thereof and the transmission of such report to the printer is as follows:

##### *State Land Department:*

Required by Section 166 of the Code to be made on or before September 1st for bieninal period ending June 30th.

Was filed with governor November 1, 1912.

Transmitted to printer November 14, 1912.

##### *Agricultural College, Part 1:*

Required by Section 1111 of the Code to be made on or before November 15th, for biennial period ending October 31st.

Was filed with governor November 18th.

Transmitted to printer November 23d.

##### *State Treasurer:*

Required by Section 111 of the Code to be made on or before November 20th for biennial period ending October 31st.

Was filed with governor November 23, 1912.

Transmitted to printer December 9, 1912.

*Library Commission:*

Required by Chapter 156, Laws of 1909, to be made September 1st.

Was filed with governor November 8, 1912.

Transmitted to printer December 11, 1912.

*State Examiner:*

Required by Section 148 of Code to be made annually on the first Monday in November.

Was filed with governor November 23d.

Transmitted to printer December 21st.

*Board of Control:*

Required by Section 12, Chapter 62, Laws of 1911, to be made on or before October 15th for biennial period ending June 30th.

Was filed with governor October 3, 1912.

Transmitted to printer December 23, 1912.

*Commissioners of Agriculture and Labor:*

Required by Section 134 of the Code to be made September 1st for biennial period ending June 30th.

Was filed with governor November 30, 1912.

Transmitted to printer December 23, 1912.

*State Engineer:*

Required by Section 7612 of the Code to be made on or before September 30th for biennial period.

Was filed with governor November 23, 1912.

Transmitted to printer December 23, 1912.

*Board of Health:*

Required by Section 257 of the Code to be made December 1st.

Was filed with governor December 6, 1912.

Transmitted to printer December 23, 1912.

*Soldiers' Home:*

Required by Section 1215 of the Code to be made on or before September 1st.

Was filed with governor November 29, 1912.

Transmitted to printer December 23, 1912.

*State Geological Survey:*

Required by Section 1127 of the Code to be made second Tuesday in December preceding legislative session.

Was filed with governor December 21st.

Transmitted to printer December 23d.

*Dental Examiners:*

Required annually by Section 319 of the Code to be made on or before November 15th.

Was filed with governor November 21, 1912.

Transmitted to printer December 23, 1912.

*Board of Equalization:*

Required by .....

Was filed with governor December 24, 1912.

Transmitted to printed December 24, 1912.

*Superintendent of Public Instruction:*

Required by Section 760 of the Code to be made on or before November 1st for the biennial period.

Was filed with governor December 27, 1912.

Transmitted to printer December 28, 1912.

*State University:*

Required by Section 1068 to be made on or before second Tuesday in December.

Was filed with governor December 11, 1912.

Transmitted to printer December 29, 1912.

*Board of Normal Schools:*

Required by Section 16, Chapter 61, Laws of 1911, to be made October 15th preceding legislature.

Was filed with governor January 4, 1913.

Transmitted to printer January 4, 1913.

*Attorney General:*

Required by Section 124 of the Code to be made November 15th.

Was filed with governor January 2, 1913.

Transmitted to printed January 4, 1913.

*Railroad Commissioners:*

Required by Section 73 of the Code to make report on or before September 1st for biennial period ending June 30th.

Was filed with governor December 19, 1912.

Transmitted to printer January 4, 1913.

*Biological Station:*

Required by .....

Was filed with governor January 2, 1913.

Transmitted to printer January 4, 1913.

*Secretary of State:*

Required by Sections 94 and 73 of the Code, to report September 1st.

Was filed with governor January 4, 1913.

Transmitted to printer January 4, 1913.

*Fish and Game Board:*

Required by Chapter 141, Laws of 1911, to be made on or before December 31st of each even numbered year.

Seems to be indefinitely postponed on account of democratic landslide.

Your committee is advised by the Knight Printing Company that the proof of the treasurer's report was mailed February 3d.

That the proof of the secretary of state's report has been corrected and returned to the printer and the report should be delivered here inside of one week.

The proof of the report of the board of equalization has also been mailed to Bismarck.

The proof of the report of normal schools was mailed to Bismarck February 5th.



The proof of the railroad commissioners' report is promised to be mailed to Bismarck on February 10th.

The printer informs your committee that the other reports will be rushed to completion at earliest possible date.

J. T. HOGE,  
JOHN J. RYAN,  
PEDER L. HJELMSTAD,  
Committee.

Mr. Hoge moved

That the report be filed and printed in the journal.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Divet moved

That House Bill No. 226, together with the report of the judiciary committee, be referred to the committee on state affairs.

Which motion prevailed.

Mr. Divet moved

That House Bill No. 167 and House Bill No. 225 be re-referred to the committee on election and election privileges.

Which motion prevailed.

Mr. Knox moved

That the committee of three appointed on the resolution of the gentleman from Burleigh to investigate various state officials be discharged without requirement of report and that the said resolution and all matter pertaining thereto be expunged from the records of this House.

Mr. Owens moved

That the resolution be laid on the table.

Which motion prevailed.

Mr. Morkrid moved

That House Bill No. 117 be withdrawn.

Which motion prevailed.

Mr. Stinger moved

That House Bill No. 295 be withdrawn from committee on appropriations and referred to committee on education.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Hjelmstad introduced

House Bill No. 325.

A bill for an Act to amend Chapter 77 of the Session Laws of 1907 relating to fees of attorneys for foreclosure of mortgages and liens.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Curry introduced

House Bill No. 326.

A bill for an Act to provide that county commissioners may be elected by the electors of the entire county.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Stenehjem introduced

House Bill No. 327.

A bill for an Act to amend Chapter 129 of the Laws of 1911, being an Act to secure the purity of elections.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Norheim introduced

House Bill No. 328.

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Kylo introduced

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. O'Connor introduced

House Bill No. 330.

A bill for an Act to amend Section 4463 of the Revised Codes of 1905, relating to conditions of admission of foreign insurance companies to do business in this state.

Was read the first and second time and

Referred to the committee on insurance.

Mr. Martin introduced

House Bill No. 331.

A bill for an Act to provide for the publication and distribution of pamphlet copies of the laws passed with emergency clauses.

Was read the first and second time and

Referred to the committee on public printing.

Mr. Kellogg introduced

House Bill No. 332.

A bill for an Act to amend Section 2005, as amended by Chapter 162, Laws of 1909, prohibiting the sale or other disposition of animals affected with contagious or infectious diseases, and the use of milk or hides from any such animals.

Was read the first and second time and

Referred to the committee on public health.

Mr. Kellogg introduced

House Bill No. 333.

A bill for an Act to amend Section 9 of Chapter 310, Laws of 1911, relating to the burial of cattle condemned and killed for tuberculosis.

Mr. Sanbeck introduced

House Bill No. 334.

A bill for an Act to amend Section 1 of Chapter 290 of the Session Laws of 1911, relating to property exempt from taxation.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Streeter introduced

House Bill No. 335.

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

Was read the first and second time and

Referred to the committee on military affairs.

Mr. Haraldson introduced

House Bill No. 336.

A bill for an Act to amend and re-enact Chapter 217 of the Session Laws of 1909, providing for greater publicity of the finances of the State of North Dakota and to guard against partiality in the deposit of public funds.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Streeter introduced

House Bill No. 337.

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Weis introduced

House Bill No. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mothers' Day."

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Dynes introduced

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Was read the first and second time and

Referred to the committee on highways.

Mr. Curry introduced

House Bill No. 340.

A bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. O'Connor introduced

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Northrop introduced

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

Was read the first and second time and

Referred to the committee on public health.

Mr. Burnett introduced

House Bill No. 343.

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Was read the first and second time and

Referred to the committee on military affairs.

Mr. Streeter introduced

House Bill No. 344.

A bill for an Act to amend Section 474 of Chapter 171 of the Session Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Bratton introduced

House Bill No. 345.

A bill for an Act to amend Section 3 of Chapter 149 of the Session Laws of 1911, relating to fees for labor on highways.

Was read the first and second time and

Referred to the committee on highways.

### THIRD READING OF HOUSE BILLS.

House Bill No. 190.

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violating 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 8, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Everson	Jacobson
Balsdon	France	Kellogg
Bass	Freitag	Kelly
Batzer	Gardiner	Klein
Bjornson	Geiger	Knox
Bollinger	Gunderson	Kyllo
Bope	Haraldson	Lambert
Burnett	Harty	Lawbaugh
Calnan	Hedalen	Leu
Carey	Hendrickson	Lindstrom
Coltom	Hill of Cass	List
Dean	Hickle	Moen
Divet	Hjelmstad	Morkrid
Dixon	Hjort	Norheim
Dosseth	Hoge	Northrup
Dynes	Husband	Nyhus
Endreson	Isaak	O'Connor

Messrs.—	Messrs.—	Messrs.—
Odland	Smith of Kidder	Walsh
Owens	Snyder	Wardrope
Pitkin	Stenhjem	Warriner
Pendray	Streeter	Weis
Ployhar	Thompson	Wiley
Putnam	Taylor	Williams
Roble	Tucker	Wing
Sandbeck	Turner, C. C.	Mr. Speaker
Schroeder	Turner, F. W.	
Small	Twichell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Fox	Ryan
Borusky	Lewis	Watt
Curry	Martin	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Fritz	Miller
Bratton	Hanson	Morrison
Buck	Hart	Olgard
Butler of Ramsey	Hawkinson	Petterson
Butler of Ransom	Hill of Bottineau	Raney
Campbell	Homan	Smith of Ward
Davis	Huso	Sorlie
Doyle	Johnson	Stinger

So the bill passed and the title was agreed to.

Mr. Burnett moved

That the vote by which House Bill No. 190 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 8, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith  
Senate Bill No. 75.

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota, as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

## Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

## Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

## House Bill No. 80.

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and 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 ayes 98, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dynes	Kellogg
Balsdon	Endreson	Kelly
Bartley	Everson	Klein
Bass	Fox	Knox
Batzer	France	Kyllo
Bjornson	Freitag	Lambert
Blakemore	Fritz	Lawbaugh
Bollinger	Gardiner	Leu
Bope	Geiger	Lewis
Borusky	Gunderson	Lindstrom
Bratton	Hanson	List
Buck	Haraldson	Martin
Burnett	Hart	Miller
Butler of Ramsey	Harty	Moen
Butler of Ransom	Hedalen	Morkrid
Calnan	Hendrickson	Morrison
Carey	Hickle	Norheim
Coltom	Hjelmstad	Northrup
Curry	Hjort	Nyhus
Davis	Hoge	O'Connor
Dean	Homan	Odland
Divet	Husband	Olsgard
Dixon	Huso	Pendray
Dosseth	Isaak	Pitkin
Doyle	Jacobson	Putnam



Messrs.—	Messrs.—	Messrs.—
Raney	Stenhjem	Twichell
Roble	Stinger	Walsh
Ryan	Streeter	Wardrope
Schroeder	Thompson	Watt
Small	Taylor	Wiley
Smith of Kidder	Tucker	Williams
Snyder	Turner, C. C.	Wing
Sorlie	Turner, F. W.	Mr. Speaker

### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Olgard	Smith of Ward
Hawkinson	Owens	Warriner
Hill of Bottineau	Petterson	Weis
Hill of Cass	Ployhar	
Johnson	Sandbeck	

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 80 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 amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 96, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Campbell	Geiger
Balsdon	Carey	Gunderson
Bass	Coltom	Hanson
Batzer	Dean	Haraldson
Bjornson	Divet	Hart
Blakemore	Dixon	Harty
Bollinger	Dosseth	Hedalen
Bope	Dynes	Hendrickson
Borusky	Endreson	Hickle
Bratton	Everson	Hjelmstad
Buck	Fox	Hjort
Burnett	France	Hoge
Butler of Ramsey	Freitag	Husband
Butler of Ransom	Fritz	Isaak
Calnan	Gardiner	Jacobson

Messrs.—	Messrs.—	Messrs.—
Kellogg	Nyhus	Sorlie
Kelly	O'Connor	Stenehjelm
Klein	Odland	Stinger
Knox	Olgard	Thompson
Kyllo	Owens	Taylor
Lambert	Pendray	Tucker
Leu	Pitkin	Turner, C. C.
Lewis	Ployhar	Turner, F. W.
Lindstrom	Raney	Twichell
List	Roble	Walsh
Martin	Ryan	Wardrobe
Miller	Sandbeck	Warriner
Moen	Schroeder	Weis
Morkrid	Small	Wiley
Morrison	Smith of Kidder	Williams
Norheim	Smith of Ward	Wing
Northrup	Snyder	Mr. Speaker

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	Lawbaugh
Curry	Hill of Cass	Petterson
Davis	Homan	Putnam
Doyle	Huso	Streeter
Hawkinson	Johnson	Watt

So the bill passed and the title was agreed to.

**House Bill No. 198.**

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 95, nays 3, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Coltom	Gardiner
Balsdon	Curry	Geiger
Bartley	Davis	Gunderson
Bass	Dean	Hanson
Batzer	Divet	Harty
Bjornson	Dixon	Hedalen
Blakemore	Dosseth	Hendrickson
Bollinger	Doyle	Hickle
Bope	Dynes	Hill of Bottineau
Bratton	Endreson	Hill of Cass
Burnett	Everson	Hjelmstad
Butler of Ramsey	Fox	Hjort
Butler of Ransom	Freitag	Hoge
Carey	Fritz	Homan

Messrs.—	Messrs.—	Messrs.—
Husband	Norheim	Sorlie
Huso	Northrup	Stenehjem
Jacobson	Nyhus	Stinger
Kellogg	O'Connor	Streeter
Kelly	Odland	Thompson
Klein	Owens	Taylor
Kyllo	Pendray	Tucker
Lambert	Pitkin	Turner, C. C.
Lawbaugh	Putnam	Turner, F. W.
Leu	Putnam	Twichell
Lewis	Raney	Walsh
Lindstrom	Roble	Warriner
List	Ryan	Weis
Martin	Sandbeck	Wiley
Miller	Schroeder	Williams
Moen	Small	Wing
Morkrid	Smith of Kidder	Mr. Speaker
Morrison	Snyder	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Calnan	Hart	Knox

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Borusky	Hawkinson	Smith of Ward
Buck	Isaak	Wardrope
Campbell	Johnson	Watt
Freitag	Olgard	
Haraldson	Petterson	

So the bill passed and the title was agreed to.

Mr. Williams asked unanimous consent to have amendments to House Bill No. 299 read.

Which consent was given.

Mr. Williams moves to amend House Bill No. 299 as follows:

Amend the title of the bill by adding after the word "capitol" where it appears in the fourth line of the title the words "and making an appropriation therefor."

Amend Section 1 by striking out the word "seven" where it appears in the third line of the bill and insert the word "nine," and by inserting after the word "governor" where it appears in the third line of said Section 1, and insert the words "the lieutenant governor, the state treasurer."

Amend line 4 of Section 2 by striking out the words "secretary of state" and inserting "lieutenant governor."

Amend line 2 of Section 3 by inserting after the word

“state” where it appears in line 2 the words “state treasurer.”

Amend line 3 of said Section 3 by inserting after the word “commission” where it appears in said line 3 the words “the lieutenant governor shall receive his actual necessary expenses in the performance of his official duties.”

Amend line 5 of said Section 3 by striking out the word “examiners” and inserting the words “capitol commission.”

Amend lines 12 and 13 of Section 5 by striking out the words “land commissioners” and inserting the words “university school lands.”

Amend lines 4 and 5 of Section 8 by striking out the words “state board of examiners” where they appear in said lines and insert the word “governor.” Also amend line 6 of said Section 8 by striking out the words “state board of examiners” where they appear in line 6 of said Section 8 and insert “capitol commission.”

Amend line 1 of Section 9 by adding after the figure (9) the word “all.”

Amend said line 1 further by striking out the words “and claims” where they appear in said line 1 and amend said line further by striking out the words “state board of examiners” and inserting in lieu thereof “the governor and all claims and expenses.”

Amend line 3 of said Section by striking out the words “state board of examiners” where they appear in said third line and insert the word “governor.”

Amend line 5 of said Section by striking out the word “examiners” where it appears in the fifth line of said Section and insert “capitol commission.”

Amend line 3 of Section 11 by striking out the word “legislature” where it appears in line 3 of said Section and insert the words “Legislative Assembly.”

Mr. Williams moved

That House Bill No. 299 be printed as amended.

Which motion prevailed.

#### GENERAL ORDERS.

Mr. Hendrickson 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. Hendrickson 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. 228.

Being a bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort, for gambling or disorderly purpose, and prescribing remedies for the prevention, and penalties for the violation of the same.

And recommend that the same be re-referred to the judiciary committee.

Also,

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905, relating to bounty for killing wolves and coyotes.

And recommend that the same do pass as amended.

Also,

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury and providing that interest shall be computed from the date of the actual delivery of the principal.

And recommend that the same be indefinitely postponed.

Mr. Hendrickson moved

That the report of the committee be adopted.

Which motion prevailed.

Mr. Anderson called for a roll call.

Mr. Owens moved

A call of the House.

Mr. Owens moved

That when this committee do arise they recommend House Bill No. 228 be re-referred to the judiciary committee for further consideration and amendment.

Which motion prevailed.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Mr. Burtness of Grand Forks; H. J. Kenner, E. C. Bowen, Matt Johnson, J. C. Lowe, Minot; C. E. Peterson, Leith; W. B. Reko, Mandan; Chas. Starke, Dickinson.

Mr. Thompson moved

That the House do now adjourn.

Which motion prevailed.

M. J. GEORGE,  
Chief Clerk.

---

#### THIRTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 10th, 1913.

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. Campbell, Johnson.

#### 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 thirty-third day, have carefully examined the same and recommend that the same be corrected as follows:

On page 14, line 21, change the figure "1852" to "1858."

On page 16 and following line 4, insert the words "Have had the same under consideration and recommend that the same be indefinitely postponed."

On page 25 and following line 8, insert the title of House Bill No. 325.

On page 31 add "Odland" to list of members voting in the affirmative on House Bill No. 80.

On page 34, eighth line from bottom of the page and following the word "striking," insert the word "out."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 8, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith:

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

Which the Senate has amended as follows:

In line 9 of the printed bill strike out the words "six months" and insert in lieu thereof the words "one year."

Strike out Section 3.

And passed as amended.

Very respectfully,

W. D. AUSTIN,  
Secretary.

#### PETITIONS AND COMMUNICATIONS.

Petitions presented by Mr. Fritz signed by Chris. Nortrum, Glenburn, N. D.; S. A. Johnson, Bantry, N. D.; A. S. Skoff, Skagmo, N. D.

We, the undersigned, object to the passage of any legislation requiring high licenses of and placing unfair conditions and qualifications on rural salesmen of domestic and stock remedies, spices, extracts and toilet articles.

Such legislation is monopolistic and unAmerican; it creates higher cost of living and restricts the purchaser's buying opportunities.

These wagon salesmen are dependable merchants who regularly supply us with high class goods at popular prices and we will be directly injured through legislation injuring them.

Signed by Wm. Westhal and 175 others.

Any legislation requiring high licenses and unjust conditions and qualifications on rural salesmen of domestic proprietary preparations, such as home remedies, stock preparations, spices, extracts and toilet articles would not only increase the cost of living and restrict our right to buy from whom we please, but such legislation is contrary to good public policy, is unAmerican and has a monopolistic tendency.

Therefore, we, the undersigned, protest against the passage of any such legislation. For years we have been buying our supplies of such products of wagon salesmen who are dependable merchants; they call regularly and supply us with high class goods at popular prices on liberal terms, treat us fair, and any legislation that would injure them would also injure us.

Signed by Tom Olson and eighteen others.

We, the undersigned residents and farmers of Grand Forks County, are opposed to the Senate Bill No. 61, restricting the sale of remedies and other goods by wagon men, confining them to the sale of drug stores. As we are satisfied with the goods we get from the wagon men, and as they comply with the pure food and drug laws, we trust that you will withdraw said bill, as we believe it against public welfare.

Signed by Frank Aldridge and twenty-eight others.

*To the Representatives of the Sixth Legislative District,  
Grand Forks County, North Dakota:*

Honorable Sirs: We, the undersigned, as residents, voters and taxpayers of Grand Forks County, do hereby enter protest against the enactment of any law to repeal the present mechanics' lien laws or the passage of any other bills that would tend to detract from the effectiveness of the same.

Knowing that the lien laws are absolutely essential for the promotion, welfare and progress of the state at large,



we respectfully ask that you use your influence in opposing the amending of these laws in any way.

Signed by K. C. Hunter and 107 others.

Mr. Warriner presented the following petition:  
*Hon. D. L. Warriner, Representative Thirteenth District.*

*State of North Dakota:*

We, the undersigned residents of your district, desire you to use such means as you have as our representative in the State Legislature, to prevent the repeal or alteration of the present mechanics' lien law. The development of our state is largely the result of credit obtained under this law, by settlers, that could not otherwise have been extended them, and many small contractors and carpenters with either small or no capital at all, would be unable to secure the necessary credit to carry on their business if it is repealed.

Signed by Geo. Brooks and twelve others.

Ellendale, N. D., January 31, 1913.

*To Hon. C. E. Knox, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, believing it is necessary to the rapid development of improvements on farms and in towns under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last Legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present lien law.

Signed by C. H. Sorteberg and sixty-two others.

*To H. J. Stinger, Representative of the Forty-ninth Legislative District, North Dakota:*

We, the undersigned residents and taxpayers of Adams County, State of North Dakota, hereby petition you to use your vote and influence to prevent the passage of any bill or law requiring all road taxes in this state to be paid in cash, as in our opinion such a law would work undue hardship upon the average taxpayer at the present time.

Signed by Leon A. Potter and ten others.

*Honorable A. G. Divet, Bismarck, N. D.*

We, the undersigned citizens of the Twelfth District, over twenty-one years of age, hereby petition you to submit to

the voters an amendment to the Constitution which shall enable women to vote.

Signed by Judge and Mrs. W. S. Lauder and 35 others.  
*To the Representatives of the Sixth Legislative District,  
 Grand Forks County, North Dakota.*

Honorable Sirs: We, the undersigned, as residents, voters and taxpayers of Grand Forks County, do hereby enter protest against the enactment of any law to repeal the present mechanics' lien laws or the passage of any other bills that would tend to detract from the effectiveness of the same.

Knowing that the lien laws are absolutely essential for the promotion, welfare and progress of the state at large we respectfully ask that you use your influence in opposing the amending of these laws in any way.

Signed by John Eitzhof and forty-nine others.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 188.

A bill for an Act to amend Section 1871 of the Revised Codes of 1905, relating to the purchase, sale and management of an asylum for the poor.

Also,

House Bill No. 213.

A bill for an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Also,

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by patrons or employes of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Also,

House Bill No. 248.

A bill for an Act to amend Section 26, of Chapter 62, Laws of 1911, relating to board of control, and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on insurance made the following report:

*Mr. Speaker:*

Your committee on insurance to whom was referred

House Bill No. 131.

A bill for an Act to amend and re-enact Section 6057 of the Revised Codes for 1905, relating to standard policies for insurance companies and the limitation of actions.

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

T. N. PUTNAM,  
Chairman.

Mr. Ployhar moved

That Rouse Bill No. 131 be considered separately, and referred to the committee of the whole.

Which motion prevailed.

Also,

House Bill No. 173.

A bill for an Act repealing Chapter 158 of the Session Laws of 1907.

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

T. N. PUTNAM,  
Chairman.

Also,

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

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

T. N. PUTNAM,  
Chairman.

Mr. Putnam moved

That the report on House Bill No. 27 and House Bill No. 173 be adopted.

Which motion prevailed.

The committee on education made the following report:

*Mr. Speaker:*

Your committee on education to whom was referred

House Bill No. 223.

A bill for an Act to prohibit the building of a public school house within less than eighty rods from a cemetery and to prohibit the surveying, platting or laying out of a cemetery within less than eighty rods from a public school house.

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

O. C. DOSSETH,  
Chairman.

Also,

House Bill No. 240.

A bill for an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

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

O. C. DOSSETH,  
Chairman.

Also,

House Bill No. 272.

A bill for an Act to amend Section 59 of Article 5 of the Session Laws of 1911 relating to meetings of board. Fees.

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

O. C. DOSSETH,  
Chairman.

Mr. Dosseth moved

That the report be adopted.

Which motion prevailed.

Also,

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

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

O. C. DOSSETH,  
Chairman.

Mr. Dosseth moved

That the report be adopted.

Which motion prevailed.

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. 169.

A bill for an Act to provide physical connections and joint rates between telephone and telegraph companies.

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

W. S. DEAN,  
Chairman.

Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

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

In the engrossed bill in Section one (1) in the last line after the word "message" add the following: "*provided,*

however, that nothing in this Act shall prohibit the transfer of such message at convenient or central points where both such telegraph companies may be better equipped, but in no case shall the rate exceed the combined rate of both companies at the nearest intersecting point, nor the transmission of such message partly by telephone where connections cannot be had by telegraph when copy is delivered within reasonable time to the addressee, if required."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed.

The committee on election and election privileges made the following report:

*Mr. Speaker:*

Your committee on election and election privileges to whom was referred

House Bill No. 164.

A bill for an Act to amend Chapter 82 of the Session Laws of North Dakota of 1909, relating to the nomination and election of Judges of the Supreme, District and County Courts.

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

On line 1, Section 2, on page 1 of the printed bill, before the word "all" insert the word "at."

Beginning on line 11 of Section 2, on page 2 of the printed bill, strike out everything on said line 11, and on line 12 following, after the word "votes" on said line 11, and insert instead the following: "To the extent of double the number of those to be elected, provided there are that many or more candidates running for such office or offices, shall be duly nominated."

And when so amended recommend the same do pass.

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

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

After the word and figure "Section 1" in line 1 of the printed bill, insert the following words: "Whenever required by law that ballots shall have printed thereon the full text of any duly proposed amendment to the Constitution." Also strike out the word "new" in line 1 and the letter "s" before the word "proposed" in said line 1 of Section 1, and in lieu of the latter insert the word "such."

Strike out in line 2 of Section 1 of the printed bill the words "to the Constitution"; in the same line after the word "particular" insert the word "new."

In line 3 of Section 1 strike out the words "forming the" and insert in lieu thereof the words "comprising such."

In line 4 of said Section strike out the words "the rest" and insert in lieu thereof the words "that portion."

In line 5 after the word "such" insert the word "new."

In line 6 after the word "emphasized" insert the following: "in a heading substantially."

In line 7 after the word "amend" insert "Section — of."

In line 10 after the word "follows" and before the parenthesis insert ":" In the same line in the parenthesis strike out "here insert" and insert in lieu thereof "followed by."

And when so amended recommend the same do pass.

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

The committee on warehouse and grain grading made the following report:

*Mr. Speaker:*

Your committee on warehouse and grain grading to whom was referred

House Bill No. 277.

A bill for an Act to require all persons, firms, co-partnerships, associations or corporations operating as track buyers of grain to furnish a bond and take out a state license.

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

In Section 1, line 1, after the figure 1, insert "State license. Whom required to obtain. License fee."

And when so amended recommend the same do pass.

C. E. KNOX,  
Chairman.

Also,

House Bill No. 182.

A bill for an Act requiring the owners of contracts creating liens on or reserving title in grain to notify elevators of such liens or reservation of title.

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

C. E. KNOX,  
Chairman.

Mr. Knox moved

That the report be adopted.

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. 218.

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

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

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 202.

A bill for an Act entitled "An Act relating to the liability of municipalities for injuries caused by defective streets or sidewalks."

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

L. L. TWICHELL,  
Chairman.



Also,

House Bill No. 197.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

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

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 180.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

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

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bond shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

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

In Section 2, on line 4 of original, same being in line 3 of printed bill, strike out the word "eight" and insert the word "five."

In Section 2 on line 5 of original and printed bill, strike out the period following the word "assessment," and add "except when by a two-thirds vote at a general or special election such city has voted, or at the election authorizing such bond issue, votes by a two-third vote, to increase such indebtedness three per centum on such assessed value beyond said five per cent limit."

And when so amended recommend the same do pass.

L. L. TWICHELL,  
Chairman.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 19.

Being a bill for an Act entitled "An Act to provide for the appointment of a Code commission to compile and publish the laws of the State of North Dakota, and for the distribution and sale of the same.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 220.

Being a bill for an Act to amend Section 9404 of the 1905 Revised Codes of North Dakota, relating to state's attorneys acting contrary to official duty.

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

A. G. DIVET,  
Chairman.

Also,

Senate Bill No. 53.

Being a bill for an Act to amend and re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the state board of bar examiners.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 146.

Being a bill for an Act to amend Section 2 of Chapter 220 of the Session Laws of 1909, entitled "An Act relating to evidence regarding the chain of title to real estate."

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 176.

Being a bill for an Act to amend Section 8366 of the Revised Codes of North Dakota for 1905, as amended by Chapter 2 of the Laws of 1909, relating to service by publication of summons in justice courts.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 219.

Being a bill for an Act to amend and re-enact 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.

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

A. G. DIVET,  
Chairman.

Also,

Senate Bill No. 90.

Being a bill for an Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts.

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

In the title to the enrolled bill, strike out all after the words "A bill" and insert in lieu thereof the following: "For an Act to amend and re-enact Section 8405 of the Revised Codes of 1905, as amended by Chapter 131 of the Session Laws of 1909, relating to garnishment proceedings in justice courts."

And strike out all in line 1, Section 1, of the enrolled bill before the word "Chapter," and insert in lieu thereof the following: "Amendment. Section 8405 of the Revised Codes of 1905 as amended by."

And in line 2 of said Section 1, after the word "amended" insert the following: "and re-enacted."

And in line 3 of the said Section 1 insert before the word "if" the following: "Section 8405. When court may render judgment."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also,

House Bill No. 224.

Being a bill for an Act to amend Section 4049 of the Revised Codes of 1905, relating to causes for divorce.

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

A. G. DIVET,  
Chairman.

Also,

Senate Bill No. 100.

Being a bill for an Act to amend and re-enact Chapter 121 of the Session Laws of 1911, providing for the determination of heirs and the share of such heirs respectively in the claims to certain real estate by action in the district court.

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

After the enacting clause insert the following: "Section 1. Amendment.) Chapter 121 of the Session Laws of 1911 is hereby amended and re-enacted to read as follows:"

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

Also,

A minority of your committee on judiciary to whom was referred

House Bill No. 175.

Being a bill for an amendment to the Constitution of the State of North Dakota, relating to the judicial department.

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

N. W. HAWKINSON,  
R. B. BLAKEMORE.

Also,

A majority of your committee on judiciary to whom was referred

House Bill No. 175.

Being a bill for an amendment to the Constitution of the State of North Dakota, relating to the judicial department.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That House Bill No. 175 be considered separately from the rest of the report.

Which motion prevailed.

Mr. Divet moved

That the minority report of the committee on House Bill No. 175 be laid on the table.

Which motion prevailed.

#### REPORT OF SELECT COMMITTEE.

The joint committee appointed by the Senate and the House of Representatives to arrange for a joint session of this Legislative Assembly to commemorate the public services and name of the late Chief Justice David E. Morgan, and the late Judge Charles F. Templeton, beg to submit the following report in the form of a concurrent resolution:

*Be it Resolved* by the Senate of North Dakota, the House of Representatives concurring therein, That the Senate and the House of Representatives meet in joint session on Saturday, the 22nd day of February, 1913, at two-thirty o'clock P. M., for the purpose of observing memorial services commemorative of the public services in the name of the late

Chief Justice David E. Morgan and the late Judge Charles F. Templeton.

H. H. BRONSON,  
J. L. CASHEL,  
FRANK H. HYLAND,  
Senate Committee.

C. S. BUCK,  
J. J. DOYLE,  
J. E. CAMPBELL,  
House Committee.

Mr. Buck moved  
That the report be adopted.  
Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Hjelmstad moved  
To withdraw House Bill No. 325.  
Which motion prevailed.

Mr. Dickson moved  
To withdraw House Bill No. 120.  
Which motion prevailed.

Mr. Buck moved  
To withdraw House Bill No. 203.  
Which motion prevailed.

Mr. Huso moved  
To have Senate Bill No. 13 re-referred to the committee  
on live stock.  
Which motion prevailed.

Mr. Fox introduced the following resolution:

*Whereas*, A resolution was introduced in this House on the sixth day of February, 1913, authorizing the Speaker to appoint a committee of three to investigate certain offices and report to this body.

*Whereas*, It has been reported that there have been irregularities in other offices, to-wit: The office of the treasurer, in that the law provides that the treasurer should reside at Bismarck and it has been reported that the state treasurer has failed to comply with the law in this respect.

*Whereas*, It has been reported that the commissioner of agriculture and labor has failed to properly expend the immigration fund and properly audit his expenses on said fund; and,

*Whereas*, There have been rumors of irregularities and violations of the law relating to other offices not herein mentioned in the aforesaid resolution; therefore

*Be it Resolved* by the House of Representatives, That said committee are to investigate all the aforementioned offices, relating to the specific irregularities or any other violations of the law that they may discover or any or all offices of the state they may deem necessary and report the result of their investigation, showing the actual condition of such offices to this House, not later than the fiftieth day, unless further time be asked and granted by the House.

*Be it Further Resolved*, That said committee shall have full authority and power to summon witnesses and administer oaths to any and all witnesses appearing before said committee, and to punish for contempt in case of disobedience to any of its lawful commandments.

Mr. Fox moved

That the resolution be adopted.

Which motion prevailed.

Mr. Turner of Stark moved

That separate committees be appointed to investigate each state office.

Which motion prevailed, and

The Speaker appointed as such committee Messrs. Calnan, Davis and Dixon for the treasurer's office; Messrs. Watt, Morkrid and Northrup for the commissioner of agriculture and labor's office.

Mr. Streeter moved

That House Bill No. 4 go on the calendar in its regular order.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 10, 1913.

*Mr. Speaker:*

I have the honor to return herewith  
House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgages.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also,

I have the honor to transmit herewith

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the Register of Deeds.

Senate Bill No. 174.

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premiums on bonds and insurance.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

#### CONSIDERATION OF MESSAGE FROM SENATE.

Bismarck, N. D., February 8, 1913.

*Mr. Speaker:*

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

*Whereas*, The commissioner of agriculture and labor has requested biographical information from the members of the Senate and the House of Representatives for the purpose of publishing biographical sketches of said members in the North Dakota magazine, as has been the custom in the past; and,

*Whereas*, We believe that state money should not be spent for the advertising of any person or class of persons in this state; and,

*Whereas*, We believe that the money expended and time spent in the preparation and publication of these biograph-



ical sketches could be spent to better advantage in advertising the agricultural, coal and clay conditions and for the purpose of securing immigration of desirable settlers to this state; and,

*Whereas*, It is the opinion of the members of the Senate and the House of Representatives that there is no crying demand by the people of this state for the publication of our pictures and biographies in any magazine published at the expense of the state.

*Therefore be it Resolved* by the Senate, the House of Representatives of the State of North Dakota concurring, That the commissioner of agriculture and labor be requested not to publish the biographies and photographs of its members, but that the money and time which would be so spent be used in advertising the agricultural, coal and other resources of this state and for other uses for which the department of agriculture and labor was created.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Ployhar moved

That the House concur in the Senate resolution.

Which motion prevailed.

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

Mr. Warriner (by request) introduced

House Bill No. 346.

A bill for an Act to define and regulate the extension and restriction of the corporate limits of cities, towns and villages.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. P. H. Butler (by request) introduced

House Bill No. 347.

A bill for an Act to authorize cities organized under the General Law to provide for the initiative or referendum, or both, in its municipal affairs.

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

Mr. P. H. Butler introduced  
House Bill No. 348.

A bill for an Act to amend and re-enact Chapter 196 of the Session Laws of 1909, as amended by Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Was read the first and second time and  
Referred to the committee on tax and tax laws.

Mr. P. H. Butler introduced  
House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

Was read the first and second time and  
Referred to the committee on tax and tax laws.

Mr. Stenehjem introduced  
House Bill No. 350.

A bill for an Act to avoid the expense of selling land or lots for a trivial tax.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Stenehjem introduced  
House Bill No. 351.

A bill for an Act relating to the qualifications and examination of persons called to serve as jurors.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Stenehjem introduced  
House Bill No. 352.

A bill for an Act to disbar attorneys at law from conspiring together to elect or defeat any person who may be a candidate for a judicial office at any election.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Stenehjem introduced

House Bill No. 353.

A bill for an Act relating to the redemption of land sold for taxes.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Stenehjem introduced

House Bill No. 354.

A bill for an Act to prevent oppression and fraud by the foreclosure of mortgages on real estate.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Dean introduced

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Twichell introduced

House Bill No. 356.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota of 1905, relating to coroner's fees.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Buck introduced

House Bill No. 357.

A bill for an Act to amend and re-enact Section 1189 of the Revised Codes of North Dakota for 1905.

Was read the first and second time and

Referred to the committee on ways and means.

Messrs. Divet, Lambert and Buck introduced

House Bill No. 358.

A bill for an Act providing the rules of practice to prevail in the district courts, county courts of increased jurisdiction, before referees appointed by such courts and in the Supreme Court, and repealing Sections 7054, 7055, 7056, 7057, 7058, 7059, 7064, 7065, 7067, 7068, 7069, 7204 and all other laws in conflict therewith.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Twichell introduced

House Bill No. 359.

A bill for an Act to amend Section 2615 of the Revised Codes of North Dakota of 1905, relating to the fees of witnesses.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Williams introduced

House Bill No. 360.

A bill for an Act authorizing and directing the board of university and school lands and the state treasurer to allow counties, cities, villages and school districts that have sold their bonds at par to the state, to redeem any of said bonds when they have sufficient funds in their sinking fund to redeem one or more bonds at par with the accrued interest.

Was read the first and second time and

Referred to the committee on university and school lands.

Mr. Moen introduced

House Bill No. 361.

A bill for an Act to amend Section 1350 of the Revised Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering or discontinuing roads.

Was read the first and second time and

Referred to the committee on highways.

Mr. Doyle introduced

House Bill No. 362.

A concurrent resolution to amend the Constitution of the State of North Dakota, relating to the terms of office of state and county officers, and providing that the Legislative Assembly shall meet quadrennially.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. O'Connor (by request) introduced

House Bill No. 363.

A bill for an Act to amend Section 10304 of the 1905 Revised Codes of the State of North Dakota, relating to the power of the governor to demand the return of fugitives from justice and others charged with crime; to provide for the appointment of agents to receive such persons, and provide for compensation of such agents.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Miller introduced

House Bill No. 364.

A bill for an Act to amend and re-enact Section 232 of Article XV, Chapter 266, of the Session Laws of 1911 of North Dakota, relating to compulsory education and medical inspection.

Was read the first and second time and

Referred to the committee on public health.

Mr. Hendrickson introduced

House Bill No. 365.

A bill for an Act making it the duty of the president of the Senate and the speaker of the House to employ expert accountants to audit the state offices and departments.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Buck introduced

House Bill No. 366.

A bill for an Act to amend Section 249 of Chapter 266 of the Laws of 1911.

Was read the first and second time and  
 Referred to the committee on education.

Mr. Divet asked unanimous consent to return to the fifth  
 order of business.

Which consent was given.

Mr. Divet moved

That the majority report of the judiciary committee on  
 House Bill No. 175 be adopted.

Which motion prevailed.

Mr. Buck moved

That the House take a recess of ten minutes.

Which motion prevailed.

The House re-assembled at 3:20 P. M. pursuant to re-  
 cess taken.

THIRD READING OF HOUSE BILLS.

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of  
 gratuities or tips by the patrons or employes of public  
 places or public service corporations; and prohibiting the  
 giving or tendering of tips or gratuities and providing a  
 penalty for the violation of this Act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 55, nays 46, ab-  
 sent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Haraldson	Olsgard
Bartley	Harty	Pitkin
Bass	Hawkinson	Ployhar
Bjornson	Hedalen	Putnam
Blakemore	Hickle	Raney
Borusky	Hjelmstad	Roble
Bratton	Hjort	Smith of Ward
Burnett	Hoge	Snyder
Calnan	Homan	Sorlie
Carey	Jacobson	Stinger
Davis	Kellogg	Tucker
Doyle	Kelly	Turner, C. C.
Endreson	Knox	Turner, F. W.
France	Lambert	Warriner
Fritz	Lawbaugh	Watt
Gardiner	Martin	Weis
Geiger	Miller	Wing
Gunderson	Morkrid	
Hanson	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hill of Cass	Ryan
Batzer	Husband	Sandbeck
Bollinger	Huso	Small
Bope	Isaak	Schroeder
Butler of Ramsey	Klein	Smith of Kidder
Coltom	Lewis	Stenhjem
Curry	Lindstrom	Streeter
Dean	List	Thompson
Divet	Moen	Taylor
Dixon	Morrison	Twichell
Dosseth	Norheim	Walsh
Dynes	Northrup	Wardrope
Everson	Nyhus	Wiley
Fox	Odland	Mr. Speaker
Hart	Owens	
Hendrickson	Pendray	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Hill of Bottineau	Petterson
Butler of Ransom	Johnson	Williams
Campbell	Kyllo	
Freitag	Leu	

So the bill was lost.

House Bill No. 248.

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioner's of insanity.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 98, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Carey	France
Balsdon	Coltom	Fritz
Bartley	Curry	Gardiner
Bass	Davis	Geiger
Batzer	Dean	Gunderson
Bjornson	Divet	Hanson
Blakemore	Dixon	Haraldson
Bollinger	Dosseth	Harty
Bope	Doyle	Hawkinson
Burnett	Dynes	Hedalen
Butler of Ramsey	Endreson	Hendrickson
Butler of Ransom	Everson	Hickle
Calnan	Fox	Hill of Cass

Messrs.—	Messrs.—	Messrs.—
Hjelmstad	Morkrid	Smith of Kidder
Hjort	Morrison	Smith of Ward
Hoge	Norheim	Snyder
Homan	Northrup	Sorlie
Husband	Nyhus	Stenehjem
Huso	O'Connor	Stfeeter
Isaak	Odland	Thompson
Jacobson	Olsgard	Taylor
Kellogg	Owens	Turner, C. C.
Kelly	Pendray	Turner, F. W.
Klein	Petterson	Twichell
Knox	Pitkin	Wardrope
Kyllo	Ployhar	Warriner
Lambert	Putnam	Watt
Lawbaugh	Raney	Wiley
Leu	Roble	Williams
Lewis	Ryan	Wing
List	Sandbeck	Mr. Speaker
Martin	Schroeder	
Miller	Small	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bratton	Hill of Bottineau	Tucker
Buck	Johnson	Walsh
Campbell	Lindstrom	Wes
Freitag	Moen	
Hart	Stinger	

So the bill passed and the title was agreed to.

House Bill No. 213.

A bill for an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of said Codes, and providing for the relief of poor persons.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 32, nays 64, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Everson	Ployhar
Batzer	Fritz	Putnam
Bjornson	Geiger	Snyder
Blakemore	Hart	Sorlie
Borusky	Hill of Cas.	Stinger
Burnett	Husband	Taylor
Carey	Knox	Turner, F. W.
Curry	Kyllo	Warriner
Davis	Northrup	Watt
Doyle	O'Connor	Mr. Speaker
Dynes	Pitkin	



## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hjelmstad	Hjort	Owens
Anderson	Hoge	Pendray
Bass	Homan	Petterson
Bollinger	Isaak	Raney
Bope	Jacobson	Roble
Buck	Kellogg	Ryan
Butler of Ramsey	Kelly	Sandbeck
Butler of Ransom	Klein	Schroeder
Coltom	Lawbaugh	Small
Dean	Lewis	Smith of Kidder
Divet	Lindstrom	Smith of Ward
Dixon	List	Stenhjem
Dosseth	Martin	Streeter
Fox	Miller	Thompson
France	Moen	Taylor
Gardiner	Morkrid	Turner, C. C.
Hanson	Morrison	Twichell
Haraldson	Norheim	Walsh
Hawkinson	Nyhus	Wardrope
Hedalen	Odland	Wiley
Hendrickson	Olsgard	Wing
Hickle		

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Freitag	Johnson
Bratton	Gunderson	Lambert
Calnan	Harty	Leu
Campbell	Hill of Bottineau	Weis
Endreson	Huso	Williams

So the bill was lost.

## House Bill No. 188.

A bill for an Act to amend Section 1871 of the Revised Codes of 1905, relating to the purchase, sale and management of an asylum for the poor.

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 2, absent and not voting 12.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bratton	Davis
Balsdon	Buck	Dean
Bartley	Burnett	Divet
Bass	Butler of Ramsey	Dixon
Batzer	Calnan	Dosseth
Bollinger	Carey	Dynes
Bope	Coltom	Endreson
Borusky	Curry	Everson

Fox	Knox	Sandbeck
France	Kyllo	Schroeder
Fritz	Lambert	Small
Gardiner	Lawbaugh	Smith of Kidder
Geiger	Leu	Smith of Ward
Gunderson	Lewis	Snyder
Hanson	Lindstrom	Sorlie
Haraldson	List	Stenehjem
Hart	Martin	Stinger
Harty	Moen	Streeter
Hawkinson	Morkrid	Taylor
Hedalen	Morrison	Tucker
Hendrickson	Norheim	Turner, C. C.
Hickle	Northrup	Turner, F. W.
Hill of Cass	Nyhus	Twichell
Hjelmstad	O'Connor	Walsh
Hjort	Odland	Warriner
Hoge	Olsgard	Watt
Husband	Owens	Weis
Huso	Pendray	Wiley
Isaak	Petterson	Williams
Jacobson	Pitkin	Wing
Kellogg	Putnam	Mr. Speaker
Kelly	Raney	
Klein	Roble	

Those voting in the negative were:

Messrs.—	Messrs.—
Blakemore	Miller

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Freitag	Ployhar
Butler of Ransom	Hill of Bottineau	Ryan
Campbell	Homan	Thompson
Doyle	Johnson	Wardrope

So the bill passed and the title was agreed to.

Mr. Divet moved

That the House concur in the Senate amendments on House Bill No. 20.

Which motion prevailed.

Senate Bill No. 75.

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 20.

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the register of deeds.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 174.

A bill for an Act repealing Section 1 of Chapter 235 of Session Laws of 1911, relating to the payment of premium on bonds and insurance.

Was read the first and second time and

Referred to the committee on ways and means.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 53.

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays 7, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Norheim
Balsdon	Gunderson	O'Connor
Bartley	Hanson	Odland
Bass	Haraldson	Owens
Batzer	Hart	Pendray
Bjornson	Harty	Pitkin
Blakemore	Hawkinson	Putnam
Bollinger	Hedalen	Raney
Bope	Hendrickson	Roble
Borusky	Hill of Cass	Ryan
Buck	Hjelmstad	Schroeder
Burnett	Hoge	Smith of Kidder
Butler of Ramsey	Husband	Smith of Ward
Calnan	Huso	Snyder
Carey	Isaak	Stenehjem
Coltom	Jacobson	Streeter
Curry	Kellogg	Thompson
Davis	Kelly	Tucker
Dean	Klein	Turner, C. C.
Divet	Knox	Turner, F. W.
Dixon	Lambert	Twichell
Dosseth	Lawbaugh	Walsh
Doyle	Leu	Wardrope
Dynes	Lewis	Warriner
Endreson	Lindstrom	Watt
Everson	List	Weis
Fox	Miller	Wing
France	Moen	Mr. Speaker
Fritz	Morkrid	
Gardiner	Morrison	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Ransom	Kylo	Williams
Hjort	Martin	
Homan	Stinger	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Northrup	Small
Campbell	Nyhus	Sorlie
Freitag	Olsgard	Taylor
Hickle	Petterson	Wiley
Hill of Bottineau	Ployhar	
Johnson	Sandbeck	

So the bill passed and the title was agreed to.

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 64, nays 29, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Pendray
Bartley	Hawkinson	Pitkin
Bass	Hedalen	Putnam
Burnett	Hendrickson	Roble
Butler of Ramsey	Hjelmstad	Ryan
Butler of Ransom	Hoge	Sandbeck
Calnan	Husband	Schroeder
Coltom	Huso	Small
Dean	Jacobson	Smith of Ward
Dosseth	Kellogg	Snyder
Doyle	Kelly	Sorlie
Dynes	Kyllo	Stenehjem
Endreson	Lambert	Stinger
Everson	Lewis	Thompson
Fox	Miller	Turner, C. C.
France	Morkrid	Turner, F. W.
Fritz	Morrison	Twichell
Gardiner	Norheim	Watt
Geiger	Northrup	Wiley
Gunderson	O'Connor	Mr. Speaker
Haraldson	Odland	
Hart	Owers	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjort	Pettersen
Bjornson	Homan	Raney
Blakemore	Isaak	Smith of Kidder
Bollinger	Klein	Streeter
Bope	Knox	Wardrope
Carey	Lindstrom	Warriner
Curry	List	Weis
Davis	Martin	Williams
Dixon	Moen	Wing
Hickle	Olsgard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Freitag	Leu
Borusky	Hanson	Nyhus
Bratton	Hill of Bottineau	Ployhar
Buck	Hill of Cass	Taylor
Campbell	Johnson	Tucker
Divet	Lambert	Walsh

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which Senate Bill No. 14 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

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 25, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hjelmstad	Pitkin
Bass	Hjort	Ployhar
Bjornson	Hoge	Putnam
Blakemore	Huso	Raney
Bratton	Isaak	Ryan
Buck	Jacobson	Sandbeck
Burnett	Kellogg	Schroeder
Butler of Ransom	Klein	Smith of Ward
Calnan	Knox	Snyder
Carey	Lambert	Sorlie
Coltom	Lawbaugh	Stenehjerm
Curry	Lewis	Stinger
Divet	Lindstrom	Thompson
Dosseth	List	Taylor
Doyle	Miller	Tucker
Dynes	Moen	Turner, C. C.
Endreson	Norheim	Twichell
Fox	Northrup	Wardrope
Geiger	O'Connor	Warriner
Hanson	Odland	Watt
Hart	Olsgard	Weis
Hendrickson	Owens	Williams
Hickle	Pendray	Wing
Hill of Cass	Petterson	Mr. Speaker

Those voting in the negative were:

Dixon	Messrs.—	Messrs.—
Messrs.—	Gardiner	Martin
Anderson	Gunderson	Morkrid
Balsdon	Haraldson	Morrison
Batzer	Hawkinson	Nyhus
Bollinger	Hedalen	Small
Bope	Homan	Smith of Kidder
Borusky	Husband	Streeter
Butler of Ramsey	Kyllo	
Dean	Leu	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Fritz	Roble
Davis	Harty	Turner, F. W.
Everson	Hill of Bottineau	Walsh
France	Johnson	Wiley
Freitag	Kelly	

So the bill passed and the title was agreed to.

Mr. Streeter moved

That Senate Bill No. 26 be re-referred back to the committee on election and election privileges.

Which motion prevailed.

Mr. Divet moved

That Senate Bill No. 62 be re-referred to the committee on state affairs for amendment.

Which motion prevailed.

## GENERAL ORDERS.

Mr. Owens 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. Owens 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. 22.

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6243, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905, relating to mechanics' liens, the filing of mechanics' liens, the giving notice to contractors and sub-contractors, and the recording and priority of liens and all matters appertaining to the creation, existence and enforcement of mechanics' liens.

And recommend that the same be on special orders for Tuesday, February 11, at 3 P. M.

Also,

House Bill No. 163.

A bill for an Act to provide for the preparing of a state budget.

And recommend that the same do pass as amended.

Also,

House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs of treatment and board of patients in the insane hospital."

And recommend that the same be re-referred to the judiciary committee for amendments.

Also,

House Bill No. 168.

A bill for an Act to regulate in certain class of cases, the entry by county auditors of notations of prior tax sales of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

And recommend that the same do pass as amended.

Also,

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

And recommend that the same do pass as amended.

Also,

House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

And recommend that the same do pass.



Also,

Senate Bill No. 90.

A bill for an Act entitled "An Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."

And have reached no conclusion thereon.

Also,

Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heirs and the share of such heirs respectively in the claims to certain real estate by action in the district court.

And recommend that the same do pass as amended.

WM. G. OWENS,  
Chairman.

Mr. Owens moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

Mr. Lambert moved

That the Speaker be excused for tomorrow.

Which motion prevailed.

The Speaker appoints Mr. Williams to preside at the session of February 11, 1913.

J. H. FRAINE,  
Speaker.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Judge Thomas of Lisbon; Hon. J. B. Wineman, Grand Forks; F. B. Feethan, E. Smith Petersen.

Mr. Anderson moved

That the House do now adjourn.

Which motion prevailed.

M. J. GEORGE,  
Chief Clerk.

THIRTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 11, 1913.

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. Campbell, Hill of Bottineau, Small, who were excused.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

Your committee on revision and correction of the Journal of the thirty-fifth day, have carefully examined the same and find the same correct.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

## PETITIONS AND COMMUNICATIONS.

February 11, 1913.

*Honorable Speaker House of Representatives, and the Honorable House of Representatives.*

Gentlemen: Under date of February 8, we notice a report of a select committee which states that the report of the board of control, required by Section 12, Chapter 62, Laws of 1911, to be made on or before October 15th, for the biennial period ending June 30th, was filed with the governor October 3, 1912, which is correct. Transmitted to the printer December 23, 1912, which is not correct. We cannot tell whether the report means the public printer, W. W. Towsley, or the Knight Printing Co.

This report was transmitted to Mr. Towsley on October 16th and by him held for some time to get a meeting of the printing commission which he was unable to get for a long time for the reason, he informed us, that not more than one member was in the capitol. He also informs us that on November 23, 1912, he transmitted the report of the board of control to the Knight Printing Co., and not on December 23, as stated in the report of the select committee.

Yours truly,

*Board of Control of State Institutions,*

JOHN CARMODY,  
Chairman.

Referred to special committee.

Cathay, N. D., February 8, 1913.

*To Hon. Louis A. Leu, House of Representatives, Bismarck, North Dakota.*

We, the undersigned, believing it is necessary for rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present bill or law.

Signed by Geo. Bohrer and twenty others.

Fessenden, N. D., February 4, 1913.

*To Honorable Louis A. Leu, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, believe that it is

necessary for rapid development of improvements on farms and in towns under present conditions, that the state should have a fair mechanics' lien law, and as the present law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present bill or law.

We believe it is against the interests of the people to frequently change such important laws.

Signed by B. F. Whipple and twenty others.

Richardton, N. D., February 3, 1913.

*To the Honorable Henry Klein, Representative to the Thirteenth Session of the North Dakota Legislature from the Thirty-first District.*

We, the undersigned voters of the Thirty-first Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material, be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by J. J. Fleck and twenty-nine others.

*Members of the Legislature of Ransom County:*

We, the undersigned, residents and taxpayers of Ransom County, North Dakota, are opposed to the bill providing for the taking away from organized townships the power to supervise highway and road building, and respectfully request our representatives in the legislature to use their best effort for the defeat of the pending bill to change the present law.

Signed by H. A. Hoffman and fifteen others.

Enderlin, N. D., February 3, 1913.

*To Hon. P. H. Butler, House of Representatives, Bismarck, North Dakota.*

Honorable Sir: We, the undersigned, believe that it is necessary for rapid development of improvements on farms

and in towns under present conditions, that the state should have a fair mechanics' lien law, and as the present law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present law.

We believe it to be against the interests of the people to frequently change such important laws.

Signed by C. S. Bauget and twenty others.

*Hon. O. J. Sorlie, Wm. Burnett, Ed. Colton, Eighth Representative District, State of North Dakota.*

Honorable Sirs: Thousands of people in our state are today living in homes that could not have been acquired had it not been for the credit obtained by the passage and maintenance in our statutes of wise mechanics' lien laws, giving contractors, labor and material men a lien on property to the extent of the added value, by reason of the furnishing of the labor and material. As a state, we have not yet reached a point in our development where it is wise to do without such a law.

Therefore, we, the undersigned residents of your district, desire you to use all honorable means to prevent the repeal or alteration of the mechanics' lien laws.

Signed by J. P. Satrom and forty others.

#### REPORTS OF STANDING COMMITTEES.

The committee on highways made the following report:

*Mr. Speaker:*

Your committee on highways to whom was referred

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

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

In Section 1, in line 12, of the original bill, strike out the word "townships" and insert word "territory." In line 14 strike out word "township" and insert word "district."

In Section 4, line 5, strike out word "townships" and insert "territory," strike out word "township" and insert "dis-

trict"; in line 8 strike out "township" and insert "district."

And when so amended recommend the same do pass.

NORMAN MORRISON,  
Chairman.

Also,

Senate Bill No. 6.

A bill for an Act to re-enact Section 16 of Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

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

NORMAN MORRISON,  
Chairman.

Also,

Senate Bill No. 67.

A Concurrent Resolution amending Section 185 of the Constitution of the State of North Dakota, relating to state aid in the construction and improvement of public highways.

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

NORMAN MORRISON,  
Chairman.

Mr. Morrison moved

That the report be adopted.

Which motion prevailed.

Mr. O'Connor moved

That Senate Bill No. 6 be referred to the committee of the whole and considered separately.

Which motion prevailed.

The committee on tax and tax laws made the following report:

*Mr. Speaker:*

Your committee on tax and tax laws to whom was referred

House Bill No. 259.

A bill for an Act to amend and re-enact Section 1559 of the Revised Codes of North Dakota of 1905, relating to collections of delinquent taxes.

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

ROBERT NORHEIM,  
Chairman.

Also,

House Bill No. 230.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the taxation of farm property.

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

ROBERT NORHEIM,  
Chairman.

Also,

House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property of companies or associations and the listing of the same.

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

ROBERT NORHEIM,  
Chairman.

Mr. Norheim moved

That the report be adopted.

Which motion prevailed.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the date of the actual delivery of the principal.

Also,

House Bill No. 163.

A bill for an Act to provide for a state budget.

Also,

House Bill No. 168.

A bill for an Act to regulate in certain class of cases, the entry by county auditors of notations of prior tax sales of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

Also,

House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

Also,

House Bill No. 180.

A bill for an Act to amend Article 4, 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. 182.

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.

Also,

House Bill No. 197.

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 for 1905, relating to powers of city councils.

Also,

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers,

Also,

House Bill No. 218.



A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Also,

House Bill No. 223.

A bill for an Act to prohibit the building of a public school house within less than eighty rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than eighty rods from a public school house.

Also,

House Bill No. 240.

A bill for an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred

House Bill No. 97.

Being a bill for an Act providing for false or misleading advertisements or statements as to or in connection with the sale of real estate.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 303.

Being a bill for an Act for the payment by the county to the public administrator of the costs of administration in estates not having sufficient funds to pay the same.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

The committee on forestry made the following report:

*Mr. Speaker:*

Your committee on forestry to whom was referred

House Bill No. 138.

A bill for an Act to amend Section 2082 of the Revised Codes of 1905, as amended by Chapter 50 of the Session Laws of 1909, also Section 2083 of the Revised Codes of 1905, relating to bounty for tree planting.

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

J. S. KYLLO,  
Chairman.

Mr. Kyлло moved

That the report be adopted.

Which motion prevailed.

The committee on agriculture made the following report:

*Mr. Speaker:*

Your committee on agriculture to whom was referred

House Bill No. 310.

A bill for an Act to prevent the spread of noxious weeds by conveyances used in hauling grain.

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

A. A. STENEHJEM,  
Chairman pro tem.

Also,

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

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

A. A. STENEHJEM,  
Chairman pro tem.

Mr. Stenehjem moved

That the report be adopted.

Which motion prevailed.

The committee on county and county boundaries made the following report:

*Mr. Speaker:*

Your committee on county and county boundaries to whom was referred

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

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

H. GEIGER,  
Chairman.

Also,

House Bill No. 305.

A bill for an Act to provide for the support of needy women whose husbands are dead, or whose husbands are prisoners, and who are the mothers of one or more children under fourteen years of age.

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

H. GEIGER,  
Chairman.

Senate Bill No. 59.

A bill for an Act for the registration of farm names.

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

In Section 2, line 3 of the engrossed bill, strike out the word "five" and insert in lieu thereof the word "one," and in the word "dollars" strike out the letter "s."

And when so amended recommend the same do pass.

H. GEIGER,  
Chairman.

Mr. Geiger moved

That the report be adopted.

Which motion prevailed.

The committee on live stock made the following report:

*Mr. Speaker:*

Your committee on live stock to whom was referred

House Bill No. 134.

A bill for an Act to amend Section 5 of Chapter 279 of the Laws of 1911, relating to liens on the colts of licensed stallions and providing for a lien on mares served.

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

A. J. HUSO,  
Chairman.

Also,

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

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

A. J. HUSO,  
Chairman.

Mr. Huso moved

That the report be adopted.

Which motion prevailed.

The committee on railroads made the following report:

*Mr. Speaker:*

Your committee on railroads to whom was referred

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property."

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

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 241.

A bill for an Act to amend and re-enact Chapter 250 of the Session Laws of 1911, relating to requiring emigrants to file tax receipts.

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

A. M. THOMPSON,  
Chairman.

Also,

A bill for an Act entitled "An Act to amend Sections 2254, 2255, 2257 and 2260, Revised Codes of North Dakota, of 1905, relating to sites for warehouses, elevators and feed mills on railroad right of way."

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

A. M. THOMPSON,  
Chairman.

Also,

The concurrent resolution hereto attached relating to freight rates on used automobiles.

Have had the same under consideration and recommend that the same be concurred in by the House.

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 4, 1913.

*Mr. Speaker:*

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

*Whereas*, Automobiles have become a necessity and are owned quite generally over the United States; and,

*Whereas*, There are many automobiles that have been used for some time and are still of value to the owners, but would bring very little if offered for sale; and,

*Whereas*, The present rates are the same on new and used automobiles and the classifications are such that it amounts almost to the prohibiting of shipment of a used automobile from the fact that the freight often in a shipment of any great distance amounts to the value of the automobile shipped; and

*Whereas*, This seems to us to be a hardship on the shipper and unjust.

*Therefore be it Resolved* by the Senate, the House of Representatives concurring, That our railroad commissioners be asked to take this subject up with the Interstate Commerce Commission and urge that a used car be given a classification so they may be shipped with household effects as other used vehicles are now allowed and that a rate be made so that it does not amount as now to confiscation or giving away of a used car.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

The committee on election and election privileges made the following report:

*Mr. Speaker:*

Your committee on election and election privileges to whom was referred

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

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

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 167.

A bill for an Act to amend and re-enact Section 6 of Chapter 129 of the Session Laws of 1911, relating to limitation of general election expenses.

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

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination

tion and election of the state superintendent of public instruction and county superintendent of schools.

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

Strike out everything in the printed bill after the words "A bill" on page 1 and insert instead of the part stricken out the following:

"For an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

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

Section 1. No Party Ballots.) In all petitions and affidavits to be filed by or in behalf of any candidate for nomination at any primary election to the offices of state superintendent of public instruction and county superintendents of schools, no reference shall be made to any party ballot or to the party affiliation of such candidate.

Sec. 2. Separate Ballots for School Nominations.) At all primary elections at which candidates for the offices herein referred to are to be nominated there shall be separate ballots, which ballots shall be entitled "Non-partisan school ballot" and the names of such candidates shall be placed thereon without party designation, and there shall be designated thereon the number of persons to be elected to each office. Except as herein provided, this ballot shall be prepared, printed, distributed, canvassed and returned in the manner now provided by law for primary election ballots, and shall be delivered to each elector by the proper election officers and, where there are three or more candidates for the same office, the two candidates receiving the highest number of votes for such office shall be duly nominated thereto, and where there are only two candidates for the same office, both candidates shall be duly nominated thereto.

Section 3. Ballots at General Election.) At the general election there shall be a separate ballot upon which shall be placed the names of all candidates who have been nominated as herein provided, which ballot shall be entitled "School ballot," and the names of all such candidates shall be placed thereon without party designation and there shall be designated thereon the number of candidates for each office for whom each elector is entitled to vote. Except as herein provided, this ballot shall be prepared, printed, dis-

tributed, canvassed and returned in the manner now provided by law for general election ballots. This ballot shall be delivered to each elector, and the candidates for each office on such "Non-partisan school ballot" receiving the highest number of votes shall be duly elected to such office.

Sec. 4. Repeal.) All Acts and parts of Acts in so far as they conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

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

In the bill, as printed, make the following amendments:

Line 3, Section 2, strike out the letter "d" at the end of the word "situated," so that the word read "situate."

In Section 3 strike out the word "by" at the end of line 3 and add the word "and."

In Section 4, line 18, should be brought down so that the same will follow line 17.

In Section 6 strike out the words "to my best knowledge and belief" following the word "am" as such word occurs the second time in line 19.

In Section 6, line 27, correct "battols" to read "ballots."

In Section 7 add the word "by" at the end of line 10.

In Section 8, line 2, after the word "enclose" insert the word "the."

In Section 10, line 3, strike out the "s" in "envelopes," so that the word read "envelope."

In line 23 of the same section strike out the words "and retained" following the word "deposited."

In line 25 of the same Section after the comma following the word "be" insert "and retained and preserved."



In line 26 of the same Section following "tention" insert the words "and preservation."

In Section 11 at line 3 after the word "official" insert "absent voter."

Following line 10 of Section 11, as the next Section, insert "Sec. 12. It shall be the duty of the secretary of state, county auditor or any other officer by law required to prepare any general or primary election ballot, to prepare and have printed and delivered to the county auditor, at least fifteen days prior to the holding of such election, a sufficient number of absent voter ballots provided for in Section 3 for use of all voters likely to be absent from such county on the day of such election."

Change the number of Section now numbered in printed bill as "Section 12" to "Section 13," and in line 4 of such Section after the word "if" insert "the secretary of state or."

And when so amended recommend the same do pass.

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 11, 1913.

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

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

That the Senate and the House of Representatives meet in joint session on Saturday, the 22nd day of February, 1913, at 2:30 o'clock P. M., for the purpose of observing memorial services commemorative of the public services and the name of the late Chief Justice David E. Morgan, and the late Judge Charles F. Templeton.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Mr. Ployhar moved

That the House concur in the Senate resolution.

Which motion prevailed.

Also,

I have the honor to transmit herewith

Senate Bill No. 166.

A bill for an Act re-instating 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 of the Revised Codes of 1905.

Also,

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Also,

Senate Bill No. 110.

A concurrent resolution amending the Constitution of the State of North Dakota.

Also,

Senate Bill No. 200.

A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Also,

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

### MOTIONS AND RESOLUTIONS.

Mr. Twichell introduced the following concurrent resolution:

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

*Whereas*, The kingdom of Norway will in 1914 celebrate the one hundredth anniversary of its new birth as a nation, its liberal constitution modeled after that of the United States, having been adopted on May 17, 1814; and,

*Whereas*, There are peculiarly close relations between Norway and North Dakota, as recognized in Norway by the fact that the people of that country have presented a statue of the national poet, Henrik Wergeland to North Dakota, as the state having the largest percentage of citizens who are of Norwegian birth or extraction; and,

*Whereas*, Some citizens of North Dakota purpose to return this courtesy by a suitable present to Norway, preferably a statue of Abraham Lincoln to be placed in front of the Storthings building in Christiania; and,

*Whereas*, It is desired by the donors that this gift, though paid for by private subscription, shall be presented in the name of the state.

*Therefore, be it Resolved*, That the governor is hereby authorized to appoint a committee of citizens who may, without cost to the state, represent it at Norway's centennial celebration and present the memorial gift above referred to on behalf of and in the name of the State of North Dakota.

Mr. Twichell moved

That the concurrent resolution be adopted.

Which motion prevailed.

Mr. Norheim moved

To withdraw House Bill No. 354.

Which motion prevailed.

Mr. Dixon moved

That House Bill No. 242 be reconsidered,

Which motion was lost,

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

Mr. Thompson introduced

House Bill No. 367.

A bill for an Act to amend and re-enact Chapter 57 of the Session Laws of 1911, relating to the qualifications of applicants for admission to the bar of the State of North Dakota.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Leu introduced

House Bill No. 368.

A bill for an Act to provide for the recognition of popular vote of one election in a primary election subsequent thereto.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Twichell introduced

House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Warriner introduced

House Bill No. 370.

A bill for an Act prescribing and limiting the punishment for the crime of murder in the first degree and prescribing the conditions under which such punishment may be relieved from by way of pardon, and repealing laws in conflict therewith.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Lindstrom introduced

House Bill No. 371.

A bill for an Act to amend Section 7574 of the Revised Codes of 1905, relating to eminent domain.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Twichell introduced

House Bill No. 372.

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Mr. Putnam introduced

House Bill No. 373.

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Was read the first and second time and

Referred to the committee on charitable institutions.

Mr. Owens introduced

House Bill No. 374.

A bill for an Act to amend Section 2770, of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Owens introduced

House Bill No. 375.

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Odland introduced

House Bill No. 376.

A bill for an Act to provide for the disposition of school and institutional lands required for townsite purposes, school house sites, church sites, cemetery sites, sites for other educational or charitable purposes, public parks, fair grounds, public highways, railroad right of way and other railroad uses and purposes; reservoirs for the storage of water for irrigation, grain ditches and irrigation ditches and lands required for any of the purposes over which the right of eminent domain may be exercised under the Constitution and laws of this state.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Williams introduced

House Bill No. 377.

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reservation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which Congress may make.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Bartley introduced

House Bill No. 378.

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

Was read the first and second time and

Referred to the committee on public health.

Mr. Leu moved

That House Bill No. 378, which was referred to committee on charitable institutions, be re-referred to the committee on public health.

Which motion prevailed.

Mr. Dixon introduced

House Bill No. 379.

A bill for an Act to provide for the licensing of land sur-

veyors, inspectors of county bridges, and superintendents of county roads.

Was read the first and second time and

Referred to the committee on ways and means.

The Commitete on Highways introduced

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

Was read the first and second time and

Referred to the committee on highways and bridges.

Mr. Everson introduced

House Bill No. 381.

A concurrent resolution to amend Section 48 of the Constitution of the State of North Dakota, relating to the powers of each house of the legislature, and providing that the Legislative Assembly may by law limit the number of bills introduced during any session.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Hedalen introduced

House Bill No. 382.

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing for the appointment of justices of the peace.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Leu introduced

House Bill No. 383.

A bill for an Act to amend Section 40 of Chapter 211 of the Session Laws of 1911, relating to the election of county committeemen.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Stinger introduced

House Bill No. 384.

A bill for an Act repealing Sections 7244, 7245, 7247, 7248, 7249, 7250, 7251 and Section 7246 as amended by Chapter 5 of the Session Laws of 1907 and Section 7252 as amended by Chapter 4 of the Session Laws of 1907 of the Revised Codes of 1905, relating to enumeration of parties and to enact in lieu thereof the following:

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Huso introduced

House Bill No. 385.

A bill for an Act providing for the inspection of weights and measures in public elevators and warehouses and providing that the control and jurisdiction of the same shall be vested in the board of railroad commissioners.

Was read the first and second time and

Referred to the committee on railroads.

#### SPECIAL ORDERS.

Mr. Bratton 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. Klein 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. 22.

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6243, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905, relating to mechanics' liens, the filing of mechanics' liens, the giving notice to contractors and sub-contractors,



and the recording and priority of liens and all matters appertaining to the creation, existence and enforcement of mechanics' liens .

And recommend that the same do pass.

HENRY KLEIN,  
Chairman.

Mr. Klein moved

That the report be adopted.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS.

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 95, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Geiger	Miller
Bass	Gunderson	Moen
Batzer	Hanson	Morkrid
Bjornson	Hart	Morrison
Blakemore	Harty	Norheim
Bollinger	Hedalen	Northrup
Borusky	Hendrickson	Nyhus
Bratton	Hickle	O'Connor
Buck	Hill of Cass	Odland
Burnett	Hjelmstad	Olsgard
Butler of Ramsey	Hjort	Owens
Butler of Ransom	Hoge	Pendray
Carey	Husband	Peiterson
Coltom	Huso	Pitkin
Curry	Isaak	Ployhar
Davis	Jacobson	Putnam
Dean	Kellogg	Raney
Divet	Kelly	Roble
Dixon	Klein	Ryan
Dosseth	Knox	Sandbeck
Dynes	Kyllo	Schroeder
Endreson	Lambert	Smith of Kidder
Fox	Lawbaugh	Smith of Ward
France	Leu	Snyder
Freitag	Lewis	Sorlie
Fritz	Lindstrom	Stenhjem
Gardiner	Leu	Stinger

Messrs.—  
**Streeter**  
 Taylor  
 Thompson  
 Tucker  
 Turner, C. C.

Messrs.—  
 Twichell  
 Walsh  
 Warriner  
 Watt  
 Weis

Messrs.—  
 Wiley  
 Williams  
 Wing  
 Mr. Speaker

**Absent and not voting:**

Messrs.—  
 Anderson  
 Bartley  
 Bope  
 Calnan  
 Campbell  
 Doyle

Messrs.—  
 Everson  
 Haraldson  
 Hawkinson  
 Hill of Bottineau  
 Homan

Messrs.—  
 Johnson  
 Martin  
 Small  
 Turner, F. W.  
 Wardrope

So the bill passed and the title was agreed to.

House Bill No. 163.

A bill for an Act to provide for a state budget.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 103, absent and not voting 8.

**Those voting in the affirmative were:**

Messrs.—  
 Anderson  
 Balsdon  
 Bartley  
 Bass  
 Batzer  
 Bjornson  
 Blakemore  
 Bollinger  
 Borusky  
 Buck  
 Burnett  
 Butler of Ramsey  
 Butler of Ransom  
 Calnan  
 Carey  
 Coltom  
 Curry  
 Davis  
 Dean  
 Divet  
 Dixon  
 Dosseth  
 Doyle  
 Endreson  
 Everson  
 Fox  
 France  
 Freitag

Messrs.—  
 Fritz  
 Gardiner  
 Geiger  
 Gunderson  
 Hanson  
 Haraldson  
 Hart  
 Harty  
 Hawkinson  
 Hedalen  
 Hendrickson  
 Hickle  
 Hill of Cass  
 Hjelmstad  
 Hjort  
 Homan  
 Husband  
 Huso  
 Isaak  
 Johnson  
 Kellogg  
 Kelly  
 Klein  
 Knox  
 Kylo  
 Lambert  
 Lawbaugh  
 Leu

Messrs.—  
 Lewis  
 Lindstrom  
 List  
 Martin  
 Miller  
 Moen  
 Morkrid  
 Morrison  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland  
 Olsgard  
 Owens  
 Pendray  
 Pitkin  
 Plovhar  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Sandbeck  
 Schroeder  
 Small  
 Smith of Kidder  
 Smith of Ward  
 Snyder

Messrs.—  
 Sorlie  
 Stenehjem  
 Stinger  
 Streeter  
 Taylor  
 Thompson  
 Tucker

Messrs.—  
 Turner, C. C.  
 Turner, F. W.  
 Twichell  
 Walsh  
 Wardrope  
 Warriner  
 Watt

Messrs.—  
 Weis  
 Wiley  
 Williams  
 Wing  
 Mr. Speaker

**Absent and not voting:**

Messrs.—  
 Bope  
 Bratton  
 Campbell

Messrs.—  
 Dynes  
 Hill of Bottineau  
 Hoge

Messrs.—  
 Johnson  
 Petterson

So the bill passed and the title was agreed to.

House Bill No. 168.

A bill for an Act to regulate in certain class of cases the entry by county auditors of notations of prior taxes of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 19, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—  
 Balsdon  
 Batzer  
 Bjornson  
 Blakemore  
 Bollinger  
 Borusky  
 Burnett  
 Butler of Ramsey  
 Butler of Ransom  
 Calnan  
 Curry  
 Divet  
 Dixon  
 Doyle  
 Dynes  
 Endreson  
 Fox  
 France  
 Freitag  
 Fritz  
 Gunderson  
 Hanson  
 Harty  
 Hawkinson  
 Hendrickson

Messrs.—  
 Hickle  
 Hill of Cass  
 Hjort  
 Homan  
 Husband  
 Huso  
 Isaak  
 Jacobson  
 Kellogg  
 Kelly  
 Klein  
 Lambert  
 Lawbaugh  
 Leu  
 Lewis  
 Lindstrom  
 List  
 Martin  
 Miller  
 Morkrid  
 Norheim  
 Northrup  
 O'Connor  
 Odland  
 Olsgard

Messrs.—  
 Owens  
 Pendray  
 Pitkin  
 Ployhar  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Schroeder  
 Smith of Kidder  
 Smith of Ward  
 Snyder  
 Sorlie  
 Stinger  
 Taylor  
 Tucker  
 Turner, C. C.  
 Turner, F. W.  
 Twichell  
 Wardrope  
 Watt  
 Williams  
 Wing  
 Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Morrison
Bartley	Hart	Nyhus
Bass	Hedalen	Walsh
Carey	Hoge	Warriner
Davis	Kyllo	Weis
Dosseth	Moen	Wiley
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Everson	Petterson
Bratton	Haraldson	Sandbeck
Buck	Hill of Bottineau	Small
Campbell	Hjelmstad	Stenehjem
Coltom	Johnson	Streeter
Dean	Knox	Thompson

So the bill passed and the title was agreed to.

Mr. Blakemore moved

That the vote by which House Bill No. 168 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 240.

A bill for an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

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 5, absent and not voting 8.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Coltom	Gardiner
Balsdon	Curry	Geiger
Bass	Davis	Gunderson
Batzer	Dean	Hanson
Bjornson	Divet	Haraldson
Blakemore	Dixon	Harty
Bollinger	Dosseth	Hawkinson
Bope	Dynes	Hedalen
Bratton	Endreson	Hendrickson
Burnett	Everson	Hickle
Butler of Ramsey	Fox	Hill of Cass
Butler of Ransom	France	Hjelmstad
Campbell	Freitag	Hjort
Carey	Fritz	Hoge

Messrs.—	Messrs.—	Messrs.—
Homan	Morrison	Snyder
Husband	Norheim	Sorlie
Huso	Northrup	Stenehjem
Isaak	Nyhus	Stinger
Jacobson	O'Connor	Streeter
Kellogg	Odland	Taylor
Kelly	Olsgard	Tucker
Kelly	Owens	Turner, C. C.
Knox	Pendray	Turner, F. W.
Kyllo	Pitkin	Twichell
Lawbaugh	Ployhar	Walsh
Leu	Putnam	Wardrobe
Lewis	Raney	Warriner
Lindstrom	Roble	Watt
List	Ryan	Wiley
Martin	Sandbeck	Williams
Miller	Schroeder	Wing
Moen	Small	Mr. Speaker
Morkrid	Smith of Kidder	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buck	Hart	Thompson
Calnan	Smith of Ward	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	Walsh
Borusky	Lambert	Weis
Doyle	Petterson	

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the rules be suspended and that House Bill No. 212 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 4.

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the date of the actual delivery of the principal.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 61, nays 38, absent and not voting 12.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fritz	O'Connor
Balsdon	Gardiner	O'lgard
Bass	Geiger	Owens
Bjornson	Hart	Pendray
Bope	Hawkinson	Petterson
Borusky	Hedalen	Pitkin
Buck	Hickle	Ranev
Burnett	Hjelmstad	Roble
Butler of Ramsey	Hoge	Sandbeck
Butler of Ransom	Homan	Smith of Kidder
Carey	Huso	Smith of Ward
Coltom	Isaak	Stenehjem
Curry	Kyllo	Walsh
Davis	Lambert	Wardrope
Dean	Lawbaugh	Warriner
Divet	Lewis	Watt
Dixon	Martin	Weis
Dynes	Morkrid	Wiley
Endreson	Northrup	Williams
Everson	Nyhus	Mr. Speaker
Fox		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Kellogg	Putnam
Blakemore	Kelly	Schroeder
Calnan	Klein	Small
Dosseth	Knox	Snyder
Doyle	Kyllo	Sorlie
France	Lindstrom	Streeter
Freitag	List	Taylor
Gunderson	Miller	Thompson
Hanson	Moen	Tucker
Haraldson	Morrison	Turner, F. W.
Hjort	Norheim	Twichell
Husband	Odland	Wing
Jacobson	Ployhar	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Johnson
Bollinger	Hendrickson	Ryan
Bratton	Hill of Bottineau	Stinger
Campbell	Hill of Cass	Turner, C. C.

So the bill passed and the title was agreed to.

Mr. Martin moved

That the vote by which House Bill No. 4 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 180.

A bill for an Act to amend Article 4, Chapter 30, of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays 3, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Olsgard
Balsdon	Hedalen	Owens
Bass	Hendrickson	Pendray
Bjornson	Hill of Cass	Pitkin
Blakemore	Hjelmstad	Ployhar
Bollinger	Hjort	Putnam
Bope	Hoge	Raney
Borusky	Homan	Roble
Bratton	Husband	Ryan
Burnett	Huso	Sandbeck
Putler of Ramsey	Isaak	Schroeder
Butler of Ransom	Jacobson	Small
Calnan	Kellogg	Smith of Kidder
Carey	Kelly	Smith of Ward
Curry	Klein	Snyder
Dean	Knox	Stenhjem
Divet	Kyllo	Stinger
Dixon	Lambert	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Miller	Wardrobe
France	Moen	Warriner
Fritz	Morkrid	Watt
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Northrup	Wing
Hanson	Nyhus	Mr. Speaker
Hart	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Davis	Weis

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	O'Connor
Batzer	Hickle	Petterson
Buck	Hill of Bottineau	Sorlie
Campbell	Johnson	Streeter
Dosseth	Lawbaugh	Thompson
Freitag	Martin	Taylor
Haraldson		

So the bill passed and the title was agreed to.

House Bill No. 218.

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

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 14, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Odland
Balsdon	Gunderson	Olgard
Bass	Hanson	Pendray
Batzer	Hart	Pitkin
Bjornson	Harty	Ployhar
Bollinger	Hawkinson	Ryan
Bope	Hedalen	Sandbeck
Borusky	Hendrickson	Small
Buck	Hickle	Smith of Kidder
Burnett	Hill of Cass	Smith of Ward
Butler of Ramsey	Hjort	Sorlie
Butler of Ransom	Hoge	Stenehjem
Calnan	Homan	Stinger
Carey	Isaak	Taylor
Coltom	Jacobson	Tucker
Curry	Kelly	Turner, C. C.
Davis	Klein	Turner, F. W.
Dean	Kyllo	Twichell
Divet	Leu	Walsh
Doyle	Lewis	Wardrope
Dynes	List	Warriner
Endreson	Martin	Watt
Everson	Miller	Weis
Fox	Moen	Wiley
Freitag	Morrison	Williams
Fritz	Northrup	Mr. Speaker
Gardiner		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Kellogg	Nyhus
Bratton	Lambert	Owens
Dixon	Lawbaugh	Raney
Hjelmstad	Lindstrom	Schroeder
Husband	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Huso	Putnam
Campbell	Johnson	Roble
Dosseth	Knox	Snyder
France	Morkrid	Streeter
Haraldson	O'Connor	Thompson
Hill of Bottineau	Petterson	Wing



So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 218 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 182.

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.

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 26, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Gardiner	Northrup
Bass	Geiger	Odland
Batzer	Hart	Olsgard
Bjornson	Hedalen	Pendray
Bollinger	Hendrickson	Petterson
Borusky	Hill of Cass	Pitkin
Buck	Hjelmstad	Putnam
Butler of Ramsey	Hjort	Raney
Butler of Ransom	Hoge	Roble
Calnan	Husband	Schroeder
Carey	Huso	Small
Curry	Kelly	Smith of Ward
Davis	Klein	Stenehjem
Dean	Knox	Turner, C. C.
Divet	Kyllo	Turner, F. W.
Dixon	Lambert	Walsh
Doyle	Leu	Warriner
Dynes	Lewis	Watt
Endreson	Lindstrom	Weis
Everson	List	Wiley
Fox	Martin	Williams
France	Morkrid	Wing
Fritz	Morrison	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Isaak	Ryan
Blakemore	Jacobson	Smith of Kidder
Bope	Kellogg	Snyder
Burnett	Lawbaugh	Sorlie
Coltom	Miller	Streeter
Hanson	Moen	Taylor
Haraldson	Norheim	Twichell
Hawkinson	Nyhus	Wardrope
Hickle	Owens	

**Absent and not voting:**

Bartley	Harty	Ployhar
Bratton	Hill of Bottineau	Sandbeck
Campbell	Homan	Stinger
Dosseth	Johnson	Thompson
Freitag	O'Connor	Tucker
Gunderson		

So the bill passed and the title was agreed to.

Mr. Gardiner 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. 197.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 98, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Kelly
Balsdon	France	Knox
Bartley	Freitag	Kylo
Bass	Fritz	Lambert
Bope	Geiger	Lawbaugh
Borusky	Gunderson	Leu
Bratton	Hanson	Lewis
Buck	Hart	Lindstrom
Burnett	Harty	List
Butler of Ramsey	Hawkinson	Martin
Butler of Ransom	Hedalen	Miller
Calnan	Hendrickson	Moen
Carey	Hickle	Morrison
Coltom	Hill of Cass	Norheim
Curry	Hjelmstad	Northrup
Davis	Hjort	Nyhus
Dean	Hoge	Odland
Divet	Homan	Olsgard
Dixon	Husband	Owens
Dosseth	Husc	Fendray
Dovle	Isaak	Pitkin
Dynes	Jacobson	Ployhar
Endreson	Johnson	Putnam
Everson	Kellogg	Raney

Messrs.—	Messrs.—	Messrs.—
Roble	Stenchjem	Wardrope
Ryan	Stinger	Warriner
Sandbeck	Streeter	Watt
Schroeder	Taylor	Weis
Small	Tucker	Wiley
Smith of Kidder	Turner, C. C.	Williams
Smith of Ward	Turner, F. W.	Wing
Snyder	Twichell	Mr. Speaker
Sorlie	Walsh	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Batzer	Gardiner	Morkrid
Bjornson	Haraldson	O'Connor
Bollinger	Hill of Bottineau	Petterson
Campbell	Klein	Thompson
Dosseth		

So the bill passed and the title was agreed to.

House Bill No. 223.

A bill for an Act to amend Article 4, Chapter 30 of the school house within less than eighty rods from a cemetery and to prohibit the surveying, platting or laying out of a cemetery within less than eighty rods from a public school house.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 64, nays 10, absent and not voting 37.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hendrickson	Olsgard
Batzer	Hickle	Pitkin
Blakemore	Hjelmstad	Putnam
Bollinger	Hjort	Roble
Bope	Hoge	Ryan
Borusky	Homan	Smith of Kidder
Burnett	Husband	Smith of Ward
Butler of Ramsey	Isaak	Sorlie
Butler of Ransom	Jacobson	Streeter
Calnan	Kelly	Tucker
Carey	Klein	Turner, C. C.
Coltom	Lambert	Turner, F. W.
Curry	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	<b>List</b>	Wardrope
Freitag	Martin	Warriner
Fritz	Moen	Watt
Geiger	Morkrid	Williams
Haraldson	Morrison	Wing
Hart	Northrup	Mr. Speaker
Hawkinson	Nyhus	
Hedalen	Cdland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Kellogg	Norheim
Bratton	Knox	Snyder
Dixon	Lamber;	Stenhjem
Fox		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Gunderson	Pendray
Bass	Hanson	Petterson
Bjornson	Harty	Ployhar
Buck	Hill of Bottineau	Raney
Campbell	Hill of Cass	Sandbeck
Davis	Huse	Schroeder
Dean	Johnson	Small
Divet	Kyllo	Stinger
Dosseth	Leu	Thompson
Doyle	Miller	Taylor
Everson	O'Connor	Weis
France	Owens	Wiley
Gardiner		

So the bill passed and the title was agreed to.

House Bill No. 174.

A bill for an Act to amend and re-enact Chapter 208 of the Session Laws of 1911, relating to expenses of delegates to national conventions.

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 43, absent and not voting 9.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Owens
Balsdon	Hedalen	Petterson
Bartley	Hendrickson	Ployhar
Bass	Hickle	Roble
Bope	Hill of Cass	Ryan
Bratton	Hilmstad	Smith of Kidder
Butler of Ramsey	Hoge	Stenhjem
Calnan	Homan	Stinger
Carey	Husband	Streeter
Coltom	Isaak	Thompson
Davis	Kellogg	Taylor
Dean	Kelly	Tucker
Divet	Klein	Turner, C. C.
Dixon	Knox	Warriner
Dynes	Lawbaugh	Watt
Everson	List	Weis
Fox	Moen	Williams
Freitag	Morrison	Wing
Gunderson	Northrup	Mr. Speaker
Hanson	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjort	Pendray
Bjornson	Huso	Pitkin
Blakemore	Jacobson	Putnam
Buck	Kyllo	Raney
Burnett	Lambert	Sandbeck
Butler of Ransom	Lewis	Schroeder
Curry	List	Smith of Ward
Doyle	Martin	Snyder
Endreson	Miller	Sorlie
France	Morkrid	Turner, F. W.
Fritz	Norheim	Twichell
Gardiner	Nyhus	Walsh
Geiger	O'Connor	Wardrope
Hart	Odland	Wiley
Harty		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Dosseth	Johnson
Borusky	Haraldson	Lindstrom
Campbell	Hill of Bottineau	Small

So the bill passed and the title was agreed to.

Mr. Leu moved

That the vote by which House Bill No. 174 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Anderson moved

A call of the House.

Which motion prevailed.

The clerk called the roll of the House.

All members present except Messrs. Campbell, Hill of Bottineau and Dosseth.

The above list was given to the sergeant at arms with instructions to forthwith bring before the bar of the House the absent members.

The sergeant at arms reported the above members sick.

Mr. Ployhar moved

That the call of the House be dispensed with.

Which motion prevailed.

Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heirs and the share of such heirs respectively in the claims to certain real estate by action in the district court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 96, nays 1, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Nyhus
Balsdon	Haraldson	O'Connor
Bartley	Harty	Odland
Bass	Hawkinson	Owens
Batzer	Hedalen	Pendray
Bjornson	Hendrickson	Pitkin
Bollinger	Hill of Cass	Ployhar
Bope	Hjelmstad	Putnam
Borusky	Hjort	Raney
Bratton	Hoge	Roble
Buck	Homan	Ryan
Burnett	Husband	Sandbeck
Butler of Ramsey	Huso	Schroeder
Butler of Ransom	Isaak	Smith of Kidder
Calnan	Jacobson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Stinger
Davis	Knox	Streeter
Dean	Kyllo	Taylor
Divet	Lambert	Tucker
Dixon	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Martin	Warriner
France	Miller	Watt
Freitag	Moen	Weis
Fritz	Morkrid	Wiley
Gardiner	Morrison	Williams
Geiger	Norheim	Wing
Gunderson	Northrup	Mr. Speaker

Those voting in the negative were: Mr. Hart.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Flakemore	Hill of Bottineau	Small
Campbell	Johnson	Smith of Ward
Dosseth	Lawbaugh	Thompson
Dovle	Olsgard	Wardrope
Hickle	Petterson	

So the bill passed and the title was agreed to.

Mr. Martin moved

That the vote by which Senate Bill No. 100 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 57, nays 24, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Owens
Bartley	Haraldson	Pendray
Batzer	Hawkinson	Pitkin
Bjornson	Hedalen	Putnam
Bollinger	Hjelmstad	Raney
Bope	Hjort	Ryan
Borusky	Husband	Schroeder
Bratton	Huso	Smith of Kidder
Butler of Ramsey	Kellogg	Stenehjem
Butler of Ransom	Kelly	Stinger
Calnan	Klein	Streeter
Davis	Knox	Taylor
Dean	Lawbaugh	Turner, C. C.
Doyle	Lewis	Turner, F. W.
Dynes	List	Walsh
Everson	Morkrid	Wardrope
Fritz	Northrup	Warriner
Gardiner	O'Connor	Williams
Geiger	Odland	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Freitag	Sandbeck
Buck	Hanson	Sorlie
Colton	Hart	Tucker
Curry	Hill of Cass	Twitchell
Divet	Homan	Watt
Dixon	Kyllo	Weis
Fox	Lambert	Wiley
France		Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Dosseth	Hill of Bottineau
Bass	Endreson	Hoge
Burnett	Harty	Isaak
Campbell	Hendrickson	Jacobson
Carey	Hickle	Johnson

Messrs.—  
Lindstrom  
Martin  
Miller  
Moen  
Morrison

Messrs.—  
Norheim  
Nyhus  
Olsgard  
Petterson  
Ployhar

Messrs.—  
Roble  
Small  
Smith of Ward  
Snyder  
Thompson

So the bill passed and the title was agreed to.

### FIRST AND SECOND READING OF SENATE BILLS.

#### Senate Bill No. 166.

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 of the Revised Codes of 1905.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

#### Senate Bill No. 110.

A concurrent resolution amending the Constitution of the State of North Dakota

Was read the first and second time and

Referred to the committee on state affairs.

#### Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Was read the first and second time and

Referred to the committee on judiciary.

#### Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Was read the first and second time and

Referred to the committee on tax and tax laws,

#### Senate Bill No. 200,



A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Butler of Ransom moved

That Senate Bill No. 27 be re-referred to the committee on insurance.

Which motion prevailed.

Mr. Sorlie moved

That the House take a recess of ten minutes.

Which motion prevailed.

The House reassembled at 5:00 P. M. pursuant to recess taken.

Mr. Williams called Mr. Ployhar to the chair.

Mr. Sorlie moved

That the vote by which House Bill No. 242 was lost be now reconsidered.

Which motion prevailed.

Mr. Sorlie moved

That House Bill No. 242 be placed on the calendar for third reading and final passage.

Which motion prevailed.

#### GENERAL ORDERS.

Mr. Kelly 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. Klein 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. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bond shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

And recommend that the same do pass as amended.

Also,

House Bill No. 164.

A bill for an Act to amend Chapter 82 of the Session Laws of North Dakota of 1909, relating to the nomination and election of Judges of the Supreme, District and County Courts.

And recommend that the same be re-referred to committee on election and election privileges.

Also,

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

And recommend that the same do pass as amended.

Also,

House Bill No. 131.

A bill for an Act to amend and re-enact Section 6057 of the Revised Codes for 1905, relating to standard policies for insurance companies and the limitation of actions.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 277.

A bill for an Act to require all persons, firms, co-partnerships, associations or corporations operating as track buyers of grain to furnish a bond and take out a state license.

And have reached no conclusion thereon.

HENRY KLEIN,  
Chairman.

Mr. Klein moved

That the report of the committee be adopted.

Which motion prevailed.

Mr. Dixon moved

That House Bill No. 164 be re-referred back to the committee on election and election privileges.

Which motion prevailed.

### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Michel Hylden of Park River; A. Le Sueur of Minot; Prof. E. F. Ladd, E. H. Smith, Fargo, N. D.; R. M. Rishworth, McClusky; C. F. Ehery, McClusky; John T. Skogma, Skogma; H. G. Perske, Goodrich; Wm. Albrecht, Denhoff; A. D. MacKennon, Denhoff; J. G. Mills, Hon. O. P. Joodal, Goodrich, N. D.; Geo. Thom, Denhoff, N. D.; E. G. Anderson, Kulm; Oscar Lindgren, Kulm; L. E. Jones, Austin; Miss Pulser, Ratamie, Mont.

Mr. Lindstrom moved

That the House do now adjourn.

Which motion prevailed.

M. J. GEORGE,  
Chief Clerk.

---

### THIRTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 12, 1913.

The House assembled at 2 o'clock P. M. pursuant to adjournment.

Mr. Hill, of Cass, presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Balsdon, Divet, Fox, Freitag, Gardiner, Haraldson, Hill of Bottineau, Martin, Miller, Norheim, O'Connor, Petterson, Wardrope, Watt, who were excused.

## REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

Your committee on revision and correction of the Journal of the thirty-sixth day, have carefully examined the same and find the same correct.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

Mr. Williams moved

That a committee of five be appointed to notify the Senate that the House is now ready to meet with the Senate in joint session for the purpose of receiving the students from the Agricultural College of North Dakota.

Which motion prevailed.

The Speaker appointed Messrs. Williams, Streeter, Burnett, Dean and Lewis as a committee to make the announcement.

## JOINT SESSION.

The sergeant at arms announced the members of the Senate.

President Kraabel of the Senate took the chair.

Senator Gilbert moved

That the President appoint a committee of five, two from the Senate and three from the House, to wait upon the governor and the members of the supreme bench and escort them to the joint session.

Which motion prevailed.

The President appointed as such committee Senators Gilbert and Hughes and Representatives Thompson, Odland and Hendrickson.

The sergeant at arms announced the arrival of the governor and the members of the supreme bench.

## PROGRAM.

The program as previously published in the Journal of the House was carried out.

Senator Gilbert expressed in behalf of the members of the Senate and the House of Representatives appreciation for the distribution of the sweets by the "Flour" girls.

Miss Eugenia Ruff responded in behalf of the "Flour" girls.

Mr. Clarence A. Williams, as chairman of the meeting, made an explanation as to how and why the train was made up which enabled the students of the Agricultural College to be at the capitol and participate in the Lincoln Day program.

Mr. Bronson moved

That by a rising vote we show our appreciation for the very able address and program rendered by the President and members of the Agricultural College.

Mr. Williams moved

That the joint session do now dissolve.

Which motion prevailed.

## COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Mr. George Herron of Leith, N. D.

Mr. Wiley moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

THIRTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 13, 1913.

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. Dosseth, Johnson, Warriner, who were excused. Messrs. Warriner and Dosseth being sick.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

Your committee on revision and correction of the Journal of the thirty-seventh day, have carefully examined the same and find the same correct.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

Mr. Owens moved

That the Journal for the thirty-sixth day be corrected by inserting at the bottom of page 18, the following: "Mr. Dixon moved to reconsider the vote by which House Bill No. 242 was lost. Which motion was lost."

Which motion prevailed.

Mr. Doyle moved

That the Journal of the thirty-sixth day be corrected by inserting the following: "Mr. Doyle moved to reconsider

the vote by which House Bill No. 219 was indefinitely postponed. Which motion was lost.”

Which motion prevailed.

### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 13, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Also,

Senate Bill No. 104.

A bill for an Act to amend Chapter 165 of the Laws of 1911, relating to the maintenance of inmates of the institution for the feeble-minded.

Also

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

### PETITIONS AND COMMUNICATIONS.

Because of certain inspired, misleading misstatements made in the public press recently concerning the action of this House, your Speaker desires to make a statement of a parliamentary situation.

On February 6th Mr. Fox introduced a resolution, which on motion was adopted and pursuant to the provisions thereof a committee was appointed by the Speaker and the resolution printed in the Journal, in accordance with the usual rule. This record appears on pages 12 to 14 of the Journal for February 6th.

This House is governed by sixty-two House rules and the rules of practice of the House of Representatives of the United States of America, except where such rules conflict with the rules of the House. In addition to the sixty-two rules mentioned, the House is also governed in its deliberations by certain special rules which have been from time to time adopted by the House.

It is the understanding of your chairman, supported by the unbroken lines of precedents in this House and in the House of Representatives of the United States Congress, that this House has unquestioned jurisdiction to inquire into irregularities committed by, or complaints made against any public official or board.

It is the understanding of your chairman that any member introducing such a resolution does so with the full knowledge of the responsibility he assumes and that he is acting within his right as a member of this body. That until the investigation discloses that he is malicious or that he has not given the matters set forth in the resolution sufficient consideration to make a reasonable man believe in the truth thereof, that he is clothed with a presumption of good faith and entitled to the protection of this House, and that no person, much less one involved in the inquiry contemplated in the resolution, has a right to address any communication to the House, reflecting on either the House, or the member introducing the resolution.

This has been the constant and unvarying practice of the House of Representatives of the United States Congress and also of this House, as may be seen from a mere perusal of Hind's Precedents—the official publication of the House of Representatives.

This has also been the practice in this House.

Former action of this House in a similar case will be found in the House Journal of 1909 at page 1578. In that particular case a resolution had been adopted in the House of Representatives authorizing an investigation of the office of the Hon. Alfred Blaisdell, the then secretary of state, of this state.



Mr. Blaisdell thereupon sent to the House a communication which was deemed by the House to reflect upon the House by its reflection on Mr. Ployhar, one of the members thereof. Whereupon the House refused to receive the communication and ordered the same returned to the secretary of state, with permission to him to send in such communication as he desired to make, on condition that it contain bare impersonal facts and that no reference should be made to members of the House. Such expurgated communication was received by the House on March 5th, 1909, and may be found on pages 1578 and 1579 of the House Journal for 1909.

On page 18 of the Journal for February 8th appears the record of a communication from the attorney general.

A special rule of this House which was adopted on the 17th day of January, 1913, and may be found on page 5 of the Journal of that day, prescribes that any communication received by the House shall be printed but not read, unless a request therefor be made by a member. Following this rule the communication of the attorney general was handed to the clerk by your Speaker when received, to follow the usual course; thereafter a member moved that the same be read and the same was read and found to contain unpermissible reflections upon the mover of the resolution, and, necessarily this was a reflection upon the House itself.

In all these proceedings it is the House which has acted, not the Speaker—who is bound to follow the directions of the House.

The only individual action of the Speaker was in his characterization of the communication as insulting.

Mr. Thompson moved

That the explanation of the parliamentary situation be adopted by the House and be spread on the Journal.

Which motion prevailed.

Norma, N. D., February 4, 1913.

*To Honorable J. E. Bass, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, ask you to vote and work against the passage of any bill which is to amend or repeal the present mechanics' lien law. We believe the present law is just and fair and feel confident, if repealed, credit extended for improvements in towns and on farms would be seriously affected.

Signed by T. H. Moos and eight others.

Grano, N. D., February 1, 1913.

*To Hon. J. E. Bass, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, ask you to vote and work against the passage of any bill which is to amend or repeal the present mechanics lien law. We believe the present law is just and fair, and feel confident, if repealed, credit extended for improvements in towns and on farms would be seriously affected.

Signed by J. Schoenig and eight others.

Bordulac, N. D., February —, 1913.

*To Hon. T. N. Putnam, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, believing it is necessary for rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present law.

We believe it to be against the interests of the people to frequently change such important laws.

Signed by R. J. Byle and thirty-two others.

Barlow, N. D., February 12, 1913.

*To Hon. W. Bartley, House of Representatives (or State Senate), Bismarck, N. D.*

Honorable Sir: We, the undersigned, believing it is necessary for rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present bill or law.

We believe it is against the interests of the people, to frequently change such important laws.

Signed by C. R. Hume and nine others,

UNITED STATES SENATE.  
Committee on Pensions.

February 8, 1913.

*Mr. M. J. George, Bismarck, N. D.*

Dear Sir: I have your favor of the 5th instant enclosing resolution relating to the Kenyon-Sheppard bill and I have presented the same to the Senate for its consideration.

Very truly yours,

P. J. McCUMBER.

UNITED STATES SENATE.  
Committee on Expenditures in the Navy Department.

February 10, 1913.

*Mr. M. J. George, Chief Clerk of House of Representatives,  
Bismarck, N. D.*

Dear Sir: Your letter of February 4, 1913, enclosing a concurrent resolution in support of the Kenyon-Sheppard bill, has been received.

The resolution has been presented to the Senate and printed in the record.

Very truly yours,

A. J. GRONNA.

*To the Thirteenth Session of the North Dakota Legislature  
from the Thirty-third District.*

We, the undersigned, voters of the Harvey, N. D., Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature, and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by John Brown and fourteen others.

We, the undersigned, ask you to vote and work against the passage of any bill which is to amend or repeal the

present mechanics' lien law. We believe the present law is just and fair, and feel confident if repealed, credit extended for improvements in towns and on farms would be seriously affected.

Signed by Adam Wold and sixteen others.

We, the undersigned, believing it is necessary for rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present bill or law.

We believe it is against the interests of the people, to frequently change such important laws.

Signed by A. J. Ingalls and eight others.

#### *House of Representatives:*

We, the undersigned, ask you to vote and work against the passage of any bill which is to amend or repeal the present mechanics' lien law. We believe the present law is just and fair and feel confident, if repealed, credit extended for improvements in towns and on farms would be seriously affected.

Signed by Suley & Gilmer and seven others.

We, the undersigned, voters of the Forty-fifth Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature, and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by L. D. Meirech and thirteen others.

#### *To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Ninth and Tenth Legislative Districts of the State of North Dakota, over 21

years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by E. G. Thompson and thirty-seven others.

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Ninth Legislative District of the State of North Dakota, over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by F. H. Wilder and eighty-eight others.

Regan, N. D., February 10, 1913.

*To Hon. E. A. Williams, House of Representatives, Bismarck, N. D.*

We, the undersigned, believing it is necessary for rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present bill or law.

We believe it is against the interests of the people, to frequently change such important laws.

Signed by Chas. L. Smith and forty-one others.

We, the undersigned resident freeholders of Benson County, do hereby respectfully petition James Duncan, Paul Moen and Victor Wardrope, as our Representatives at the State Legislature, to use all their power and influence in working for a repeal of the so-called "mechanics' lien law" of this state in so far as it applies to a lien for lumber and materials furnished. We believe that such a repeal would be for the best interests of the citizens of this state.

Signed by H. J. Hansen and thirty others.

Mott, N. D., February 3, 1913.

*To the Honorable H. J. Stinger and J. L. Hjort, Representatives to the Thirteenth Session of the North Dakota Legislature.*

We, the undersigned, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material, be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by W. J. Glenny and thirty others.

*To the Honorable Senators and Members of the House of Representatives of the State of North Dakota.*

We, the undersigned voters and taxpayers of the State of North Dakota, hereby petition your honorable assembly to repeal Section 6237, Revised Codes, North Dakota, 1905, and Acts amendatory thereto, for the reason that we consider the same class legislation and not giving all merchants an equal opportunity to protect themselves.

Signed by J. T. Nelson and forty-eight others.

Williston, N. D., February 5, 1913.

*Hon. Albert Stenehjem, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, ask you to vote and work against the passage of any law which is to amend or repeal the present mechanics' lien law. We believe the present law is just and fair and feel confident, if repealed, credit extended for improvements in towns and on farms would be seriously affected.

Signed by O. N. Houge and fifteen others.

Stanley, N. D., February 4, 1913.

*To the Honorable O. C. Dosseth, Representative to the Thirtieth Session of the North Dakota Legislature from the Forty-fourth District.*

We, the undersigned, voters of the Forty-fourth Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material, be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature, and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.  
Signed by M. E. Hanson and eighteen others.

#### REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:  
House Bill No. 22.

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and Sections 6238, 6240, 6242, 6243, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year of 1905, relating to mechanics' liens, the filing of mechanics' liens, the giving notice to contractors and sub-contractors and the recording and priority of liens and all matters appertaining to the creation, existence and enforcement of mechanics' liens.

Also,

House Bill No. 90.

A bill for an Act relating to the printing of a proposed constitutional amendment.

Also,

House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bond shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Also,

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

Also,

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Also,

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Also,

House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property, of companies or associations, and the listing of the same.

Also,

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on appropriations made the following report:

*Mr. Speaker:*

Your committee on appropriations to whom was referred  
House Bill No. 270.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.

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

In line 14 of printed bill strike out "1915" and insert in lieu thereof "1914."



Strike out all of lines 18, 19, 20 of printed bill.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman..

Also,

House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the state park at Fort Abercrombie, in Richland County, North Dakota.

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

In line 13 of the printed bill strike out "1915" and insert in lieu thereof "1914."

Strike out all of lines 18, 19, 20 of printed bill.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury of said county, as costs incurred in certain condemnation proceedings instituted by the state veterinarian in said County of Burke, for the destruction of glandered horses temporarily in said county, but en route into the Dominion of Canada and not the property of residents of said county at the time of the institution of such proceedings."

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

On page 2, the lines 1, 2, 3, 4 of the printed bill be stricken out.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 195.

A bill for an Act to appropriate the sum of fourteen hundred dollars with which to pay amounts due under Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws for the year 1907, for the arrest and conviction of cattle and horse thieves.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 152.

A bill for an Act to provide for 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 be amended as follows:

Line 5, strike out figures "\$15,000" and insert in lieu thereof figures "\$12,500."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the State Penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

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

On page 1 of the printed bill strike out the words "one thousand two hundred dollars" and insert in lieu thereof the words "five hundred dollars," also strike out the figures "1907."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books

by the public library commission with especial reference to the needs of farmers, school.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 87.

A bill for an Act relating to the White Stone Hill Memorial Park and making an appropriation therefor.

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

On page 1, in lines 9 and 10 of the printed bill, strike out the words "\$800.00" and insert in lieu thereof the words "\$400.00."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 233.

A bill for an Act making an appropriation to meet the deficiency incurred by the state live stock sanitary board in carrying out the purposes of Chapter 169 of the Session Laws of 1907.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 278.

A bill for an Act appropriating money to compensate A. G. Hanson, Charles S. Ego and George E. Wallace, mem-

bers of the Probate Code Commission, for balance per diem and extra services during the term of service on said commission.

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.

Mr. Anderson moved

That the amendment be adopted.

Which motion prevailed.

Mr. Anderson moved

That the amended bill be engrossed and placed on the calendar for third reading.

Which motion prevailed.

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. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 273.

A bill for an Act entitled "An Act to amend Section 7 of Chapter 6 of the Laws of 1911, relating to motor license and road regulations."

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 196.

A bill for an Act to provide that counties may require adjoining land owners to build, maintain and keep in repair partition fences between them.

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

In Section one (1) of the printed bill in line one (1) after the word "shall" strike out the following: "whenever they deem it advisable" and strike out all of Sections three (3), four (4), five (5), and six (6).

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between companies, defining the same and giving the state board of railroad commissioners certain powers in connection therewith.

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

In Section four (4) of the printed bill in line two (2) after the word "connection," add the following: "of such telephone lines."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violation of the provisions of this Act.

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

In the printed bill in Section 1, in line 3, after the word "posts," strike out the balance of the line. Also lines 4 and 5, in Section 1, line 4, after the word "slack," strike out the balance of the line. In line 5, strike out the word "loose" and all of the balance of the line after the word "tight." Strike out line 6, and strike out all of Sections 3 and 4.

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 321.

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 amendment thereto, Chapter 282, Session Laws of 1911.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

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

In line 3 of the printed bill, after the word "bars," strike out the balance of the line, also lines 4 and 5, and add the following: "Provided, that nothing in this Act shall at any time change a private road into a public road or a highway, and nothing herein contained shall deprive the owner of the premises from the right to close a road through such premises at any time he may see fit."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed.

The committee on military affairs made the following report:

*Mr. Speaker:*

Your committee on military affairs to whom was referred House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Have had the same under consideration and recommend that the same be referred to committee on appropriations with a recommendation that the appropriation be granted.

And when so passed on by said committee recommend the same do pass.

D. S. LEWIS,  
Chairman.

Also,

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a Stand of Colors.

Have had the same under consideration and recommend that the same be referred to committee on appropriations with a recommendation that the appropriation be granted.

And when so passed on by said committee recommend the same do pass.

D. S. LEWIS,  
Chairman.

Also

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

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

D. S. LEWIS,  
Chairman.

Also

House Bill No. 335.

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

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

D. S. LEWIS,  
Chairman.

Mr. Lewis moved

That the report be adopted.

Which motion prevailed.

The committee on tax and tax laws made the following report:

Your committee on tax and tax laws to whom was referred

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

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

ROBERT NORHEIM,  
Chairman.

Mr. Norheim moved

That the report be adopted.

Which motion prevailed.

The committee on public health made the following report:

*Mr. Speaker:*

Your committee on public health to whom was referred  
House Bill No. 151.

A bill for an Act to amend Chapter 277 of the Session Laws of 1911 of the State of North Dakota, prohibiting the use of snuff.

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

W. M. BARTLEY,  
Chairman.



Also

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

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

After the word "pulverized" in Section 2, line 2, of printed bill, insert the following: "Cut or otherwise pulverized."

And when so amended recommend the same do pass.

W. M. BARTLEY,  
Chairman.

Mr. Bartley moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 252.

Being a bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

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

A. G. DIVET,  
Chairman.

Also

House Bill No. 266.

Being a bill for an Act to provide that facts shall be set forth in the emergency clause to any bill introduced before the legislature of North Dakota, when attached for the purpose of making such Act effective before the date provided in Section 67 of the Constitution of the State of North Dakota, and further providing what shall not be considered an emergency clause, and empowering and authorizing and making it the duty of the legislative committee to whom a bill bearing an insufficient emergency to strike such emergency from the bill.

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

A. G. DIVET,  
Chairman.

Also

House Bill No. 291.

Being a bill for an Act to amend and re-enact Section 1 of Chapter 177 of the Session Laws of 1907, pertaining to attorney's fees in foreclosures of liens and mortgages.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 304.

Being a bill for an Act to amend and re-enact Sections 27, 29 and 41 of Chapter 80 of the Session Laws of the State of North Dakota of the year 1909, regulating the practice in county courts having increased jurisdiction, and matters relating thereto, fixing the fees to be charged by the clerk of the county court with increased jurisdiction with their duties, and the procedure relative to trials of civil actions by a jury.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Introduced by Messrs. Burnett and Hill of Bottineau:

*Be it Resolved by the House of Representatives of the State of North Dakota:*

WHEREAS, For four years last past the administration of the affairs of the state have been under the control of the progressive element, and

WHEREAS, Under the wise and efficient conduct of public affairs the state and its institutions have prospered to a degree never before known in its history, and its affairs are

now in such shape that it can without difficulty or embarrassment meet all its obligations and the call of its institutions, and no reason exists for the circulation of reports that it is cramped in its finances, and

WHEREAS, It appears to be the purpose of the Stalwart element to discredit the wise administration of affairs during the past four years and,

WHEREAS, The press of the country is publishing and circulating reports, rumors, and declarations to the effect that the state is in a financial condition making it impossible for it to carry on the functions of government and maintain its institutions; the legislative department, knowing such reports and rumors to be false and unfounded, and being controlled by the progressive element of the state, disapproves and condemns the circulation of such reports, and

WHEREAS, We believe the circulation of such reports is intended to discredit the Progressives of the state to the glorification of the Stalwarts, and to enable them at the end of two years to appropriate to themselves credit not due them, and

WHEREAS, We believe the circulation of such reports has gone beyond the point justified by political expediency and is now injuring and discrediting the state in its relation with other states and injuring its credit and the credit of its people, now, therefore,

*Be it Resolved*, We condemn as unstatesmanlike and unpatriotic this attempt by men, honored by the gift of office, to thus discredit and shame the state and its people, solely to build up their own political fortunes.

*Be it Further Resolved*, That all statements and rumors as to the cramped financial condition are unwarranted and ill advised, and in truth the financial affairs are such that it can amply provide for the needs of all its departments and institutions.

*Be it Further Resolved*, That all available means should be used to give publicity to these resolutions to the end that the injury done the state's credit and reputation may be so far as possible repaired.

*Be it Further Resolved*, That as a progressive body we do characterize the attempt to create a false impression as to the state's condition as an attempt to discredit the Progressives and their conduct of state affairs.

Mr. Burnett moved

That this resolution be adopted.

Mr. Thompson moved

As an amendment to the original motion that this resolution be referred to any one of the standing committees to be named by the Speaker.

Which motion was lost.

Mr. Gardiner moved

That action be deferred on this resolution until 3 o'clock, February 14, at which time it be made a special order.

Which motion was lost.

Mr. France moved

To amend the resolution by striking out all reference to factional Republicanism or Democracy.

Which motion prevailed.

Mr. Streeter moved

That the vote by which the amendments to the resolution was adopted be reconsidered and the motion to reconsider be laid on the table.

Mr. Burnett moved

For a roll call.

Mr. Thompson raised a point of order, which was sustained.

Mr. Streeter moved

To adopt the resolution as amended.

Which motion prevailed.

Mr. Streeter moved

That the vote by which the resolution was adopted be reconsidered and the motion to reconsider be laid on the table.

Roll call demanded.

The question being on the adoption of the clincher.

Which resulted as follows:

The roll was called and there were 39 ayes, 63 nays, 9 absent and not voting.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Gunderson	Miller
Bollinger	Hart	Morrison
Bope	Hickle	Owens
Bratton	Hill of Cass	Pitkin
Buck	Hjort	Streeter
Butler of Ramsey	Hoge	Thompson
Butler of Ransom	Husband	Taylor
Endreson	Kellogg	Turner, C. C.
Fox	Kelly	Turner, F. W.
France	Lambert	Weis
Freitag	Leu	Wiley
Gardiner	Lindstrom	Wing
Geiger	Martin	Mr. Speaker

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Odland
Balsdon	Hawkinson	Olgard
Bjornson	Hedalen	Pendray
Blakemore	Hendrickson	Petterson
Borusky	Hill of Bottineau	Ployhar
Burnett	Hjelmstad	Putnam
Calnan	Homan	Raney
Campbell	Huso	Roble
Carey	Isaak	Ryan
Coltom	Jacobson	Sandbeck
Curry	Klein	Schroeder
Davis	Knox	Smith of Kidder
Dean	Kylie	Snyder
Divet	Lawbaugh	Sorlie
Dixon	Lewis	Stenehjem
Doyle	Moen	Stinger
Dynes	Morkrid	Tucker
Everson	Norheim	Twitchell
Fritz	Northrup	Wardrope
Hanson	Nyhus	Watt
Haraldson	O'Connor	Williams

## Absent and not voting were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Johnson	Smith of Ward
Bass	List	Walsh
Dosseth	Small	Warriner

Mr. Butler of Ramsey moved

That the vote by which Senate Bill No. 27 was re-referred be reconsidered, and that the bill be put on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Watt requested that the committee appointed to investigate the state treasurer's office be allowed help from the state bank examiner's office to conduct this examination.

Which request was granted.

Mr. Divet moved

That the House take a recess of ten minutes.

Which motion prevailed.

The House reconvened at 4:10 P. M. pursuant to recess taken.

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

Mr. Coltom introduced

House Bill No. 386.

A bill for an Act to amend Section 9377 of the Code of 1905, and to provide for the punishment and prevention of sales, gifts and use of intoxicating liquor, for purpose of hospitality or otherwise, in club rooms, lodge rooms and other places of like kind for public and private resort.

Was read the first and second time and

Referred to the committee on temperance.

Mr. Wardrope introduced

House Bill No. 387.

A bill for an Act to amend Section 605, subdivision 1, of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Hedalen introduced

House Bill No. 388.

A bill for an Act to amend Sections 2384 and 2546 of the Revised Codes of North Dakota for 1905, relating to the number and election of county officers, and providing for the appointment of a county surveyor, a county coroner, four constables and a public administrator.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Twichell introduced

House Bill No. 389.

A bill for an Act to amend Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Smith of Kidder introduced

House Bill No. 390.

A bill for an Act to amend Section 111 of Chapter 266 of the Session Laws of 1911, relating to the annual settlement of school district treasurers.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Hjelmstad introduced

House Bill No. 391.

A bill for an Act entitled "An Act to amend Section 4037 of the Revised Codes of 1905, relating to marriage licenses and the solemnization of marriages thereunder."

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Twichell introduced

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Buck introduced

House Bill No. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Hedalen introduced

House Bill No. 394.

A bill for an Act to provide for a zone or alley between the enclosures of adjoining land owners for the purpose of preventing the transmission of communicable diseases among live stock and to prevent injury to such animals from barb wire fences.

Was read the first and second time and

Referred to the committee on agriculture.

Mr. Dynes introduced

House Bill No. 395.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Lewis introduced

House Bill No. 396.

A bill for an Act to amend Section 2801 of the Revised Codes of North Dakota of 1905, relating to special assessments in cities.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Haraldson introduced

House Bill No. 397.

A bill for an Act to amend and re-enact Section 259 of the Revised Codes of North Dakota for the year 1905, relating to membership of county boards of health.

Was read the first and second time and

Referred to the committee on public health.

Mr. Hedalen introduced

House Bill No. 398.

A concurrent resolution for amendments to Sections 27, 30, 33 and 55 of the Constitution of the State of North Dakota, relating to the election and duration of terms of office of members of the Legislative Assembly and regular sessions thereof.

Was read the first and second time and

Referred to the committee on judiciary.



Mr. Hanson introduced

House Bill No. 399.

A bill for an Act to amend Chapter 147 of the Laws of 1907.

Was read the first and second time and

Referred to the committee on insurance.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 104.

A bill for an Act to amend Chapter 165 of the Laws of 1911, relating to the maintenance of inmates of the institution for the feeble-minded.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 52.

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Was read the first and second time and

Referred to the committee on railways.

#### THIRD READING OF HOUSE BILLS.

Mr. Ployhar moved

That House Bill No. 212 be taken up next Saturday and made a special order for that day.

Which motion prevailed.

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays 3, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	O'Connor
Bartley	Harty	Odland
Bass	Hawkinson	Owens
Batzer	Hedalen	Petterson
Bjornson	Hendrickson	Pitkin
Blakemore	Hickle	Ployhar
Bollinger	Hill of Bottineau	Putnam
Bope	Hjort	Raney
Borusky	Homan	Roble
Buck	Husband	Ryan
Burnett	Huso	Sandbeck
Butler of Ramsey	Isaak	Schroeder
Butler of Ransom	Jacobson	Smith of Kidder
Calnan	Kellogg	Smith of Ward
Carey	Kelly	Snyder
Coltom	Klein	Stenehjem
Curry	Knox	Stinger
Davis	Kyilo	Streeter
Dean	Lambert	Thompson
Divet	Lawbaugh	Taylor
Dixon	Leu	Tucker
Doyle	Lewis	Turner, C. C.
Endreson	Lindstrom	Turner, F. W.
Everson	List	Twichell
France	Martin	Wardrope
Freitag	Miller	Warriner
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Wing
Gunderson	Northrup	Mr. Speaker
Hanson	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Haraldson	Pendray	Watt

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hill of Cass	Small
Bratton	Hjelmstad	Sorlie
Campbell	Hoge	Walsh
Dosseth	Johnson	Williams
Dynes	Moen	
Fox	Olsgard	

So the bill passed and the title was agreed to,

House Bill No. 294,

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

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 3, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Norheim
Balsdon	Gunderson	Northrup
Bartley	Hanson	Nyhus
Bass	Haraldson	O'Connor
Batzer	Harty	Odland
Bjornson	Hedalen	Olsgard
Blakemore	Hendrickson	Pendray
Bope	Hickle	Pitkin
Borusky	Hill of Bottineau	Putnam
Buck	Hjelmstad	Raney
Burnett	Hjort	Roble
Butler of Ramsey	Hoge	Ryan
Butler of Ransom	Husband	Schroeder
Calnan	Huso	Smith of Kidder
Campbell	Isaak	Snyder
Carey	Jacobson	Sorlie
Coltom	Kellogg	Stenehjem
Curry	Kelly	Stinger
Dean	Klein	Thompson
Divet	Knox	<b>Taylor</b>
Dixon	Kvilo	Tucker
Doyle	Lawbaugh	Turner, C. C.
Dynes	Leu	Turner, F. W.
Endreson	Lewis	Twichell
Everson	Lindstrom	Wardrope
Fox	List	Watt
France	Miller	Weis
Freitag	Moen	Williams
Fritz	Morkrid	Wing
	Morrison	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hawkinson	Martin	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Homan	Small
Bratton	Johnson	Smith of Ward
Davis	Lambert	Streeter
Dosseth	Owens	Walsh
Gardiner	Petterson	Warriner
Hart	Ployhar	
Hill of Cass	Sandbeck	

So the bill passed and the title was agreed to.

## House Bill No. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property of companies or associations and the listing 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 ayes 78, nays 4, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Odland
Balsdon	Harty	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Pitkin
Blakemore	Hickle	Putnam
Bope	Hill of Bottineau	Raney
Borusky	Hill of Cass	Ryan
Buck	Hjelmstad	Sandbeck
Burnett	Hjort	Schroeder
Butler of Ramsey	Husband	Smith of Kidder
Butler of Ransom	Isaak	Smith of Ward
Calnan	Jacobson	Sorlie
Carey	Kelly	Stenehjem
Curry	Klein	Streeter
Davis	Knox	Thompson
Dean	Lambert	Taylor
Dixon	Lawbaugh	Tucker
Dynes	Lewis	Turner, C. C.
Endreson	Lindstrom	Turner, F. W.
Everson	List	Walsh
Fox	Miller	Wardrope
France	Morrison	Watt
Fritz	Norheim	Weis
Gardiner	Northrup	Williams
Geiger	Nyhus	Wing
Gunderson	O'Connor	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hawkinson	Morkrid
Coltom	Hoge	Roble
Divet	Homan	Stinger
Doyle	Kyllo	Twichell
Harty	Martin	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Bratton	Haraldson
Bjornson	Dosseth	Huso
Bollinger	Freitag	Johnson

Messrs.—	Messrs.—	Messrs.—
Kellogg	Petterson	Warriner
Leu	Ployhar	Wiley
Moen	Small	
Olsgard	Snyder	

So the bill passed and the title was agreed to.

Mr. Turner moved

That the vote by which House Bill No. 290 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 225.

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 22, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hickle	Odland
Bartley	Hill of Bottineau	Olsgard
Bass	Hill of Cass	Pendray
Batzer	Hjelmstad	Pitkin
Blakemore	Hjort	Ployhar
Bollinger	Hoge	Putnam
Bratton	Husband	Roble
Buck	Isaak	Ryan
Burnett	Kellogg	Schroeder
Butler of Ramsey	Kelly	Small
Butler of Ransom	Klein	Snyder
Calnan	Knox	Sorlie
Carey	Kylie	Stenhjem
Curry	Lambert	Streeter
Davis	Lawbaugh	Thompson
Divet	Leu	Taylor
Dynes	Lewis	Tucker
Endreson	Lindstrom	Turner, C. C.
Fritz	List	Turner, F. W.
Gardiner	Martin	Twichell
Geiger	Miller	Wardrope
Hanson	Moen	Watt
Haraldson	Morrison	Weis
Harty	Norheim	Wiley
Hedalen	Northrup	Wing
Hendrickson	O'Connor	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Nyhus
Bjornson	Freitag	Raney
Bope	Gunderson	Sandbeck
Borusky	Hart	Smith of Kidder
Dean	Hawkinson	Stinger
Dixon	Homan	Williams
Doyle	Huso	
Fox	Morkrid	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Jacobson	Smith of Ward
Coltom	Johnson	Walsh
Dosseth	Owens	Warriner
Everson	Petterson	

So the bill passed and the title was agreed to.

Mr. Divet moved

That the vote by which House Bill No. 225 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 242.

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by the patrons or employes of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 61, nays 39, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Curry	Gunderson
Bass	Davis	Hanson
Bjornson	Doyle	Hart
Bollinger	Dynes	Harty
Borusky	Endreson	Hawkinson
Buck	Everson	Hedalen
Burnett	France	Hickle
Butler of Ransom	Freitag	Hjelmstad
Calnan	Fritz	Isaak
Campbell	Gardiner	Jacobson
Carey	Geiger	Kelly

Messrs.—	Messrs.—	Messrs.—
Knox	Pitkin	Tucker
Kyllo	Ployhar	Turner, C. C.
Lambert	Putnam	Turner, F. W.
Martin	Raney	Twichell
Morkrid	Roble	Watt
Northrup	Sandbeck	Weis
O'Connor	Snyder	Williams
Olsgard	Sorlie	Wing
Pendray	Stenehjem	
Petterson	Stinger	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hoge	Norheim
Balsdon	Homan	Nyhus
Batzer	Husband	Odland
Bope	Huso	Owens
Butler of Ramsey	Kellogg	Ryan
Divet	Klein	Schroeder
Dixon	Leu	Smith of Kidder
Fox	Lewis	Streeter
Haraldson	Lindstrom	Thompson
Hendrickson	List	Taylor
Hill of Bottineau	Miller	Wardrope
Hill of Cass	Moen	Wiley
Hjort	Morrison	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Dosseth	Smith of Ward
Bratton	Johnson	Walsh
Coltom	Lawbaugh	Warriner
Dean	Small	

So the bill passed and the title was agreed to.

Mr. Fritz moved

That the vote by which House Bill No. 242 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 172.

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bond shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

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 1, absent and not voting 23.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	O'Connor
Balsdon	Hawkinson	Odland
Bass	Hedalen	Olsgard
Batzer	Hendrickson	Owens
Blakemore	Hickle	Pendray
Bollinger	Hill of Cass	Pitkin
Bope	Hjelmstad	Ployhar
Borusky	Hjort	Raney
Bratton	Hoge	Roble
Buck	Homan	Ryan
Butler of Ramsey	Husband	Sandbeck
Butler of Ransom	Isaak	Schroeder
Calnan	Kellogg	Small
Carey	Kelly	Smith of Ward
Curry	Knox	Stenehjem
Davis	Lambert	Stinger
Divet	Lawbaugh	Streeter
Dixon	Leu	Taylor
Doyle	Lewis	Tucker
Endreson	Lindstrom	Turner, C. C.
Everson	List	Turner, F. W.
Fox	Martin	Walsh
France	Miller	Warriner
Freitag	Moen	Watt
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Northrup	Wing
Hanson	Nyhus	Mr. Speaker

Those voting in the negative were: Mr. Bjornson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Putnam
Burnett	Hill of Bottineau	Smith of Kidder
Campbell	Huso	Snyder
Coltom	Jacobsen	Sorlie
Dean	Johnson	Thompson
Dosseth	Klein	Twichell
Dynes	Kyllo	Wardrope
Hart	Petterson	

So the bill passed and the title was agreed to.

House Bill No. 90.

A bill for an Act relating to the printing of a proposed constitutional amendment.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 1, absent and not voting 26.



## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hanson	Northrup
Bartley	Haraldson	Nyhus
Bass	Harty	O'Connor
Batzer	Hawkinson	Odland
Bjornson	Hedalen	Pitkin
Bollinger	Hickle	Ployhar
Bope	Hill of Bottineau	Putnam
Borusky	Hill of Cass	Raney
Buck	Hjelmstad	Roble
Burnett	Hjort	Ryan
Butler of Ramsey	Homan	Sandbeck
Calnan	Husband	Small
Campbell	Huso	Sorlie
Carey	Isaak	Stenehjem
Curry	Jacobson	Stinger
Davis	Kellogg	Streeter
Divet	Kelly	Taylor
Dixon	Klein	Tucker
Doyle	Lambert	Turner, C. C.
Dynes	Lawbaugh	Turner, F. W.
Endreson	Leu	Twichell
Everson	Lewis	Walsh
Fox	Lindstrom	Warriner
France	List	Weis
Freitag	Martin	Wiley
Fritz	Miller	Williams
Gardiner	Moen	Wing
Gunderson	Morkrid	Mr. Speaker

Those voting in the negative were: Mr. Thompson.

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Pendray
Blakemore	Hoge	Petterson
Bratton	Johnson	Schroeder
Butler of Ransom	Knox	Smith of Kidder
Coltom	Kyllo	Smith of Ward
Dean	Morrison	Snyder
Dosseth	Norheim	Wardrope
Geiger	Olsgard	Watt
Hart	Owens	

So the bill passed and the title was agreed to.

Mr. Dixon moved

That the vote by which House Bill No. 90 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 22.

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of North Dakota for 1909, and

Sections 6238, 6240, 6242, 6243, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year of 1905, relating to mechanics' liens, the filing of mechanics' liens, the giving notice to contractors and sub-contractors and the recording and priority of liens and all matters appertaining to the creation, existence and enforcement of mechanics' liens.

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 27, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Morkrid
Balsdon	Fritz	Morrison
Bartley	Gardiner	Norheim
Bass	Geiger	Northrup
Bjornson	Gunderson	Nyhus
Blakemore	Haraldson	Odland
Bope	Hart	Olgard
Borusky	Harty	Owens
Bollinger	Hawkinson	Pendray
Bratton	Hedalen	Raney
Buck	Hendrickson	Roble
Burnett	Hill of Cass	Ryan
Butler of Ramsey	Hjelmstad	Sandbeck
Butler of Ransom	Hjort	Schroeder
Calnan	Hoge	Smith of Kidder
Carey	Homan	Snyder
Coltom	Husband	Sorlie
Curry	Huso	Stenehjem
Dean	Jacobson	Twichell
Divet	Kelly	Wardrope
Dixon	Kyllo	Watt
Doyle	Lambert	Weis
Dynes	Lawbaugh	Wing
Endreson	Martin	Mr. Speaker
Everson	Moen	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Klein	Streeter
Davis	Lindstrom	Thompson
Fox	Miller	Taylor
France	O'Connor	Tucker
Hanson	Petterson	Turner, C. C.
Hickle	Pitkin	Turner, F. W.
Hill of Bottineau	Ployhar	Wiley
Isaak	Putnam	Williams
Kellogg	Stinger	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Leu	Smith of Ward
Dosseth	Lewis	Walsh
Johnson	List	Warriner
Knox	Small	

So the bill passed and the title was agreed to.

Mr. Bratton moved

That the vote by which House Bill No. 22 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Lambert asked that the record show Mr. Smith of Ward as absent on account of sickness.

Mr. Doyle moved

That House Bill No. 267 be re-referred to the committee on live stock and that the same be amended so as to cut out the prior lien on the mare served.

Which motion prevailed.

Mr. Leu moved

That final action on House Bill No. 22 be postponed until tomorrow at 3 o'clock P. M.

Which motion was lost.

Mr. Kellogg moved

That House Bill No. 22 be referred to the committee on state affairs, and made to conform with the provisions of Senate Bill No. 226.

Which motion was lost.

Mr. Bratton moved .

To amend the title by inserting in the second line thereof, after the figures "1909," the following: "and 1911."

Mr. Thompson objected to the amendment.

Upon vote, the amendment was allowed.

## COURTESIES OF THE FLOOR.

Privileges of the floor were extended to W. E. Vadnais, Crosby; Hon. H. L. Holmes, F. Wilson, W. J. Burke and J. H. Manning, Bathgate; J. D. Laxdal, Cavalier; C. E. Fauts,

Towner; E. C. Ellis, Granville, N. D.; J. C. Field, H. R. Evans, M. H. Aaen, all of Williston, N. D.; Edwin H. Dummer, Walter A. Snow, Ray Butler, Dickinson; S. H. Taylor, Melville, N. D.; T. E. McKain, Steele; Mr. and Mrs. Bindle, Hazelton; P. F. Hasse, Tappen; M. A. Brammon, Grand Forks; W. H. Lakey, C. A. Quale, Shields, N. D.; P. N. Karsmo, L. P. Sandstone, Bottineau; Hans Suderson, Grand Forks; Eugene Fritz, Grand Forks; Jas. Mann, Washburn; Aug. E. Johnson, Washburn; Ole Gradin, Underwood.

Mr. Bjornson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

### THIRTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 14, 1913.

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. Dosseth, Hickle, Hjelmstad, Sanbeck, Smith of Ward, Wiley, who were excused.

### REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

Your committee on revision and correction of the Journal of the thirty-eighth day, have carefully examined the same and find the same correct.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

Mr. Dean moved

To correct the Journal of the thirty-eighth day by inserting on page 17, "Section 1," instead of "Section 2," and in the same line change the word "stock" to "slack."

Which motion prevailed.

Mr. Butler of Ransom moved

That the Journal of the thirty-sixth day be corrected as follows: On page 28 insert "Mr. Ployhar asked unanimous consent that the rules be suspended and House Bill No. 212 be placed at the foot of the calendar. Mr. Butler of Ransom objected to unanimous consent being given."

Which motion prevailed.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 14, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 88.

A bill for 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 equip locomotives with electric headlights.

Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble-minded.

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the state examiner; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Senate Bill No. 78.

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Senate Bill No. 160.

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

Senate Bill No. 231.

A bill for an Act to amend Section 48 of Article 4 of Chapter 266, Session Laws 1911, relating to election of officers in common school districts.

Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also

*Mr. Speaker:*

I have the honor to return herewith.

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Which the Senate has amended as follows:

In line 2 of title in printed bill after the word "discharging" insert the word "transcribed."

In line 3 of printed bill after the word "rendered" insert the words "or docketed."

Strike out in lines 4 and 5, the following "to the court wherein such judgment was originally rendered and."

In line 10 after the word "discharged" add the following: "and it is hereby made the duty of such clerk to carry out the provisions of this Act as to all such judgments heretofore satisfied."

Strike out all of Section 5.

And passed as amended.

Also

House Bill No. 14,

Being a bill for an Act relating to the boundaries, terms of court and chambers of the District Judge of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Which the Senate has amended as follows:

Strike out all of lines 20, 21, 22, 23 and 24 of the printed bill.

And passed as amended.

Very respectfully,

W. D. AUSTIN,  
Secretary.

## PETITIONS AND COMMUNICATIONS.

February 14, 1913.

*To the Honorable Members of the House of Representatives:*

In compliance with your request of even date, I submit for your consideration statement of Capitol Building Lands and Funds:

Under Section 12 of the Enabling Act admitting the state, there was granted fifty sections, or 32,000 acres, and under

Section 17 of the same Act 50,000 acres for public buildings at the capitol of the state, making 82,000 acres for capitol building, which has been practically filled by selections made by the state.

Area of grant, acres.....	82,000.00
Acres sold to July 1, 1912.....	51,504.66
<hr/>	
Remaining undisposed of, acres.....	30,495.34
Total purchase price .....	\$646,597.49
Average price per acre of land sold.....	12.55
Amount received from land contracts, rights of way, etc. ....	\$226,082.98
Amount of delinquent and deferred principal payments on contracts.....	420,514.51
Amount received from interest and rentals....	152,464.45
Estimate annual future receipts from interest and rentals .....	25,000.00
Estimated value of the 30,495.34 acres unsold at \$12.55 per acre.....	382,716.52
<hr/>	
Total.....	\$1,206,778.46
Bonds redeemed and miscellaneous payments made to date from above fund.....	\$164,830.20
Capitol building bonds outstanding (see state treasurer's report) .....	113,000.00
<hr/>	
	\$277,830.20

Respectfully,

ALEX McDONALD,  
Commissioner.

Mr. Williams moved

That the communication be printed in Journal and referred to committee on state affairs.

Which motion prevailed.

Ellendale, N. D., January 31, 1913.

*To Hon. N. E. Davis, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, believing it is necessary to the rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of conditions, and has proved to be just and fair, ask that you use your influence to prevent the passage of any bill which is to repeal or amend the present lien law.



We believe it to be against the interest of the people to frequently change such important laws.

Signed by C. H. Sorteberg and fifty-eight others.

Forbes, N. D., February 3, 1913.

*Hon. N. E. Davis, Representative from Dickey County, Bismarck, N. D.*

Honorable Sir: We, the undersigned, believing it is necessary to the rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of conditions, and has proved to be just and fair, ask that you use your influence to prevent the passage of any bill which is to repeal or amend the present lien law.

We believe it to be against the interest of the people to frequently change such important laws.

Signed by Ole Dalayer and twelve others.

Presented by Hon. B. N. Sandbeck.

*To the Legislative Assembly of the State of North Dakota:*

The following hereby petition your honorable body to take no action repealing the lien law as it now stands.

Signed by F. G. Lindstrom and eighty others.

Honorable Sir: We, the undersigned, believing it is necessary to the rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of conditions, and has proved to be just and fair, ask that you use your influence to prevent the passage of any bill which is to repeal or amend the present lien law.

We believe it to be against the interest of the people to frequently change such important laws.

Signed by E. G. Kress and forty-seven others.

*To the Honorable Ole Wing, Representative to the Thirteenth Session of the North Dakota Legislature from the Forty-sixth District.*

We, the undersigned voters of the Forty-sixth Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material, be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by P. K. Eastman and forty others.

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Tenth Legislative District of the State of North Dakota, over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by Mrs. C. B. Prichard and twenty-four others.

*Whereas*, North Dakota's greatest undeveloped resources are agricultural; and,

*Whereas*, More farmers are needed to develop this imperial domain; and,

*Whereas*, It is a vital importance to every individual in our state that desirable immigrants be induced to settle in North Dakota; and,

*Whereas*, Through the activity of proper immigration and publicity commissions, states adjoining North Dakota and the Dominion of Canada are taking tens of thousands of energetic home-seekers through and across our own state and persuading them to work in regions which lack the opportunities which North Dakota offers; and,

*Whereas*, Proper methods of publicity and development work would unquestionably result in inducing great numbers of these home-seekers to become citizens of North Dakota; and,

*Whereas*, In order that the superior advantages which North Dakota offers may be intelligently and effectively presented to home-seekers from the central and eastern states and to Europe, in order that desirable immigrants may be aided in taking residence within this state to their own and our own benefit, a North Dakota publicity and immigration commission is an actual and a pressing necessity.

*Now, Therefore*, The executive board of the Devils Lake Commercial Club recommends and urges the creation of a

North Dakota Publicity and Immigration Commission and pledges its active support to the Act establishing such commission, designated as House Bill No. 271, now pending before the State Legislature.

Dated at Devils Lake, N. D., February 13, 1913.

Introduced by Messrs. Odland, List and Curry.

We understand various measures are now before the Legislative Assembly at Bismarck, looking toward the repeal or amendment of the present lien law. We are opposed to any change in this law, and urge upon you to vote against any bill that will in any way change the law as it now stands.

Signed by Geo. McClellan and eighty others.

Mr. Buck presented the following communication:

*To the Honorable L. B. Hanna, Governor of the State of North Dakota, and to the Thirteenth Legislative Assembly and to Each Branch Thereof:*

*Whereas, The county commissioners of the State of North Dakota in convention assembled at Jamestown, North Dakota, did visit the State Hospital for the Insane in a body on February 12, 1913; and,*

*Whereas, Upon a thorough inspection of the institution we find the same to be crowded far beyond its capacity, thus creating a condition which renders it not only impossible to properly treat and care for a large portion of the most unfortunate class of society, but which continuously exposes these patients to infectious diseases and disastrous epidemics; and,*

*Whereas, We believe it to be the sentiment of the people of this state that the unfortunate class of patients consigned to this institution for treatment should receive the utmost consideration and that the honor and good name of the state be not longer imperiled by a continuation of the intolerable conditions that now exist at said institution; and,*

*Whereas, We believe that the appropriations asked for the State Hospital for the Insane represent a very conservative estimate of the institution's imperative needs.*

*Be it Resolved, That we, the county commissioners of the State of North Dakota in convention assembled, ask that the Legislature of the State of North Dakota give precedence to the appropriations of this institution as no need in this state seems more imperative.*

*Be it Further Resolved*, That legislation be enacted authorizing an increase in maximum per capita maintenance charge for insane patients against the counties of this state from \$15.00 per capita to \$18.00 per capita.

*Be it Further Resolved*, That a copy of these resolutions be sent to the governor of this state and to each branch of the Thirteenth Legislative Assembly.

H. J. RUSCH,  
President.

R. B. COX,  
Secretary.

#### REPORTS OF STANDING COMMITTEES.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred

House Bill No. 340.

Being a bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905, relating to libel.

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

A. G. DIVET,  
Chairman.

Also

House Bill No. 337.

Being a bill for a concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

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

In line numbered 4 of the printed bill, strike out the character standing for "dollars" and the figures "600," and insert in lieu thereof the words "six hundred dollars." And in the same line, strike out the last word of the line, namely, "his," and insert in lieu thereof the word "each."

And in line numbered 5 of the printed bill, strike out the

word "years" and insert in lieu thereof the words "years of his."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also

House Bill No. 288.

Being a bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

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

A. G. DIVET,  
Chairman.

Also

House Bill No. 245.

Being a bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

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

On page 2 of the printed bill, in line 23, strike out the word "proportioning" and insert in lieu thereof the word "apportioning"; and

On page 3 of the printed bill, in line 4, insert after the word "city" the words "or village"; and

In line 44 of the same page after the first word "city" insert the words "or village"; and

In the same line 44, after the word "council" insert the words "or village trustees."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also

House Bill No. 31.

Being a bill for an Act to amend and re-enact Article 3, Chapter 30, of the Code of Civil Procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

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

Strike out all after the words "A bill," and insert in lieu thereof the amendment hereto attached, namely:

"For an Act to amend and re-enact Section 7497 of the Revised Codes of 1905, relating to cancellation of land contracts.

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

Section 1. Amendment.) Section 7497 is hereby amended and re-enacted to read as follows:

Section 7497. Time Allowed, Vendee May Become Tenant.) Such vendee or purchaser or his assigns shall have thirty days after the service of such notice upon him in which to perform the conditions or comply with the provisions upon which the default shall have occurred, and upon such performance, and upon making such payment, together with the costs of service of such notice, and an attorney's fee of 10 dollars, such contract or other instrument shall be reinstated, and remain in full force and effect the same as if no default had occurred therein. No provision in any contract for the purchase of land, or an interest in land, shall be construed to obviate the necessity of giving such notice, any provision in such contract to the contrary notwithstanding.

*Provided*, however, when such notice of cancellation is served after the commencement of the work of seeding or planting upon such land, and prior to the taking off of the crop thereon, the vendee may at his option elect to continue upon said land for the farming season, and assume the relation of a tenant of the vendor, which election shall be manifested by serving upon the vendor, within thirty days after the service of such notice of cancellation, a written notice thereof, but such election shall only be effectual in case the vendee has proceeded and continues to proceed with reasonable diligence to cause said lands to be sown and planted in a farmer like manner.

The terms of the tenancy so established between the vendor and vendee shall be that said vendee will farm and cultivate said premises during the farming season of said year in a good and farmer-like manner, preserve the same from

unusual waste or deterioration, furnish all seed and be at all expense of farming, and be entitled to receive three-fifths of the crop grown thereon, rendering to the vendor two-fifths of said crop at the threshing machine, after giving to the vendor reasonable notice of the time when the threshing will be done, each party paying his proportionate share of the threshing bill.

The vendors' share of the crop so grown shall not be subject to any mortgages or other liens, either by contract or operation of law to secure any indebtedness of the vendee.

2. Notice and Proof of Service May Be Recorded.) After giving the notice of cancellation aforesaid, the vendor may cause the same to be recorded in the office of the register of deeds of the county in which the land is situated, together with, the sheriff's return, if any, that the person to be served could not be found in the county, the proof of service provided for in Section 7496, the affidavit of the publisher in case such notice was served by publication, and in case the contract has not theretofore been recorded there shall be attached to, and recorded with such notice and proof a copy of such contract, or the original thereof, with an affidavit of some person knowing the facts showing that it is a correct copy, or the original, as the case may be.

3. Emergency.) Whereas there is no law now existing, adequate to permit of the making complete of record cancellations of land contracts, which have been terminated or may be terminated under the statutes now in force, an emergency exists and this Act shall take effect immediately upon its passage and approval.

And recommend that the same do pass as amended.

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also

Senate Bill No. 23.

A bill for an Act to amend Chapter 290 of the Laws of 1911 relating to property exempt from taxation.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

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. 336.

A bill for an Act to amend and re-enact Chapter 217 of the Session Laws of 1909, providing for greater publicity of the finances of the State of North Dakota and to guard against partiality in the deposit of public funds.

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

W. S. DEAN,  
Chairman.

Also

House Bill No. 206.

A bill for an Act to amend Chapter 201 of the Session Laws of 1911, relating to transient merchants and peddlers.

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

W. S. DEAN,  
Chairman.

Also

House Bill No. 306.

A bill for an Act to amend Section 6 of Chapter 226 of the Laws of 1911, being an Act regulating compensation of field officer.

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

W. S. DEAN,  
Chairman.



Also

House Bill No. 323.

A bill for an Act to regulate the practice of photography and licensing of persons to carry on and teach such practice, and to insure the better education of such practitioners in the State of North Dakota, and to regulate the selling and offering for sale, within the State of North Dakota, of products of photography, as herein defined, and to provide penalties for the violation of this Act.

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

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 87.

A bill for an Act relating to the White Stone Hill Memorial Park and making an appropriation therefor.

Also

House Bill No. 147.

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period, for the purchase of books by the public library commission, with especial reference to the needs of farms, school and community libraries.

Also

House Bill No. 152.

A bill for an Act to provide for the making of improvements at the North Dakota School of forestry, to assist in the maintenance thereof, and making appropriation therefor.

Also

House Bill No. 233.

A bill for an Act making an appropriation to meet the deficiency incurred by the state live stock sanitary board, in carrying out the purchases of Chapter 169 of the Session Laws of 1907.

Also

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1908, 1909, 1910, 1911, 1912.

Also

House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury of said county as costs incurred in certain condemnation proceedings instituted by the state veterinarian in said County of Burke, for the destruction of glandered horses temporarily in said county, but en route into the Dominion of Canada, and not the property of residents of said county at the time of the institution of such proceedings.

Also

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

Also

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

Also,

House Bill No. 283.

A bill for an Act to prohibit false and misleading adver-

tising of all kinds, and providing a penalty therefor.

Also,

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

Also,

House Bill No. 321.

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 amendment thereto, Chapter 282, Session Laws of 1911.

Also,

House Bill No. 335.

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

Also,

House Bill No. 252.

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on live stock made the following report:

*Mr. Speaker:*

Your committee on live stock to whom was referred

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to

amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

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

In Section 13, on page 5, in line 14 of printed bill, strike out the words "and the mare served."

And when so amended recommend the same do pass.

A. J. Huso,  
Chairman.

Also,

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Code of 1905, relating to stock running at large.

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

In line 19 of Section 1934, after the word "stallion," strike out the words "or vicious" and insert the following: "Jack, boar, ram."

And when so amended recommend the same do pass.

A. J. Huso,  
Chairman.

Mr. Huso moved

That the report be adopted.

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. 215.

A bill for an Act to provide for the issuance of city bonds for certain purposes, limiting the issue and providing for the sale thereof; also to legalize certain city warrants and to repeal Sections 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990 and 2991 of the Political Code of 1905 and all amendments thereto, and all other Acts or parts of Acts in conflict with this Act.

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

L. L. TWICHELL,  
Chairman.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Hjort moved

That the vote by which the Hill-Burnett resolution was adopted be reconsidered.

Which motion prevailed.

Mr. Hjort moved

To reconsider the vote by which the amendment to the Hill-Burnett resolution was adopted.

Which motion prevailed.

Mr. France moved

That the motion be laid on the table.

Which motion was lost.

Mr. Ployhar moved

A roll call.

The roll being called, there were 33 ayes and 71 nays, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Gardiner	Lewis
Batzer	Geiger	Martin
Bollinger	Gunderson	Miller
Bope	Hart	Moen
Bratton	Hill of Cass	Morrison
Buck	Hjelmstad	Thompson
Butler of Ramsey	Hoge	Taylor
Dixon	Husband	Turner, C. C.
Fox	Kelly	Weis
France	Lambert	Wing
Freitag	Leu	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Borusky	Carey
Balsdon	Burnett	Coltom
Bass	Butler of Ransom	Curry
Bjornson	Calnan	Dean
Blakemore	Campbell	Divet

## Messrs.—

Doyle  
Dynes  
Endreson  
Everson  
Fritz  
Hanson  
Haraldson  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hjort  
Homan  
Huso  
Isaak  
Jacobson  
Kellogg

## Messrs.—

Klein  
Knox  
Kyllo  
Lawbaugh  
Lindstrom  
List  
Morkrid  
Norheim  
Northrup  
Nyhus  
O'Connor  
Odland  
Olsgard  
Pendray  
Petterson  
Pitkin  
Ployhar  
Putnam  
Raney

## Messrs.—

Roble  
Ryan  
Sandbeck  
Schroeder  
Small  
Smith of Kidder  
Snyder  
Sorlie  
Stenhjem  
Stinger  
Tucker  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Warriner  
Watt  
Williams

## Absent and not voting:

## Messrs.—

Davis  
Dosseth  
Johnson

## Messrs.—

Owens  
Smith of Ward  
Streeter

## Messrs.—

Wiley

So the motion was lost.

Mr. France asked that the sergeant at arms clear the House of all who are not members.

Which request was denied.

Mr. Burnett moved

That the original resolution as introduced be adopted.

Mr. Hanson moved

A roll call.

The roll was called and there were ayes 68, nays 37, absent and not voting 6.

Those voting in the affirmative were:

## Messrs.—

Anderson  
Balsdon  
Bass  
Bjornson  
Blakemore  
Borusky  
Burnett  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Coltom

## Messrs.—

Curry  
Davis  
Dean  
Divet  
Doyle  
Dynes  
Endreson  
Everson  
Fritz  
Hanson  
Haraldson  
Harty

## Messrs.—

Hawkinson  
Hendrickson  
Hickle  
Hill of Bottineau  
Hjort  
Homan  
Huso  
Isaak  
Jacobson  
Kellogg  
Klein  
Knox

Messrs.—  
 Kylo  
 Lawbaugh  
 Lindstrom  
 List  
 Morkrid  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland  
 Olsgard

Messrs.—  
 Pendray  
 Pitkin  
 Ployhar  
 Putnam  
 Raney  
 Roble  
 Ryan  
 Sandbeck  
 Schroeder  
 Smith of Kidder  
 Snyder

Messrs.—  
 Sorlie  
 Stenehjem  
 Stinger  
 Tucker  
 Turner, F. W.  
 Twichell  
 Wardrobe  
 Warriner  
 Watt  
 Williams

Those voting in the negative were:

Messrs.—  
 Bartley  
 Batzer  
 Bollinger  
 Bope  
 Bratton  
 Buck  
 Butler of Ramsey  
 Dixon  
 Fox  
 France  
 Freitag  
 Gardiner  
 Geiger

Messrs.—  
 Gunderson  
 Hart  
 Hedalen  
 Hill of Cass  
 Hjelmstad  
 Hoge  
 Husband  
 Kelly  
 Lambert  
 Leu  
 Lewis  
 Martin

Messrs.—  
 Miller  
 Moen  
 Morrison  
 Owens  
 Small  
 Thompson  
 Taylor  
 Turner, C. C.  
 Walsh  
 Weis  
 Wing  
 Mr. Speaker

Absent and not voting:

Messrs.—  
 Dosseth  
 Johnson

Messrs.—  
 Petterson  
 Smith of Ward

Messrs.—  
 Streeter  
 Wiley

And so the resolution was adopted as read originally.

Mr. Williams introduced the the following resolution:

*Resolved*, That the state commissioner of university and school lands be requested to advise the House at his earliest convenience how much of the public land granted the state under the Enabling Act, for the erection of public buildings at the capitol has been sold; the amount received therefore; the amount of the proceeds that have been expended on the capitol building; the amount remaining in the capitol building fund; the amount of the unsold land and the average price per acre received for the land sold.

*Resolved*, That the Chief Clerk be instructed to forthwith transmit a copy of this resolution to the state commissioner of university and school lands.

Mr. Williams moved

That the resolution be adopted.

Which motion prevailed.

Mr. Divet moved

That House Bill No. 220 be re-referred to the committee on judiciary.

Which motion prevailed.

Mr. Leu moved

To reconsider the vote by which House Bill No. 291 was indefinitely postponed be reconsidered.

Mr. Leu called for a division.

A division being had, the

Motion was lost.

Mr. Butler of Ramsey moved

That House Bill No. 250 be re-referred back to the appropriation committee.

Which motion prevailed.

Mr. Norheim asked unanimous consent to introduce a bill making an appropriation.

There being objection thereto, consent was not given.

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

Mr. Leu introduced

House Bill No. 400.

A bill for an Act to amend and re-enact Section 1 of Chapter 175 of the Session Laws of 1907, and add thereto Section 3, providing for the satisfaction of liens and mortgages before maturity.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Buck introduced

House Bill No. 401.

A bill for an Act to amend Chapter 130 of the Session Laws of 1909, being an Act to amend Chapter 128 of the Laws of 1907, being an amendment of Section 8983 of the Revised Codes of North Dakota, 1905, relating to minors not allowed in certain public places and prescribing certain penalties for the violation thereof.



Was read the first and second time and  
Referred to the committee on public health.

Mr. Lambert introduced

House Bill No. 402.

A bill for an Act entitled "An Act to recognize common law marriages heretofore had in this state in accordance with the requirements of the common law, legitimizing children and declaring an emergency exists."

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

Mr. Lambert introduced

House Bill No. 403.

A concurrent resolution to amend Section 119 of the Constitution of the State of North Dakota, pertaining to candidacy of judges of the Supreme Court or District Courts for other offices during the term for which they have been elected.

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

Mr. Lambert introduced

House Bill No. 404.

A bill for an Act providing for the pensioning of policemen after twenty years' service.

Was read the first and second time and  
Referred to the committee on municipal corporations.

Mr. Martin introduced

House Bill No. 405.

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of North Dakota for 1907, relating to attorney's fees on foreclosure.

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

Mr. Hanson introduced

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Was read the first and second time and

Referred to the committee on insurance.

Mr. Small introduced

House Bill No. 407.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to debt limits.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Batzer introduced

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Haraldson introduced

House Bill No. 409.

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees seedlings to institutions and land owners of the state.

Was read the first and second time and

Referred to the committee on forestry.

Mr. Haraldson introduced

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Borusky (by request) introduced

House Bill No. 411.

A bill for an Act to repeal Section 49 of the Revised Codes of North Dakota for the year 1905, and also for the repeal

of Senate Bill No. 83 of the Session Laws of 1907 and to provide for the free and unrestricted purchase of printed supplies and stationery by counties, cities and villages.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Smith of Kidder introduced

House Bill No. 412.

A bill for an Act to amend Section 3160 of the Revised Codes of 1905, relating to the compensation of township officers.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Gardiner introduced

House Bill No. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed by this Act.

Was read the first and second time and

referred to the committee on ways and means.

Mr. Stenehjsem introduced

House Bill No. 414.

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Was read the first and second time and

Referred to the committee on immigration.

Mr. Stenehjsem introduced

House Bill No. 415.

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

Was read the first and second time and  
Referred to the committee on penal institutions.  
eges.

Mr. Carey introduced

House Bill No. 416.

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in state penitentiary.

Was read the first and second time and

Referred to the committee on penal institutions.

Mr. Lindstrom introduced

House Bill No. 417.

A bill for an Act to amend and re-enact Chapter 221 of the Session Laws of North Dakota for 1907, entitled "An Act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business."

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Freitag introduced

House Bill No. 418.

A bill for an Act providing for the covering of charges and fees collected by state and county officers into the state and county treasury.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Wing introduced

House Bill No. 419.

A bill for an Act making county treasurers custodians of funds paid for the redemption from foreclosure sales, satisfaction of judgments and liens and the payment and discharge of fines, penalties, forfeitures and costs, and for the disbursements of the same.

Was read the first and second time and

Referred to the committee on judiciary.

The Committee on Judiciary introduced

House Bill No. 420.

A bill for an Act to amend Section 470 of the Revised Codes for 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Was read the first and second time and

Referred to the committee on judiciary.

The Committee on Judiciary introduced

House Bill No. 421.

A bill for an Act to amend Section 474 of the Revised Codes, 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Harty introduced

House Bill No. 422.

A bill for an Act to provide funds for the erection, purchase, lease or establishment of a terminal elevator system in the State of Wisconsin, or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institutions in relation thereto.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Twichell introduced

House Bill No. 423.

A bill for an Act to amend Sections 628, 629 and 631 of the Revised Codes of North Dakota of 1905, relating to elections.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Hanson (by request) introduced

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Was read the first and second time and  
Referred to the committee on insurance.

Mr. Homan introduced

House Bill No. 425.

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota of 1905, relating to powers of city councils.

Was read the first and second time and  
Referred to the committee on municipal corporations.

The Committee on Judiciary introduced

House Bill No. 426.

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws 1909, relating to the boundaries of and terms of court in the Fifth Judicial District.

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

The Committee on Judiciary introduced

House Bill No. 427.

A bill for an Act to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1909 of the State of North Dakota, relating to the boundaries of and terms of court in the Ninth Judicial District.

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

Mr. Wardrope introduced

House Bill No. 428.

A bill for an Act entitled "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

Was read the first and second time and  
Referred to the committee on charitable institutions.

Mr. Leu introduced

House Bill No. 429.

A bill for an Act to amend and re-enact Section 9452 of the Revised Code of 1905, pertaining to the promiscuous distribution of drug samples.

Was read the first and second time and

Referred to the committee on public health.

Mr. Leu introduced

House Bill No. 430.

A bill for an Act to amend and re-enact Sections 254 and 256 of the Revised Codes of 1905, pertaining to the office of the superintendent of public health, changing the time of meeting, salary and other compensation for expenses incurred therein and providing for the payment thereof.

Was read the first and second time and

Referred to the committee on public health.

Mr. Martin introduced

House Bill No. 431.

A bill for an Act relating to contracts as to rates of interest.

Was read the first and second time and

Referred to the committee on banking.

Mr. Fritz introduced

House Bill No. 432.

A bill for an Act to amend and re-enact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Was read the first and second time and

Referred to the committee on municipal corporations.

Mr. Moen introduced

House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Williams moved

That the House take a recess of ten minutes.

Which motion prevailed

The House reassembled at 4:00 P. M. pursuant to recess taken.

Mr. Leu asked unanimous consent to return to the seventh order of business.

Which consent was given.

Mr. Leu moved

That the vote by which House Bill No. 291 was indefinitely postponed be reconsidered.

Which motion was lost.

### THIRD READING OF HOUSE BILLS.

House Bill No. 252.

Being a bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays 0, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Divet	Homan
Balsdon	Dixon	Husband
Bartley	Doyle	Isaak
Bass	Dynes	Jacobson
Batzner	Everson	Kellogg
Bjornson	France	Kelly
Bollinger	Freitag	Klein
Bope	Gardiner	Knox
Borusky	Gunderson	Kyllo
Bratton	Hanson	Lawbaugh
Buck	Haraldson	Leu
Burnett	Harty	Lewis
Butler of Ransom	Hawkinson	Lindstrom
Butler of Ramsey	Hedalen	List
Calnan	Hendrickson	Miller
Campbell	Hickle	Moen
Carey	Hill of Bottineau	Morkrid
Coltom	Hill of Cass	Norheim
Curry	Hjelmstad	Northrup
Davis	Hjort	Nyhus



Messrs.—	Messrs.—	Messrs.—
O'Connor	Schroeder	Turner, F. W.
Odland	Small	Twichell
Owens	Smith of Kidder	Walsh
Pendray	Smith of Ward	Warriner
Pitkin	Snyder	Watt
Ployhar	Stenehjem	Weis
Putnam	Stinger	Wiley
Raney	Thompson	Williams
Roble	Taylor	Wing
Ryan	Tucker	Mr. Speaker
Sandbeck	Turner, C. C.	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Blakemore	Hart	Olsgard
Dean	Hoge	Petterson
Dosseth	Huso	Sorlie
Endreson	Johnson	Streeter
Fox	Lambert	Wardrope
Fritz	Martin	
Geiger	Morrison	

So the bill passed and the title was agreed to.

House Bill No. 311.

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.

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 0, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hickle
Balsdon	Dixon	Hill of Bottineau
Bartley	Dynes	Hill of Cass
Bass	Endreson	Hjelmstad
Batzer	Everson	Hjort
Bjornson	Fox	Hoge
Blakemore	France	Homan
Bollinger	Freitag	Husband
Bope	Fritz	Huso
Borusky	Gardiner	Jacobson
Buck	Geiger	Kellogg
Burnett	Gunderson	Kelly
Butler of Ramsey	Hanson	Klein
Butler of Kansom	Haraldson	Kyllo
Calnan	Hart	Lambert
Campbell	Harty	Lawbaugh
Carey	Hawkinson	Leu
Curry	Hedalen	Lewis
Davis	Hendrickson	Lindstrom

Messrs.—	Messrs.—	Messrs.—
List	Ployhar	Streeter
Martin	Putnam	Thompson
Miller	Raney	Taylor
Moen	Roble	Turner, C. C.
Morkrid	Ryan	Twichell
Morrison	Sandbeck	Wardrope
Norheim	Schroeder	Warriner
Northrup	Smith of Kidder	Watt
O'Connor	Smith of Ward	Weis
Odland	Snyder	Wiley
Owens	Sorlie	Williams
Pendray	Stenehjelm	Wing
Pitkin	Stinger	Mr. Speaker

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bratton	Isaak	Petterson
Coltom	Jacobson	Small
Divet	Knox	Tucker
Dosseth	Nyhvs	Turner, F. W.
Doyle	Olsgard	Walsh

So the bill passed and the title was agreed to.

**House Bill No. 335.**

A bill for an Act amending and re-enacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards 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 ayes 94, nays 0, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Davis	Hickle
Bartley	Dean	Hill of Bottineau
Bass	Divet	Hill of Cass
Batzer	Dixon	Hjelmstad
Bjornson	Doyle	Hoge
Blakemore	Dynes	Homan
Bollinger	Endreson	Husband
Bope	Everson	Jacobson
Borusky	Francé	Kellogg
Bratton	Freitag	Kelly
Buck	Fritz	Klein
Burnett	Gardiner	Knox
Butler of Ramsey	Geiger	Lambert
Butler of Ransom	Gunderson	Lawbaugh
Calnan	Hanson	Leu
Campbell	Harty	Lewis
Carey	Hawkinson	Lindstrom
Coltom	Hedalen	List
Curry	Hendrickson	Martin

Messrs.—  
 Moen  
 Morkrid  
 Norheim  
 Northrup  
 Nyhus  
 O'Connor  
 Odland  
 Olsgard  
 Owens  
 Petterson  
 Pitkin  
 Ployhar  
 Putnam

Messrs.—  
 Raney  
 Roble  
 Ryan  
 Schroeder  
 Small  
 Smith of Ward  
 Snyder  
 Stenehjerm  
 Stinger  
 Streeter  
 Taylor  
 Tucker  
 Turner, C. C.

Messrs.—  
 Turner, F. W.  
 Twichell  
 Walsh  
 Wardrobe  
 Warriner  
 Watt  
 Weis  
 Wiley  
 Williams  
 Wing  
 Mr. Speaker

**Absent and not voting:**

Messrs.—  
 Anderson  
 Dosseth  
 Fox  
 Haraldson  
 Hart  
 Hjort

Messrs.—  
 Huso  
 Isaak  
 Johnson  
 Kylo  
 Miller  
 Morrison

Messrs.—  
 Pendray  
 Sandbeck  
 Smith of Kidder  
 Sorlie  
 Thompson

So the bill passed and the title was agreed to.

**House Bill No. 283.**

A bill for an Act to prohibit false and misleading advertising of all kinds, 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 ayes 90, nays 0, absent and not voting 21.

**Those voting in the affirmative were:**

Messrs.—  
 Bartley  
 Bass  
 Batzer  
 Bjornson  
 Blakemore  
 Bollinger  
 Bope  
 Borusky  
 Bratton  
 Burnett  
 Butler of Ramsey  
 Butler of Ransom  
 Calnan  
 Campbell  
 Carey  
 Coltom  
 Curry  
 Dean

Messrs.—  
 Divet  
 Dixon  
 Dvnes  
 Endreson  
 Fox  
 France  
 Freitag  
 Fritz  
 Gardiner  
 Geiger  
 Gunderson  
 Hanson  
 Hart  
 Harty  
 Hedalen  
 Hendrickson  
 Hill of Bottineau  
 Hill of Cass

Messrs.—  
 Hjelmstad  
 Hjort  
 Hoge  
 Husband  
 Isaak  
 Jacobson  
 Kellogg  
 Kelly  
 Klein  
 Knox  
 Kylo  
 Lambert  
 Lawbaugh  
 Leu  
 Lewis  
 Lindstrom  
 List  
 Martin

Messrs.—	Messrs.—	Messrs.—
Miller	Ployhar	Thompson
Moen	Putnam	Taylor
Morkrid	Roble	Turner, C. C.
Morrison	Ryan	Twichell
Norheim	Sandbeck	Wardrope
Northrup	Schroeder	Warriner
Nyhus	Small	Watt
O'Connor	Smith of Kidder	Weis
Odland	Snyder	Wiley
Owens	Sorlie	Williams
Pendray	Stenehjerm	Wing
Pitkin	Stinger	Mr. Speaker

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Petterson
Balsdon	Hawkinson	Raney
Buck	Hickle	Smith of Ward
Davis	Homan	Streeter
Dosseth	Huso	Tucker
Doyle	Johnson	Turner, F. W.
Everson	Olsgard	Walsh

So the bill passed and the title was agreed to.

**House Bill No. 147.**

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books by the public library commission with especial reference to the needs of farmers, school.

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 0, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Carey	Gunderson
Bartley	Coltom	Hanson
Bass	Curry	Hart
Batzer	Davis	Harty
Bjornson	Dean	Hawkinson
Blakemore	Divet	Hedalen
Bollinger	Dixon	Hendrickson
Bope	Dynes	Hickle
Borusky	Endreson	Hill of Bottineau
Bratton	Everson	Hill of Cass
Buck	Fox	Hjelmstad
Burnett	France	Hjort
Butler of Ramsey	Freitag	Homan
Butler of Ransom	Fritz	Husband
Calnan	Gardiner	Isaak
Campbell	Geiger	Jacobson

Messrs.—	Messrs.—	Messrs.—
Kellogg	O'Connor	Stinger
Kelly	Odland	Streeter
Klein	Owens	Taylor
Kyllo	Pendray	Thompson
Lambert	Pitkin	Tucker
Lewis	Ployhar	Turner, C. C.
Lindstrom	Raney	Turner, F. W.
List	Ryan	Twichell
Martin	Sandbeck	Walsh
Miller	Schroeder	Wardrope
Moen	Small	Warriner
Morkrid	Smith of Kidder	Weis
Morrison	Smith of Ward	Wiley
Norheim	Snyder	Williams
Northrup	Sorlie	Wing
Nyhus	Stenhjem	Mr. Speaker

#### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Huso	Olgard
Dosseth	Johnson	Pettersen
Doyle	Knox	Putnam
Haraldson	Lawbaugh	Roble
Hoge	Leu	Watt

So the bill passed and the title was agreed to.

Mr. Anderson moved

That the vote by which House Bill No. 147 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 297.

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth Street to the State Capitol.

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 0, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Bollinger	Butler of Ramsey
Bartley	Bope	Butler of Ransom
Bass	Borusky	Calnan
Batzer	Bratton	Campbell
Bjornson	Buck	Carey
Blakemore	Burnett	Coltom

Messrs.—	Messrs.—	Messrs.—
Curry	Hoge	Roble
Davis	Homan	Ryan
Dean	Husband	Sandbeck
Divet	Huso	Schroeder
Dixon	Isaak	Small
Doyle	Jacobson	Smith of Kidder
Dynes	Kellogg	Sorlie
Endreson	Kelly	Stenehjem
Everson	Klein	Stinger
Fox	Kyllo	Streeter
Freitag	Lambert	Taylor
Fritz	Lawbaugh	Thompson
Gardiner	Lewis	Tucker
Geiger	Lindstrom	Turner, C. C.
Gunderson	List	Turner, F. W.
Hanson	Martin	Twichell
Haraldson	Moen	Walsh
Hart	Morkrid	Wardrope
Harty	Morrison	Warriner
Hawkinson	Norheim	Watt
Hedalen	Northrup	Weis
Hendrickson	Nyhus	Wiley
Hickle	O'Connor	Williams
Hill of Bottineau	Odland	Wing
Hill of Cass	Owens	Mr. Speaker
Hjelmstad	Pitkin	
Hjort	Ployhar	

#### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Leu	Putnam
Dosseth	Miller	Raney
France	Olsgard	Smith of Ward
Johnson	Fendray	Snyder
Knox	Petterson	

So the bill passed and the title was agreed to.

#### House Bill No. 233.

A bill for an Act making an appropriation to meet the deficiency incurred by the state live stock sanitary board in carrying out the purposes of Chapter 169 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 87, nays 0, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bjornson	Borusky
Balsdon	Blakemore	Burnett
Bartley	Bollinger	Butler of Ramsey
Bass	Bope	Butler of Ransom

## Messrs.—

Calnan  
Campbell  
Carey  
Coltom  
Curry  
Davis  
Dean  
Dixon  
Doyle  
Dynes  
Enderson  
Everson  
France  
Gardiner  
Geiger  
Gunderson  
Hanson  
Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hill of Bottineau  
Hill of Cass  
Hjelmstad

## Messrs.—

Hjort  
Husband  
Huso  
Isaak  
Jacobson  
Kellogg  
Kelly  
Klein  
Lambert  
Lawbaugh  
Leu  
Lewis  
Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus  
O'Connor  
Odland  
Olsgard

## Messrs.—

Pendray  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble  
Ryan  
Schroeder  
Small  
Smith of Kidder  
Stenehjem  
Stinger  
Streeter  
Thompson  
Taylor  
Tucker  
Turner, C. C.  
Turner, F. W.  
Twichell  
Warriner  
Weis  
Wiley  
Williams  
Wing  
Mr. Speaker

## Absent and not voting:

## Messrs.—

Batzer  
Bratton  
Buck  
Divet  
Dossseth  
Fox  
Freitag  
Fritz

## Messrs.—

Haraldson  
Hickle  
Hoge  
Homan  
Johnson  
Knox  
Kyllo  
Owens

## Messrs.—

Petterson  
Sandbeck  
Smith of Ward  
Snyder  
Sorlie  
Walsh  
Wardrope  
Watt

So the bill passed and the title was agreed to.

Mr. Buck moved

That House Bill No. 282 be referred back to the committee on ways and means for amendment.

Which motion prevailed.

House Bill No. 321.

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 amendment thereto, Chapter 282, Session Laws of 1911.

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 32.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Odland
Balsdon	Haraldson	Olsgard
Bass	Hart	Owens
Batzer	Harty	Pitkin
Bjornson	Hawkinson	Ployhar
Bollinger	Hedalen	Roble
Bope	Hendrickson	Schroeder
Borusky	Hill of Bottineau	Small
Burnett	Hill of Cass	Smith of Kidder
Butler of Ramsey	Hjelmstad	Sorlie
Butler of Ransom	Husband	Stenehjem
Calnan	Huso	Stinger
Campbell	Jacobson	Streeter
Carey	Kellogg	Taylor
Coltom	Klein	Thompson
Curry	Kyllo	Turner, C. C.
Davis	Lambert	Twichell
Dean	Lawbaugh	Walsh
Divet	Leu	Warriner
Dixon	Lewis	Watt
Doyle	Lindstrom	Weis
Dynes	List	Wiley
Endreson	Morkrid	Williams
Everson	Norheim	Wing
France	Northrup	Mr. Speaker
Freitag	Nyhus	
Gardiner	O'Connor	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hoge	Petterson
Blakemore	Homan	Putnam
Bratton	Isaak	Raney
Buck	Johnson	Ryan
Dosseth	Kelly	Sandbeck
Fox	Knox	Smith of Ward
Fritz	Martin	Snyder
Geiger	Miller	Tucker
Gunderson	Moen	Turner, F. W.
Hickle	Morrison	Wardrope
Hjort	Pendray	

So the bill passed and the title was agreed to.

House Bill No. 87.

A bill for an Act relating to the White Stone Hill Memorial Park 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 85, nays 0, absent and not voting 26.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Pettersen
Balsdon	Hendrickson	Pitkin
Bass	Hill of Bottineau	Ployhar
Batzer	Hjelmstad	Putnam
Bjornson	Hjort	Raney
Blakemore	Hoge	Ryan
Bollinger	Husband	Sandbeck
Bope	Isaak	Schroeder
Borusky	Jacobson	Small
Buck	Kellogg	Smith of Kidder
Burnett	Kelly	Snyder
Butler of Ramsey	Klein	Stinger
Calnan	Knox	Taylor
Carey	Kyllo	Thompson
Coltom	Lambert	Tucker
Curry	Lawbaugh	Turner, C. C.
Davis	Leu	Turner, F. W.
Dean	Lewis	Twichell
Divet	Lindstrom	Walsh
Doyle	List	Wardrobe
Dynes	Moen	Warriner
France	Morkrid	Watt
Freitag	Morrison	Weis
Fritz	Northrup	Wiley
Gardiner	Nyhus	Williams
Gunderson	O'Connor	Wing
Hart	Odland	Mr. Speaker
Harty	Owens	
Hawkinson	Pendray	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Geiger	Miller
Bratton	Hanson	Norheim
Butler of Ransom	Haraldson	Olsgard
Campbell	Hickle	Roble
Dixon	Hill of Cass	Smith of Ward
Dosseth	Homan	Sorlie
Endreson	Huso	Stenhjem
Everson	Johnson	Streeter
Fox	Martin	

So the bill passed and the title was agreed to.

House Bill No. 287.

A bill for an Act entitled "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated, to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury of said county, as costs incurred in certain condemnation proceedings instituted by

the state veterinarian in said County of Burke, for the destruction of glandered horses temporarily in said county, but en route into the Dominion of Canada and not the property of residents of said county at the time of the institution of such proceedings.”

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 0, absent and not voting 35.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Pettersen
Balsdon	Hart	Pitkin
Bartley	Harty	Ployhar
Bass	Hedalen	Putnam
Bjornson	Hendrickson	Raney
Blakemore	Hill of Bottineau	Roble
Bollinger	Hjort	Ryan
Bope	Huso	Schroeder
Borusky	Isaak	Smith of Kidder
Buck	Kellogg	Stinger
Burnett	Kelly	Thompson
Butler of Ramsey	Klein	Taylor
Calnan	Kyllo	Tucker
Campbell	Lambert	Turner, C. C.
Coltom	Lawbaugh	Turner, F. W.
Curry	Leu	Twichell
Davis	Lewis	Walsh
Dean	Lindstrom	Warriner
Divet	List	Watt
Dynes	Moen	Weis
Endreson	Morkrid	Wiley
Everson	Morrison	Williams
Fox	Northrup	Wing
France	O'Connor	Mr. Speaker
Freitag	Odland	
Gunderson	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hickle	Nyhus
Bratton	Hill of Cass	Olgard
Butler of Ransom	Hjelmstad	Pendray
Carey	Hoge	Sandbeck
Dixon	Homan	Small
Dosseth	Husband	Smith of Ward
Doyle	Jacobson	Snyder
Fritz	Johnson	Sorlie
Gardiner	Knox	Stenhjem
Geiger	Martin	Streeter
Haraldson	Miller	Wardrope
Hawkinson	Norheim	

So the bill passed and the title was agreed to.

## House Bill No. 152.

A bill for an Act to provide for 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.

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 31.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	O'Connor
Balsdon	Geiger	Odland
Bartley	Gunderson	Pendray
Bass	Hanson	Petterson
Batzer	Haraldson	Pitkin
Bjornson	Harty	Ployhar
Blakemore	Hedalen	Putnam
Bollinger	Hendrickson	Raney
Bope	Hill of Bottineau	Roble
Borusky	Hill of Cass	Sandbeck
Buck	Hjort	Schroeder
Butler of Ramsey	Homan	Smith of Kidder
Butler of Ransom	Husband	Sorlie
Calnan	Jacobson	Stinger
Carey	Kellogg	Streeter
Coltom	Kelly	Taylor
Curry	Klein	Turner, C. C.
Davis	Knox	Twichell
Dean	Kyllo	Walsh
Divet	Lambert	Warriner
Doyle	Leu	Watt
Dvnes	Lewis	Weis
Endreson	Lindstrom	Wiley
Fox	List	Williams
France	Miller	Wing
Freitag	Morkrid	Mr. Speaker
Fritz	Morrison	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Huso	Ryan
Burnett	Isaak	Small
Campbell	Johnson	Smith of Ward
Dixon	Lawbaugh	Snyder
Dosseth	Martin	Stenehjerm
Everson	Moen	Thompson
Hart	Norheim	Tucker
Hawkinson	Northrup	Turner, F. W.
Hickle	Nyhus	Wardrope
Hjelmstad	Olsgard	
Hoge	Owens	

So the bill passed and the title was agreed to.

## House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the state park at Fort Abercrombie, in Richland 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 91, nays 0, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Owens
Balsdon	Hendrickson	Pendray
Bass	Hill of Bottineau	Pitkin
Batzer	Hill of Cass	Ployhar
Bjornson	Hjelmstad	Putnam
Blakemore	Hjort	Roble
Bollinger	Hoge	Ryan
Bope	Husband	Sandbeck
Borusky	Isaak	Schroeder
Bratton	Jacobson	Smith of Kidder
Buck	Johnson	Sorlie
Butler of Ramsey	Kellogg	Stenehjem
Butler of Ransom	Kelly	Stinger
Calnan	Klein	Streeter
Carey	Knox	Thompson
Curry	Kyllo	Taylor
Davis	Lambert	Tucker
Dean	Lawbaugh	Turner, C. C.
Divet	Leu	Turner, F. W.
Doyle	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrobe
Everson	Martin	Warriner
France	Miller	Watt
Freitag	Moen	Weis
Fritz	Morkrid	Wiley
Gardiner	Norheim	Williams
Geiger	Northrup	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson	O'Connor	
Hart	Odland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Haraldson	Morrison
Burnett	Harty	Petterson
Campbell	Hawkinson	Raney
Coltom	Hickle	Small
Dixon	Homan	Smith of Ward
Dosseth	Huso	Snyder
Fox	Olsgard	

So the bill passed and the title was agreed to.

Mr. Divet moved

That the vote by which House Bill No. 211 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Anderson moved

The suspension of the rules, and that the amendments to House Bill No. 211 be adopted, and the bill placed on its third reading and final passage.

Which motion prevailed.

Mr. Buck asked unanimous consent to return to the seventh order of business.

Which consent was given.

Mr. Buck moved

That the report on Senate Bill No. 23 be returned to the judiciary committee for further consideration.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 14.

A bill for an Act to provide for the extermination of gophers, compensation therefor, and declaring the gopher pest a common nuisance.

Senate Bill No. 53.

A bill for an Act to re-enact Section 42 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Senate Bill No. 55.

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

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

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Hedalen moved

That the House concur in the Senate amendments to House Bill No. 14.

Which motion prevailed.

Mr. Butler of Ransom moved

That the House concur in the Senate amendments to House Bill No. 160.

Which motion prevailed.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 234.

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 133.

A bill for an Act to amend and re-enact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Was read the first and second time and

Referred to the committee on banking.

Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 231.

A bill for an Act to amend Section 48 of Article 4 of Chapter 266, Session Laws 1911, relating to election of officers in common school districts.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the state examiner; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for

the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 94.

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble-minded.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 216.

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 160.

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 88.

A bill for 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 equip locomotives with electric headlights.

Was read the first and second time and

Referred to the committee on railways.

Senate Bill No. 170.

A bill for an Act to amend and re-enact Section 3 of

Chapter 78 of the Session Laws of North Dakota for the year 1909, entitled "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 78.

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905 relating to county mutual insurance companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 2, absent and not voting 32.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hedalen	Odland
Bartley	Hendrickson	Pendray
Bass	Hill of Cass	Petterson
Bjornson	Hjelmstad	Raney
Bope	Hjort	Roble
Borusky	Hoge	Ryan
Bratton	Husband	Sandbeck
Burnett	Huso	Schroeder
Butler of Ramsey	Jacobson	Smith of Kidder
Butler of Ransom	Kellogg	Snyder
Calnan	Kelly	Sorlie
Campbell	Klein	Stenehjem
Coltom	Kyllo	Stinger
Curry	Lambert	Thompson
Dean	Leu	Taylor
Divet	Lewis	Tucker
Dynes	Lindstrom	Turner, C. C.
Endreson	List	Turner, F. W.
Everson	Martin	Twichell
France	Miller	Walsh
Fritz	Moen	Watt
Gardiner	Morkrid	Weis
Geiger	Morrison	Williams
Gunderson	Norheim	Wing
Hanson	Northrup	Mr. Speaker
Hart	O'Connor	



Those voting in the negative were: Messrs. Hawkinson and Owens.

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Olsgard
Batzer	Haraldson	Pitkin
Blakemore	Hart	Ployhar
Bollinger	Hickle	Putnam
Buck	Hill of Bottineau	Small
Carey	Homan	Smith of Ward
Davis	Isaak	Streeter
Dixon	Johnson	Wardrope
Dosseth	Knox	Warriner
Doyle	Lawbaugh	Wiley
Fox	Norheim	

So the bill passed and the title was agreed to.

Mr. Hedalen 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.

Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 90, nays 2, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Campbell	Gardiner
Balsdon	Carey	Geiger
Bartley	Coltom	Gunderson
Batzer	Curry	Hanson
Blakemore	Davis	Hedalen
Bollinger	Dean	Hendrickson
Bope	Divet	Hickle
Borusky	Dixon	Hill of Bottineau
Bratton	Dynes	Hill of Cass
Buck	Endreson	Hjelmstad
Burnett	Everson	Hjort
Butler of Ramsey	Fox	Hoge
Butler of Ransom	France	Husband
Calnan	Fritz	Huso

Messrs.—	Messrs.—	Messrs.—
Isaak	Morrison	Schroeder
Jacobson	Norheim	Small
Johnson	Northrup	Smith of Kidder
Kellogg	O'Connor	Sorlie
Kelly	Odland	Thompson
Klein	Olsgard	Taylor
Knox	Owens	Tucker
Kyllo	Pendray	Turner, C. C.
Lambert	Petterson	Turner, F. W.
Lawbaugh	Pitkin	Twichell
Lewis	Ployhar	Walsh
Lindstrom	Putnam	Warriner
List	Raney	Watt
Martin	Roble	Wiley
Miller	Ryan	Wing
Morkrid	Sandbeck	Mr. Speaker

Those voting in the negative were: Messrs. Freitag and Wardrope.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Hawkinson	Stenhjem
Bjornson	Homan	Stinger
Dosseth	Leu	Streeter
Doyle	Moen	Weis
Haraldson	Nyhus	Williams
Hart	Smith of Ward	
Harty	Snyder	

So the bill passed and the title was agreed to.

Mr. Hjelmstad moved

That the vote by which Senate Bill No. 36 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 67.

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 ayes 34, nays 53, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Leu	Smith of Kidder
Batzer	Lewis	Streeter
Bjornson	Martin	Thompson
Bope	Miller	Taylor
Buck	Moen	Turner, F. W.
Fritz	O'Connor	Twichell
Gardiner	Pitkin	Walsh
Hanson	Ployhar	Wardrope
Hawkinson	Putnam	Wiley
Hoge	Raney	Wing
Kellogg	Ryan	
Lambert	Schroeder	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Morrison
Blakemore	Hedalen	Norheim
Bollinger	Hendrickson	Northrup
Burnett	Hickle	Odland
Butler of Ramsey	Hill of Cass	Oisgard
Butler of Ransom	Hjelmstad	Owens
Calnan	Hjort	Pendray
Campbell	Husband	Petterson
Coltom	Huso	Roble
Curry	Isaak	Sandbeck
Davis	Jacobson	Snyder
Dean	Klein	Stenehjem
Divet	Knox	Stinger
Doyle	Kylo	Warriner
Dynes	Lawbaugh	Watt
Everson	Lindstrom	Williams
Geiger	List	Mr. Speaker
Gunderson	Morkrid	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fox	Kelly
Bartley	France	Nyhus
Borusky	Freitag	Small
Bratton	Haraldson	Smith of Ward
Carey	Harty	Sorlie
Dixon	Hill of Bottineau	Tucker
Dosseth	Homan	Turner, C. C.
Endreson	Johnson	Weis

So the bill was lost.

Mr. Anderson moved

That the vote by which Senate Bill No. 67 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 1, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Pendray
Bass	Harty	Petterson
Batzer	Hawkinson	Pitkin
Bjornson	Hedalen	Ployhar
Blakemore	Hendrickson	Putnam
Bollinger	Hjort	Raney
Bope	Hoge	Roble
Buck	Husband	Ryan
Burnett	Huso	Sandbeck
Butler of Ramsey	Isaak	Schroeder
Butler of Ransom	Jacobson	Sorlie
Calnan	Kellogg	Stenchjem
Carey	Kelly	Stinger
Colton	Klein	Streeter
Curry	Knox	Thompson
Davis	Kyllo	Taylor
Dean	Lambert	Tucker
Divet	Leu	Turner, C. C.
Dixon	Lewis	Twichell
Doyle	Lindstrom	Walsh
Dynes	List	Wardrope
Enderson	Miller	Warriner
Everson	Morkrid	Watt
Freitag	Morrison	Weis
Fritz	Norheim	Wiley
Gardiner	Northrup	Williams
Geiger	Odland	Wing
Gunderson	Olsgard	Mr. Speaker
	Owens	

Those voting in the negative were: Mr. Hjelmstad.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Nyhus
Bartley	Hickle	O'Connor
Borusky	Hill of Bottineau	Small
Bratton	Hill of Cass	Smith of Kidder
Campbell	Homan	Smith of Ward
Dosseth	Johnson	Snyder
Fox	Lawbaugh	Turner, F. W.
France	Martin	
Hanson	Moen	

So the bill passed and the title was agreed to.

Mr. Norheim moved

That the vote by which Senate Bill No. 138 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### GENERAL ORDERS.

Mr. Batzer 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. Batzer 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. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

And recommend that the same do pass when the emergency clause is struck out and amendments are adopted.

Also,

House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

And recommend that the same do pass as amended.

Also,

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

And recommend that the same do pass as amended.

Also,

House Bill No. 277.

A bill for an Act to require all persons, firms, co-partnerships, associations or corporations operating as track buyers of grain to furnish a bond and take out a state license.

And have reached no conclusion thereon.

R. K. BATZER,  
Chairman.

### COURTESIES OF THE FLOOR.

Privileges of the floor were granted to Hon. Alex McDonald, Alganon Arnold, A. J. O'Keefe, Edward Egunard of Beach, N. D.; A. C. Dada, M. P. Johnson, D. F. Stewart, La Moure; E. M. Truax, Noonan; O. K. Otteson, Crosby; H. E. Ingleden, Beach, N. D.; Hon. Herman Nelson, Kesson; Mr. Edward E. Egan, Beach, N. D.; Mr. Paul Meyer, J. R. Poupore, Grand Forks; Hans Anderson, Grand Forks; P. H. Korsmo, Northwood; Editor Francis, Velve; H. H. Harmon, Mandan; J. A. Brown, Rolla, N. D.; I. M. Ingelbretson, Roulette; Mr. A. Martin, Mylo, N. D.; E. Coulured, St. John, N. D.; Norman Black, Grand Forks; Mr. A. L. Arnold.

Mr. Thompson moved

That the House do now adjourn.

Which motion prevailed and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

### FORTIETH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 15, 1913.

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. Hawkinson, Johnson, Knox, who were excused.

## MESSAGE FROM THE SENATE.

Bismarck, N. D., February 15, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

Senate Bill No. 8.

A bill for an Act to amend Section 605, Sub-division I, of the Revised Code of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Senate Bill No. 128.

A concurrent resolution to further amend Section 121 of Article V. of the Constitution of the State of North Dakota; being heretofore amended by Article II, Amendments to the Constitution, pertaining to elective franchise.

Senate Bill No. 157.

A concurrent resolution for an amendment to the Constitution providing for the elective franchise.

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

Senate Bill No. 197.

A bill for an Act providing front and rear exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., February 15, 1913.

*Mr. Speaker:*

I have the honor to return herewith  
House Bill No. 5.

Being a bill for a Joint Resolution Ratifying Amendment to the Constitution of the United States, providing that Senators be elected by the people of the several states.

Which the Senate has passed unchanged.

Also,

House Bill No. 76.

A bill for an Act to amend Section 4 of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Which the Senate has amended as follows:

In the third line from the end of the typewritten bill strike out "twenty-five" and insert in lieu thereof "thirty-three."

After the word "month" in the last line of the typewritten bill add the following: "provided that the sheriff shall appoint in each commissioner district of his county, except in commissioner districts where a salaried deputy is located, at least one deputy whose compensation shall be such mileage and livery fees only as are now provided by law."

And passed as amended.

Also,

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what percent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real es-



tate and repealing Section 4640 of the Revised Code for the year 1905.

Which the Senate has amended as follows:

In Section 3, beginning with the word "provided" strike out all of the balance of said section.

And passed as amended.

Very respectfully,

W. D. AUSTIN,  
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 thirty-ninth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 5, line 14, change the figures "421,514.51" to "420,514.51" and the total in line 21 from "\$1,207,778.46" to "\$1,206,778.46."

On page 11, and following line 4, insert House Bill No. 31, as amended, the same being omitted in the committee report.

On pages 17 and 18, in second roll call on Hill-Burnett resolution, change "Davis" from absent to aye, "Bartley" from absent to nay, and "Owens" from absent to nay, and the figures at top of said roll call to ayes "68," nays "37," absent "6."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

Mr. Buck moved

That the following correction be made in the Journal of the thirty-eighth day: On page 37, in the vote on House Bill No. 22, change "Bollinger" from "nay" to "aye."

Which motion prevailed.

## PETITIONS AND COMMUNICATIONS.

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the First Legislative District of the State of North Dakota, over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by Geo. H. Quigley and sixty-two others.

Mr. Twichell presented the following petition:

*To the Legislative Assembly of North Dakota:*

The Fargo Teachers' Club, composed of eighty-four teachers of the public schools of that city direct the executive committee of that club to enter protest against the enactment of a law providing state adoption of uniform text books for this state, for the following reasons:

1. It is undemocratic in its nature because it takes from school boards and teachers the privilege of determining the books best suited to the needs of their locality and schools.

2. It is not approved by the educational sentiment of the state.

3. It is not advocated nor wholly approved by the educational sentiment of the states of the United States as shown by reports on file in the office of state superintendent of public instruction at Bismarck.

4. It does not result less expense in furnishing books as local school boards now purchase direct at the lowest wholesale prices offered in any other state (see Minnesota Bulletin No. 30).

5. The proposed legislation does not provide compensation for the free text books owned by at least seventy per cent of the school districts of the state under the present law.

6. Statistics show that in state uniformity adoptions sweeping changes are made each five years for the reason that books in use did not meet the needs of the schools.

Therefore, We petition the members of the Legislative Assembly of North Dakota, now in session at Bismarck, to refer the question of state adoption of text books to the educational commission created by the Twelfth Legislative Assembly, with instructions to investigate the whole ques-

tion and report its findings to the Legislative Assembly two years hence.

Signed by W. E. Hoover and nine others.

Bowman, N. D., February 10, 1913.

We, the undersigned voters in the Thirty-ninth Legislative District, do hereby request and petition the honorable Senators and Representatives of this district to secure the passage of Senate Bill No. 61.

Signed by Haukon & Hale and fifty-seven others.

Dale, N. D.

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Twenty-sixth Legislative District of the State of North Dakota, over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by W. L. Bales and forty-three others.

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Seventh Legislative District of the State of North Dakota, over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by Lillie B. Smith and thirty-seven others.

Portal, N. D., February 11, 1913.

*To Hon. H. Endreson, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, believing it is necessary for rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present bill or law.

We believe it is against the interests of the people, to frequently change such important laws.

Signed by Robert Knecht and four others.

*To Hon. Staal Hendrickson, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, believing it is necessary for rapid development of improvements on farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present bill or law.

We believe it is against the interests of the people, to frequently change such important laws.

Signed by P. N. Johnson and thirty-nine others.

*Representatives of the Thirteenth Session of the North Dakota Legislature from the Fortieth District.*

We, the undersigned, voters of the Fortieth Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material, be allowed to stand in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature, and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by Geo. G. Kemp and eleven others.

*Hon. J. H. Fraine, Speaker House of Representatives, Bismarck, N. D.*

Dear Sir: In order to add to the efficiency and competency in the work of the enrolling and engrossing committee, and the clerical force in the enrolling and engrossing department of the House, we respectfully request you to announce to, or request the chairman of the respective committees of the House, to make all reports in duplicate, so that the enrolling and engrossing force may be assisted in their work and be less liable to overlook corrections that should be made, and for the further purpose of co-operating with the clerical force of the House in keeping the work up to date.

Dated February 13, 1913.

Yours truly,

O. S. HEDAHL,

Chief Enrolling and Engrossing Clerk.  
C. G. BOISE,  
Assistant Enrolling and Engrossing Clerk.

Kindred, N. D., February 14, 1913.

*B. N. Sandbeck, Member House of Representatives, Bismarck, N. D.*

There was a message sent from here protesting the passage of the snuff bill. We have looked into this matter and find it is the sentiment of the people in this neighborhood that this bill should become a law. That the signatures to message previously sent from here was obtained by a representative of the snuff company and is not general sentiment of the people. We, the undersigned, recommend the passage of the so-called anti-snuff measure.

Signed by Frank Lindstrom and thirty others.

#### REPORTS OF STANDING COMMITTEES.

The committee on public health made the following report:

*Mr. Speaker:*

Your committee on public health to whom was referred Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

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

W. M. BARTLEY,  
Chairman.

Also,

House Bill No. 333.

A bill for an Act to amend Section 9 of Chapter 310, Laws of 1911, relating to the burial of cattle condemned and killed for tuberculosis.

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

W. M. BARTLEY,  
Chairman.

Also,

House Bill No. 253.

A bill for an Act to provide that portions of the grounds

belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

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

W. M. BARTLEY,  
Chairman.

Also,

House Bill No. 316.

A bill for an Act to amend and re-enact Section 29 of Chapter 182 of the Laws of 1907.

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

W. M. BARTLEY,  
Chairman.

Also,

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

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

W. M. BARTLEY,  
Chairman.

Also,

House Bill No. 332.

A bill for an Act to amend Section 2005, as amended by Chapter 162, Laws of 1909, prohibiting the sale or other disposition of animals affected with contagious or infectious diseases, and the use of milk or hides from any such animals.

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

W. M. BARTLEY,  
Chairman.

Also,

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

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

W. M. BARTLEY,  
Chairman.

Mr. Bartley moved

That the report be adopted.

Which motion prevailed.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Also,

House Bill No. 14.

A bill for an Act relating to the boundaries, terms of court and chambers of the district judge of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Also,

House Bill No. 411.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Also,

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Also,

House Bill No. 206.

A bill for an Act to amend Chapter 201, Session Laws, 1911, relating to transient merchants and peddlers.

Also,

House Bill No. 211.

A bill for an Act to appropriate money for the maintenance, care and repair of the State Park at Fort Abercrombie, in Richland County, North Dakota.

Also,

House Bill No. 288.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Also,

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Also,

House Bill No. 340.

A bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905, relating to libel.

And find the same correctly engrossed.

Mr. Hedalen moved

N. T. HEDALEN,  
Chairman.

That the report be adopted.

Which motion prevailed.

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. 365.

A bill for an Act making it the duty of the President of the Senate and the Speaker of the House to employ expert accountants to audit the state offices and departments.

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

Also,

W. S. DEAN,  
Chairman.

House Bill No. 357.

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 do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 318.

A bill for an Act creating a state board of chiropractic examiners, to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic and to pro-



vide for licensing chiropractors and to prescribe penalties for the violation of this Act.

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.

The committee on labor made the following report:

*Mr. Speaker:*

Your committee on labor to whom was referred

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

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

In Section 1 of printed bill, beginning in line 17, strike out "if no price is agreed, then state the reasonable value thereof."

Strike out all of Section 2.

And when so amended recommend the same do pass.

JAMES E. HILL,  
Chairman.

Mr. Hill of Cass moved

That the report be adopted.

Which motion prevailed.

The committee on appropriations made the following report:

*Mr. Speaker:*

Your committee on appropriations to whom was referred

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Laks, North Dakota, and a stand of colors.

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

On page 1 of the printed bill strike out Section 1.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

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

On page 1 and on line 3 of the printed bill, strike out the figures "\$1,500.00" and insert in lieu thereof the figures "\$1,000.00."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 234.

A bill for an Act to amend Section 19 of 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," and the amendments thereto, Chapter 37, Session Laws of 1909.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 37.

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 be amended as follows:

On page 1 and on lines 1 and 2 of the printed bill, strike out the words "annually until otherwise provided"; also strike out the lines 1, 2, 3, 4 of Section 2.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

The committee on forestry made the following report:

*Mr. Speaker:*

Your committee on forestry to whom was referred

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

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

Change the title to read as follows: "For an Act to amend and re-enact Section 2083 of the Revised Codes of 1905, as amended by Chapter 41 of the Session Laws of 1907 and Chapter 308 of the Session Laws of 1911, relating to planting of trees and providing a bounty for the encouragement of same." After the enacting clause insert the following: "Section 1. Amendment.) Section 2083 of the Revised Codes of North Dakota for the year 1905 is hereby amended to read as follows:" In line 1 of the printed bill, strike out the word "Section 1" and insert in lieu thereof "Section 2083."

And when so amended recommend the same do pass.

JOHN S. KYLLO,  
Chairman.

Also,

House Bill No. 256.

A bill for an Act providing a bounty for, and defining shelter hedges.

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

In line 3 of the printed bill, after the word "bounty," insert the following, "if offered by the board of county commissioners."

In Section 3, in line 3, of the printed bill, after the word "the" strike out the words "county auditor" and insert in lieu thereof the words "board of county commissioners."

And when so amended recommend the same do pass.

JOHN S. KYLLO.  
Chairman.

Also,

House Bill No. 262.

A bill for an Act to amend Chapter 50 of the Session Laws of 1909, relating to bounties for tree planting.

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

JOHN S. KYLLO.  
Chairman.

Mr. Kyлло moved

That the report be adopted.

Which motion prevailed.

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. 166.

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 of the Revised Codes of 1905.

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

H. C. HARTY,  
Chairman.

Mr. Harty moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
Senate Bill No. 141.

Being a bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantee, and validating such deeds.

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

A. G. DIVET,  
Chairman.

Also

House Bill No. 359.

Being a bill for an Act to amend Section 2615 of the Revised Codes of North Dakota of 1905, relating to the fees of witnesses.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 315.

Being a bill for an Act to amend and re-enact Section 514 of the Revised Codes of North Dakota for the year 1905, relating to qualifications of jurors.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 313.

Being a bill for an Act to legalize certain sheriff's certificates and sheriff's deeds in foreclosures by advertisement.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 119.

A bill for an Act authorizing the court or judge to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure thereof.

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 amendments, as follows:

Section 1. Officers subject to removal. Causes.) Any district, county, township, city or municipal officer, or state officer not liable to impeachment, except representatives in Congress or members of the Legislative Assembly, shall be removed from office by the district court or judge upon charges made in writing and hearing thereunder for the following causes:

1. Causes.) For misconduct, malfeasance, crime or misdemeanor in office, or for habitual drunkenness or gross incompetency.

Sec. 2. Complaint or petition, who to prosecute.) The complaint shall be entitled in the name of the State of North Dakota, and be filed upon the relation of any five qualified electors of the county in which the person charged is an officer, the state's attorney of such county, or the attorney general, and shall be filed by the attorney general when directed so to do by the governor (and when filed on the relation of electors, the persons signing the petition or complaint, shall furnish a bond in such sum as shall be fixed by the court, to secure the payment of such costs as may be taxed against the complaining parties, as provided in Section 7 of this Act). It shall be the duty of the state's attorney to appear and prosecute this proceeding when the officer sought to be removed is one other than himself; and when the proceeding is brought to remove the state's attorney, the court may appoint an attorney to appear in behalf of the state and prosecute such proceedings.

Sec. 3. Governor may direct attorney general to file complaint. Answer to be filed.) It shall be the duty of the governor whenever he has knowledge that reasonable grounds exist for the filing of complaint against any of the within named officers, to direct the attorney general to file the same against the offending party and prosecute said action. The accused shall be named as defendant and the complaint, unless filed by the attorney general, shall be

verified. The complaint shall state the charges against the accused and may be amended as in ordinary actions, and shall be served upon the accused in the same manner as provided by law for the service of a summons in a civil action and filed in the office of the clerk of the district court of the county in which the person charged is an officer, and if the accused is a state officer the complaint shall be filed in the office of the clerk of the district court of Burleigh County. The accused may at any time prior to the time fixed for hearing, file in the office of the clerk of the district court his answer, which shall be verified.

Sec. 4. Cause heard by judge of another district. (When. How commissioned. Order fixing time of hearing.) If the person or persons filing the complaint or the defendant believe that the cause ought not to be heard before the judge in such district, he shall, at the time he files his complaint demurrer or answer in the office of the clerk of the district court, file a copy thereof in the office of the clerk of the Supreme Court, together with an application to the Supreme Court asking for the appointment of a judge outside of such district to hear the complaint. Upon the filing of the copy of said complaint, demurrer or answer, together with the application, in the office of the clerk of the Supreme Court, it shall be the duty of the chief justice of the Supreme Court, or in his absence or inability to act, any justice thereof, to forthwith issue a written commission directing a district judge in the State of North Dakota outside of such district to proceed to the county in which the complaint was filed and hear the same. Upon the receipt of such commission, said judge shall immediately make an order fixing a time for hearing which shall be not less than ten (10) days nor more than twenty (20) days thereafter, and forward said order to the clerk of the district court of the county in which the hearing is to be had. The clerk shall file said order and forthwith cause a copy thereof and a notice of the time and place of hearing to be served on the accused. If the cause is to be heard by a judge within the judicial district upon the presentation of the complaint or a copy thereof, to such judge, he shall make the order fixing a time for hearing as hereinbefore specified.

Sec. 5. Triable as an equitable action. (Accused may be suspended. Vacancy. How filled.) The proceeding shall be summary in its nature and triable as an equitable action and may be heard either in vacation or term time, and shall be heard before the court or judge without the intervention of a jury. Upon the filing of the complaint in the office of the clerk of the district court, and presentation of the same to the judge, the court or judge may suspend

the accused from office, if in his judgment sufficient cause appear from the petition and affidavit or affidavits which may be presented in support of the charges contained therein. In case of suspension, as herein provided, the temporary vacancy shall be filled in the manner specified by law for the filling of vacancies.

Sec. 6. Order of removal. Vacancy. How filled.) If upon the hearing herein provided for, the district court or judge shall find that the accused should be removed from office, he shall make and enter of record an order of removal and the vacancy thus created shall be filled as provided by law for the filling of vacancies.

Sec. 7. Appeal to Supreme Court. Costs. How taxed.) In case of appeal to the Supreme Court, the cause shall be advanced and take precedence over all other cases upon the court calendar, and shall be heard at the next term after the appeal is taken, provided the abstract and arguments are filed in said court in time for said action to be heard. The Supreme Court shall fix the time of hearing and the filing of arguments. The taking of an appeal by the defendant and the filing of a supersedeas bond shall not operate to stay the proceedings of the district court or judge, or restore said defendant to office pending such appeal. If the final termination of such proceedings be favorable to any accused officer, said officer shall be allowed the reasonable and necessary expense, including a reasonable attorney fee (to be fixed by the court or judge) which he has incurred in making his defense, by the county if he be a county officer, or by the city or town in which he holds office if he be a mayor, police, officer or marshal. If the action is instituted upon complaint of citizens as herein provided, and it appears to the court that there was no reasonable cause for filing the complaint the costs may be taxed against the complaining parties.

Sec. 8. For the purpose of this Act, successive terms of the same office shall be deemed a continuous term of office.

Sec. 9. The provisions of this Act are cumulative and are not to be construed as repealing any existing law.

A. G. DIVET,  
Chairman.

Also,

House Bill No. 284.

Being a bill for an Act for the inspection of fermented and spirituous liquors, malt liquors, wines, ciders and all



beverages manufactured, sold or offered for sale as a substitute for intoxicating liquors, providing for the appointment of a state inspector and deputies, prescribing their duties, designating their fees and prescribing rules and regulations for such inspection, providing for the payment and disposition of fees, providing penalties for the violation of the provisions of this Act, and designating ports of entry where liquor shipped into this state shall be inspected.

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

In the printed bill, on page 6, at line 10, strike out the word "fee"; and

On the same page, at line 11, after the word "examination," change the period to a comma and insert thereafter the following words: "and a reasonable compensation shall be allowed the chemist for making the analysis"; and

On page 8 of the printed, in lower line 1, after the word "inspector," insert the following words: "if he deem it necessary."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

The committee on agriculture made the following report:

*Mr. Speaker:*

Your committee on agriculture to whom was referred House Bill No. 189.

A bill for an Act creating a free employment bureau.

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

A. A. STENEHJEM,  
Chairman.

Also,

House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, fixing his salary, defining powers and duties of the commissioner of labor and making an appropriation therefor."

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

Strike out all after the words "A bill" and insert the following amendment:

A bill for an Act to provide for the appointment of state immigration and labor agents, and fixing their compensation and bond.

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

Section 1. It shall be the duty of the governor to appoint at such times and for such periods as may seem best, one or more suitable and qualified persons to encourage and promote the permanent settlement of all sections of the state; and to solicit and encourage laborers, artisans and mechanics to come to this state for employment, at such times and seasons of the year as they may be needed to supply labor in this state. Such immigration and labor agents shall, under the direction of the governor, be authorized to visit any state or foreign county where it may appear that such settlers, laborers, artisans and mechanics can be secured to the advantage of the state. Such agents shall make reports monthly, and if required, oftener, to the governor, and all bills incurred by them shall be approved by the governor and audited by the state auditing board before the same are allowed, provided, that, in the discretion of the governor, the necessary expenses of such agents may be advanced from time to time.

Sec. 2. Such agents shall receive such compensation for their services as may be fixed by the governor, provided their compensation and expenses shall not exceed the amount appropriated by this Act.

Sec. 3. There is hereby appropriated for the purpose of carrying out the provisions of this Act, the sum of ten thousand dollars for the ensuing biennial period.

Sec. 4. Such immigration and labor agents shall each give to the state a bond in the sum of five thousand dollars for the faithful and impartial performance of their duties, to be approved by the governor as to sufficiency, and by the attorney general as to form.

Sec. 5. This Act shall not be construed to relieve the commissioner of agriculture and labor of any of his duties as to the promotion of immigration and settlement of the state.

Sec. 6. Emergency.) Whereas, an emergency exists in this that the supply of labor in this state is inadequate to meet the demands, especially in the harvesting of the crops, therefore an emergency is declared to exist and this Act shall take effect and be in full force from and after its approval.

And when so amended recommend the same do pass.

A. A. STENEHJEM,  
Chairman.

Mr. Stenehjem moved

That the report be adopted.

Which motion prevailed.

The committee on public printing made the following report:

*Mr. Speaker:*

Your committee on public printing to whom was referred House Bill No. 183.

A bill for an Act for the publication of commissioners' proceedings and fixing the legal rate for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the 1905 Revised Codes, as amended by Chapter 232 of the 1911 Session Laws of the State of North Dakota, relating to the publication of the proceedings of boards of county commissioners, and the legal rates thereof.

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

D. R. STREETER,  
Chairman.

Also,

House Bill No. 261.

A bill for an Act to amend Section 7459 of the Revised Codes of 1905, relating to public notice of foreclosure and publisher's affidavit of publication.

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

D. R. STREETER,  
Chairman.

Also,

House Bill No. 322.

A bill for an Act to amend and re-enact Chapter 117 of

the Laws of 1911, relating to designation of official papers.

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

D. R. STREETER,  
Chairman.

Also,

House Bill No. 322.

A bill for an Act to amend and re-enact Chapter 117 of the Laws of 1911, relating to designation of official papers.

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

D. R. STREETER,  
Chairman.

Also,

House Bill No. 183.

A bill for an Act for the publication of commissioners' proceedings and fixing the legal rate for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the 1905 Revised Codes, as amended by Chapter 232 of the 1911 Session Laws of the State of North Dakota, relating to the publication of the proceedings of boards of county commissioners, and the legal rates thereof.

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

D. R. STREETER,  
Chairman.

Mr. Streeter moved

That the report be adopted.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Lindstrom moved

That the rules be suspended, and the vote by which Senate Bill No. 67 was lost be reconsidered, and made a special order for Wednesday at 3 o'clock.

Which motion prevailed.

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

Mr. Hendrickson introduced

House Bill No. 434.

A bill for an Act to amend and re-enact Section 1349 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Hedalen introduced

House Bill No. 435.

A bill for an Act to prohibit the holding of a dance or ball in the state house or capitol during the session of the Legislative Assembly of the State of North Dakota.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Sandbeck introduced

House Bill No. 436.

A bill for an Act to amend Section 111, Chapter 266 of the Session Laws of 1911, relating to accounts of school district treasurers, annual settlement and publication of treasurer's annual report.

Was read the first and second time and

Referred to the committee on public printing.

Mr. Bjornson introduced

House Bill No. 437.

A bill for an Act to amend Section 1554 of the Revised Codes of 1905, as amended by Chapter 300 of the Session Laws of 1911, relating to delinquent personal property taxes and the collection of taxes.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Watt introduced

House Bill No. 438.

A bill for an Act to amend Section 1378 of the Revised Codes of 1905, as amended by Chapter 42 of the Session Laws of 1907, relating to location and building of bridges.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Buck introduced

House Bill No. 439.

A bill for an Act prohibiting trespassing upon railway rights of way, tracks and station grounds, and prohibiting trespassers from getting on or off or riding upon railroad trains, cars or engines.

Was read the first and second time and

Referred to the committee on railways.

Mr. Buck introduced

House Bill No. 440.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the issuance of state road bonds.

Was read the first and second time and

Referred to the committee on highways.

Mr. Buck introduced

House Bill No. 441.

A concurrent resolution amending the State Constitution of the State of North Dakota.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Watt introduced

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Hjelmstad introduced

House Bill No. 443.

A bill for an Act to amend Chapter 177 of the Session Laws of 1907, relating to fees of attorneys for foreclosure of mortgages and liens.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Hjelmstad introduced

House Bill No. 444.

A bill for an Act amending Section 461 of the Revised Codes of the State of North Dakota for 1905, relating to the salary of the Supreme Court reporter.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Martin introduced

House Bill No. 445.

A bill for an Act providing for the regulation of hotels and permitting a dispensing of intoxicating liquors thereby and providing regulations therefor.

Was read the first and second time and

Referred to the committee on immigration.

Mr. Klein introduced

House Bill No. 446.

A bill for an Act repealing Section 6131 of the Revised Codes of 1905, and declaring void all mortgages or liens by contract hereafter placed on growing crops, with certain specific exceptions.

Was read the first and second time and

Referred to the committee on agriculture.

Mr. Kylo introduced

House Bill No. 447.

A bill for an Act to amend and re-enact Chapter 117 of the Session Laws of 1911, relating to designation of official newspapers.

Was read the first and second time and

Referred to the committee on public printing.

Mr. Twichell introduced

House Bill No. 448.

A bill for an Act to amend Section 2589 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Batzer introduced

House Bill No. 449.

A bill for an Act to amend and re-enact Subdivision three (3) of Section 4256 of the Revised Codes of 1905.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Butler of Ramsey introduced

House Bill No. 450.

A bill for an Act to amend Sections 9354, 9355, 9356, 9357, 9359, 9360, 9361 of the Revised Codes of 1905, as amended in Chapter 183, Session Laws of 1909, and any Acts amendatory thereof.

Was read the first and second time and

Referred to the committee on temperance.

Mr. Carey introduced

House Bill No. 451.

A bill for an Act prescribing maximum fees for mileage to be charged by any person practicing medicine, surgery or obstetrics.

Was read the first and second time and

Referred to the committee on public health.

Mr. Smith of Kidder introduced

House Bill No. 452.

A bill for an Act to amend Section 1 of Chapter 213 of the Session Laws of 1911, relating to registration of electors and requiring the assessors of this state, at the time of assessing property for the purpose of taxation in 1913, to inquire of women of voting age, whether or not they favor or wish for universal suffrage.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Twichell introduced

House Bill No. 453.

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.



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

Mr. Lambert introduced

House Bill No. 454.

A bill for an Act providing for the protection and safety of persons engaged in the construction, repairing, alteration or other work, upon buildings, bridges, viaducts, tanks, stacks and other structures, or engaged in any work upon or about electrical wires, or conductors or poles, or supports, or other electrical appliances or contrivances or contrivances carrying a dangerous current of electricity; or about any machinery or in any dangerous, any or all acts of negligence, or for injury or death of their employes, and defining who are the agents of the employes against employers, and prescribing a penalty for a violation of the law.

Was read the first and second time and  
Referred to the committee on manufacture.

Mr. Hjort introduced

House Bill No. 455.

A bill for an Act to amend Section 4455 of the Revised Codes of North Dakota for 1905, relating to fidelity insurance companies.

Was read the first and second time and  
Referred to the committee on insurance.

Mr. Twichell introduced

House Bill No. 456.

A bill for an Act to provide for the manner of letting and making all contracts by or on the behalf of cities for work or improvements.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Dean introduced

House Bill No. 457.

A bill for an Act to amend Section 1876 of the Revised Codes of North Dakota for 1905, relating to the disposition of the poor.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Northrup introduced

House Bill No. 458.

A bill for an Act to amend Section 1 of Chapter 158 of the Session Laws of North Dakota for 1907, relating to the amount of insurance written upon real property.

Was read the first and second time and  
Referred to the committee on ways and means.

Mr. Twichell introduced

House Bill No. 459.

A bill for an Act regulating the sweeping of railway coaches or cars while occupied by passengers and providing for a penalty therefor.

Was read the first and second time and  
Referred to the committee on railways.

Mr. Lambert introduced

House Bill No. 460.

A bill for an Act prohibiting the harboring, keeping or maintenance of a female person for lewd, lascivious or immoral purposes; prescribing a penalty and defining prima facie evidence upon which conviction may be had.

Was read the first and second time and  
Referred to the committee on public health.

Mr. Odland introduced

House Bill No. 461.

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.  
Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Haraldson introduced

House Bill No. 462.

A bill for an Act to amend and re-enact Section 1 of Chapter 199, Laws of North Dakota for 1907, providing for maximum rate of fare to be charged and collected by rail-

roads, railroad corporations and common carriers, for the transportation of passengers and baggage and providing a penalty for the violation thereof.

Was read the first and second time and

Referred to the committee on railroads.

Mr. Ryan introduced

House Bill No. 463.

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Ryan introduced

House Bill No. 464.

A bill for an Act to amend Sections 9354, 9355, 9356, 9357, 9361, 9362 and 9363 of the Revised Codes of 1905, as amended by 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 and of granting and revoking permits to sell.

Was read the first and second time and

Referred to the committee on temperance.

Mr. Haraldson (by request) introduced

House Bill No. 465.

A bill for an Act to amend and re-enact Section 7454 of the Revised Codes of North Dakota for 1905, relating to when foreclosure proceedings may be enjoined.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Haraldson introduced

House Bill No. 466.

A bill for an Act to amend Section 6762 of the Revised Codes of 1905, and providing for the procedure in district courts, and providing for the keeping of a record of proceedings therein outside of term time.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Lambert introduced

House Bill No. 467.

A bill for an Act requiring every railroad, railroad corporation, railway company, car company and every common carrier other than by water whether operated by steam or electricity, to keep and maintain a constant and uninterrupted lookout for animals, pedestrians or any obstructions on its track that might interfere with the moving of trains and making such railroad, railroad corporation, railway company, car company and of every such common carrier liable for any damages caused by its failure to keep and maintain such lookout and abolishing the defense of contributory negligence in such cases.

Was read the first and second time and

Referred to the committee on railways.

Mr. Ryan introduced

House Bill No. 468.

A bill for an Act changing and defining the boundaries of Morton County.

Was read the first and second time and

Referred to the committee on federal relations.

Mr. Gunderson introduced

House Bill No. 469.

A bill for an Act to amend Section 38, of Chapter 266, of the Session Laws of 1911, relating to what territory may be organized into district school corporations.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Smith of Kidder introduced

House Bill No. 470.

A bill for an Act to provide that when the county superintendent of health is called upon to diagnose cases of diphtheria, scarlet fever, infantile paralysis, smallpox, typhoid fever and tuberculosis, the expenses and the fees of said county superintendent of health may be paid by the county.

Was read the first and second time and

Referred to the committee on public health.

Mr. Wardrope introduced

House Bill No. 471.

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to redemption of real estate, payment on and period for redemption, and the filing of certificate of redemption, and the rate of interest to be paid by the redemptioner.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Wardrope introduced

House Bill No. 472.

A bill for an Act entitled "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursement of appropriations therefor, and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905.

Was read the first and second time and

Referred to the committee on immigration.

Mr. Hickle introduced

House Bill No. 473.

A bill for an Act repealing Section 9465 of Article 1 of Chapter 75 of the Revised Codes of 1905, relating to the protection of beaver.

Was read the first and second time and

Referred to the committee on irrigation.

Mr. Leu introduced

House Bill No. 474.

A bill for an Act to repeal Sections 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362, 9363, 9364, 9365, 9366, of the Revised Codes of 1905 and all Acts amendatory thereof and to enact in lieu thereof Sections 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360.

Was read the first and second time and

Referred to the committee on temperance.

Mr. Knox introduced

House Bill No. 475.

A bill for an Act to amend Section 1 of Chapter 217, of

the Session Laws of North Dakota for 1907, relating to the taxation of grain and repealing Sections 2, 3 and 4 of said Chapter.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Blakemore introduced

House Bill No. 476.

A bill for an Act to provide for a means of removal of elective officers by the will of the people, and for the political reserve powers of electors to be used through the initiative and referendum in city matters and the form of petitions, applicable to cities which have adopted or may hereafter adopt the commission system of government; also to prescribe the manner by which a city having adopted the commission system of government may return to the former system.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Moen introduced

House Bill No. 477.

A bill for an Act enabling certain school districts in this state to consolidate and to maintain dormitories for the housing of children and pertaining to the care of school children.

Was read the first and second time and

Referred to the committee on educational privileges.

Mr. Haraldson introduced

House Bill No. 478.

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Ryan introduced

House Bill No. 479.

A bill for an Act to amend Section 9445 of the Revised Codes of 1905, relating to unlawful obligations in writing.

Was read the first and second time and

Referred to the committee on ways and means.

Messrs. Stinger and Hedalen introduced

House Bill No. 480.

A bill for an Act to provide for building a dormitory in rural consolidated school districts.

Was read the first and second time and

Referred to the committee on educational institutions.

Mr. Williams introduced

House Bill No. 481.

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Williams introduced

House Bill No. 482.

A bill for an Act authorizing and directing state board of pardons to reconsider after favorable action has been taken by them of the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties before the release of such convict from the state penitentiary.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Leu introduced

House Bill No. 483.

A bill for an Act relating to the foreclosure of mortgages and liens on real property.

Was read the first and second time and

Referred to the committee on ways and means.

Mr. Hedalen introduced

House Bill No. 484.

A bill for an Act to amend Sections 3234, 3237, 3238, 3240, 3241, 3242, 3243, 3244, 3245, 3248, 3251 and 3252 of the Re-

vised Codes of North Dakota for 1905, relating to partition fences and repealing Sections 3233, 3235, 3246 and 3252 of said Codes.

Was read the first and second time and

Referred to the committee on agriculture.

Mr. Tucker introduced

House Bill No. 485.

A bill for an Act to amend Sections 37, 38, 44 and 48 of Chapter 128 of the Session Laws of North Dakota for 1909, and Section 1 of Chapter 142 of the Session Laws for 1911, relating to game and fish.

Was read the first and second time and

Referred to the committee on game and fish.

Mr. Bope introduced

House Bill No. 486.

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Codes of 1905, as amended by Chapter 298, Laws of 1911, relating to the disposition of penalty and interest.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Smith of Kidder introduced

House Bill No. 487.

A bill for an Act to provide for the publication of the Session Laws of the state in pamphlet form for distribution in the state.

Was read the first and second time and

Referred to the committee on public printing.

Mr. Stinger introduced

House Bill No. 488.

A bill for an Act extending the powers and duties of state and district veterinarians and providing for the testing of animals exposed to the disease known as glanders.

Was read the first and second time and

Referred to the committee on live stock.



Mr. Petterson introduced

House Bill No. 489.

A bill for an Act requiring the county treasurer to make an annual statement to the township treasurer.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Mr. Lambert introduced

House Bill No. 490.

A bill for an Act entitled "An Act to prescribe a form for acknowledgment for attorneys in fact."

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Curry introduced

House Bill No. 491.

A bill for an Act to repeal Chapter 10 of the Session Laws of North Dakota for the year 1911, relating to salaries of deputy state officers.

Was read the first and second time and

Referred to the committee on ways and means.

### THIRD READING OF HOUSE BILLS.

House Bill No. 288.

Being a bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 62, nays 8, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—  
Anderson  
Balsdon  
Bass  
Blakemore

Messrs.—  
Bope  
Borusky  
Burnett  
Butler of Ramsey

Messrs.—  
Butler of Ransom  
Cainan  
Carey  
Coltom

Messrs.—	Messrs.—	Messrs.—
Curry	Hjelmstad	Pitkin
Davis	Hjort	Putnam
Dean	Hoge	Raney
Diver	Husband	Roble
Dixon	Huso	Small
Dosseth	Isaak	Smith of Kidder
Everson	Jacobson	Snyder
France	Kelly	Sorlie
Freitag	Kyllo	Stenhjem
Fritz	Lambert	Stinger
Geiger	Leu	Tucker
Gunderson	Lewis	Turner, F. W.
Hanson	Lindstrom	Twichell
Haraldson	List	Wardrope
Hart	Miller	Warriner
Hedalen	Northrup	Watt
Hendrickson	Nyhus	Weis
Hickle	Odland	Williams
Hill of Bottineau	Owens	Wing
Hill of Cass	Pendray	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Homan	Streeter
Campbell	Schroeder	Wiley
Fox		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Johnson	Petterson
Batzer	Kellogg	Ployhar
Bollinger	Klein	Ryan
Bratton	Knox	Sandbeck
Buck	Lawbaugh	Smith of Ward
Doyle	Martin	Thompson
Dynes	Moen	Taylor
Endreson	Morkrid	Turner, C. C.
Gardiner	Morrison	Walsh
Harty	O'Connor	
Hawkinson	Olsgard	

So the bill passed and the title was agreed to.

Mr. Moen moved

That the vote by which House Bill No. 288 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 340.

Being a bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905, relating to libel.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were' ayes 88, nays 7, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Harty	Olsgard
Bartley	Hedalen	Owens
Bass	Hendrickson	Pendray
Batzer	Hickle	Pitkin
Bjornson	Hill of Bottineau	Ployhar
Blakemore	Hill of Cass	Raney
Bollinger	Hjort	Roble
Borusky	Homan	Ryan
Bratton	Husband	Sandbeck
Burnett	Huso	Schroeder
Butler of Ransom	Isaak	Small
Calnan	Kellogg	Smith of Kidder
Carey	Kelly	Snyder
Coltom	Klein	Sorlie
Curry	Kyllo	Stenehjem
Dean	Lambert	Stinger
Divet	Lawbaugh	Streeter
Dixon	Leu	Taylor
Dosseth	Lewis	Turner, C. C.
Dynes	Lindstrom	Turner, F. W.
Endreson	List	Twichell
Everson	Martin	Wardrobe
Freitag	Miller	Warriner
Fritz	Moen	Watt
Gardiner	Morkrid	Weis
Geiger	Norheim	Wiley
Gunderson	Northrup	Wing
Hanson	Nyhus	Mr. Speaker
Haraldson	O'Connor	
Hart	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Morrison
Bope	Hjelmstad	Wiley
Campbell		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Hoge	Smith of Ward
Butler of Ramsey	Jacobson	Thompson
Davis	Johnson	Tucker
Doyle	Knox	Walsh
France	Petterson	
Hawkinson	Putnam	

So the bill passed and the title was agreed to.

Mr. Curry moved

That the vote by which House Bill No. 340 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 206.

A bill for an Act to amend Chapter 201 of the Session Laws of 1911, relating to transient merchants and peddlers.

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 19, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Nyhus
Baldson	Gunderson	O'Connor
Bartley	Hanson	Odland
Bass	Haraldson	Owens
Batzer	Harty	Pendray
Bjornson	Hedalen	Petterson
Blakemore	Hendrickson	Ployhar
Borusky	Hill of Bottineau	Putnam
Bratton	Hill of Cass	Roble
Burnett	Hjelmstad	Sandbeck
Butler of Ramsey	Hjort	Sorlie
Calnan	Hoge	Stenehjem
Carey	Homan	Stinger
Coltom	Husband	Streeter
Curry	Huso	Thompson
Davis	Jacobson	Taylor
Dean	Kyllo	Turner, C. C.
Divet	Lewis	Turner, F. W.
Dixon	List	Twichell
Dosseth	Miller	Walsh
Dynes	Moen	Wardrope
Endreson	Morkrid	Watt
Everson	Morrison	Williams
Freitag	Norheim	Wing
Gardiner	Northrup	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Lambert	Schroeder
Bope	Lawbaugh	Tucker
Doyle	Leu	Warriner
Fox	Martin	Weis
Hickle	Pitkin	Wiley
Isaak	Raney	
Kellogg	Ryan	

## Absent and not voting:

## Messrs.—

Ruck  
Butler of Ransom  
Campbell  
France  
Fritz  
Hart

## Messrs.—

Hawkinson  
Johnson  
Kelly  
Klein  
Knox  
Lindstrom

## Messrs.—

Olsgard  
Small  
Smith of Kidder  
Smith of Ward  
Snyder

So the bill passed and the title was agreed to.

Mr. Odland moved

That the vote by which House Bill No. 206 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging 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 ayes 97, nays 0, absent and not voting 14.

Those voting in the affirmative were:

## Messrs.—

Anderson  
Balsdon  
Bartley  
Batzer  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Bratton  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Coltom  
Curry  
Davis  
Dean  
Divet  
Dixon

## Messrs.—

Dosseth  
Doyle  
Dynes  
Endreson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson  
Hanson  
Haraldson  
Hart  
Harty  
Hedalen  
Hendrickson  
Hill of Cass  
Hjelmstad  
Hjort  
Hoge  
Homan

## Messrs.—

Husband  
Isaak  
Jacobson  
Kellogg  
Kelly  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Leu  
Lewis  
Lindstrom  
List  
Miller  
Morkrid  
Morrison  
Norheim  
Northrup  
O'Connor  
Odland  
Olsgard  
**Owens**  
Pendray

Messrs.—	Messrs.—	Messrs.—
Pitkin	Snyder	Walsh
Ployhar	Stenehjem	Wardrope
Putnam	Stinger	Warriner
Raney	Streeter	Weis
Roble	Thompson	Wiley
Sandbeck	Taylor	Williams
Schroeder	Tucker	Wing
Small	Turner, C. C.	Mr. Speaker
Smith of Kidder	Turner, F. W.	
Smith of Ward	Twichell	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bass	Johnson	Petterson
Hawkinson	Klein	Ryan
Hickle	Martin	Sorlie
Hill of Bottineau	Moen	Watt
Huso	Nyhus	

So the bill passed and the title was agreed to.

**House Bill No. 14.**

A bill for an Act relating to the boundaries, terms of court, and chambers of the district judge of the Seventh Judicial district amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

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 ayes 101, nays 0, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hawkinson
Balsdon	Divet	Hedalen
Bartley	Dixon	Hendrickson
Bass	Dosseth	Hickle
Batzer	Doyle	Hill of Bottineau
Bjornson	Dynes	Hill of Cass
Blakemore	Endreson	Hjelmstad
Bollinger	Everson	Hjort
Bope	Fox	Hoge
Bratton	France	Homan
Burnett	Freitag	Husband
Butler of Ramsey	Fritz	Huso
Butler of Ransom	Gardiner	Isaak
Calnan	Geiger	Jacobson
Campbell	Gunderson	Kellogg
Carey	Hanson	Kelly
Coltom	Haraldson	Klein
Curry	Hart	Knox
Davis	Harty	Kyllo

Messrs.—	Messrs.—	Messrs.—
Lambert	Olsgard	Taylor
Lawbaugh	Owens	Thompson
Leu	Pendray	Tucker
Lewis	Pitkin	Turner, C. C.
Lindstrom	Ployhar	Turner, F. W.
List	Raney	Twichell
Martin	Roble	Walsh
Miller	Ryan	Wardrobe
Morkrid	Sandbeck	Warriner
Morrison	Schroeder	Watt
Norheim	Small	Wiley
Northrup	Smith of Kidder	Williams
Nyhus	Smith of Ward	Wing
O'Connor	Sorlie	Mr. Speaker
Odland	Stinger	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Borusky	Petterson	Streeter
Buck	Putnam	Weis
Johnson	Snyder	
Moen	Stenhjem	

So the bill passed and the title was agreed to.

Mr. Freitag moved

That the vote by which House Bill No. 14 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Dixon moved

That the rules be suspended and House Bill No. 339 be engrossed and placed on its third reading and final passage.

Which motion prevailed.

Mr. Anderson moved

That House Bill No. 339 be re-referred to the committee on highways.

Which motion was lost.

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 24, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Fritz	Owens
Batzer	Gardiner	Pitkin
Bjornson	Geiger	Ployhar
Blakemore	Hanson	Putnam
Bope	Hart	Raney
Borusky	Hickle	Roble
Bratton	Hill of Cass	Ryan
Burnett	Hoge	Sandbeck
Butler of Ramsey	Jacobson	Schroeder
Butler of Ransom	Kellogg	Small
Calnan	Knox	Sorlie
Campbell	Lambert	Streeter
Coltom	Lawbaugh	Thompson
Curry	Leu	Turner, F. W.
Davis	Lewis	Twichell
Dean	Lindstrom	Walsh
Divet	Miller	Wardrope
Dixon	Moen	Warriner
Doyle	Morkrid	Watt
Dynes	Morrison	Williams
Endreson	Norheim	Wing
Everson	Northrup	Mr. Speaker
Freitag	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hendrickson	Odland
Bartley	Hill of Bottineau	Olsgard
Bollinger	Hjelmstad	Pendray
Carey	Hjort	Petterson
Dosseth	Husband	Stinger
Fox	Kyllo	Taylor
France	List	Turner, C. C.
Hedalen	Nyhus	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Huso	Smith of Ward
Buck	Isaak	Snyder
Gunderson	Johnson	Stenehjem
Haraldson	Kelly	Tucker
Harty	Klein	Weis
Hawkinson	Martin	
Homan	Smith of Kidder	

So the bill passed and the title was agreed to.

Mr. Freitag moved

That the vote by which House Bill No. 339 passed, be reconsidered and the motion to reconsider be laid on the table.



Which motion prevailed.

House Bill No. 111.

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 5, absent and not voting 22.

Those voting in the affirmative were: \*

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Northrup
Balsdon	Gardiner	Nyhus
Bartley	Geiger	O'Connor
Bass	Gunderson	Odland
Batzer	Hanson	Olsgard
Bjornson	Haraldson	Pitkin
Blakemore	Hart	Ployhar
Bollinger	Harty	Putnam
Bope	Hedalen	Roble
Borusky	Hendrickson	Ryan
Bratton	Hill of Bottineau	Sandbeck
Burnett	Hill of Cass	Schroeder
Butler of Ramsey .	Hjelmstad	Smith of Kidder
Butler of Ransom	Hjort	Snyder
Calnan	Homan	Stenchjem
Campbell	Huso	Stinger
Carey	Jacobson	Streeter
Coltom	Kelly	Taylor
Curry	Knox	Tucker
Davis	Kylo	Turner, C. C.
Dean	Lambert	Turner, F. W.
Dixon	Leu	Twihell
Dosseth	Lewis	Walsh
Doyle	List	Wardrope
Dynes	Miller	Warriner
Endreson	Moen	Watt
Everson	Morkrid	Wiley
France	Norheim	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hoge	Morrison	Mr. Speaker
Kellogg	Wing	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Hawkinson	Johnson
Divet	Hickle	Klein
Fox	Husband	Lawbaugh
	Isaak	Lindstrom

Messrs.—	Messrs.—	Messrs.—
Martin	Raney	Thompson
Owens	Small	Weis
Pendray	Smith of Ward	
Petterson	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 10.

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

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 14, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hickle	Pitkin
Bass	Hill of Bottineau	Ployhar
Bjornson	Hill of Cass	Putnam
Blakemore	Hjelmstad	Raney
Bollinger	Hjort	Roble
Bope	Hoge	Ryan
Burnett	Husc	Sandbeck
Butler of Ransom	Isaak	Schroeder
Calnan	Jacobson	Smith of Kidder
Campbell	Kellogg	Sorlie
Carey	Kelly	Stenchjem
Coltom	Kylo	Stinger
Curry	Lambert	Streeter
Davis	Lawbaugh	Thompson
Divet	Leu	Taylor
Dosseth	Lewis	Tucker
Doyle	List	Turner, C. C.
Dynes	Miller	Turner, F. W.
Endreson	Moen	Twichell
Everson	Morkrid	Walsh
France	Norheim	Wardrobe
Freitag	Northrup	Watt
Fritz	O'Connor	Wiley
Hanson	Odland	Williams
Harty	Owens	Wing
Hedalen	Pendray	Mr. Speaker
Hendrickson		

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dixon	Hawkinson
Baldson	Gardiner	Morrison
Batzer	Geiger	Olsgard
Butler of Ramsey	Gunderson	Warriner
Dean	Hart	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Borusky	Husband	Nyhus
Bratton	Johnson	Petterson
Buck	Klein	Small
Fox	Knox	Smith of Ward
Haraldson	Lindstrom	Snyder
Homan	Martin	Weis

So the bill passed and the title was agreed to.

Mr. Twichell moved

That the vote by which House Bill No. 10 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 270.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina 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 90, nays 3, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dynes	Kyllo
Balsdon	Endreson	Lambert
Bartley	Fox	Lawbaugh
Bass	France	Leu
Batzer	Freitag	Lewis
Bjornson	Fritz	Lindstrom
Blakemore	Gardiner	List
Bollinger	Geiger	Martin
Bope	Gunderson	Miller
Borusky	Hanson	Morrison
Bratton	Hart	Northrup
Buck	Hawkinson	Nyhus
Burnett	Hedalen	O'Connor
Butler of Ramsey	Hendrickson	Odland
Butler of Ransom	Hill of Cass	Olsgard
Calman	Hjelmstad	Owens
Carey	Hjort	Pendray
Coltom	Husband	Petterson
Curry	Isaak	Pitkin
Davis	Jacobson	Ployhar
Dean	Johnson	Putnam
Divet	Kelly	Raney
Dosseth	Klein	Roble
Doyle	Knox	Sandbeck

Messrs.—	Messrs.—	Messrs.—
Schroeder	Thompson	Wardrobe
Smith of Kidder	Tucker	Watt
Sorlie	Turner, C. C.	Wiley
Stenchjem	Turner, F. W.	Williams
Stinger	Twichell	Wing
Streeter	Walsh	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hill of Bottineau	Moen	Warriner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hoge	Ryan
Dixon	Homan	Small
Everson	Huso	Smith of Ward
Haraldson	Kellogg	Snyder
Harty	Morkrid	Taylor
Hickle	Norheim	Weis

So the bill passed and the title was agreed to.

Mr. Geiger moved

That the vote by which House Bill No. 270 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Williams moved

That the House do now take a recess.

Which motion prevailed.

The House reassembled at 4:15 pursuant to recess taken.

Mr. Hoag asked unanimous consent to return to the sixth order of business for the purpose of making a report of the select committee.

Which consent was given.

#### REPORT OF SELECE COMMITTEE.

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

Gentlemen: Your special committee appointed to investigate the cause of the delay in the official reports of various state officers and institutions, beg leave to submit further supplementary report.

Your committee has just been advised that to obtain the reports completed in shorter time than the time provided

by the contract involves extra expense to the printer in the way of hiring help, for overtime and having experienced help brought to this state from the eastern cities and that it will be impossible for the printer holding the contract for the printing of such reports to have them ready for delivery during this session unless this House is willing to raise the contract price to the statutory price for such printing.

Your committee would recommend the appointment of some competent person, either a member of this House or other person now in the employ of the state to go to Fargo and select such parts of the important reports as would be of interest to this legislature and have them run off in a pamphlet form which would give us all the information that would be absolutely necessary for the purpose of framing legislature.

Your committee further recommends that inasmuch as the printer demands additional compensation for hurrying such reports to completion in a shorter time than that allowed by the contract that some step be taken toward recovering from those officers that are delinquent in the filing of their reports such penalty as now provided by statute in order to make up what the state may have to pay over and above the contract price.

Respectfully submitted,

J. T. HOGE,

PEDER L. HJELMSTAD,

J. J. RYAN,

Committee.

Referred to the committee on public expenditures.

Mr. Sorlie asked unanimous consent to return to the ninth order of business for the purpose of introducing a bill.

Which consent was given.

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

Mr. Dynes introduced

House Bill No. 492.

A bill for an Act to amend Sections 1 and 2 of Chapter 125 of the Session Laws of 1911, relating to drainage, protest, notice, place of hearing, right of way and compensation.

Was read the first and second time and

Referred to the committee on drainage.

Mr. Anderson asked unanimous consent to return to the fifth order of business.

Which consent was given.

The committee on appropriations made the following report:

*Mr. Speaker:*

Your committee on appropriations to whom was referred House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station, located at Williston, in Williams County, North Dakota.

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

On page 1 and lines 6 and 7 of the printed bill, strike out the figures "\$7,500.00." Strike out on line 9 the figures "\$1,500.00" and insert in lieu thereof the figures "\$500.00." Strike out all of Section 2.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 193.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the agricultural sub-experiment station located at Hettinger.

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.

Mr. Anderson moved

That the rules be suspended and the bills considered engrossed placed on third reading and final passage.

Which motion prevailed.

Mr. Owens moved

That House Bill No. 260 be considered separately.

Which motion prevailed.

Mr. Owens moved

That House Bill No. 260 be re-referred to the committee on appropriations for further consideration.

Which motion was lost.

Mr. Thompson moved

That House Bill No. 260 be referred to the committee of the whole House.

Which motion prevailed.

Mr. Anderson moved

That the rules be suspended and House Bill No. 193 be considered engrossed, placed on third reading and final passage.

Which motion prevailed.

House Bill No. 193.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the agricultural sub-experiment station located at Hettinger.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 100, nays 0, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—

Anderson  
Balsdon  
Bartley  
Bass  
Batzner  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Bratton  
Burnett

Messrs.—

Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Colton  
Curry  
Davis  
Dean  
Divet  
Dosseth  
Doyle

Messrs.—

Dynes  
Endreson  
Everson  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson  
Hanson  
Haraldson  
Hart

Messrs.—

Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort  
Hoge  
Huso  
Jacobson  
Kellogg  
Kelly  
Klein  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Leu  
Lewis

Messrs.—

Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus  
O'Connor  
Odland  
Olsgard  
Owens  
Pendray  
Petterson  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble

Messrs.—

Ryan  
Sandbeck  
Schroeder  
Smith of Kidder  
Snyder  
Stenehjem  
Stinger  
Streeter  
Thompson  
Taylor  
Turner, C. C.  
Twichell  
Walsh  
Wardrobe  
Warriner  
Watt  
Weis  
Wiley  
Williams  
Wing  
Mr. Speaker

Absent and not voting:

Messrs.—

Buck  
Dixon  
Fox  
Homan

Messrs.—

Husband  
Isaak  
Johnson  
Small

Messrs.—

Smith of Ward  
Sorlie  
Turner, F. W.

So the bill passed and the title was agreed to.

Mr. Hjort moved

That he vote by which House Bill No. 193 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Dean moved

That the House concur in the Senate amendment on House Bill No. 76.

Mr. Putnam moved

That House Bill No. 76 be referred to the committee on ways and means.

Which motion prevailed.

Mr. Hedalen moved

That the House concur in the Senate amendment on House Bill No. 28.



Which motion prevailed.

Mr. Wiley asked unanimous consent to return to the ninth order of business for the purpose of introducing a bill.

Mr. Wiley introduced

House Bill No. 493.

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

Was read the first and second time and

Referred to the committee on tax and tax laws.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 197.

A bill for an Act requiring front and rear exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 157.

A concurrent resolution for an amendment to the Constitution providing for the elective franchise.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 128.

A concurrent resolution to further amend Section 121 of Article V. of the Constitution of the State of North Dakota; being heretofore amended by Article II, Amendments to the Constitution, pertaining to elective franchise.

Was read the first and second time and

Referred to the committee on ways and means.

## Senate Bill No. 8.

A bill for an Act to amend Section 605, Sub-division I, of the Revised Code of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Was read the first and second time and

Referred to the committee on ways and means.

## Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

Was read the first and second time and

Referred to the committee on judiciary.

## Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

Was read the first and second time and

Referred to the committee on railways.

Mr. Lambert asked unanimous consent to return to the ninth order of business.

Which consent was given.

Mr. Lambert introduced

## House Bill No. 494.

A bill for an Act entitled "An Act to prevent drinking or offering to others to drink as a beverage, any intoxicating liquors in hotels, boarding houses, lodging houses and restaurants, prescribing penalties for the violation thereof and covering police power."

Was read the first and second time and

Referred to the committee on temperance.

## GENERAL ORDERS.

Mr. C. C. Turner 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. C. C. Turner 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. 277.

A bill for an Act to require all persons, firms, co-partnerships, associations or corporations operating as track buyers of grain to furnish a bond and take out a state license.

And recommend that the same be re-referred to the committee on warehouses and grain grading.

Also,

House Bill No. 196.

A bill for an Act to provide that counties may require adjoining land owners to build, maintain and keep in repair partition fences between them.

And recommend that the same do pass as amended.

Also,

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between companies, defining the same and giving the state board of railroad commissioners certain powers in connection therewith.

And recommend that the same do pass as amended.

Also,

House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violation of the provisions of this Act.

And recommend that the same do pass as amended.

Also,

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

And recommend that the same do pass as amended.

Also,

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

And recommend that the same be re-referred to committee on ways and means.

Also,

House Bill No. 337.

Being a bill for a concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

And recommend that the same be re-referred to committee on ways and means.

C. C. TURNER,  
Chairman.

#### COURTESIES OF THE FLOOR.

The privileges of the floor were granted to Mr. F. P. Homan, Mr. F. C. Paseley, Regan; W. H. Francis, Velva; Mr. C. A. Camp, L. Vermest, A. A. Mustad, August Hanson, Fargo; W. W. Smith, Fargo; F. L. Anders, Fargo; B. H. Mallough, Embden; Jno. Martin, Chaffee; Ben E. Coombs, Donnybrook; Samuel Crabbe, Walter W. Smith, Frank Andrews.

Mr. Thompson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

## FORTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 17th, 1913.

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. Doyle, Johnson, Pendray and Smith of Ward, who were excused.

## MESSAGE FROM THE SENATE.

February 17th, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Also,

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary

additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Also,

Senate Bill No. 137.

A bill for an Act providing for a contract system of legislative clerical work and employment.

Also,

Senate Bill No. 114.

A bill for an Act to amend Section 1337 of the Revised Codes of 1905 relating to the compensation of assessors for collecting agricultural statistics.

Also,

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Also,

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Also,

Senate Bill No. 188.

A bill for an Act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Also,

Senate Bill No. 33.

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

Also,

Senate Bill No. 168.

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.

Also,

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

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

W. D. AUSTIN,  
Secretary.

#### REFERENCE OF THE JOURNAL OF THE HOUSE.

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 fortieth day, have carefully examined the same and recommend that the same be corrected as follows:

On pages 36 and 37, on roll call on House Bill No. 339, change "Colton" from "nay" to "aye."

On page 51, eighth line from bottom of said page, change the figures "276" to "76."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

#### PETITIONS AND COMMUNICATIONS.

Mr. Hart presented the following petition:

We think that the present stallion law should be amended to provide for a lien on the mare served by the stallion

as well as upon the offspring thereof, for the service fee.

We cannot see where this provision would work a hardship upon anyone except the dishonest mare owners who have been evading the payment of their service fees and leaving the burden of the upkeep of the stallions upon the honest mare owners. We further think that this provision would stimulate the purchase of more and better stallions as there would then be more incentive for people to invest money where now the returns are more or less doubtful.

Signed by Geo. Campbell & Son of Pembina County and similar petitions signed by 29 stallion owners all of Pembina County, North Dakota.

Mr. Gardiner presented the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the 13th Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by A. E. Stevens and 20 others.

*To the Members of the Senate and House of Representatives, Bismarck, North Dakota:*

"Believing in equal rights for all and special privilege for none, we the undersigned residents of Nelson County, do hereby petition your honorable body to give just and due consideration to the passage of a consistent bill allowing the women of our state equal rights with men in regard to the electoral franchise."

Signed by Ara Peterson and 62 others.

Hon. J. H. Fraire introduced the following petition:

We think that the present stallion law should be amended to provide for a lien on the mare served by the stallion as well as upon the offspring thereof, for the service fee.

We cannot see where this provision would work a hardship upon anyone except the dishonest mare owners who have been evading payment of their service fees and leaving the burden of the upkeep of the stallions upon the honest mare owners. We further think that this provision would stimulate the purchase of more and better stallions as there would then be more incentive for people to invest money where now the returns are more or less doubtful.

Signed by John Mondry and 16 others, all of Walsh County, North Dakota.



Mr. Streeter presented a similar petition signed by S. E. Kurtz and 20 others, all of Emmons County, North Dakota.

The following petition was introduced:

We, the undersigned believing that whatever intoxicating liquor legally comes into the state should be upto the standard of purity, and that it is unjust for the private citizen to have to be to the expense and trouble of enforcing the laws relating to the moral welfare of the people when they have paid taxes for this purpose, and that the state should provide a way to enforce its laws, and believing that the liquor inspection bill will provide for purer liquors and for the enforcement of the prohibitory law at the expense of the liquor traffic, therefore, we petition the House of the North Dakota Legislature to pass the Inspection Bill, House Bill No. 284.

Signed by C. N. Monwood of Westhope, N. D. and 31 others.

Also a similar petition signed by C. Gelder of Bathgate, N. D. and 13 others.

Also a similar petition signed by H. C. Barber of Heaton, N. D. and 29 others.

Also a similar petition signed by Rev. J. C. Wilson of Bathgate, N. D. and 18 others.

Also a similar petition signed by B. P. Chapple of Bathgate, N. D. and 30 others.

Also a similar petition signed by John B. Dixon of Roth, N. D. and 10 others.

Also a similar petition signed by Rev. W. L. Clough of Willow City, N. D. and 58 others.

Also a similar petition signed by W. A. E. Maddock of Cogswell, N. D. and 81 others.

Also a similar petition signed by A. C. Davis of Hampden, Ramsey County, N. D. and 21 others.

Also a similar petition signed by Chas. G. Berejrm of Hannaford, N. D. and 34 others.

Also a similar petition signed by E. Taisey of Finley, N. D. and 24 others.

Also a similar petition signed by W. E. Grinnell of Tolley, N. D. and 37 others.

Also a similar petition signed by Olaf Rossing of Bergen, N. D. and 21 others.

Also a similar petition signed by Mrs. Lottie Rosencrans of Towner, N. D. and 11 others.

Also a similar petition signed by A. H. Melom of Velva, N. D. and 117 others.

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the Fourth Legislative District of the State of North Dakota, over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the Constitution which shall enable women to vote.

Signed by Andrew A. Toryum and 71 others.

*To the Legislative Assembly of the State of North Dakota:*

We the undersigned citizens of the Twenty-first Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by Mrs. Meria Buck and 49 others.

Presented by Mr. O'Connor.

We, the undersigned, teachers in the public schools of Grand Forks, petition the Legislature of North Dakota to pass Senate Bill No. 85, entitled, "A bill for an Act creating a Teachers' Insurance and Retirement Fund."

Signed by J. Nelson Kelly and 78 others.

*To the Honorable Staale Hendrickson, Representative to the Thirteenth Session of the North Dakota Legislature from the Fortieth District:*

We, the undersigned, voters of the Fortieth Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material, be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state, in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the Legislature, and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by C. E. Styner and 24 others.

Hon. R. J. Gardiner,  
House of Representatives,  
Bismarck, N. D.

Dear sir: Replying to your request of the 15th inst., that I give you some information concerning the number of states that now have highway commissions or commissioners, and are granting state aid in highway construction and maintenance. I beg leave to submit herewith a list of the states granting state aid, together with the amount appropriated for that purpose for the year 1912. This list shows that there are at the present time 37 states in the Union which are granting state aid. The total appropriation in all the states for state aid in highway improvement in 1912 amounted to \$23,771,178, or an average for each state of \$640,842.

I also desire to call your attention to the fact that if the Constitution should be so amended that state aid could be given by this state, that the amount which we could appropriate would be very small at the present assessed valuation of the state, for the reason that Section 174 of the Constitution provides that the amount of state tax levied in any one year shall not exceed four mills, so that the amending of Section 185 of the Constitution, as provided in Senate Bill No. 67 does not in any way increase the amount that may be levied by a state tax over the amount that may now be levied. In confirmation of my statement on this matter I beg to attach herewith a letter from C. L. Young, Assistant Attorney General, stating that before the levy for state purposes could exceed four mills on the dollar in any one year, Section 174 of the Constitution would have to be amended.

I beg also to attach herewith a letter from the state auditor showing that the percentage of state tax paid in 1912 by incorporated cities was 10 per cent, by railroads, telephone, telegraph, and express companies and street railways was 15.2 per cent, the percentage of the state tax paid by farm lands and improvements thereon for 1912 was 57.43 per cent, and the percentage paid by personal property was 17.25 per cent.

I beg to advise further that should our Constitution be amended so as to provide state aid, and at any time in the future should a tax of one-fourth mill be levied on the assessed valuation for this purpose, then supposing a man should be assessed for his property holdings \$5,000, the amount of state aid tax that he would pay would be \$1.25.

I also beg to call your attention to the fact that there is now a nation-wide movement for national aid in highway

construction, but all bills which have been introduced in Congress providing for National aid in highway construction have provided that the state which receives National aid must put up a certain percentage of the amount which the Government puts up for the same purpose, so that unless we provide by constitutional amendment that we may grant state aid in highway construction we cannot expect to obtain federal aid for the same purpose.

There are now 21 states in the Union which provide that all road and poll taxes shall be paid in cash; 18 other states that pay all road taxes assessed against property in cash and in addition pay a road tax in labor. There are only nine states in which all the road and poll taxes are payable in labor.

Very truly yours,  
T. R. ATKINSON,  
State Engineer.

#### REPORTS OF STANDING COMMITTEES.

The committee on temperance made the following report:

*Mr. Speaker:*

Your committee on temperance to whom was referred  
House Bill No. 386.

A bill for an Act to amend Section 9377 of the Code of 1905 and to provide for the punishment and prevention of sales, gifts and use of intoxicating liquor, for the purpose of hospitality or otherwise, in club rooms, lodge rooms, and other places of like kind for public and private resort.

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

S. HENDRICKSON,  
Chairman.

Also,

House Bill No. 109.

A bill for an Act to amend Section 9353 of the Revised Codes of 1905, relating to the penalty for manufacturing and selling intoxicating liquors contrary to law.

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

S. HENDRICKSON,  
Chairman.

Mr. Hendrickson moved

That the report be adopted.

Which motion prevailed.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 193.

Passed February 15, 1913 under suspension of rules.

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the agricultural sub-experiment station, located at Hettinger.

Also,

House Bill No. 270.

Passed February 15, 1913, under suspension of rules.

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.

Also,

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Also,

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

Also,

House Bill No. 196.

A bill for an Act to provide that counties may require adjoining land owners to build, maintain and keep in repair partition fences between them.

Also,

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between telephone companies, defining the same

and giving the state board of railroad commissioners certain powers in connection therewith.

Also,

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporation may be used for 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,

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers, and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

Also,

House Bill No. 234.

A bill for an Act to amend Section 19 of 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," and the amendments thereto, Chapter 37, Session Laws of 1909.

Also,

House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violations of the provisions of this Act.

Also,

House Bill No. 253.

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

Also,

House Bill No. 261.

A bill for an Act to amend Section 7459 of the Revised Codes of 1905, relating to public notice of foreclosure and publisher's affidavit of publication.

Also,

House Bill No. 318.

A bill for an Act creating a state board of chiropractic examiners, to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic and to provide for licensing chiropractors and to prescribe penalties for the violation of this Act.

Also,

House Bill No. 337.

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Also,

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

Also,

House Bill No. 357.

A bill for an Act to amend and re-enact Section 1189 of the Revised Codes of North Dakota for 1905.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

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. 346.

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.

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 396.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

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

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "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 do pass.

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 404.

A bill for an Act providing for the pensioning of policemen after twenty years' service.

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

L. L. TWICHELL,  
Chairman.

Also,

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of



park commissioners, and specifying the powers and authority of such commissioners.

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

L. L. TWICHELL,  
Chairman.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 358.

A bill for an Act regulating the rules of practice in District, County and Supreme Courts.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 376.

A bill for an Act providing for the condemnation of school and institution lands for public purposes.

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

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

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. 350.

A bill for an Act to avoid the expense of selling land for a trivial tax.

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

In the printed bill in Section 1, line 1, after the figure "1," add the following as a subhead: "Lots Advertised for Taxes. When.)"

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for violation thereof.

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

In the printed bill in Section 1, line 10, after the word "message," change the period to a comma, and add the following: "provided, however, that nothing in this Act shall prohibit the transfer of such message at convenient or central points where both such telegraph companies may be better equipped, but in no case shall the rate exceed the combined rate of both companies at the nearest intersecting point, nor the transmission of such message partly by telephone, provided it is cheaper or more expedient, and agreeable to sender, when copy is delivered within reasonable time to addressee, if required."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 351.

A bill for an Act relating to the qualifications and examination of persons called to serve as jurors.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 379.

A bill for an Act to provide for the licensing of land surveyors, inspectors of county bridges and superintendents of county roads.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 353.

A bill for an Act relating to the redemption of land sold for taxes.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928, and 933 of the Revised Codes of the State of North Dakota for 1905, relating to school and city depositories.

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

In the printed bill in Section 1, line 7, after the word "banks" strike out "or trust companies." In line 8 after the word "district" strike out the word "or," in the same line after the word "county" insert the following: "or state." In Section 2, line 8, after the word "bank" insert the word "or," in the same line after the word "banks" strike out the word "or trust companies." In Section 2, line 12, after the word "bank" strike out "or trust company," in line 17 of the same Section after the word "banks" strike out "or trust companies"; in line 21, same Section, after the word "bank" strike out "or trust company"; in line 31, same Section, strike out the first three words; in line 40, same Section, after the word "bank" strike out "or trust company"; line 45, same Section, after the word "bank" strike out "or trust company"; line 46, same Section, after the word "bank" strike out "or trust company." In Section 3, line 4, after the word "bank" strike out "or trust company"; line 7, same Section, after the word "banks" strike out "or trust companies"; line 11, same Section, after the word "bank" strike out "or trust company." Section 4, line 4, after the word "banks" strike out "or trust companies"; line 8, same Section, after the word "banks" strike out "or trust companies"; line 10, same Section, after the word "bank" strike out the word "or" and the first two words on line 11. In line 13, same Section, strike out the first three words of said lines. Line 15, same Section, after the word "banks" strike out "or

trust companies." In Section 5, line 7, after the word "banks" strike out "or trust companies"; line 8, same Section, after the word "bank" strike out "or trust company." In Section 6, line 6, strike out the first three words of said line; line 7, after the word "bank" strike out "or trust company"; line 9, same Section, after the word "bank" strike out the next two words and the first word on line 10; line 13, after the word "bank" strike out "or trust company"; in line 14, after the word "bank," strike out "or trust company"; in the same line after the word "bank" strike out the balance of the line and the first word on line 15; in line 16 after the word "bank" insert the word "or"; in line 17 strike out the first three words of said line; line 19, after the word "bank," insert the word "or" and after the word "banks" strike out "or trust company."

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

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

After the enacting clause strike all of said bill out and insert the following in lieu thereof:

Section 1. Gates to be Closed.) No person or persons opening a gate or bars in a fence enclosing farm premises shall leave such gate or bars open, unless such person or persons shall be in lawful possession of such premises; *provided*, that at such gate or bars there shall be posted a notice requesting such closure and stating that a failure so to do is in violation of law.

Sec. 2. Posted Notices.) No one other than the person or persons in lawful possession of such premises shall remove, destroy or deface such posted notice.

Sec. 3. Private Roads.) Nothing contained in this Act shall in any way at any time change a private road through enclosed farm premises to a public road; and no provision of this Act shall take from the person or persons in lawful possession of such premises the right to close such private road through their premises.

Sec. 4. Penalty.) Any one violating the provisions of this Act shall, upon conviction, be punished by a fine of

not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00), and shall, in addition to such fine, be liable for any damages that may result because of live stock entering or escaping through such open gate or bars.

Sec. 5. Repeal.) All Acts or parts of Acts in conflict with this Act are hereby repealed.

And that the title of the bill be amended to read as follows:

“A bill for an Act in relation to the closing of gates or bars in fences inclosing farm premises, the posting of notices at such gate or bars, and providing a penalty for the violation thereof.”

And when so amended recommend the same do pass.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed.

The committee on enrollment made the following report:

*Mr. Speaker:*

Your committee on enrollment have examined:

House Bill No. 20.

Being a bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attacked.

Also,

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Codes of 1905 of the State of North Dakota, relating to chattel mortgages.

Also,

House Bill No. 5.

A Joint Resolution, ratifying amendment to the Constitution of the United States.

And find the same correctly enrolled.

J. P. GARDINER,  
Chairman.

The committee on state affairs made the following report:

*Mr. Speaker:*

Your committee on state affairs to whom was referred House Bill No. 390.

A bill for an Act to amend Section 111 of Chapter 266 of the Session Laws of 1911, relating to the annual settlement of school district treasurers.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 356.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota of 1905, relating to coroner's fees.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 324.

A bill for an Act to prohibit trespassing on railway rights of way.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Have had the same under consideration and a majority of said committee recommend that the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Have had the same under consideration and a minority of said committee recommend that the same be indefinitely postponed.

W. E. MARTIN,  
OSCAR LINDSTROM.

Also,

House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to the duties of county treasurer."

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 289.

A bill for an Act to amend Section 1 of Chapter 42 of the Session Laws of 1909, relating to automobiles.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota of 1905, relating to coroner's fees.

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

In line 28, on page 2 of the printed bill, commencing with the word "and," strike out the balance of line 28 and all of line 29 up to and including the word "deceased."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and re-

enacting Section 2295 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 185.

A bill for an Act fixing the charges to be paid to the railroads for transporting the North Dakota National Guard or the North Dakota Reserve Militia and their baggage; the terms of transporting the same and prescribing the penalty for violations of said Act.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to



institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

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

At the end of the title to the printed bill, change the period to a comma and add the following: "and to appropriate money for the payment thereof." Also on page 4 of the printed bill, after Section 5, insert the following: "Section 6. Appropriation.) There is hereby appropriated out of the general fund of the state not otherwise appropriated, not exceeding \$1,000.00 per annum, or so much thereof as shall be necessary to carry out the provisions of this Act."

Also on page 4 of the printed bill, in line numbered 1, strike out the figure "6" and insert in lieu thereof the figure "7." Also on page 3, in line 5 of the printed bill, strike out the first two letters of the word "unreasonableness," making the word "reasonableness." Also on page 3, in line 14 of the printed bill, strike out the word "bar."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Butler of Ramsey moved

That the report of the committee on public health, by which House Bill No. 316 was adopted, be reconsidered.

Which motion prevailed.

Mr. Butler moved

That House Bill No. 316 be re-referred to the committee for amendment.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 253.

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

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 0, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	O'Connor
Balsdon	Hawkinson	Odland
Bass	Hedalen	Olsgard
Batzer	Hendrickson	Owens
Bjornson	Hill of Bottineau	Pendray
Blakemore	Hill of Cass	Pitkin
Bollinger	Hjelmstad	Ployhar
Bope	Hjort	Raney
Borusky	Hoge	Roble
Buck	Homan	Ryan
Butler of Ramsey	Husband	Sandbeck
Euler of Ransom	Huso	Schroeder
Calnan	Isaak	Small
Campbell	Jacobson	Smith of Kidder
Carey	Johnson	Stenhjem
Coltom	Kellogg	Stinger
Curry	Kelly	Streeter
Davis	Klein	Thompson
Dean	Knox	Taylor
Divet	Kyllo	Tucker
Dixon	Lambert	Turner, C. C.
Dosseth	Lawbaugh	Turner, F. W.
Dynes	Leu	Twichell
Everson	Lewis	Walsh
Fox	List	Wardrobe
France	Martin	Warriner
Freitag	Miller	Watt
Fritz	Moen	Weis
Geiger	Morkrid	Wiley
Gunderson	Morrison	Williams
Hanson	Norheim	Wing
Haraldson	Northrup	Mr. Speaker
Hart	Nyhus	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Gardiner	Putnam
Bratton	Hickle	Smith of Ward
Burnett	Lindstrom	Snyder
Doyle	Petterson	Sorlie
Endreson		

So the bill passed and the title was agreed to.

House Bill No. 342.

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

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 20, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Odland
Bartley	Gunderson	Olgard
Bass	Hanson	Owens
Bjornson	Harty	Petterson
Blakemore	Hawkinson	Pitkin
Bollinger	Hedalen	Ployhar
Bope	Hendrickson	Putnam
Borusky	Hill of Bottineau	Raney
Buck	Hill of Cass	Roble
Butler of Ramsey	Hjort	Ryan
Butler of Ransom	Hoge	Sandbeck
Calnan	Homan	Smith of Kidder
Carey	Isaak	Streeter
Coltom	Kellogg	Taylor
Dean	Kelly	Tucker
Divet	Klein	Turner, C. C.
Dixon	Knox	Turner, F. W.
Dynes	Kyllo	Twichell
Endreson	Leu	Wardrope
Fox	Lewis	Warriner
France	Lindstrom	Watt
Freitag	Martin	Williams
Fritz	Morrison	Mr. Speaker
Gardiner	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjelmstad	Norheim
Campbell	Huso	Nyhus
Dosseth	Jacobson	Schroeder
Doyle	Lambert	Thompson
Everson	Lawbaugh	Weis
Haraldson	Moen	Wiley
Hart	Morkrid	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Husband	Small
Bratton	Johnson	Smith of Ward
Burnett	List	Snyder
Curry	Miller	Stinger
Davis	Northrup	Walsh
Hickle	Pendray	Wing

So the bill passed and the title was agreed to.

Mr. Northrup moved

That the vote by which House Bill No. 342 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis 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 ayes 94, nays 0, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Odland
Balsdon	Hawkinson	Olsgard
Bass	Hendrickson	Pettersen
Batzer	Hickle	Pitkin
Bjornson	Hill of Bottineau	Ployhar
Blakemore	Hjelmstad	Putnam
Bollinger	Hjort	Raney
Bope	Hoge	Roble
Borusky	Homan	Ryan
Buck	Husband	Sandbeck
Butler of Ramsey	Huso	Schroeder
Butler of Ransom	Isaak	Smith of Kidder
Calnan	Jacobson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stinger
Curry	Klein	Streeter
Davis	Knox	Thompson
Dean	Kyllo	Taylor
Divet	Lawbaugh	Tucker
Dosseth	Lambert	Turner, C. C.
Doyle	Leu	Twichell
Dynes	Lewis	Walsh
Enderson	List	Wardrope
Everson	Martin	Warriner
Fox	Moen	Watt
France	Morkrid	Weis
Fritz	Miller	Wiley
Gardiner	Norheim	Williams
Geiger	Northrup	Wing
Gunderson	Morrison	Mr. Speaker
Hanson	Nyhus	
Hart	O'Connor	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Haraldson	Pendray
Bratton	Hedalen	Small
Burnett	Hill of Cass	Smith of Ward
Campbell	Johnson	Stenehjerm
Dixon	Lindstrom	Turner, F. W.
Freitag	Owens	

So the bill passed and the title was agreed to.

House Bill No. 357.

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 ayes 78, nays 19, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hart	Odland
Bass	Hawkinson	Olsgard
Bjornson	Hedalen	Owens
Blakemore	Hendrickson	Pitkin
Bollinger	Hill of Bottineau	Picynar
Borusky	Hill of Cass	Putnam
Buck	Hjelmstad	Raney
Burnett	Hjort	Ryan
Butler of Ransom	Hoge	Schroeder
Calnan	Homan	Small
Campbell	Husband	Smith of Kidder
Coltom	Jacobson	Snyder
Davis	Kellogg	Sorlie
Divet	Klein	Streeter
Dixon	Knox	Thompson
Dosseth	Lambert	Taylor
Dovle	Leu	Tucker
Dynes	Lewis	Turner, C. C.
Endreson	Lindstrom	Twichell
Fox	List	Walsh
France	Martin	Wardrope
Freitag	Miller	Watt
Fritz	Morrison	Weis
Geiger	Norheim	Wiley
Gunderson	Northrup	Wing
Haraldson	O'Connor	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Nyhus
Balsdon	Hickle	Petterson
Batzer	Isaak	Sandbeck
Bope	Kyllo	Stinger
Butler of Ramsey	Lawbaugh	Warriner
Carey	Moen	
Dean	Morkrid	

Absent and not voting:

Messrs.—  
 Bratton  
 Curry  
 Everson  
 Hanson  
 Harty

Messrs.—  
 Huso  
 Johnson  
 Kelly  
 Pendray  
 Roble

Messrs.—  
 Smith of Ward  
 Stenehjem  
 Turner, F. W.  
 Williams

So the bill passed and the title was agreed to.

Mr. Buck 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.

Mr. Leu moved

That House Bill No. 318 be re-referred to the committee on public health.

Which motion prevailed.

House Bill No. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Was read the third time.

Referred to the committee on education.

The roll was called and there were ayes 75, nays 16, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—  
 Anderson  
 Bartley  
 Bass  
 Batzer  
 Bjornson  
 Blakemore  
 Bope  
 Borusky  
 Buck  
 Butler of Ramsey  
 Calnan  
 Carey  
 Coltom  
 Curry  
 Davis  
 Dean  
 Divet  
 Dossseth

Messrs.—  
 Dynes  
 Endreson  
 Fox  
 France  
 Fritz  
 Gardiner  
 Gunderson  
 Hanson  
 Hart  
 Harty  
 Hawkinson  
 Hedalen  
 Hendrickson  
 Hickle  
 Hill of Bottineau  
 Hjort  
 Hoge  
 Homan

Messrs.—  
 Husband  
 Jacobson  
 Kellogg  
 Kelly  
 Klein  
 Knox  
 Kullo  
 Lambert  
 Lawbaugh  
 Lindstrom  
 List  
 Miller  
 Moen  
 Morrison  
 Norheim  
 Northrup  
 O'Connor  
 Odland

Messrs.—	Messrs.—	Messrs.—
Olsgard	Sandbeck	Turner, C. C.
Owens	Small	Twichell
Petterson	Snyder	Walsh
Pitkin	Stenehjerm	Wardrope
Ployhar	Stinger	Warriner
Putnam	Streeter	Watt
Raney	Tucker	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Leu	Smith of Kidder
Freitag	Martin	Sorlie
Gardiner	Morkrid	Taylor
Hjelmstad	Nyhus	Wing
Huso	Roble	
Isaak	Schroeder	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Baldson	Haraldson	Thompson
Bollinger	Hill of Cass	Turner, F. W.
Bratton	Johnson	Wets
Burnett	Lewis	Wiley
Doyle	Pendray	Williams
Everson	Ryan	
Geiger	Smith of Ward	

So the bill passed and the title was agreed to.

Mr. Lewis moved

That the vote by which House Bill No. 93 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Fritz moved

That House Bill No. 246 be recommitted to the committee on ways and means.

Which motion prevailed.

House Bill No. 234.

A bill for an Act to amend Section 19 of 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," and the amendments thereto, Chapter 37, 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 ayes 97, nays 1, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Olsgard
Balsdon	Hawkinson	Owens
Bartley	Hedalen	Pitkin
Bass	Hendrickson	Ployhar
Batzer	Hill of Bottineau	Putnam
Bjornson	Hjelmstad	Raney
Blakemore	Hjort	Roble
Bollinger	Hoge	Ryan
Bope	Homan	Sandbeck
Borusky	Husband	Schroeder
Buck	Isaak	Small
Butler of Ramsey	Jacobson	Smith of Kidder
Calnan	Kellogg	Smith of Ward
Campbell	Kelly	Snyder
Carey	Klein	Sorlie
Curry	Knox	Stenehjem
Davis	Kyllo	Stinger
Dean	Lambert	Taylor
Divet	Lawbaugh	Tucker
Dixon	Leu	Turner, C. C.
Dosseth	Lewis	Turner, F. W.
Doyle	Lindstrom	Twichell
Dynes	List	Walsh
Endreson	Martin	Wardrope
Everson	Miller	Warriner
Fox	Moen	Watt
France	Morkrid	Weis
Freitag	Morrison	Wiley
Gardiner	Norheim	Williams
Geiger	Northrup	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson	O'Connor	
Haraldson	Odland	

Those voting in the negative were: Mr. Hart.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Johnson	Petterson
Burnett	Pendray	Streeter
Butler of Ransom	Hickle	Thompson
Coltom	Hill of Cass	
Fritz	Huso	

So the bill passed and the title was agreed to.

Mr. Streeter moved

That House Bill No. 261 be re-referred to the committee on public printing, for the purpose of hearing objections.

Which motion prevailed.

House Bill No. 28.

A bill for an Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking pow-



ers, defining what per cent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code 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 ayes 67, nays 22, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fritz	Northrup
Bartley	Gunderson	O'Connor
Bass	Hanson	Odland
Batzer	Hawkinson	Olsgard
Bollinger	Hedalen	Pitkin
Bope	Hickle	Raney
Borusky	Hill of Bottineau	Roble
Bratton	Hjelmstad	Smith of Kidder
Buck	Hjort	Snyder
Burnett	Hoge	Stenehjem
Butler of Ramsey	Homan	Stinger
Butler of Raansom	Huso	Streeter
Calnan	Jacobson	Tucker
Carey	Kellogg	Turner, C. C.
Curry	Kelly	Turner, F. W.
Davis	Klein	Twichell
Dean	Knox	Warriner
Divet	Kyllo	Watt
Dosseth	Lambert	Weis
Dynes	Lewis	Williams
Endreson	List	Mr. Speaker
Fox	Moen	
France	Morrison	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Martin	Thompson
Campbell	Miller	Taylor
Dixon	Morkrid	Walsh
Freitag	Norheim	Wardrope
Gardiner	Owens	Wiley
Hart	Petterson	Wing
Hendrickson	Schroeder	
Isaak	Small	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hill of Cass	Ployhar
Blakemore	Husband	Putnam
Coltom	Johnson	Ryan
Doyle	Lawbaugh	Sandbeck
Everson	Leu	Smith of Ward
Geiger	Lindstrom	Sorlie
Haraldson	Nyhus	
Harty	Pendray	

So the bill passed and the title was agreed to.

Mr. Dosseth moved

That the vote by which House Bill No. 28 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign:

House Bill No. 5.

A joint resolution, ratifying amendment to the Constitution of the United States.

House Bill No. 20,

A bill for an Act validating certain execution sales heretofore made, and limiting the time within which the same may be attacked.

House Bill No. 47.

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905, of the State of North Dakota, relating to chattel mortgages.

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

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between telephone companies, defining the same and giving the state board of railroad commissioners certain powers in connection therewith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 100, nays 0, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—  
Anderson  
Balsdon  
Bass  
Bartley  
Bjornson  
Blakemore  
Bollinger  
Bope

Messrs.—  
Borusky  
Bratton  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Carey

Messrs.—  
Coltom  
Curry  
Davis  
Dean  
Divet  
Dixon  
Dosseth  
Doyle

Messrs.—	Messrs.—	Messrs.—
Dynes	Kellogg	Raney
Enderson	Kelly	Roble
Everson	Klein	Ryan
France	Kyllo	Sandbeck
Freitag	Lambert	Schroeder
Fritz	Lawbaugh	Small
Gardiner	Leu	Smith of Kidder
Geiger	Lewis	Sorlie
Gunderson	Lindstrom	Stenehjem
Hanson	List	Stinger
Hart	Martin	Streeter
Harty	Miller	Taylor
Hawkinson	Moen	Tucker
Hedalen	Morkrid	Turner, C. C.
Hendrickson	Morrison	Turner, F. W.
Hickle	Norheim	Twichell
Hill of Bottineau	Northrup	Walsh
Hill of Cass	Nyhus	Wardrobe
Hjelmstad	O'Connor	Warriner
Hjort	Odland	Watt
Hoge	Olsgard	Weis
Homan	Owens	Wiley
Husband	Petterson	Wing
Huso	Pitkin	Mr. Speaker
Isaak	Ployhar	
Jacobson	Putnam	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bartley	Johnson	Snyder
Campbell	Knox	Thompson
Fox	Pendray	Williams
Hart	Smith of Ward	

So the bill passed and the title was agreed to.

Mr. Calnan moved

That the vote by which House Bill No. 170 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 337.

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 26, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Norheim
Bass	Hedalen	Northrup
Bartley	Hendrickson	O'Connor
Bjornson	Hickle	Odland
Blakemore	Hill of Bottineau	Olsgard
Bollinger	Hjelmstad	Owens
Bope	Hjort	Pitkin
Buck	Hoge	Ployhar
Burnett	Homan	Ryan
Butler of Ransom	Husband	Schroeder
Calnan	Isaak	Smith of Kidder
Carey	Jacobson	Snyder
Curry	Kellogg	Stenhjem
Dosseth	Kelly	Stinger
Doyle	Klein	Streeter
Endreson	Lambert	Turner, C. C.
Everson	Lawbaugh	Walsh
France	Leu	Wardrope
Fritz	Lewis	Watt
Geiger	Lindstrom	Weis
Hanson	List	Wiley
Haraldson	Martin	Mr. Speaker
Hart	Moen	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardner	Raney
Butler of Ramsey	Hawkinson	Roble
Coltom	Hill of Cass	Sandbeck
Davis	Huso	Sorlie
Dean	Kyllo	Taylor
Divet	Morkrid	Turner, F. W.
Dixon	Morrison	Twichell
Dynes	Nyhus	Warriner
Fox	Petterson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Johnson	Smith of Ward
Borusky	Knox	Thompson
Bratton	Miller	Tucker
Campbell	Pendray	Williams
Freitag	Putna.a	Wing
Gunderson	Small	

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 337 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 196.

A bill for an Act to provide that counties may require adjoining land owners to build, maintain and keep in repair partition fences between them.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 49, nays 37, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Martin
Balsdon	Hart	Moen
Bartley	Harty	Morrison
Batzer	Hawkinson	O'Connor
Bjornson	Hedalen	Odland
Bollinger	Hickle	Pitkin
Bope	Hill of Bottineau	Putnam
Buck	Hill of Cass	Raney
Burnett	Hjelmstad	Roble
Butler of Ramsey	Hoge	Sandbeck
Campbell	Homan	Schroeder
Carey	Husband	Smith of Kidder
Dean	Jacobson	Sorlie
France	Kelly	Tucker
Fritz	Lambert	Williams
Geiger	Leu	
Hanson	Lewis	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Hjort	Stenehjem
Bratton	Huso	Stinger
Butler of Ransom	Isaak	Taylor
Colton	Kellogg	Turner, C. C.
Curry	Lawbaugh	Twichell
Divet	Lindstrom	Walsh
Dixon	List	Wardrobe
Dosseth	Morkrid	Warriner
Dynes	Northrup	Watt
Endreson	Nyhus	Weis
Gardiner	Ployhar	Mr. Speaker
Gunderson	Ryan	
Hendrickson	Snyder	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Klein	Small
Borusky	Knox	Smith of Ward
Calnan	Kyllo	Streeter
Davis	Miller	Thompson
Doyle	Norheim	Turner, F. W.
Everson	Olsgard	Wiley
Fox	Owens	Wing
Freitag	Pendray	
Johnson	Petterson	

So the bill was lost.

House Bill No. 212.

A bill for an Act to amend and re-enact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

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 1, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Morkrid
Balsdon	Geiger	Morrison
Bass	Gunderson	Northrup
Batzer	Hanson	Nyhus
Bjornson	Haraldson	O'Connor
Blakemore	Hawkinson	Odland
Bollinger	Hedalen	Olsgard
Bope	Hendrickson	Pitkin
Borusky	Hickle	Ployhar
Bratton	Hill of Bottineau	Raney
Buck	Hill of Cass	Ryan
Burnett	Hjelmstad	Sandbeck
Butler of Ramsey	Hjort	Smith of Kidder
Butler of Ransom	Husband	Stenhjem
Calnan	Huso	Stinger
Carey	Isaak	Streeter
Coltom	Jacobson	Taylor
Curry	Kelly	Tucker
Davis	Klein	Turner, C. C.
Dean	Kyllo	Twichell
Divet	Lambert	Walsh
Dixon	Lawbaugh	Warriner
Dosseth	Lewis	Weis
Endreson	Lindstrom	Wiley
Fox	List	Williams
France	Martin	Mr. Speaker
Fritz	Moen	

Those voting in the negative were: Mr. Bartley.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Kellogg	Schroeder
Doyle	Knox	Small
Dynce	Leu	Smith of Ward
Everson	Miller	Snyder
Freitag	Norheim	Sorlie
Hart	Owens	Thompson
Harty	Pendray	Turner, F. W.
Hoge	Petterson	Wardrope
Homan	Putnam	Watt
Johnson	Roble	Wing

So the bill passed and the title was agreed to.

Mr. P. H. Butler moved

That the vote by which House Bill No. 212 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 227.

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 168.

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.

Was read the first and second time and

Referred to the committee on drainage.

Senate Bill No. 228.

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 114.

A bill for an Act to amend Section 1337 of the Revised Codes of 1905 relating to the compensation of assessors for collecting agricultural statistics.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Senate Bill No. 121.

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary

additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such State Hospital.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 236.

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 188.

A bill for an Act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.

Was read the first and second time and

Referred to the committee on charitable institutions.

Senate Bill No. 33.

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

Was read the first and second time and

Referred to the committee on public health.

Senate Bill No. 218.

A bill for an Act to amend Section 4190, Article 2 of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Was read the first and second time and

Referred to the committee on corporations other than municipal.



## Senate Bill No. 137.

A bill for an Act providing for a contract system of legislative clerical work and employment.

Was read the first and second time and

Referred to the committee on ways and means.

## THIRD READING OF SENATE BILLS.

## Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays 6, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Morkrid
Balsdon	Geiger	Northrup
Bartley	Hanson	Nyhus
Bass	Hart	O'Connor
Batzer	Harty	Pendray
Bjornson	Hawkinson	Pitkin
Blakemoore	Hedalen	Ployhar
Bollinger	Hendrickson	Putnam
Bope	Hickle	Raney
Borusky	Hill of Cass	Roble
Buck	Hjelmstad	Sandbeck
Burnett	Hjort	Schroeder
Butler of Ramsey	Hoge	Smith of Kidder
Calnan	Husband	Snyder
Carey	Isaak	Sorlie
Coltom	Jacobson	Stenehjem
Curry	Kellogg	Streeter
Davis	Kelly	Thompson
Dean	Knox	Tucker
Divet	Kyllo	Turner, C. C.
Doyle	Lambert	Twichell
Dynes	Lawbaugh	Warriner
Endreson	Leu	Watt
Everson	Lewis	Weis
Fox	Lindstrom	Williams
France	List	Wing
Freitag	Miller	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Huso	Taylor
Dixon	Martin	Walsh

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bratton	Johnson	Petterson
Butler of Ransom	Klein	Ryan
Dosseth	Moen	Small
Fritz	Morrison	Smith of Ward
Gunderson	Norheim	Stinger
Haraldson	Odland	Turner, F. W.
Hill of Bottineau	Olsgard	Wardrope
Homan	Owens	Wiley

So the bill passed and the title was agreed to.

Mr. P. H. Butler moved

That the vote by which Senate Bill No. 49 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 166.

A bill for an Act 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 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 ayes 89, nays 3, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hjelmstad
Balsdon	Dixon	Hoge
Bartley	Doyle	Isaak
Bass	Dynes	Jacobson
Batzer	Everson	Kellogg
Bjornson	Fox	Kelly
Blakemore	France	Klein
Bollinger	Fritz	Knox
Bope	Gardiner	Kyllo
Borusky	Geiger	Lambert
Bratton	Gunderson	Lawbaugh
Burnett	Hanson	Leu
Butler of Ramsey	Hart	Lewis
Butler of Ransom	Harty	Lindstrom
Calnan	Hawkinson	List
Campbell	Hedalen	Martin
Carey	Hendrickson	Miller
Coltom	Hickle	Moen
Curry	Hill of Bottineau	Morkrid
Davis	Hill of Cass	Northrup

Messrs.—	Messrs.—	Messrs.—
Nyhus	Roble	Twichell
O'Connor	Sandbeck	Walsh
Odland	Smith of Kidder	Wardrope
Olsgard	Snyder	Warriner
Owens	Stenehjelm	Watt
Petterson	Stinger	Weis
Pitkin	Streeter	Williams
Ployhar	Thompson	Wing
Putnam	Tucker	Mr. Speaker
Raney	Turner, C. C.	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Taylor	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Husband	Schroeder
Divet	Huso	Small
Endreson	Johnson	Smith of Ward
Freitag	Morrison	Sorlie
Haraldson	Norheim	Turner, F. W.
Hjort	Pendray	
Homan	Ryan	

So the bill passed and the title was agreed to.

Mr. Kelly moved

That the vote by which Senate Bill No. 166 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 141.

Being a bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantee, and validating such deeds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 63, nays 30, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Odland
Balsdon	Harty	Owens
Bartley	Hawkinson	Petterson
Batzer	Hedalen	Pitkin
Bollinger	Hill of Bottineau	Ployhar
Buck	Hill of Cass	Putnam
Burnett	Hjelmstad	Raney
Calnan	Hoge	Snyder
Campbell	Homan	Sorlie
Carey	Husband	Stenehjem
Davis	Huso	Streeter
Divet	Isaak	Taylor
Doyle	Jacobson	Tucker
Dynes	Kelly	Twichell
Endreson	Klein	Walsh
Fox	Knox	Wardrope
Freitag	Kylo	Warriner
Fritz	Lambert	Watt
Gardiner	Lewis	Weis
Gunderson	Miller	Williams
Hanson	Moen	Wing

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	France	Nyhus
Blakemore	Geiger	Roble
Bratton	Hickle	Schroeder
Butler of Ramsey	Hjort	Small
Butler of Ransom	Kellogg	Smith of Kidder
Curry	Lawbaugh	Stinger
Dean	Leu	Thompson
Dixon	Martin	Turner, C. C.
Dosseth	Morkrid	Wiley
Everson	Morrison	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Johnson	Olsgard
Bope	Lindstrom	Pendray
Borusky	List	Ryan
Colton	Norheim	Sandbeck
Haraldson	Northrup	Smith of Ward
Hendrickson	O'Connor	Turner, F. W.

So the bill passed and the title was agreed to.

Mr. Lambert moved

That the vote by which Senate Bill No. 141 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

The Chief Clerk announced that the Speaker was about to sign

## Senate Bill No. 138.

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

## Senate Bill No. 36.

A bill for an Act entitled "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property.

## Senate Bill No. 100.

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heir and the share of such heirs respectively in the claims to certain real estate by action in the district court.

## Senate Bill No. 47.

A bill for an Act repealing Chapter 268 of the Session Laws of 1911, relating to school houses and sites.

## Senate Bill No. 27.

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905, relating to County Mutual Insurance Companies.

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

Mr. Twichell offered the following amendments to Senate Bill No. 98:

That Section 1 be amended as follows:

In line 3 of Section 1, after the word "snuff" add "or substitute therefor."

That Section 2 be amended to read as follows:

"Section 2. Snuff Defined.) For the purpose of this Act snuff is defined as any tobacco that has been fermented, or dried, or flavored, or pulverized, or cut, or scented or otherwise treated, and intended to be taken or used by the mouth, or any substitute therefor, or imitation thereof. *Provided*, however; ordinary plug, fine cut, or long cut chewing tobacco as now commonly known to the trade shall not be included in such definition.

JOHN G. ODLAND,

GENERAL ORDERS.

Mr. Odland 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. Odland 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. 245.

A bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905 and prescribing the instances where the right of eminent domain may be exercised for public uses.

And recommend that the same do pass as amended.

Also,

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

And recommend that same do pass as amended.

Also,

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30 of the Code of Civil procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

And recommend that the same do pass as amended.

Also,

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a stand of colors.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 6.

A bill for an Act to re-enact Section 16, Chapter 6 of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

And recommend that the same be indefinitely postponed.

Also,

Senate Bill No. 90.

A bill for an Act to amend and re-enact Chapter 31 of the Laws of 1909, relating to garnishment proceedings in justice courts.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 59.

A bill for an Act providing for the registration of farm names.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 13.

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Codes of 1905 relating to stock running at large.

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

Also,

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

And recommend the same be re-referred to the committee on appropriations.

Also,

Senate Bill No. 98.

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.

And recommend that the same do pass as amended.

Also,

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

And recommend that the same do pass as amended.

JOHN G. ODLAND,  
Chairman.

Mr. Odland moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

#### COURTESIES OF THE FLOOR.

The privileges of the floor were granted to F. C. Malloy, Max, N. D.; E. E. Russ, Mr. Geo. Selvig, Norwich; Amos Olson, Lisbon; Miss Nora Olson, Berthold; Frank Walton, Geo. Rose, Fred Goodard, Rev. Williams, D. E. Gear, B. R. Crabtree, Mary Flemmington, all of Ellendale; A. R. Wright, of Oakes; L. S. Rayer, Mandan; F. O. Brewster, Harvey; J. T. Slopely, W. C. Holland, Stanley; Geo. Wolf, Dickinson, N. D.; Peter Brown, Dickinson; Frank Kilzer, Richardton, N. D.

Mr. Hill of Cass moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.



## FORTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 18th, 1913.

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. Pendray, Johnson, and Smith of Ward, who were excused.

## REFERENCE TO THE JOURNAL.

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

*Mr. Speaker:*

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

On page 3, line 25, change "Colton" to "Coltom."

On page 35, line 2, change the initials "M. B." to "P. H."

On page 5, line 34, change "Hanaford" to "Hannaford."

On page 14, in report of ways and means committee, change line "House Bill No. 152" to Senate Bill No. 152."

On page 45, line 19, change "John D. Odland" to "John G. Odland." On roll call change Miller from absent to present.

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 160.

Being a bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

House Bill No. 14.

A bill for an Act relating to the boundaries, terms of court, and chambers of the district judge of the Seventh Judicial District amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

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

#### MESSAGE FROM THE SENATE.

February 18th, 1913.

*Mr. Speaker:*

I have the honor to return herewith

House Bill No. 67.

A bill for an Act prohibiting and making a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper.

Which the Senate has amended as follows:

Strike out the title of the bill and insert in lieu thereof the following:

"A bill for an Act prohibiting the sale, manufacture, bartering or giving away of any cigarettes or cigarette papers, and providing a penalty for the violation thereof."

Strike out all of Section 2, and insert in lieu thereof the following:

"Section 2. Any person violating any of the provisions of this Act shall be punishable by a fine of not less than ten

dollars nor more than fifty dollars or by imprisonment in the county jail for a period of not more than thirty days or by both such fine and imprisonment."

Strike out all of Section 3 of said bill.

In Section 1 strike out the word "etc." wherever it appears and insert after the word "sale" in line 1, Section 1, the words "and giving away."

And passed as amended.

Very respectfully,

W. D. AUSTIN,  
Secretary.

February 18, 1913.

*Mr. Speaker:*

I have the honor to return herewith

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

House Bill No. 78.

A bill defining boot legging making it a crime and fixing the penalty therefor.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,  
Secretary.

February 18, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 131.

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.

Also,

Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Also,

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Also,

Senate Bill No. 210.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

#### PETITIONS AND COMMUNICATIONS.

February 11, 1913.

Hon. M. J. George,

Chief Clerk, House of Representatives,  
Bismarck, North Dakota.

My dear Mr. George: I acknowledge receipt of your letter of the 4th instant inclosing copy of concurrent resolution relating to the Kenyon-Sheppard bill. I congratulate the Legislature on their action in this matter. I used my best efforts with the judiciary committee to have the Kenyon bill reported out instead of the Webb measure, which finally was reported. When the Webb bill came before the House I tried to have it amended by substituting the provisions of the Kenyon bill, but this was defeated. Failing to get the Kenyon bill substituted for the Webb bill, I then supported the Webb measure, which, as you undoubtedly know, passed the House by a large majority and was finally substituted in the Senate for the Kenyon bill and the matter is now up to the President for his approval. I sincerely trust that the measure will become a law as I believe it would be a great aid in enforcing our prohibition statute.

Very sincerely yours,

H. T. HELGESEN,

Mr. Pitkin introduced the following petition:

We, the undersigned, teachers in the public school at Velva, respectfully petition and urge you to do all in your power to further the passage, without amendments, of House Bill No. 67, prohibiting the manufacture and sale of cigarettes and cigarette papers or wrappers; also of House Bill No. 151 prohibiting the sale of snuff.

Signed by O. J. Lokken and 13 others.

Mr. Bass of Renville introduced the following petition:

We think that the present stallion law should be amended to provide for a lien on the mare served by the stallion as well as upon the offspring thereof, for the service fee.

We cannot see where this provision would work a hardship upon anyone except the dishonest mare owners who have been evading payment of their service fees and leaving the burden of the upkeep of the stallions upon the honest mare owners. We further think that this provision would stimulate the purchase of more and better stallions as there would then be more incentive for people to invest money where now the returns are more or less doubtful.

Signed by N. J. Snyder and eight other stallion owners of Renville county.

Mr. Hill of Cass introduced the following petition:

We, the undersigned believing that whatever intoxicating liquor legally comes into the state should be up to the standard of purity, and that it is unjust for the private citizen to have to be to the expense and trouble of enforcing the laws relating to the moral welfare of the people when they have paid taxes for this purpose, and that the state should provide a way to enforce its laws, and believing that the liquor inspection bill will provide for purer liquors and for the enforcement of the prohibitory law at the expense of the liquor traffic, therefore, we petition the House of the North Dakota Legislature to pass the inspection bill, House Bill No. 284.

Signed by T. A. Crawford of Ayr, N. D. and 13 others.

Mr. Lambert presented a similar petition signed by J. H. Tompkins of Minot, N. D. and 41 others.

Mr. Hill of Cass presented a similar petition signed by G. H. Hill of Erie, N. D. and 29 others.

Mr. Dynes introduced two similar petitions signed by L. N. Peterson of Davenport, N. D. and 70 others.

A similar petition was introduced, signed by J. N. Gaard of Fargo, N. D. and 52 others.

Mr. Sandbeck introduced two similar petitions, signed by C. Fredrickson of Horace, N. D. and 39 others.

Mr. Walsh introduced a similar petition signed by E. A. Fetcher of Enderlin, N. D. and 34 others.

Mr. Buck introduced a similar petition signed by John W. Hemmi of Jamestown, N. D. and 58 others.

Mr. Hjelmstad introduced a similar petition signed by A. J. Jeglun of Adams and 26 others.

Mr. Hill of Cass introduced a similar petition signed by G. S. Bascom of Mooreton, N. D. and 9 others.

Mr. Gardiner introduced a similar petition signed by O. J. Ovrebo of Aneta, N. D. and 34 others.

Mr. Davis introduced a similar petition signed by C. G. Fait of Monango, N. D. and 10 others.

Mr. Northrup introduced two similar petitions signed by Earl W. Rutherford of Colgate, N. D. and 75 others.

Mr. Sorlie introduced two similar petitions signed by Alvin Briggs of Calidonia, N. D. and 50 others.

A similar petition was introduced, signed by R. M. Broadbrooks of Grafton, N. D. and 19 others.

A similar petition was introduced, signed by A. B. Stromswold of Mohall, N. D. and 11 others.

A similar petition was introduced, signed by J. E. Brady of Kulin, N. D. and 42 others.

A similar petition was introduced, signed by Clarence J. Parker, of Dickinson, N. D., and 21 others.

A similar petition was introduced, signed by B. B. Bennett, of Dickinson, N. D., and 8 others.

A similar petition was introduced, signed by J. C. Engel, of Egeley, N. D., and 20 others.

A similar petition was introduced, signed by G. W. McMillan, of Berlin, N. D., and 23 others.

A similar petition was introduced, signed by L. B. Ness of Adams, N. D., and 33 others.

A similar petition was introduced, signed by James A. Wright, of Hamelton, N. D., and 39 others.

A similar petition was introduced, signed by G. W. Robert of Cavalier, N. D., and 24 others.

A similar petition was introduced, signed by Thomas Armstrong, of Glasston, N. D., and 27 others.

A similar petition was introduced, signed by D. R. Beggs and 7 others.

Mr. Hart introduced the following petition:

*Messrs. Hart and Husband, House of Representatives, Bismarck, N. D.*

Dear sirs: We, the undersigned citizens of your district, respectfully request you to support by vote and influence House Bill No. 284, relating to liquor inspection for our state.

Signed by T. S. Thompson and 84 others.

#### REPORTS OF STANDING COMMITTEES.

The committee on ways and means made the following report:

*Mr. Speaker:*

Your committee on ways and means to whom was referred

House Bill No. 76.

A bill for an Act to amend Section 4 of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff, and providing for deputies.

Have had the same under consideration and recommend that the same do pass as amended by the committee on judiciary in the Senate.

W. J. BURNETT,  
Acting Chairman.

Also,

House Bill No. 395.

A bill for an Act to provide that notice of foreclosure of mortgages on personal property shall be given to the county.

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

W. J. BURNETT,  
Acting Chairman.

Also,

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

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

W. J. BURNETT,  
Acting Chairman.

Also,

House Bill No. 412.

A bill for an Act to amend Section 3160 of the Revised Codes of 1905, relating to the compensation of township officers.

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

W. J. BURNETT,  
Acting Chairman.

Mr. Burnett moved

That the report be adopted.

Which motion prevailed.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30, of the Code of Civil Procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

Also,

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a stand of colors.

Also,

House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."



Also,

House Bill No. 229.

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Also,

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."

Also,

House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, re-to abstracters of title.

Also,

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

Also,

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Also,

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

Also,

House Bill No. 358.

A bill for an Act regulating the rules of practice in District, County and Supreme Courts.

Also,

House Bill No. 376.

A bill for an Act providing for the condemnation of school and institution lands for public purposes.

Also,

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Also,

House Bill No. 396.

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on enrollment made the following report:

Your committee on enrollment have examined:

House Bill No. 14.

A bill for an Act entitled "An Act relating to the boundaries, terms of court and chambers of the district judge of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909."

Also,

House Bill No. 160.

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging transcribed judgments.

And find the same correctly enrolled.

R. J. GARDINER,  
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The committee on military affairs made the following report:

*Mr. Speaker:*

Your committee on military affairs to whom was referred House Bill No. 343.

A bill for an Act for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

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

D. S. LEWIS,  
Chairman.

Mr. Lewis moved

That the report be adopted.

Which motion prevailed.

The committee on education made the following report:

*Mr. Speaker:*

Your committee on education to whom was referred

Senate Bill No. 231.

A bill for an Act to amend Section 48, of Article 4, of Chapter 266, Session Laws of 1911, relating to election of officers in common schools districts.

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

O. C. DOSSETH,<sup>†</sup>  
Chairman.

Also,

Senate Bill No. 78.

A bill for an Act to amend and re-enact Sections 926 and 928 of the Revised Codes of 1905, as amended by Chapter 103, Laws of 1907, relating to depositories of school funds.

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

O. C. DOSSETH,  
Chairman.

Also,

House Bill No. 366.

A bill for an Act to amend Section 249 of Chapter 266 of the Laws of 1911.

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

O. C. DOSSETH,  
Chairman.

Mr. Dosseth moved

That the report be adopted.

Which motion prevailed.

The committee on highways made the following report:

*Mr. Speaker:*

Your committee on highways to whom was referred

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

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

NORMAN MORRISON,  
Chairman.

Also,

House Bill No. 345.

A bill for an Act to amend Section 3 of Chapter 149 of the Session Laws of 1911, relating to fees for labor on highways.

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

NORMAN MORRISON,  
Chairman.

Mr. Morrison moved

That the report be adopted.

Which motion prevailed.

The committee on election and election privileges made the following report:

*Mr. Speaker:*

Your committee on election and election privileges to whom was referred

Also,

House Bill No. 221.

A bill for an Act to amend Section 643 of the Revised Codes of 1905, relating to assistance to electors who by reason of disability are unable to mark their ballots.

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

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 205.

A bill for an Act to amend and re-enact Sections 1, 4 and 5 of Chapter 208 of the Session Laws of the year 1911, relating to the primary election of national delegates.

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

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 368.

A bill for an Act to provide for the recognition of popular vote of one election in a primary election subsequent thereto.

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

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 383.

A bill for an Act to amend Section 40 of Chapter 211 of the Session Laws of 1911, relating to the election of county committeemen.

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

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 164.

A bill for an Act to amend Chapter 82 of the Session Laws of North Dakota of 1909, relating to the nomination and election of judges of the Supreme, District and County Courts.

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

VICTOR WARDROPE,  
Chairman.

Also,

House Bill No. 319.

A bill for an Act to amend Section 3, of Chapter 129, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

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

VICTOR WARDROPE,  
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

The committee on appropriations made the following report:

Your committee on appropriations to whom was referred  
House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the State Penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

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

In the title of the printed bill strike out "1907" and after the figures "1912" add the figures "1913." In line 3 of the printed bill strike out "one thousand dollars" and insert in lieu thereof "five hundred dollars." In line 5 of the printed bill strike out the figures "1907" and after the figures "1912" add the figures "1913."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 260.

A bill for an Act making an appropriation for the Williston experimental station, located at Williston, in Williams County, North Dakota.

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

Strike out lines 6 and 7 of the printed bill. In line 10 of the printed bill strike out the figures "\$9,000" and insert in lieu thereof the figures "\$1,500." Strike out all of Section 2 of the printed bill, the same being the emergency clause.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 49.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and making permanent improvements and additions thereto.

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

On page 1 of the printed bill, after the words "Introduced by E. A. Williams (by request)," strike out the words "State penitentiary appropriation." On line 7, on page 1, of the printed bill, strike out the figures "\$5,000," and insert in lieu thereof the figures "\$4,000." On page 2, in line 14 of the printed bill, strike out the figures "\$45,000" and insert in lieu thereof the figures "\$40,000." On page 2, in line 16 of the printed bill, strike out the figures "\$5,000" and insert in lieu thereof the figures "\$3,000." On page 2, in line 17 of the printed bill, strike out the figures "\$1,500" and insert

in lieu thereof the figures "\$1,000." On page 2, in line 20 of the printed bill, strike out all of line 20. On page 2, in line 22 of the printed bill, strike out the figures "\$2,500" and insert in lieu thereof the figures "\$2,000." Strike out all of line 23 on page 2 of the printed bill. Strike out all of line 24 on page 2 of the printed bill. Strike out all of line 26 on page 2 of the printed bill. On page 2 in line 27 of the printed bill, strike out the figures "\$2,500" and insert in lieu thereof the figures "\$2,000." On page 2, in line 29 of the printed bill, strike out the figures "\$143,100" and insert in lieu thereof the figures "\$116,600." Strike out all of Section 2 in the printed bill.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 17.

A bill for an Act to provide for the erection of an industrial building and necessary improvements for the school for the deaf 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:

In the typewritten bill after "House Bill No. 17, M. D. Butler," strike out the words "appropriation for deaf and dumb school," and insert in lieu thereof "A bill"; and before the first line of the title insert the word "for." In the title of the typewritten bill after the word "improvements," strike out the word "that" and insert in lieu thereof the word "for." After the word "deaf" in the title of the typewritten bill, strike out the words "and dumb." In the last line of Section 1 of the typewritten bill, strike out the words "and dumb." Strike out all of Section 2 of the typewritten bill.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 88.

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.



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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 285.

A bill for an Act appropriating money to provide for the erection, equipment and maintenance of a pumping and acclimatizing plant at the biological station at Devils Lake, North Dakota, and to carry on scientifically controlled experiments with animals and plants, and to provide abundant biological material and microscopical preparations free to the high schools and the rural consolidated schools of North Dakota.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 295.

A bill for an Act to amend Sections 4, 7, and 12 of Chapter 35 of School Laws of 1911, relating to improving conditions of rural consolidated schools.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 269.

A bill for an Act making an appropriation for the maintenance of departments of agriculture, manual training and domestic economy in state high, graded and consolidated schools, as provided by Chapter 40 of the Session Laws of 1911.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 59.

A bill for an Act to appropriate money for the better equipment of the school of pharmacy at the North Dakota Agricultural College at Fargo.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 184.

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:

On page 1 and on line 11, strike out figures "\$10,000.00" and insert figures "\$5,000.00." On line 12 strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00." On line 16, on page 2 of the printed bill, strike out figures "\$14,000.00" and insert figures "\$4,000.00. On line 18 strike out figures "\$113,985.12" and insert "\$48,985.12."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 300.

A bill for an Act making an appropriation for the mining substation at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

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

On page 1 and on line 1 of the printed bill after "Section 1," insert "appropriation." On lines 5 and 6 strike out words "twenty-five thousand dollars (\$25,000.00)" and insert in lieu thereof "ffteen thousand dollars (\$15,000.00)." Strike out lines 1, 2, 3, 4 and 5.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the agricultural sub-experiment station located at Hettinger, Adams County.

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

Strike out lines 1, 2, 3 of the Section 2.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

Report of select committee, relating to investigation of reform school at Mandan, submitted by O. J. Sorlie, J. E. Still and A. A. Stenehjem, as printed in the House Journal of the seventeenth day, on pages 20 and 21.

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

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

The committee on tax and tax laws made the following report:

*Mr. Speaker:*

Your committee on tax and tax laws to whom was referred

House Bill No. 374.

A bill for an Act to amend Section 2770 of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

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

In line 1, on page 1 of the printed bill, in the title of the bill, strike out the figure "270" and insert in lieu thereof the figure "2770."

In line 2, on page 1, of the printed bill, after the word "amended" insert the words "and re-enacted."

In line 19 on page 2 of the printed bill, after the word "which" insert the word "fund."

And when so amended recommend the same do pass.

ROBERT NORHEIM,  
Chairman.

Also,

House Bill No. 334.

A bill for an Act to amend Section 1 of Chapter 290 of the Session Laws of 1911, relating to property exempt from taxation.

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

ROBERT NORHEIM,  
Chairman.

Also,

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate for taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

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

In line 3 of the title of the bill, strike out the words "as well as" and insert in lieu thereof the word "and." In line 1 on page 1 of the printed bill after the second figure "1" strike out all of Sections 1 and 2 and insert in lieu thereof the following:

Tax Transfers, Exceptions.) A tax shall be and is hereby imposed upon the transfer of any property, or any interest therein, or income therefrom, in trust or otherwise, to any person, association, or corporation not hereinafter exempt, in the following cases:

1. When the transfer is by will or by the intestate laws of this state, from any person dying possessed of the property while a resident of the state.

2. When the transfer is by will or intestate law, of property within this state or within its jurisdiction, whether the ownership of or interest in such property be evidenced by

certificate of stock or bonds of foreign or of domestic corporations, and the decedent was a non-resident of the state at the time of his death.

3. When the transfer is of property made by a resident or by a non-resident when such non-resident's property is within this state or within its jurisdiction, by deed, grant, bargain, sale or gift made in contemplation of the death of the grantor, vendor, or doner, or intended to take effect in possession or enjoyment at or after such death.

*Provided*, however, that no tax shall be imposed upon any tangible personal property of a resident decedent when such property is located without this state, and when the transfer of such property is subject to inheritance or transfer tax in the state where located and which tax has actually been paid; *provided* further that such property is not without this state temporarily nor for the sole purpose of deposit or safe keeping; and providing the laws of the state where such property is located allow a like exemption in relation to such property left by a resident of that state and located in this state.

Section 2. Rates and Exemptions.) Upon the transfer of property in any manner hereinbefore described of the value of fifty thousand (\$50,000.00) dollars or less the rate of tax on all sums above the first ten thousand (\$10,000.00) dollars, where the same shall pass to or for the use of the husband or wife and on all sums above the first five thousand (\$5,000.00) dollars where the same shall pass to or for the use of the father, mother, lineal descendant, adopted child, or lineal descendant of an adopted child, shall be one per centum; and on all sums above the value of fifty thousand (\$50,000.00) dollars up to one hundred thousand (\$100,000) dollars so transferred to any such person, the rate shall be two per centum, and on all sums above one hundred thousand (\$100,000) dollars up to five hundred thousand (\$500,000) dollars the rate shall be two and one-half per centum, and on all sums above five hundred thousand (\$500,000) dollars the rate shall be three per centum.

Upon the transfer of property in any manner hereinbefore described of the value of twenty-five thousand (\$25,000) dollars or less on all sums above the first five hundred (\$500) dollars, where the same shall pass to or for the use of a brother or sister of the decedent, a wife or widow of a son or the husband of a daughter of the decedent, the rate of taxation shall be one and one-half per centum; and on all sums above twenty-five thousand (\$25,000) dollars up to fifty thousand (\$50,000) dollars where the same shall pass

to any such person the rate shall be two and one-fourth per centum, and on all sums above fifty thousand (\$50,000) dollars up to one hundred thousand (\$100,000) dollars, three per centum; and on all sums above one hundred thousand (\$100,000) dollars up to five hundred thousand (\$500,000) dollars, three and three-fourths per centum, and all sums above five hundred thousand (\$500,000) dollars, four and one-half per centum.

Upon the transfer of property in any manner hereinbefore described of the value of twenty-five thousand (\$25,000) dollars or less, where the same shall pass to or for the use of any person who shall be the brother or sister of the father or mother or a descendent of the brother or sister of the father or mother of the decedent, the rate of taxation shall be three per centum; and on all sums above twenty-five thousand (\$25,000) dollars up to fifty thousand (\$50,000) dollars, passing to any such person, the rate shall be four and one-half per centum, and on all sums above fifty thousand (\$50,000) dollars up to one hundred thousand (\$100,000) dollars, six per centum, and on all sums above one hundred thousand (\$100,000) dollars, seven and one-half per centum, and on all sums above five hundred thousand (\$500,000) dollars, nine per centum.

Upon the transfer of property in any manner hereinbefore described of the value of twenty-five thousand (\$25,000) dollars or less, where the same shall be for the use of any person in any other degree of collateral consanguinity than is hereinbefore stated, or to a transfer in blood of the decedent, or to a body politic or corporate, the rate of taxation shall be five per centum; and on all sums above twenty-five thousand (\$25,000) dollars, up to fifty thousand (\$50,000) dollars, to any such person, the rate shall be six per centum, and on all sums above fifty thousand (\$50,000) dollars up to one hundred thousand (\$100,000) dollars, nine per centum, and on all sums above one hundred thousand (\$100,000) dollars up to five hundred thousand (\$500,000) dollars, twelve per centum, and on all sums above five hundred thousand (\$500,000) dollars, fifteen per centum.

Upon the transfer of property in any manner hereinbefore described to or for the use of collateral relations, or strangers in blood, who are aliens not residing in the United States, or to or for the use of any corporation which is not chartered by the authority of the government of the United States or of any state, a tax of twenty-five per centum shall be levied and collected.

In line 7, on page 7, in Section 12, of the printed bill, after

the word "representative" insert the words "and state tax commission."

In line 9, on page 7 in Section 12, after the word "treasurer" insert the words "and state tax commission."

In line 9, on page 7, in Section 12, strike out the word "his" and insert in lieu thereof the word "their" and strike out the word "said."

In line 11, on page 8, after the word "he" insert the words "or they."

In line 5, on page 10, after the word "treasurer" insert the words "and state tax commission."

In line 2, on page 11, in Section 17, after the word "filed" insert the words "in duplicate."

In line 8, on page 11, in Section 17, after the word "appraisers" insert the words "*provided*, however, a duplicate of such report and appraisal shall be forthwith forwarded by the court to the state tax commission."

In line 5, on page 12, Section 19, strike out the word "auditor" and insert in lieu thereof the words "tax commission."

In line 3, on page 12, Section 20, strike out the word "auditor" and insert in lieu thereof the words "tax commission."

In line 8, on page 12, Section 20, strike out the word "auditor" and insert in lieu thereof the words "tax commission."

In line 6, on page 15, Section 23, strike out the word "auditor" and in line 7 strike out the word "of" and after the word "state" insert the word "tax commission."

In line 16 on page 16, strike out the words "auditor of" and after the word "state" insert the word "tax commission."

And when so amended recommend the same do pass.

ROBERT NORHEIM,  
Chairman.

Also,

House Bill No. 263.

A bill for an Act amending and re-enacting Chapter 250, Session Laws of 1911, requiring the shipper or shippers of emigrant movables, household goods or live stock to deposit with the agent of the transportation company to which such property is offered for shipment, a county treasurer's

tax receipt showing that all taxes on such property have been paid.

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

ROBERT NORHEIM,  
Chairman.

Also,

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock; and to provide a method for reviewing the same; and to repeal inconsistent provisions.

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

In line 1, on page 1, of the printed bill, after the second figure "1," insert the word "amendment."

In line 3, on page 1 of the printed bill, before the figures "1508," insert the word "section."

In line 5, on page 1 of the printed bill, after the word "bank," insert the words "or trust company."

In line 9, on page 1 of the printed bill, after the word "or," strike out the words "banking association," and insert in lieu thereof "organization."

In line 14, on page 2 of the printed bill, after the word "bank," insert the words "or organization."

In line 16, on page 2 of the printed bill, after the word "bank," insert the words "or organization."

In line 21, on page 2 of the printed bill, after the word "bank," insert the words "or organization."

In line 22, on page 2 of the printed bill, strike out the words "the bank" and insert in lieu thereof the words "such organization."

In line 5, of Section 2, on page 3 of the printed bill, strike out the word "assessor" and insert in lieu thereof the word "auditor."

In line 2, of Section 3, on page 3 of the printed bill, strike out the word "bank" and insert in lieu the word "of."

And when so amended recommend the same do pass.

ROBERT NORHEIM,  
Chairman.



Also,

House Bill No. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor and requirements of taxes and deeds.

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

In line 5, on page 1 of the printed bill, after the word "deed," insert the word "patent or final decree of distribution."

In line 8, on page 1 of the printed bill, change word "within" to word "therein."

In line 11, on page 1 of the printed bill, change word "within" to word "therein."

In line 20, on page 2 of the printed bill, after the word "deed," insert the words "patent or final decree of distribution."

In line 25, on page 2 of the printed bill, change word "transferred" to word "transfer."

In line 26, on page 2 of the printed bill, after the word "deed" insert the words "patent or final decree of distribution."

In line 32, on page 2 of the printed bill, strike out the word "on" and insert in lieu thereof the word "of."

In line 34, on page 2 of the printed bill, after the word "mortgages," strike out all words to line 39.

In line 43, on page 3 of the printed bill, after the word "transfer," strike out the balance of the line, and lines 44, 45, 46 and 47.

And when so amended recommend the same do pass.

ROBERT NORHEIM,  
Chairman.

Mr. Norheim moved

That the report be adopted.

Which motion prevailed.

## MOTIONS AND RESOLUTIONS.

Mr. Williams offered the following resolution:

*Resolved*, That the governor be requested to transmit to the House, at his earliest convenience, a message showing the condition of the capitol building fund and for what purpose the bonds were issued that have been redeemed out of the proceeds of the sale of the lands donated the state for capitol buildings; also the number of lots still owned by the state in the Capitol Park.

*Resolved*, That the Chief Clerk be directed to transmit to the governor forthwith a copy of this resolution.

Mr. Williams moved

That the resolution be adopted.

Which motion prevailed.

Mr. Martin moved

To withdraw House Bill No. 405 from the judiciary committee and have it referred to the committee on ways and means.

Which motion was lost.

## MESSAGE FROM THE SENATE.

Bismarck, N. D., February 18, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Also,

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of the Revised Codes of 1909 of the Laws of North Dakota, relating to the service of summons out of Justice Court and who is authorized to make service of such summons, and fees to be paid therefor; also to amend Section 2887 of the Revised Codes of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Also,

Senate Bill No. 48.

A bill for an Act entitled "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the Food Commissioner of the North Dakota Government Agricultural Experiment Station in relation thereto and providing penalties for the violation thereof."

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also,

*Mr. Speaker:*

The Senate requests the return of Senate Bill No. 236 for the purpose of making an amendment to same.

Very respectfully,

W. D. AUSTIN,  
Secretary.

### THIRD READING OF HOUSE BILLS.

House Bill No. 392.

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled "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 ayes 89, nays 0, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—  
Anderson  
Balsdon  
Bartley  
Bass  
Batzer  
Bjornson  
Bollinger  
Bope  
Borusky  
Bratton

Messrs.—  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Coltom  
Curry  
Dean  
Dixon

Messrs.—  
Doyle  
Dynes  
Endreson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger

Messrs.—	Messrs.—	Messrs.—
Gunderson	Leu	Sandbeck
Hanson	Lewis	Schroeder
Haraldson	Lindstrom	Small
Harty	List	Smith of Kidder
Hawkinson	Martin	Snyder
Hedalen	Miller	Stenchjem
Hendrickson	Moen	Stinger
Hickle	Morkrid	Streeter
Hill of Bottineau	Morrison	Thompson
Hill of Cass	Northrup	Taylor
Hjelmstad	Nyhus	Tucker
Hjort	O'Connor	Turner, C. C.
Hoge	Odland	Turner, F. W.
Husband	Olsgard	Twichell
Huso	Owens	Warriner
Isaak	Pitkin	Watt
Jacobson	Ployhar	Weis
Kyllo	Raney	Wing
Lambert	Roble	Mr. Speaker
Lawbaugh	Ryan	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Kellogg	Smith of Ward
Buck	Kelly	Sorlie
Davis	Klein	Walsh
Divet	Knox	Wardrope
Dosseth	Norheim	Wiley
Hart	Pendray	Williams
Homan	Petterson	
Johnson	Putnam	

So the bill passed and the title was agreed to.

House Bill No. 396.

A bill for an Act to amend Chapter 306 of the Session Laws of 1911 relating to the term of office of township officers.

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 12, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Burnett	Doyle
Bass	Butler of Ransom	Dynes
Batzer	Campbell	Endreson
Bjornson	Carey	Everson
Bollinger	Curry	Fox
Bope	Divet	France
Borusky	Dixon	Freitag
Buck	Dosseth	Geiger

Messrs.—	Messrs.—	Messrs.—
Gunderson	Kelly	Ployhar
Hanson	Knox	Raney
Haraldson	Kyllo	Roble
Hart	Lawbaugh	Sandbeck
Harty	Leu	Schroeder
Hawkinson	Lewis	Smith of Kidder
Hedalen	Lindstrom	Sorlie
Hendrickson	List	Stinger
Hill of Bottineau	Martin	<b>Streeter</b>
Hill of Cass	Miller	Tucker
Hjort	Morrison	Turner, F. W.
Hoge	Norheim	Twichell
Husband	Northrup	Wardrope
Husc	Nyhus	Warriner
Isaak	O'Connor	Watt
Jacobson	Odland	Williams
Kellogg	Pitkin	Mr. Speaker

Those voting in the negative were:

Anderson	Dean	Moen
Butler of Ramsey	Gardiner	Morkrid
Coltom	Hjelmstad	Taylor
Davis	Lambert	Turner, C. C.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Klein	Smith of Ward
Blakemore	Olsgard	<b>Snyder</b>
Bratton	Owens	Stenehjem
Calnan	Pendray	Thompson
Fritz	Petterson	Walsh
Hickle	Putnam	Weis
Homar	Ryan	Wiley
Johnson	Small	Wing

So the bill passed and the title was agreed to.

Mr. Lewis moved

That the vote by which House Bill No. 396 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 94.

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a stand of colors.

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 12, absent and not voting 20.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Morrison
Balsdon	Geiger	Norheim
Bass	Gunderson	Northrup
Batzer	Hanson	Olsgard
Bjornson	Haraldson	Pitkin
Blakemore	Hart	Ployhar
Bollinger	Harty	Putnam
Bope	Hawkinson	Raney
Borusky	Hedalen	Ryan
Bratton	Hill of Bottineau	Sandbeck
Buck	Hill of Cass	Smith of Kidder
Burnett	Hjelmstad	Snyder
Butler of Ramsey	Hjort	Stinger
Butler of Ransom	Homan	Streeter
Carey	Husband	Thompson
Coltom	Isaak	Tucker
Curry	Jacobson	Turner, F. W.
Davis	Kellogg	Twichell
Dean	Kelly	Wardrope
Divet	Kyllo	Warriner
Dosseth	Lambert	Watt
Dynes	Leu	Weis
Endreson	Lewis	Wiley
Everson	Lindstrom	Williams
Fox	List	Mr. Speaker
France	Miller	
Fritz	Morkrid	

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hoge	Petterson
Dixon	Huso	Schroeder
Freitag	Martin	Taylor
Hickle	Nyhus	Wing

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Lawbaugh	Small
Calnan	Moen	Smith of Ward
Doyle	O'Connor	Sorlie
Hendrickson	Odland	Stenehjerm
Johnson	Owens	Turner, C. C.
Klein	Pendray	Walsh
Knox	Roble	

So the bill passed and the title was agreed to.

Mr. Twichell moved

That the vote by which House Bill No. 94 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 309.

A bill for an Act to amend Section 6295 of the Revised Codes of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.

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 9, absent and not voting 27.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Morrison
Balsdon	Freitag	Norheim
Bartley	Geiger	Northrup
Bass	Gunderson	Nyhus
Batzer	Hart	O'Connor
Bjornson	Harty	Odland
Blakemore	Hedalen	Owens
Bollinger	Hendrickson	Pitkin
Bope	Hill of Bottineau	Putnam
Borusky	Hill of Cass	Raney
Burnett	Hjort	Roble
Builder of Ramsey	Hoge	Smith of Kidder
Butler of Ransom	Homan	Snyder
Calnan	Husband	Streeter
Campbell	Isaak	Thompson
Coltom	Jacobson	Tucker
Curry	Kelly	Turner, F. W.
Davis	Kyllo	Twichell
Dean	Leu	Wardrobe
Dixon	Lewis	Warriner
Dosseth	List	Watt
Doyle	Martin	Weis
Dynes	Miller	Williams
Endreson	Moen	Wing
Fox	Morkrid	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bratton	Huso	Sorlie
Hanson	Lawbaugh	Taylor
Hickle	Schroeder	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Johnson	Ployhar
Carey	Kellogg	Ryan
Divet	Klein	Sandbeck
Everson	Knox	Small
Fritz	Lambert	Smith of Ward
Gardiner	Lindstrom	Stenehjem
Haraldson	Olsgard	Stinger
Hawkinson	Pendray	Turner, C. C.
Hjelmstad	Petterson	Walsh

So the bill passed and the title was agreed to.

Mr. Borusky moved

That the vote by which House Bill No. 309 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 31.

A bill for an Act to amend and re-enact Article 3, Chapter 30, of the Code of Civil Procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 64, nays 35, absent and not voting 12.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hawkinson	Ployhar
Bjornson	Hedalen	Raney
Bope	Hendrickson	Roble
Buck	Hill of Bottineau	Ryan
Burnett	Hill of Cass	Schroeder
Butler of Ramsey	Hjelmstad	Smith of Kidder
Butler of Ransom	Hoge	Snyder
Campbell	Homan	Sorlie
Carey	Jacobson	Stenehjem
Davis	Kelly	Streeter
Dean	Knox	Thompson
Divet	Kyllo	Tucker
Dosseth	Leu	Turner, C. C.
Fox	Lewis	Twichell
France	List	Wardrope
Freitag	Norheim	Watt
Fritz	O'Connor	Weis
Gardiner	Odland	Williams
Geiger	Olsgard	Wing
Hanson	Owens	Mr. Speaker
Haraldson	Pettersen	
Hart	Pitkin	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Everson	Morkrid
Balsdon	Gunderson	Morrison
Bartley	Hickle	Northrup
Blakemore	Hjort	Nyhus
Bollinger	Husband	Putnam
Bratton	Huso	Sandbeck
Coltom	Isaak	Small
Curry	Kellogg	Stinger
Dixon	Lambert	Taylor
Doyle	Lawbaugh	Walsh
Dynes	Martin	Wiley
Endreson	Miller	



## Absent and not voting:

Messrs.—  
 Bass  
 Borusky  
 Calnan  
 Harty

Messrs.—  
 Johnson  
 Klein  
 Lindstrom  
 Moen

Messrs.—  
 Pendray  
 Smith of Ward  
 Turner, F. W.  
 Warriner

So the bill passed and the title was agreed to.

Mr. Hoge moved

That the vote by which House Bill No. 31 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MESSAGE FROM THE GOVERNOR.

February 18, 1913.

*To the House of Representatives.*

Gentlemen: I have the honor to inform you that I have this day approved and filed with the secretary of state:

House Bill No. 5.

A joint resolution ratifying a proposed amendment to the Constitution of the United States, relating to the election of Senators by the people of the several states.

Also,

House Bill No. 20.

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attacked.

Also,

House Bill No. 47,

A bill for an Act to amend and re-enact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgage.

I have the honor to be,

Respectfully,

L. B. HANNA,  
 Governor.

House Bill No. 267.

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to

amend Sections 1, 3, 5, 8 and 13 of Chapter 161 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 ayes 87, nays 6, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	O'Connor
Balsdon	Hanson	Odland
Bartley	Harty	Owens
Bass	Hawkinson	Pitkin
Batzer	Hedalen	Putnam
Blakemore	Hendrickson	<b>Raney</b>
Bollinger	Hickle	Roble
Bope	Hill of Bottineau	Sandbeck
Borusky	Hjort	Schroeder
Buck	Hoge	Smith of Kidder
Burnett	Homan	Snyder
Butler of Ramsey	Huso	Sorlie
Calnan	Isaak	Stinger
Campbell	Jacobson	Streeter
Carey	Kellogg	Thompson
Coltom	Kelly	Tucker
Curry	Knox	Turner, C. C.
Davis	Kyllo	Turner, F. W.
Dean	Lambert	Twichell
Divet	Lawbaugh	Wardrope
Dixon	Leu	Warriner
Doyle	Lewis	Watt
Dynes	Lindstrom	Weis
Enderson	Miller	Wiley
Everson	Moen	Williams
Fox	Morkrid	Wing
France	Morrison	Mr. Speaker
Freitag	Norheim	
Gardiner	Northrup	
Geiger	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Fritz	Martin
Dosseth	Hjelmstad	Walsh

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Johnson	Ployhar
Butler of Ransom	Klein	Ryan
Haraldson	List	Small
Hart	Olsgard	Smith of Ward
Hill of Cass	Pendray	Stenhjem
Husband	Petterson	<b>Taylor</b>

So the bill passed and the title was agreed to.

Mr. Moen moved

That the vote by which House Bill No. 267 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 creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 92, nays 1, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Norheim
Balsdon	Hanson	Northrup
Bartley	Haraldson	Nyhus
Batzer	Hart	O'Connor
Bjornson	Harty	Olsgard
Bollinger	Hawkinson	Owens
Bope	Hedalen	Pitkin
Borusky	Hendrickson	Ployhar
Buck	Hickle	Putnar
Burnett	Hill of Bottineau	Raney
Butler of Ramsey	Hill of Cass	Sandbeck
Butler of Ransom	Hjort	Schroeder
Calnan	Hoge	Small
Campbell	Homan	Smith of Kidder
Carey	Husband	Sorlie
Coltom	Huso	Stinger
Curry	Isaak	Streeter
Davis	Jacobson	Taylor
Dean	Kellogg	Tucker
Divet	Kelly	Turner, C. C.
Dixon	Knox	Turner, F. W.
Dosseth	Kyllo	Twichell
Doyle	Lambert	Wardrobe
Dynes	Lawbaugh	Warriner
Endreson	Lewis	Weis
Fox	Lindstrom	Wiley
France	List	Williams
Freitag	Martin	Wing
Fritz	Miller	Mr. Speaker
Gardiner	Moen	
Geiger	Morkrid	

Those voting in the negative were: Mr. Leu.

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Klein	Smith of Ward
Blakemore	Morrison	Snyder
Bratton	Odland	Stenehjem
Everson	Pendray	Thompson
Hjelmstad	Petterson	Walsh
Johnson	Ryan	Watt

So the bill passed and the title was agreed to.

Mr. Gardiner moved

That the vote by which House Bill No. 229 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 358.

A bill for an Act regulating the rules of practice in District, County and Supreme Courts.

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 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Kyllo
Balsdon	France	Lambert
Bartley	Freitag	Lawbaugh
Batzer	Fritz	Leu
Bjornson	Geiger	Lewis
Blakemore	Gunderson	Lindstrom
Bollinger	Hanson	List
Bope	Haraldson	Martin
Borusky	Hart	Miller
Buck	Harty	Moen
Burnett	Hawkinson	Morkrid
Butler of Ramsey	Hedalen	Morrison
Butler of Ransom	Hendrickson	Norheim
Calnan	Hickle	Northrup
Campbell	Hill of Bottineau	Nyhus
Carey	Hill of Cass	O'Connor
Coltom	Hjelmstad	Odland
Davis	Hjort	Ployhar
Dean	Hoge	Putnam
Divet	Husband	Raney
Dixon	Isaak	Roble
Dosseth	Jacobson	Ryan
Dynes	Kellogg	Sandbeck
Endreson	Kelly	Schroeder
Everson	Knox	Small

Messrs.—  
Smith of Kidder  
Sorlie  
Stenehjem  
Stinger  
Streeter  
Taylor

Messrs.—  
Tucker  
Turner, C. C.  
Twichell  
Wardrope  
Warriner  
Weis

Messrs.—  
Wiley  
Williams  
Wing  
Mr. Speaker

Absent and not voting:

Messrs.—  
Bass  
Bratton  
Curry  
Doyle  
Gardiner  
Homar  
Huso

Messrs.—  
Johnson  
Klein  
Olsgard  
Owens  
Pendray  
Petterson  
Pitkin

Messrs.—  
Smith of Ward  
Snyder  
Thompson  
Turner, F. W.  
Walsh  
Watt

So the bill passed and the title was agreed to.

House Bill No. 376.

A bill for an Act providing for the condemnation of school and institution lands for public purposes.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 95, nays 0, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—  
Anderson  
Balsdon  
Bartley  
Bass  
Batzner  
Bjornson  
Blakemore  
Bollinger  
Bope  
Borusky  
Buck  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Campbell  
Carey  
Coltom  
Curry  
Davis  
Dean  
Divet  
Dixon

Messrs.—  
Dosseth  
Doyle  
Dynes  
Endreson  
Everson  
Fox  
France  
Freitag  
Fritz  
Gardiner  
Geiger  
Gunderson  
Hanson  
Haraldson  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hickle  
Hill of Bottineau  
Hill of Cass  
Hjelmstad  
Hjort

Messrs.—  
Jacobson  
Kellogg  
Kelly  
Knox  
Kyllo  
Lawbaugh  
Leu  
Lewis  
Lindstrom  
List  
Martin  
Miller  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus  
O'Connor  
Olsgard  
Owens  
Pendray  
Petterson  
Ployhar

Messrs.—	Messrs.—	Messrs.—
Putnam	Stenehjelm	Wardrobe
Raney	Stinger	Warriner
Roble	Streeter	Watt
Ryan	Thompson	Weis
Sandbeck	Taylor	Wiley
Schroeder	Tucker	Williams
Small	Turner, C. C.	Wing
Smith of Kidder	Turner, F. W.	Mr. Speaker
Snyder	Walsh	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Isaak	Pitkin
Hart	Johnson	Smith of Ward
Hoge	Klein	Sorlie
Homan	Lambert	Twichell
Husband	Moen	
Huso	Odland	

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That the vote by which House Bill No. 376 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 177.

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67, nays 18, absent and not voting 26.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ramsey	France
Balsdon	Butler of Ransom	Freitag
Bass	Calnan	Fritz
Batzer	Campbell	Gardiner
Bjornson	Carey	Geiger
Blakemore	Curry	Hedalen
Bollinger	Davis	Hickle
Bope	Dean	Hill of Cass
Borusky	Dixon	Hjemstad
Buck	Dosseth	Hjort
Burnett	Dynes	Jacobson

Messrs.—	Messrs.—	Messrs.—
Kellogg	Norheim	Streeter
Kelly	O'Connor	Thompson
Klein	Olsgard	Tucker
Kyllo	Owens	Turner, C. C.
Lambert	Petterson	Twichell
Lawbaugh	Pitkin	Watt
Leu	Ployhar	Weis
Lewis	Raney	Williams
List	Roble	Wing
Martin	Ryan	Mr. Speaker
Moen	Sandbeck	
Morrison	Stenchjem	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Huso	Putnam
Coltom	Lindstrom	Schroeder
Gunderson	Miller	Sorlie
Hendrickson	Morkrid	Taylor
Hill of Bottineau	Nyhus	Turner, F. W.
Hoge	Odland	Warriner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Harty	Small
Divet	Hawkinson	Smith of Kidder
Doyie	Homan	Smith of Ward
Endreson	Husband	Snyder
Everson	Isaak	Stinger
Fox	Johnson	Walsh
Hanson	Knox	Wardrope
Haraldson	Northrup	Wiley
Hart	Pendray	

So the bill passed and the title was agreed to.

Mr. Blakemore moved

That the vote by which House Bill No. 177 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of constitutional amendments.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 65, nays 30, absent and not voting 16.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Norheim
Balsdon	Hedalen	O'Connor
Bartley	Hill of Bottineau	Odland
Blakemore	Hill of Cass	Olsgard
Borusky	Homan	Pitkin
Bratton	Huso	Ployhar
Burnett	Isaak	Raney
Butler of Ramsey	Jacobson	Roble
Calnan	Kellogg	Ryan
Campbell	Kelly	Sandbeck
Carey	Knox	Snyder
Davis	Kyllo	Sorlie
Dean	Lambert	Stenehjem
Dosseth	Lawbaugh	Taylor
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Everson	Lindstrom	Twichell
Fritz	List	Warriner
Gardiner	Miller	Watt
Gunderson	Moen	Williams
Hanson	Morkrid	Mr. Speaker
Haraldson	Morrison	

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Freitag	Schroeder
Bollinger	Hart	Smith of Kidder
Bope	Hawkinson	Stinger
Buck	Hendrickson	Streeter
Butler of Ramsey	Hjort	Thompson
Colton	Hoge	Tucker
Dixon	Husband	Wardrope
Endreson	Martin	Weis
Fox	Nyhus	Wiley
France	Putnam	Wing

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Hjelmstad	Petterson
Bjornson	Johnson	Small
Curry	Klein	Smith of Ward
Divet	Northrup	Walsh
Geiger	Owens	
Hickle	Pendray	

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which House Bill No. 312 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.



## House Bill No. 307.

A bill for an Act to amend and re-enact Section 2231 of the Revised Codes of North Dakota as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 15, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Odland
Bartley	Haraldson	Owens
Batzner	Hart	Pitkin
Blakemore	Harty	Ployhar
Bollinger	Hawkinson	Putnam
Bope	Hedalen	Roble
Bratton	Hendrickson	Schroeder
Burnett	Hickle	Smith of Kidder
Butler of Ransom	Hill of Cass	Snyder
Calnan	Hjelmstad	Stenhjem
Campbell	Hjort	Stinger
Carey	Hoge	Streeter
Davis	Husband	Tucker
Dean	Kellogg	Turner, C. C.
Divet	Kelly	Turner, F. W.
Dixon	Klein	Twichell
Doyle	Kyllo	Wardrope
Endreson	Lambert	Warriner
Everson	Leu	Watt
Freitag	Lewis	Weis
Gardiner	List	Wing
Geiger	Morkrid	Mr. Speaker
Gunderson	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Curry	Homan
Bjornson	Dosseth	Huso
Borusky	Fox	Martin
Butler of Ramsey	France	Taylor
Coltom	Fritz	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Miller	Ryan
Buck	Moen	Sandbeck
Dynes	Morrison	Small
Hill of Bottineau	Norheim	Smith of Ward
Isaak	Northrup	Sorlie
Jacobson	Nyhus	Thompson
Johnson	Oisgard	Walsh
Knox	Pendray	Wiley
Lawbaugh	Petterson	
Lindstrom	Raney	

So the bill passed and the title was agreed to.

Mr. Butler of Ramsey moved

That the vote by which House Bill No. 307 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 341.

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

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 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Odland
Balsdon	Haraldson	Olsgard
Bartley	Harty	Owens
Bass	Hawkinson	Pitkin
Batzer	Hedalen	Ployhar
Blakemore	Hendrickson	Putnam
Bollinger	Hickle	O'Connor
Bope	Hill of Bottineau	Roble
Borusky	Iijelmstad	Ryan
Buck	Hjort	Sandbeck
Burnett	Hoge	Schroeder
Butler of Ramsey	Jacobson	Smith of Kidder
Butler of Ransom	Kellogg	Snyder
Calnan	Kelly	Stenehjem
Carey	Knox	Stinger
Coltom	Kyllo	Streeter
Curry	Lambert	Thompson
Davis	Lawbaugh	Taylor
Divet	Lewis	Tucker
Dosseth	List	Turner, F. W.
Dynes	Martin	Twichell
Endreson	Miller	Wardrope
Everson	Moen	Warriner
France	Morkrid	Weis
Freitag	Morrison	Wiley
Fritz	Norheim	Wing
Gardiner	Northrup	Mr. Speaker
Geiger	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hart	Lindstrom

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Husband	Small
Campbell	Huso	Smith of Ward
Dean	Isaak	Sorlie
Dixon	Johnson	Turner, C. C.
Doyle	Klein	Walsh
Fox	Leu	Watt
Hanson	Pendray	Williams
Hill of Cass	Petterson	
Homan	Raney	

So the bill passed and the title was agreed to.

Mr. Wiley moved

That the House do now take a recess of ten minutes.

Which motion prevailed.

The House reassembled at 4 o'clock P. M. pursuant to a recess taken.

Mr. Leu asked unanimous consent to return to the ninth order of business.

Mr. Leu moved

That the vote by which House Bill No. 368 was indefinitely postponed be reconsidered.

Which motion was lost.

## CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Divet moved

That Senate Bill No. 236 be recalled from the educational committee and returned to the Senate on the request of the Senate.

Which motion prevailed.

Mr. Northrup moved

That the House concur in the Senate amendments on House Bill No. —.

Which motion was lost.

Mr. Sorlie moved

That House Bill No. 67 be referred to the committee on temperance.

Which motion was lost.

Mr. Owens moved

That House Bill No. 67, together with the proposed amendments, be placed on general orders and referred to the committee of the whole.

Which motion prevailed.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 131.

A bill for an Act to require public warehouses to first clean a sample of any grain before testing for the grade of such grain, and providing a penalty for the violation of this Act.

Was read the first and second time and

Referred to the committee on warehouses and grain grading.

Senate Bill No. 173.

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Was read the first and second time and

Referred to the committee on live stock.

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Was read the first and second time and

Referred to the committee on agriculture.

Senate Bill No. 210.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Was read the first and second time and

Referred to the committee on tax and tax laws.

## Senate Bill No. 212.

A bill for an Act to amend and re-enact Sections 2262, 2263 and 2264, Article 47, Chapter 24 of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Was read the first and second time and

Referred to the committee on warehouses and grain grading.

## Senate Bill No. 45.

A bill for an Act regulating marriages and the issuance of marriage licenses, prohibiting marriages in certain cases, providing penalties for the violation of the provisions of this Act and repealing all Acts or parts of Acts in conflict herewith.

Was read the first and second time and

Referred to the committee on public health.

## Senate Bill No. 82.

A bill for an Act to amend Section 8363 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of Justice Court and who is authorized to make service of such summons, and fees to be paid therefor; also to amend Section 2887 of the Revised Codes of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Was read the first and second time and

Referred to the committee on judiciary.

## THIRD READING OF SENATE BILLS.

## Senate Bill No. 59.

A bill for an Act for the registration of farm names.

Was read the third time.

Mr. Streeter asked unanimous consent to amend Senate Bill No. 59 so that the word "five" before the word dollar in the engrossed bill be amended to read "one dollar."

Which consent was given, and

The bill was so amended.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 10, absent and not voting 29.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Northrup
Balsdon	Geiger	O'Connor
Bartley	Hawkinson	Odland
Bass	Gunderson	Petterson
Bjornson	Hedalen	Pitkin
Blakemore	Hendrickson	Putnam
Bollinger	Hjelmstad	Roble
Bope	Hjort	Sandbeck
Bratton	Homan	Schroeder
Buck	Husband	Smith of Kidder
Butler of Ramsey	Isaak	Smith of Ward
Butler of Ransom	Kellogg	Stenhjem
Canan	Kelly	Streeter
Carey	Kyllo	Taylor
Curry	Lambert	Tucker
Davis	Lawbaugh	Turner, C. C.
Dean	Leu	Turner, F. W.
Dixon	Lindstrom	Twichell
Dosseth	List	Warriner
Dynes	Miller	Watt
Endreson	Moen	Weis
Everson	Morkrid	Wiley
Fox	Morrison	Wing
Freitag	Norheim	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Hart	Nyhus
Coltom	Hill of Bottineau	Ployhar
Doyle	Huso	
France	Jacobson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hoge	Ryan
Borusky	Johnson	Small
Campbell	Klein	Snyder
Divet	Knox	Sorlie
Fritz	Lewis	Stinger
Hanson	Martin	Thompson
Haraldson	Olsgard	Walsh
Harty	Owens	Wardrope
Hickle	Pendray	Williams
Hill of Cass	Raney	

So the bill passed and the title was agreed to.

Mr. Roble moved

That the vote by which Senate Bill No. 59 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

### GENERAL ORDERS.

Mr. Bjornson 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. Bjornson 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. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood reservation in Ramsey County, North Dakota.

And recommend that the same do pass as amended.

Also,

House Bill No. 37.

A bill for an Act making an appropriation for the Dickinson Experiment Station, located in the city of Dickinson.

And recommend that the same do pass as amended.

Also,

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

And recommend that the same do pass as amended.

Also,

House Bill No. 256.

A bill for an Act providing a bounty for, and defining shelter hedges.

And recommend that the same do pass as amended.

Also,

House Bill No. 119.

A bill for an Act authorizing the court or judge to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure thereof.

And recommend that the same do pass as amended.

Also,

House Bill No. 284.

Being a bill for an Act for the inspection of fermented and spirituous liquors, malt liquors, wines, ciders and all beverages manufactured, sold or offered for sale as a substitute for intoxicating liquors, providing for the appointment of a state inspector and deputies, prescribing their duties, designating their fees and prescribing rules and regulations for such inspection, providing for the payment and disposition of fees, providing penalties for the violation of the provisions of this Act, and designating ports of entry where liquor shipped into this state shall be inspected.

And recommend that the same be referred to the committee on temperance.

Also,

House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

And recommend that the same do pass as amended.

Also,

House Bill No. 350.

A bill for an Act to avoid the expense of selling land for a trivial tax.

And recommend that the same do pass as amended.

Also,

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928,



and 933 of the Revised Codes of the State of North Dakota for 1905, relating to school and city depositories.

And recommend that the same do pass as amended.

Also,

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

And recommend that the same do pass as amended.

Also,

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

And recommend that the same do pass.

Also,

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner's fees.

And recommend that the same do pass as amended.

Also,

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 152.

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

And recommend that the same do pass as amended.

J. A. T. BJORNSON,  
Chairman.

Mr. Bronson moved

That the report be adopted.

Which motion prevailed.

## COURTESIES OF THE FLOOR.

The privileges of the floor were granted to Nels Grow, C. C. Melby, Ole Ranum, R. E. Rayne, G. H. Dahle, all of Manfred, N. D.; C. M. Branson, J. H. Cramer, Marmath, N. D.; Louis A. Leu, Fessenden, N. D.; Mrs. C. W. Taylor, Mr. S. A. Cole, Lisbon, John A. Johnson, Ed. Knapton, Dogdon, A. C. Hackle, Dickinson; Carl A. Muldahl, F. A. Bergan, Dr. A. J. McCannell, Minot; Mr. Whitmer, Yucca, N. D.; P. B. Griffith, Grand Forks; Rev. C. A. McKamare, Fargo; John Walt of Leonard.

Mr. Thompson moved  
That the House do now adjourn.  
Which motion prevailed, and  
The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

 FORTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 19, 1913.

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. Bratton, Roble, Smith of Ward, who were excused.

## MESSAGE FROM THE SENATE.

Bismarck, N. D., February 19, 1913.

*Mr. Speaker:*

I have the honor to return herewith  
House Bill No. 182.

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.

Also,

House Bill No. 95.

A bill for an Act to amend and re-enact Section 2494 of the Revised Codes of North Dakota for the year 1905, relat-

ing to the duties of state's attorneys and attorney general.  
Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also,

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Also,

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Also,

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., February 18, 1913.

Also,

*Mr. Speaker:*

I have the honor to return herewith Senate Bill No. 67 as requested by the House.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also,

*Mr. Speaker:*

Bismarck, N. D., February 19, 1913.

I have the honor to return herewith

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota of 1905, relating to county road funds.

Which the Senate has amended as follows:

In Section 1, in line 6, in the printed bill after the word "there" strike out the word "may" and insert in lieu thereof the word "shall."

In Section 1, in line 7, after the word "one" insert the words "half of one." In the same line, strike out the last word "five" and insert in lieu thereof the word "four."

In Section 1372, line 7 of the printed bill, strike out the word "one" and insert in lieu thereof the words "one-fourth of one."

And passed as amended.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., February 19, 1913.

Also,

*Mr. Speaker:*

I have the honor to return herewith

House Bill No. 80.

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

Which the Senate has amended as follows:

In line 10 of Section 1, between the words "shall" and "have" insert the word "also."

And passed as amended.

Very respectfully,

W. D. AUSTIN,  
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 forty-third day, have carefully examined the same and recommend that the same be amended as follows:

On page 1 in absentees noted in roll call, omit "Small."

On page 13, omit lines 4, 5, 6, 7, 8, 9, 10 and 11, the same being the committee report on House Bill No. 135, which was withdrawn.

On page 47, strike out the first five lines (the same being Mr. Streeter's motion on House Bill No. 59) and insert the same six lines immediately following the words "Was read the third time" in page 45.

Insert roll call on House Bill No. 396.

On page 6, line 10, change "Carson" to "Jegln" and in the same line change "Eckman" to "Adams." "Butler of Ramsey" should read "Butler of Ransom."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved

That the report be adopted.

Which motion prevailed.

## PETITIONS AND COMMUNICATIONS.

Mr. Pitkin introduced the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Thirty-fourth Legislative District of the State of North Dakota, over twenty-one years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by N. J. Kenyon and 68 others of Towner and Bantry, N. D.

Mr. Bartley presented a similar petition signed by W. A. Godward and 120 others of New Rockford, N. D.

Mr. Anderson introduced the following petition:

We, the undersigned, believing that whatever intoxicating liquor legally comes into the state should be up to the standard of purity, and that it is unjust for the private citizen to have to be to the expense and trouble of enforcing the laws relating to the moral welfare of the people when they have paid taxes for this purpose, and that the state should provide a way to enforce its laws, and believing that the liquor inspection bill will provide for purer liquors and for the enforcement of the prohibitory law at the expense of the liquor traffic, we petition the House of the North Dakota Legislature to pass the inspection bill, House Bill No. 284.

Signed by J. G. Jacobson, of Churchs Ferry, and 27 others.

Mr. Pitkin introduced a similar petition, signed by Anton Blomberg, of Ruso, N. D., and 15 others.

Mr. Leu introduced three similar petitions, signed by O. J. Byre and 79 others of Harvey; and J. W. Mahin and 49 others of Cathay and Fessenden, and Rev. M. Hurd and 19 others of Hurdsfield, all of North Dakota.

Mr. Anderson introduced two similar petitions, signed by Henry Burg and 10 others of Churchs Ferry and Devils Lake, N. D.

Mr. Nyhus introduced a similar petition, signed by Rev. T. Thomesen and 35 others of Willow City, Barton and Towner, N. D.

Mr. Hjort introduced two similar petitions, signed by J. G. Dickey and 14 others of Reeder, N. D., and A. B. Bergh and 26 others of Hettinger, N. D.

Mr. Dean introduced a similar petition, signed by Hugh Marshall and 15 others of Emerado, N. D.

Mr. Kylo introduced three similar petitions, signed by A. A. Lee and 113 others of Hatton, Northwood, Aneta and Larimore, N. D.

Mr. Butler of Ransom introduced two similar petitions, signed by J. C. Taylor and 72 others of Lisbon, Englevale and Verona, N. D.

Mr. Bratton introduced three similar petitions, signed by W. A. Dunnett and 82 others of Rugby, Brazil and Tunbridge, N. D.

Mr. F. W. Turner introduced a similar petition, signed by L. L. Haugen and 20 others of Taylor, N. D.

Mr. Fritz presented the following petition:

We, the undersigned, protest against and ask you to work against the passage of any bills placing burdensome conditions and qualifications or high licenses on rural wagon salesmen of domestic and stock remedies, spices, extracts and toilet articles.

These salesmen regularly supply us with satisfactory goods at reasonable prices and we consider any legislation harming their business an injury to ourselves. Such legislation forces out competition, creates a monopoly, prohibits freedom of purchase and increases the cost of living.

Signed by R. Conrad, of Granville, N. D., and 81 others.

Mr. Jacobson presented the following resolution:

*Whereas*, There is now a bill before the Legislature of North Dakota lowering the legal rates of interest; and,

*Whereas*, We believe that the high rates of interest now existing are a great drawback to our agricultural interests.

*Therefore be it Resolved*, That we, the Farmers' Club of Starbuck Township, Bottineau County, North Dakota, do hereby appeal to our legislature to pass the foregoing bill.

Signed by J. C. Miller, Otto Finstad, Frank Garbe, committee on resolutions.

Mr. Jacobson presented the following petition:

Westhope, N. D., February 17, 1913.

*To the Honorable C. C. Jacobson, House of Representatives, Bismarck, N. D.*

Honorable Sir: We, the undersigned, voters of the Twenty-eighth Legislative District of North Dakota, respectfully petition you to use your influence to the end that the existing law providing mechanics' liens for the benefit of laborers and furnishers of material, be allowed to remain unchanged in its present form.

In our opinion, a repeal of the present law would work a distinct hardship upon the farmers of the state in that it would remove the basis of credit for labor and building materials.

The present lien law is the result of strong agitation during the last several sessions of the legislature, and we consider it fair to all concerned.

We urge that it be allowed to stand as at present.

Signed by W. A. Meddaugh and 15 others.

REPORTS OF STANDING COMMITTEES.

The committee on education made the following report:

*Mr. Speaker:*

Your committee on education to whom was referred  
Senate Bill No. 225.

A bill for an Act to amend and re-enact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

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

O. C. DOSSETH,  
Chairman.

Also,

A majority of your committee on education to whom was referred

House Bill No. 56.

A bill for an Act to create a state text book commission and to provide for the adoption and use of uniform text books in the common schools of this state up to and including the eighth grade.

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

O. C. DOSSETH,  
Chairman.

Also,

A minority of your committee on education to whom was referred

House Bill No. 56.

A bill for an Act to create a state text book commission and to provide for the adoption and use of uniform text books in the common schools of this state up to and including the eighth grade.

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

WM. N. HUSBAND,  
H. GEIGER,  
S. HICKLE,  
E. L. GUNDERSON.

Mr. Dosseth moved

That the report be adopted.



Which motion prevailed.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 76.

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Also,

House Bill No. 245.

Being a bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

Also,

House Bill No. 319.

A bill for an Act to amend Section 3, of Chapter 129, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Also,

House Bill No. 343.

A bill for an Act for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Also,

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.

Also,

House Bill No. 395.

A bill for an Act to provide that notice of foreclosure of mortgages on personal property shall be given to the county.

Also,

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Also,

House Bill No. 37.

A bill for an Act making an appropriation for the Dickinson Experiment Station, located in the city of Dickinson.

Also,

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the Military Wood Reservation in Ramsey County, North Dakota.

Also,

House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Also,

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Also,

House Bill No. 256.

A bill for an Act providing for a bounty for and defining shelter hedges.

Also,

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct

of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct the payment thereof.

Also,

House Bill No. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

Also,

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Also,

House Bill No. 350.

A bill for an Act to avoid the expense of selling land or lots for a trivial tax.

Also,

House Bill No. 119.

A bill for an Act authorizing the court or judges to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.

Also,

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

Also,

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

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. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 418.

A bill for an Act providing for the covering of charges and fees collected by state and county officers into the state and county treasury.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

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

W. S. DEAN,  
Chairman.

Also,

Senate Bill No. 94.

A bill for an Act to amend Section 1 of Chapter 213 of the Laws of 1909, relating to the inmates of the institution of the feeble-minded.

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.

The committee on appropriations made the following report:

*Mr. Speaker:*

Your committee on appropriations to whom was referred House Bill No. 15.

A bill for an Act to amend Section 12 of House Bill No. 210 of the Laws of 1911, to encourage elementary education.

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

On page 1 of the printed bill, after the words "An Act to amend Section 12 of" strike out words "House Bill No. 210" and insert in lieu thereof "Chapter 35." On line 1, following the words "Section 1," insert "Amendment." On line 1 strike out words "House Bill No. 210" and insert in lieu thereof "Chapter 35 of the Laws of 1911."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 236.

A bill for an Act to refund to Dickey County, certain taxes paid to the state, but which were later decreed to be improperly levied and assessed and were collected by the tax payer from said county and making an appropriation.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

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

Strike out all after "A bill" and insert the following: "For an Act to make appropriation for the erection of a new building and other necessary improvements and for the purchase of land for the reform school of North Dakota, located at Mandan, N. D."

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

"Section 1. Appropriation.) There is hereby appropriated the following sums of money or so much thereof as may be necessary out of any moneys in the state treasury not otherwise appropriated for the erection of a new building, the purchase of additional land and other necessary improvements for the state reform school, as follows:

"Erection of a boys' cottage.....	\$10,000.00
"For purchase of additional lands.....	1,500.00
"For construction of dam across Hart River.....	2,000.00
	\$13,500.00

*"Provided, said two thousand dollars for construction of dam to be available only when sufficient additional money has been contributed by other interested parties to fully complete such dam, and the state has been fully protected by a sufficient bond against liability for any damage incurred by reason of the construction of such dam."*

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 38.

A bill for an Act to appropriate money for maintenance equipment and permanent improvements at the State University and Schools of Mines of North Dakota.

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

On page 1 of the printed bill strike out all of lines 5, 6, 7 and 8. On page 1, in line 11, strike out the figures "\$13,000.00" and insert in lieu thereof the figures "\$10,000.00." On page 2, in line 13 of the printed bill, strike out the figures "\$6,000.00" and insert in lieu thereof the figures "\$3,000.00." On page 2, in line 16 of the printed bill, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$2,000.00." On page 2, in line 18 of the printed bill, strike out the figures "\$2,500.00" and insert in lieu thereof the fig-

ures "\$1,500.00." On page 2, in line 19, strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$2,000.00." On page 2, in line 23, strike out the figures "\$5,000.00 annually" and insert in lieu thereof "\$2,000.00 annually," and in the same line strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$4,000.00." On page 2, in line 25, of the printed bill, strike out the figures "\$307,300.00" and insert in lieu thereof "\$88,300.00." Strike out all of Section 2, the same being the emergency clause.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

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

On page 1 and on line 5 of the printed bill, strike out the words "six thousand (\$6,000.00)" and insert in lieu thereof the words "two thousand five hundred (\$2,500.00)."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 114.

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

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

On page 1 and on line 7 of the printed bill, strike out the figures "\$50,000.00" and insert in lieu thereof the figures "\$45,000.00." On page 1 of the printed bill strike out all of lines 8, 9, 10 and 11. On page 1 and on line 12 of the printed bill, strike out the figures "\$3,500.00" and insert in lieu

thereof the figures "\$3,000.00." On page 2 and on line 13 of the printed bill, strike out the figures "\$2,500.00" and insert in lieu thereof the figures "\$1,000.00." On page 2 and on line 14 of the printed bill, strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$5,000.00." On page 2 and on line 16 of the printed bill, strike out the figures "\$3,500.00" and insert in lieu thereof the figures "\$1,500.00." On page 2 of the printed bill strike out all of line 17. On page 2 and on line 20 of the printed bill, strike out the figures "\$184,625.00" and insert in lieu thereof the figures "\$60,000.00." Strike out all of Section 2.

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

The committee on warehouse and grain grading made the following report:

*Mr. Speaker:*

Your committee on warehouse and grain grading to whom was referred

House Bill No. 280.

A bill for an Act to provide that in weighing and grading flax or any other grain where the amount of dockage shall be stated in so many per cent per bushel and the equivalent thereof in pounds or fraction thereof, and prescribing duty of public elevators and warehouses in relation thereto.

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

C. E. KNOX,  
Chairman.

Also,

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

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

On page 3, line 28 of the printed bill, strike out all of said line after the word "shall," all of lines 29 and 30, and



insert the following: "not be subject to storage under the provisions of Sections 2248 and 2249."

And when so amended recommend the same do pass.

C. E. KNOX,  
Chairman.

Also,

House Bill No. 210.

A bill for an Act to amend Section 1, Chapter 111, Laws of North Dakota, for the year 1907, and providing a penalty for failure to comply with provisions of said Chapter 111.

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.

The committee on agriculture made the following report:

*Mr. Speaker:*

Your committee on agriculture to whom was referred

Senate Bill No. 233.

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

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

A. A. STENEHJEM,  
Chairman.

Mr. Watt moved

That the report be adopted.

Which motion prevailed.

The committee on judiciary made the following report:

Your committee on judiciary to whom was referred

Senate Bill No. 151.

Being a bill for an Act to legalize the execution and acknowledgment of certain deeds, mortgages and other in-

struments in writing, and the record thereof, and making the same or certified copies thereof admissible in evidence.

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

A. G. DIVET,  
Chairman.

Also,

Senate Bill No. 104.

Being a bill for an Act to provide for the maintenance of inmates of the institution for the feeble-minded, and to amend Section 1 of Chapter 165 of the Laws of 1911, relating thereto.

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

A. G. DIVET,  
Chairman.

Also,

Senate Bill No. 18.

A Joint Resolution ratifying an amendment to Section three, Article one of the Constitution of the United States.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 382.

Being a bill for a concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing for the appointment of justices of the peace.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 145.

Being a bill for an Act entitled "An Act to amend and reenact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs of treatment and board of patients in the insane hospital."

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

After the enacting clause insert the following: "Section 1. Amendment.) Section 15 of Chapter 137 of the Session Laws of 1907 is amended and re-enacted to read as follows"; and

In the original bill, at the tenth line of Section 15, after the word "person," insert the following: "or when it is shown to be for the best interests of the estate"; and

In the original bill, at the first line of Section 16, strike out the figures "16," and insert in lieu thereof the figure "2" and the word "emergency."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also,

House Bill No. 156.

Being a bill for a concurrent resolution amending the Constitution of the State of North Dakota, relating to the legislative department and providing for the initiative and referendum as applied to laws.

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

In the printed bill, on page 2, at line 14, strike out the word "vote" and insert in lieu thereof the word "petition"; and

In the same bill, on page 2, at line 25, strike out the word "of."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also,

House Bill No. 254.

Being a bill for a concurrent resolution for an amendment to the Constitution, providing for the initiative and referendum, and the provisions thereof

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 268.

Being a bill for an Act limiting the time within which real estate mortgages may be foreclosed.

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

Strike out everything after the words "A bill for" in the printed bill, and insert in lieu thereof the amendment as follows:

An Act providing for the extension of the time of payment of mortgages and the method of showing such extension of record and declaring the time when they shall be presumed to be and when such time is not shown of record.

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

Section 1. No extension hereafter made of the time of payments of a real estate mortgage shall be effectual to stop the running of the statute of limitation against the foreclosure thereof unless such extension is in writing duly acknowledged and recorded in the office of the Register of Deeds of the county in which the real estate is situated.

Section 2. Any extension in writing heretofore made of the time of payments of a mortgage may be recorded in the office of the Register of Deeds whether such extension shall have been acknowledged or not.

Section 3. In all cases when verbal agreements of extension of time of payments of the indebtedness secured by such mortgage have been made or when partial payments have been made upon an indebtedness secured by a mortgage upon real estate the party holding such mortgage may furnish the Register of Deeds of the county in which the mortgage is recorded with a written statement of the extent of such verbal extension or the time and amount of such payments and upon request such Register of Deeds must endorse this fact of such extension of payments upon the margin of the record of such mortgage.

Section 4. In case of the failure of the holder of any mortgage to make matter of record any extension of a mortgage as provided in Section 2 and Section 3 hereof, it shall be conclusively presumed in favor of anyone, except one having actual notice, dealing with the real estate effected subsequent to January 1st, 1914, that the time of payments has not been extended in any way.

Section 5. In case of mortgages from which it does not appear when the indebtedness secured becomes due it shall be presumed it became fully due five years after its date

provided the holder of such mortgage may by a notice in writing cause the Register of Deeds of the proper county to make upon the margin of the record of such mortgage a statement of its actual due date and in case such marginal statement is not made the presumption as to the due date shall be exclusive in favor of anyone dealing with the land affected, except one having actual knowledge.

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

#### MOTIONS AND RESOLUTIONS.

Mr. Kylo offered the following concurrent resolution, and moved its adoption.

*Whereas*, The United States Congress has passed a bill known as the Dillingham-Burnett Immigration bill which provides that a literacy test be applied to all immigrants entering the United States, and requires immigrants to carry with them a certificate of identity; and

*Whereas*, Such provisions are hostile to the principles of democracy and to the spirit of our American institutions, and would not only work an injustice to worthy immigrants and deprive our country of an element which experience proves develops into good citizenship, but would also deprive our state and country of needed labor; and

*Whereas*, President Taft has wisely vetoed the Dillingham-Burnett Immigration bill,

*Therefore be it Resolved by the House of Representatives of North Dakota, the Senate Concurring*: That we urge our Senators and Representatives in Congress to sustain the President's veto to said bill and use their influence to prevent its enactment into law; and be it further

*Resolved*, That a copy of these resolutions be forwarded to the President of the United States and to our Senators and Representatives in Congress.

Referred to the committee on immigration.

Mr. Williams introduced the following concurrent resolution:

Proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of all lands, granted to the state under the Act of Congress, entitled, "An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the union on an equal footing with the original states, and to make donations of public lands to such states," and reserving to the state the coal deposits.

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

That the following proposed amendment to Section 155 of the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said state. To be by said last mentioned Legislative Assembly submitted to the qualified electors for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment.) That Section 155 of the Constitution of the State of North Dakota be amended to read as follows:

Section 155. The Legislative Assembly shall provide for the sale of all lands heretofore granted the State of North Dakota by the Act of Congress approved February 22nd, 1889, entitled, "An Act to provide for the division of Dakota into two states and to enable the people of North Dakota, South Dakota, Montana and Washington to form constitutions and state governments and to be admitted into the Union on an equal footing with the original states, and to make donations of public lands to such states," authorizing the formation of the states of North Dakota, South Dakota, Montana and Washington. All coal underlying such lands is hereby reserved to the state and all patents and contracts issued by the state for lands sold, shall contain the reservation of the coal to the state, as herein provided for; and the Legislative Assembly shall provide for the leasing or mining of the coal and the assessment and payment of any damage caused by prospecting or mining therefor by the state or its lessee.

Mr. Williams moved

That the resolution be spread upon the Journal, and referred to committee on coal lands and mining.

Which motion prevailed.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 245.

Being a bill for an Act to amend Section 7575 of the Revised Codes of North Dakota for A. D. 1905, and prescribing the instances where the right of eminent domain may be exercised for public uses.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays 13, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Gardiner	Fenray
Bass	Geiger	Pettersen
Batzer	Hanson	Pitkin
Bjornson	Hendrickson	Ployhar
Blakemore	Hill of Bottineau	Putnam
Bollinger	Hill of Cass	Raney
Bope	Hjelmstad	Ryan
Borusky	Hjort	Sandbeck
Bratton	Hoge	Schroeder
Buck	Homan	Smith of Kidder
Burnett	Husband	Smith of Ward
Butler of Ramsey	Isaak	Snyder
Butler of Ransom	Kellogg	Sorlie
Calnan	Kelly	Stenehjem
Campbell	Klein	Stinger
Carey	Lambert	Streeter
Curry	Lawbaugh	Tucker
Davis	Leu	Turner, C. C.
Dean	Lewis	Twichell
Divet	List	Walsh
Dixon	Martin	Wardrobe
Doyle	Miller	Warriner
Dynes	Morrison	Watt
Endreson	Norheim	Weis
Everson	Nyhus	Wiley
Fox	O'Connor	Wing
Freitag	Owens	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Moen
Coltom	Husc	Morkrid
Dosseth	Johnson	Small
Haraldson	Kyllo	Taylor
Harty		

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hickle	Olsgard
France	Jacobson	Roble
Fritz	Knox	Thompson
Gunderson	Lindstrom	Turner, F. W.
Hart	Northrup	Williams
Hedalen	Odland	

So the bill passed and the title was agreed to.

Mr. Fritz moved

That the vote by which House Bill No. 245 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 179.

A bill for an Act appropriating money for the maintenance and protection of the 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 ayes 89, nays 2, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Lawbaugh
Balsdon	France	Leu
Bartley	Freitag	Lewis
Bass	Geiger	Lindstrom
Batzer	Hanson	List
Bjornson	Haraldson	Martin
Blakemore	Hart	Miller
Bollinger	Harty	Moen
Bope	Hawkinson	Morkrid
Borusky	Hendrickson	Morrison
Buck	Hickle	Norheim
Burnett	Hill of Bottineau	Northrop
Butler of Ramsey	Hill of Cass	Nyhus
Butler of Ransom	Hjelmstad	O'Connor
Calnan	Homan	Odland
Carey	Husband	Owens
Coltom	Isaak	Pitkin
Curry	Jacobson	Ployhar
Davis	Johnson	Putnam
Dean	Kellogg	Raney
Dixon	Kelly	Ryan
Dosseth	Knox	Sandbeck
Dynes	Kyllo	Schroeder
Endreson	Lambert	Small



Messrs.—	Messrs.—	Messrs.—
Smith of Kidder	Tucker	Warriner
Sorlie	Turner, C. C.	Watt
Stenehjelm	Turner, F. W.	Wiley
Stinger	Twichell	Williams
Thompson	Walsh	Mr. Speaker
Taylor	Wardrope	

Those voting in the negative were: Messrs. Hoge and Huso.

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bratton	Gunderson	Roble
Campbell	Hedalen	Smith of Ward
Divet	Hjort	Snyder
Doyle	Klein	Streeter
Everson	Olsgard	Weis
Fritz	Pendray	Wing
Gardiner	Petterson	

So the bill passed and the title was agreed to.

Mr. Butler moved

That the vote by which House Bill No. 179 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 37.

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 ayes 96, nays 0, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ransom	Everson
Balsdon	Calnan	Fox
Bartley	Campbell	France
Bass	Carey	Fritz
Batzer	Coltom	Gardiner
Bjornson	Curry	Geiger
Blakemore	Davis	Gunderson
Bollinger	Dean	Hanson
Bope	Divet	Haraldson
Borusky	Dixon	Harty
Bratton	Dosseth	Hendrickson
Buck	Doyle	Hickle
Burnett	Dynes	Hill of Bottineau
Butler of Ramsey	Endreson	Hill of Cass

Messrs.—  
Hjelmstad  
Hjort  
Hoge  
Homan  
Husband  
Huso  
Jacobson  
Johnson  
Kellogg  
Kelly  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Leu  
Lewis  
Lindstrom  
List

Messrs.—  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrop  
Nyhus  
O'Connor  
Odland  
Olsgard  
Owens  
Pendray  
Pitkin  
Ployhar  
Raney  
Ryan  
Sandbeck

Messrs.—  
Schroeder  
Small  
Smith of Kidder  
Streeter  
Thompson  
Taylor  
Tucker  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrobe  
Warriner  
Watt  
Weis  
Wiley  
Williams  
Mr. Speaker

**Absent and not voting:**

Messrs.—  
Freitag  
Hart  
Hawkinson  
Hedalen  
Isaak

Messrs.—  
Klein  
Petterson  
Putnam  
Roble  
Smith of Ward

Messrs.—  
Snyder  
Sorlie  
Stenehjem  
Stinger  
Wing

So the bill passed and the title was agreed to.

Mr. C. C. Turner moved

That the vote by which House Bill No. 37 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 343.

A bill for an Act for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays 3, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—  
Anderson  
Balsdon  
Bartley  
Bass  
Batzner

Messrs.—  
Bjornson  
Blakemore  
Bollinger  
Bope  
Buck

Messrs.—  
Burnett  
Butler of Ramsey  
Butler of Ransom  
Calnan  
Carey

Messrs.—	Messrs.—	Messrs.—
Coltom	Homan	Owens
Curry	Husband	Pitkin
Davis	Isaak	Putnam
Dean	Jacobson	Rancy
Divet	Johnson	Ryan
Dosseth	Kelly	Sandbeck
Doyle	Knox	Small
Dynes	Kyllo	Smith of Kidder
Endreson	Lambert	Sorlie
Everson	Lawbaugh	Stenehjem
Fox	Leu	Streeter
France	Lewis	Taylor
Gardiner	Lindstrom	Tucker
Geiger	List	Turner, C. C.
Gunderson	Martin	Twichell
Hanson	Miller	Walsh
Haraldson	Moen	Wardrope
Hart	Morkrid	Warriner
Harty	Morrison	Watt
Hawkinson	Norheim	Wiley
Hendrickson	Northrop	Williams
Hill of Bottineau	Nyhus	Wing
Hill of Cass	O'Connor	Mr. Speaker
Hjort	Odland	
Hoge	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Borusky	Hjelmstad	Schroeder

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Huso	Smith of Ward
Campbell	Kellogg	Snyder
Dixon	Klein	Stinger
Freitag	Pendray	Thompson
Fritz	Petterson	Turner, F. W.
Hedalen	Ployhar	Weis
Hickle	Roble	

So the bill passed and the title was agreed to.

Mr. Burnett moved

That the vote by which House Bill No. 343 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties."

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 1, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	O'Connor
Balsdon	Harty	Odland
Bartley	Hawkinson	Olsgard
Bass	Hedalen	Owens
Batzer	Hendrickson	Pitkin
Bjornson	Hill of Bottineau	Ployhar
Blakemore	Hill of Cass	Raney
Bollinger	Hjelmstad	Ryan
Bope	Hjort	Sandbeck
Borusky	Hoge	Schroeder
Bratton	Homan	Small
Burnett	Husband	Smith of Kidder
Butler of Ramsey	Huso	Snyder
Butler of Ransom	Isaak	Sorlie
Calnan	Jacobson	Stenehjem
Carey	Kellogg	Stinger
Coltom	Kelly	Taylor
Davis	Kyllo	Tucker
Dean	Lambert	Turner, C. C.
Divet	Leu	Turner, F. W.
Dixon	Lewis	Twichell
Dosseth	Lindstrom	Walsh
Dynes	List	Warriner
Everson	Martin	Watt
France	Miller	Weis
Freitag	Moen	Wiley
Fritz	Morkrid	Williams
Gardiner	Morrison	Wing
Geiger	Norheim	Mr. Speaker
Gunderson	Northrop	
Hanson	Nyhus	

Those voting in the negative were: Mr. Curry.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Johnson	Roble
Campbell	Klein	Smith of Ward
Doyle	Knox	Streeter
Endreson	Lawbaugh	Thompson
Fox	Pendray	Wardrope
Hart	Petterson	
Hickle	Putnam	

So the bill passed and the title was agreed to.

Mr. Divet moved

That the vote by which House Bill No. 380 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 76.

A bill for an Act to amend Section 4 of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff, and providing for deputies.

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 10, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Norheim
Balsdon	Geiger	O'Connor
Bass	Haraldson	Odland
Bjornson	Hart	Olsgard
Blakemore	Harty	Pitkin
Bollinger	Hedalen	Putnam
Bope	Hendrickson	Raney
Borusky	Hickle	Ryan
Buck	Hill of Bottineau	Schroeder
Burnett	Hill of Cass	Smith of Kidder
Butler of Ramsey	Hoge	Sorlie
Butler of Ransom	Husband	Stenchjem
Calnan	Huso	Streeter
Carey	Isaak	Thompson
Coltom	Jacobson	Taylor
Curry	Kellogg	Tucker
Dean	Kelly	Turner, C. C.
Divet	Klein	Twichell
Dosseth	Kyllo	Warriner
Dynes	Lambert	Watt
Endreson	Lawbaugh	Wiley
Everson	Lewis	Williams
Fox	Lindstrom	Mr. Speaker
France	Moen	
Fritz	Morkrid	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjort	Miller
Dixon	Johnson	Nyhus
Freitag	List	Wing
Hawkinson		

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bartley	Leu	Small
Bratton	Martin	Smith of Ward
Campbell	Morrison	Snyder
Davis	Northrup	Stenehjem
Doyle	Owens	Turner, F. W.
Gunderson	Pendray	Walsh
Hanson	Petterson	Wardrope
Hjelmstad	Ployhar	Weis
Homan	Roble	
Knox	Sandbeck	

So the bill passed and the title was agreed to.

Mr. Bass moved

That the vote by which House Bill No. 76 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 395.

A bill for an Act to provide that notice of foreclosure of mortgages on personal property shall be given to the county.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 64, nays 29, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Pendray
Balsdon	Hedalen	Pitkin
Bartley	Hill of Bottineau	Ployhar
Bass	Hill of Cass	Putnam
Borusky	Hoge	Raney
Burnett	Homan	Sandbeck
Butler of Ramsey	Huso	Smith of Kidder
Butler of Ransom	Isaak	Snyder
Campbell	Jacobson	Sorlie
Coltom	Johnson	Streeter
Curry	Kellogg	Turner, F. W.
Dean	Kelly	Twichell
Dixon	Knox	Walsh
Doyle	Kyllo	Wardrope
Dynes	Lawbaugh	Warriner
Everson	Martin	Watt
France	Moen	Weis
Fritz	Morkrid	Wiley
Gardiner	Morrison	Williams
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Harty	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hanson	Odland
Bjornson	Haraldson	Olgard
Blakemore	Hendrickson	Schroeder
Bollinger	Hjort	Stinger
Bope	Lambert	Thompson
Buck	Leu	Taylor
Calnan	Lindstrom	Tucker
Carey	List	Turner, C. C.
Dosseth	Miller	Wing
Freitag	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Hickle	Petterson
Davis	Hjelmstad	Roble
Divet	Husband	Ryan
Endreson	Klein	Small
Fox	Lewis	Smith of Ward
Hart	Owens	Stenchjem

So the bill passed and the title was agreed to.

Mr. Dynes moved

That the vote by which House Bill No. 395 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 410.

A bill for an Act to amend and re-enact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 90, nays 0, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Buck	Dosseth
Balsdon	Burnett	Dynes
Bartley	Butler of Ramsey	Endreson
Bass	Butler of Ransom	Everson
Batzer	Calnan	Fox
Bjornson	Campbell	France
Blakemore	Carey	Fritz
Bollinger	Coltom	Gardiner
Bope	Davis	Geiger
Bratton	Divet	Gunderson

## Messrs.—

Hanson  
Hart  
Harty  
Hawkinson  
Hedalen  
Hendrickson  
Hill of Bottineau  
Hjelmstad  
Hjort  
Hoge  
Isaak  
Jacobson  
Johnson  
Kellogg  
Kelly  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Lewis

## Messrs.—

Lindstrom  
List  
Martin  
Miller  
Moen  
Morkrid  
Morrison  
Norheim  
Northrup  
Nyhus  
O'Connor  
Odland  
Olsgard  
Owens  
Pendray  
Pitkin  
Ployhar  
Putnam  
Raney  
Roble

## Messrs.—

Ryan  
Schroeder  
Smith of Kidder  
Sorlie  
Stinger  
Streeter  
Thompson  
Taylor  
Tucker  
Turner, C. C.  
Turner, F. W.  
Twichell  
Walsh  
Wardrope  
Warriner  
Watt  
Weis  
Wiley  
Williams  
Mr. Speaker

## Absent and not voting:

## Messrs.—

Borusky  
Curry  
Dean  
Dixon  
Doyle  
Freitag  
Haraldson

## Messrs.—

Hickle  
Hill of Cass  
Homan  
Husband  
Huso  
Klein  
Leu

## Messrs.—

Petterson  
Sandbeck  
Small  
Smith of Ward  
Snyder  
Stenehjem  
Wing

So the bill passed and the title was agreed to.

Mr. Polyhar moved

That House Bill No. 319 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 255.

A bill for an Act to amend and re-enact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 2, absent and not voting 27.



## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Hedalen	Odland
Batzner	Hendrickson	Olsgard
Bjornson	Hickle	Pendray
Blakemore	Hill of Bottineau	Pitkin
Bollinger	Hill of Cass	Ployhar
Bope	Hjort	Putnam
Bratton	Hoge	Raney
Buck	Homan	Ryan
Butler of Ramsey	Huso	Schroeder
Butler of Ransom	Jacobson	Small
Calnan	Kellogg	Smith of Kidder
Campbell	Kelly	Stenhjem
Carey	Knox	Stinger
Curry	Kyllo	Streeter
Dean	Lambert	Thompson
Divet	Lawbaugh	Tucker
Dixon	Leu	Turner, C. C.
Dosseth	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrobe
Everson	Martin	Warriner
Fox	Miller	Watt
France	Morkrid	Wiley
Geiger	Morrison	Williams
Gunderson	Norheim	Wing
Hanson	Northrup	Mr. Speaker
Harty	Nyhus	
Hawkinson	O'Connor	

Those voting in the negative were: Messrs. Borusky and Husband.

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Pettersen
Balsdon	Haraldson	Roble
Bartley	Hart	Sandbeck
Burnett	Hjelmstad	Smith of Ward
Coltom	Isaak	Snyder
Davis	Johnson	Sorlie
Doyle	Klein	Taylor
Freitag	Moen	Turner, F. W.
Fritz	Owens	Weis

So the bill passed and the title was agreed to.

Mr. Kyllo 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.

Mr. Calnan offered the following amendments to House Bill No. 256:

In line 1, Section 1, page 1 of the printed bill, after the word "bounty" insert the following: "That it shall be lawful for the board of county commissioners in any county in the state to offer a bounty to."

In line 3, Section 1 of the printed bill, after the word "hedge," strike out the words "shall be entitled to a bounty;" also the words "if offered by board of county commissioners"

In line 3 of the printed bill after the word "of" strike out the word "five" and insert in lieu thereof the word "ten."

Mr. Calnan moved

That the amendments be adopted.

Which motion prevailed.

Mr. Thompson moved

That the rules be suspended and House Bill No. 256 be considered engrossed, placed on third reading and final passage.

Which motion prevailed.

House Bill No. 256.

A bill for an Act providing for a bounty for and defining shelter hedges.

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 78, nays 6, absent and not voting 27.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Hjelmstad
Bartley	Divet	Hoge
Bass	Dynes	Homan
Batzer	Everson	Husband
Bjornson	Freitag	Huso
Blakemore	Gardiner	Isaak
Bollinger	Gunderson	Johnson
Bope	Hanson	Kellogg
Bratton	Haraldson	Kelly
Butler of Ramsey	Hart	Lambert
Butler of Ransom	Harty	Leu
Calnan	Hawkinson	Lewis
Carey	Hedalen	Lindstrom
Colton	Hendrickson	List
Curry	Hill of Bottineau	Martin

Messrs.—	Messrs.—	Messrs.—
Miller	Pitkin	Streeter
Moen	Ployhar	Thompson
Morkrid	Putnam	Tucker
Norheim	Raney	Turner, C. C.
Northrup	Roble	Turner, F. W.
Nyhus	Ryan	Twichell
O'Connor	Sandbeck	Walsh
Odland	Schroeder	Warriner
Olsgard	Small	Wiley
Owens	Smith of Kidder	Williams
Pendray	Stinger	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hickle	Lawbaugh	Wardrope
Hjort	Taylor	Watt

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Endreson	Kyllo
Borusky	Fox	Morrison
Buck	France	Petterson
Burnett	Fritz	Smith of Ward
Campbell	Geiger	Snyder
Davis	Hill of Cass	Sorlie
Dixon	Jacobson	Stenehjem
Dosseth	Klein	Weis
Doyle	Knox	Wing

So the bill passed and the title was agreed to.

Mr. Calnan moved

That the vote by which House Bill No. 256 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 authorizing the court or judges to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the 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 ayes 71, nays 9, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Morkrid
Balsdon	Gunderson	Morrison
Bartley	Hanson	Northrup
Bass	Hawkinson	Odland
Batzer	Hedalen	Olsgard
Bjornson	Hickle	Owens
Blakemore	Hill of Bottineau	Pendray
Bollinger	Hill of Cass	Petterson
Borusky	Hjelmstad	Pitkin
Buck	Hjort	Ployhar
Burnett	Hoge	Putnam
Butler of Ransom	Husband	Raney
Calnan	Huso	Ryan
Campbell	Isaak	Sandbeck
Carey	Johnson	Small
Coltom	Kellogg	Thompson
Curry	Kelly	Twichell
Davis	Knox	Walsh
Dean	Kyllo	Wardrope
Divet	Leu	Warriner
Dynes	Lewis	Weis
Everson	Lindstrom	Williams
Freitag	Martin	Mr. Speaker
Fritz	Miller	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dixon	Nyhus	Taylor
Dosseth	Schroeder	Turner, C. C.
List	Streeter	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Hendrickson	Smith of Ward
Bratton	Homan	Snyder
Butler of Ramsey	Jacobson	Sorlie
Doyle	Klein	Stenehjem
Endreson	Lambert	Stinger
Fox	Lawbaugh	Tucker
France	Moen	Turner, F. W.
Gardiner	Norheim	Watt
Haraldson	O'Connor	Wing
Hart	Roble	
Harty	Smith of Kidder	

So the bill passed and the title was agreed to.

Mr. Buck 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.

Mr. Kylo moved

That House Bill No. 201 be referred to the committee on appropriations.

Which motion prevailed.

House Bill No. 350.

A bill for an Act to avoid the expense of selling land or lots for a trivial tax.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 58, nays 32, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Nyhus
Bartley	Hedalen	O'Connor
Bass	Hendrickson	Odland
Bope	Hickle	Pendray
Borusky	Hill of Bottineau	Pitkin
Buck	Hill of Cass	Ployhar
Butler of Ramsey	Hjelmstad	Putnam
Butler of Ransom	Hoge	Roble
Calnan	Huso	Schroeder
Campbell	Jacobson	Small
Coltom	Kellogg	Smith of Kidder
Davis	Kelly	Thompson
Dean	Kylo	Turner, C. C.
Dixon	Lambert	Wardrobe
Doyle	Lawbaugh	Watt
Dynes	Lewis	Wiley
Endreson	Martin	Williams
Fox	Moen	Wing
Gunderson	Morrison	
Hanson	Norheim	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Haraldson	Petterson
Bjornson	Hart	Ryan
Bollinger	Hjort	Streeter
Bratton	Husband	Taylor
Carey	Johnson	Tucker
Curry	Knox	Twichell
Divet	Leu	Walsh
Dosseth	List	Warriner
Freitag	Morkrid	Weis
Gardiner	Olgard	Mr. Speaker
Geiger	Owens	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Balsdon	Homan	Sandbeck
Blakemore	Isaak	Smith of Ward
Burnett	Klein	Snyder
Everson	Lindstrom	Sorlie
France	Miller	Stenehjem
Fritz	Northrup	Stinger
Harty	Ryan	Turner, F. W.

So the bill passed and the title was agreed to.

**House Bill No. 264.**

A bill for an Act providing for failure to close gates on private roadways.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 10, absent and not voting 23.

**Those voting in the affirmative were:**

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Nyhus
Bartley	Hickle	Odland
Bass	Hill of Cass	Olsgard
Batzner	Hjelmstad	Pendray
Bollinger	Hjort	Petterson
Bope	Hoge	Pitkin
Burnett	Homan	Ployhar
Butler of Ramsey	Husband	Putnam
Butler of Ransom	Huso	Raney
Calnan	Isaak	Sandbeck
Campbell	Kellogg	Schroeder
Curry	Kelly	Small
Davis	Knox	Smith of Kidder
Dean	Kyllo	Stenehjem
Divet	Lambert	Stinger
Dixon	Lawbaugh	Thompson
Everson	Leu	Tucker
<b>Fox</b>	Lewis	Turner, C. C.
France	Lindstrom	Turner, F. W.
Gardiner	List	Twichell
Geiger	Martin	Walsh
Gunderson	Moen	Warriner
Hanson	Morkrid	Weis
Hart	Morrison	Williams
Hawkinson	Norheim	Wing
Hedalen	Northrup	Mr. Speaker

**Those voting in the negative were:**

Messrs.—	Messrs.—	Messrs.—
Bjornson	Dosseth	Taylor
Borusky	Johnson	Watt
Carey	O'Connor	
Coltom	Owens	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fritz	Ryan
Blakemore	Haraldson	Smith of Ward
Bratton	Harty	Snyder
Buck	Hill of Bottineau	Sorlie
Doyle	Jacobson	Streeter
Dynes	Klein	Wardrope
Endreson	Miller	Wiley
Freitag	Roble	

So the bill passed and the title was agreed to.

Mr. Streeter moved

That the vote by which House Bill No. 264 passed, be reconsidered and the motion to reconsider be laid on the table.

House Bill No. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 3, absent and not voting 26.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	O'Connor
Balsdon	Gunderson	Odland
Bartley	Hanson	Olgard
Bass	Haraldson	Owens
Batzer	Harty	Pitkin
Bjornson	Hawkinson	Ployhar
Blakemore	Hedalen	Putnam
Bollinger	Hendrickson	Raney
Bope	Hickle	Schroeder
Borusky	Hill of Cass	Smith of Kidder
Bratton	Hjelmstad	Sorlie
Buck	Hjort	Thompson
Burnett	Hoge	Taylor
Butler of Ramsey	Husband	Tucker
Butler of Ransom	Huso	Turner, C. C.
Calnan	Isaak	Turner, F. W.
Campbell	Kellogg	Twichell
Coltom	Kelly	Walsh
Curry	Kyllo	Wardrope
Davis	Leu	Warriner
Dean	Lewis	Watt
Divet	List	Weis
Dosseth	Miller	Wiley
Dynes	Moen	Williams
Endreson	Morkrid	Wing
Fox	Morrison	Mr. Speaker
France	Northrup	
Gardiner	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Fritz	Lindstrom	Martin

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Carey	Johnson	Ryan
Dixon	Klein	Sandbeck
Doyle	Knox	Small
Everson	Lambert	Smith of Ward
Freitag	Lawbaugh	Snyder
Hart	Norheim	Stenhjem
Hill of Bottineau	Pendray	Stinger
Homan	Petterson	Streeter
Jacobson	Roble	

So the bill passed and the title was agreed to.

Mr. Kylo moved

That the vote by which House Bill No. 329 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 282.

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

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 33, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	O'Connor
Balsdon	Fritz	Odland
Bartley	Gardiner	Olsgard
Bass	Geiger	Owens
Batzer	Hedalen	Pendray
Bope	Hill of Cass	Petterson
Borusky	Hjelmstad	Pitkin
Buck	Homan	Putnam
Burnett	Husband	Sandbeck
Butler of Ramsey	Huso	Schroeder
Butler of Ransom	Isaak	Small
Calnan	Kelly	Smith of Kidder
Campbell	Klein	Tucker
Davis	Knox	Turner, F. W.
Dean	Kylo	Warriner
Divet	Lewis	Watt
Doyle	Martin	Williams
Dynes	Miller	Wing
Fox	Moen	Mr. Speaker
France	Morkrid	



Those voting in the negative were :

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hendrickson	Norheim
Blakemore	Hill of Bottineau	Ployhar
Coltom	Hjort	Raney
Curry	Jacobson	Ryan
Dixon	Johnson	Sorlie
Dosseth	Kellogg	Thompson
Gunderson	Lambert	Taylor
Hanson	Leu	Turner, C. C.
Haraldson	Lindstrom	Twichell
Harty	List	Wardrope
Hawkinson	Morrison	Weis

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hoge	Stenehjem
Bratton	Lawbaugh	Stinger
Carey	Northrup	Streeter
Endreson	Nyhus	Walsh
Everson	Roble	Wiley
Hart	Smith of Ward	
Hickle	Snyder	

So the bill passed and the title was agreed to.

Mr. Dean 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. 159.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 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 ayes 91, nays 3, absent and not voting 17.

Those voting in the affirmative were :

Messrs.—	Messrs.—	Messrs.—
Anderson	Bratton	Davis
Balsdon	Burnett	Dean
Bartley	Butler of Ramsey	Divet
Bass	Butler of Ransom	Dixon
Bjornson	Calnan	Dosseth
Blakemore	Carey	Dynes
Bollinger	Coltom	Endreson
Borusky	Curry	Everson

Messrs.—	Messrs.—	Messrs.—
Fox	Knox	Ryan
Freitag	Kyllo	Sandbeck
Fritz	Lambert	Schroeder
Gardiner	Lawbaugh	Smith of Kidder
Geiger	Leu	Sorlie
Gunderson	Lewis	Stinger
Hanson	List	Streeter
Harty	Martin	Thompson
Hawkinson	Moen	Taylor
Hedalen	Morkrid	Tucker
Hickle	Morrison	Turner, C. C.
Hill of Bottineau	Norheim	Turner, F. W.
Hill of Cass	Northrup	Twichell
Hjelmstad	O'Connor	Walsh
Hjort	Odland	Wardrope
Homan	Olsgard	Warriner
Husbarø	Owens	Watt
Huso	Pendray	Weis
Isaak	Petterson	Wiley
Jacobson	Pitkin	Williams
Johnson	Ployhar	Mr. Speaker
Kellogg	Putnam	
Kelly	Raney	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hart	Nyhus

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Hendrickson	Small
Buck	Hoge	Smith of Ward
Campbell	Klein	Snyder
Doyle	Lindstrom	Stenhjem
France	Miller	Wing
Haraldson	Roble	

So the bill passed and the title was agreed to.

Mr. Wiley moved

That the vote by which House Bill No. 159 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 226.

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme Court to fix the amount and direct 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 88, nays 6, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Owens
Bass	Harty	Petterson
Batzner	Hawkinson	Ployhar
Bjornson	Hedalen	Putnam
Blakemore	Hickle	Raney
Bollinger	Hill of Bottineau	Ryan
Bope	Hill of Cass	Schroeder
Bratton	Hjelmstad	Small
Buck	Hjort	Smith of Kidder
Burnett	Hoge	Snyder
Butler of Ramsey	Husband	Sorlie
Butler of Ransom	Isaak	Stinger
Campbell	Jacobson	Streeter
Carey	Kellogg	Thompson
Coltom	Kelly	Taylor
Curry	Knox	Tucker
Davis	Kyllo	Turner, C. C.
Dean	Lambert	Turner, F. W.
Divet	Lawbaugh	Twichell
Dosseth	Lewis	Walsh
Doyle	Lindstrom	Wardrope
Dynes	List	Warriner
Endreson	Martin	Watt
Fox	Morkrid	Weis
France	Morrison	Wiley
Freitag	Norheim	Williams
Fritz	Nyhus	Wing
Geiger	O'Connor	Mr. Speaker
Hanson	Odland	
Haraldson	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dixon	Johnson	Pendray
Huso	Moen	Sandbeck

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Northrup
Bartley	Hendrickson	Pitkin
Borusky	Homan	Roble
Calnan	Klein	Smith of Ward
Everson	Leu	Stenchjem
Gardiner	Miller	

So the bill passed and the title was agreed to.

Mr. Divet moved

That the vote by which House Bill No. 226 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SPECIAL ORDERS, THREE O'CLOCK.

Mr. Watt 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. Watt 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. 67.

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.

And recommend that the same do pass.

WM. WATT,  
Chairman.

Mr. Watt moved

That the report be adopted.

Which motion prevailed.

Mr. Dixon moved

That Senate Bill No. 67, which was made a special order for today at 3 o'clock, and which is now before the House, be placed on its third reading and final passage.

Which motion prevailed.

Senate Bill No. 67.

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 ayes 60, nays 39, absent and not voting 12.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Ployhar
Batzner	Hendrickson	Putnam
Bjornson	Hjort	Raney
Blakemore	Hoge	Ryan
Bollinger	Homan	Schroeder
Bope	Jacobson	Small
Buck	Kellogg	Smith of Kidder
Calnan	Knox	Snyder
Campbell	Lambert	Sorlie
Divet	Leu	Thompson
Dixon	Lewis	Taylor
Dosseth	Lindstrom	Turner, C. C.
Endreson	List	Turner, F. W.
<b>Fox</b>	Martin	Twichell
France	Moen	Wardrope
Freitag	Norheim	Warriner
Fritz	O'Connor	Weis
Gardiner	Odland	Wiley
Hanson	Owens	Williams
Haraldson	Pitkin	Wing

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Lawbaugh
Balsdon	Hart	Morkrid
Bass	Hawkinson	Morrison
Borusky	Hedalen	Nyhus
Burnett	Hickle	Olsgard
Butler of Ramsey	Hill of Bottineau	Pendray
Butler of Ransom	Hill of Cass	Petterson
Carey	Hjelmstad	Sandbeck
Coltom	Husband	Stinger
Curry	Huso	Tucker
Davis	Isaak	Walsh
Dean	Johnson	Watt
Everson	Kyllo	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Kelly	Roble
Doyle	Klein	Smith of Ward
Dynes	Miller	Stenehjem
Geiger	Northrup	Streeter

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 67 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Thompson moved

That the House concur in the amendments made by the Senate on House Bill No. 80 and that said bill be placed on third reading.

Which motion prevailed.

Mr. Thompson moved

That House Bill No. 73 be referred to the committee on highways.

Which motion prevailed.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 144.

A bill for an Act to amend and re-enact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 192.

A bill for an Act to amend and re-enact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission.

Was read the first and second time and

Referred to the committee on judiciary.

## MESSAGE FROM THE SENATE.

February 19th, 1913.

*Mr. Speaker:*

I have the honor to return herewith

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, Laws of 1909.

Which the Senate has amended as follows:

In Section 6, line 12 of printed bill after the word "Condition" strike out "and shall be heated in winter and lighted at all times."

In line 41 after the word "guests" strike out the rest of the line and all of lines 42 and 43 and insert "at all hours."

In line 45 after the word "hall" strike out the rest of the line and all of line 46.

In lines 36 and 37 of Section 1 of the printed bill strike out the words "of moss, sea grass, excelsior, husks or shoddy" and insert in lieu thereof the words "any mattress of a lower grade than that commonly known to the trade as cotton felt combination."

In line 40 of Section 1 of the printed bill insert after the word "towels" the words "or paper toweling."

Also in Section 10 of the printed bill, strike out the word "provided" in line 7 thereof and everything down to and including the word "and" in line 11 of the printed bill. Also after the word "provided" in line 11 of Section 10 of the printed bill strike out the word "further."

And passed as amended.

Very respectfully

W. D. AUSTIN,  
Secretary.

February 19th, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

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

Very respectfully

W. D. AUSTIN,  
Secretary.

### GENERAL ORDERS.

Mr. Thompson moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Thompson to the chair.

Mr. Owens moved

That the House do now take a recess.

Which motion prevailed.

The House re-assembled at 4:45 pursuant to recess taken.

Mr. Twitchell offered the following amendments to Senate Bill No. 98:

That Section 1 be amended as follows: In line 3 of Section 1, after the word "Snuff" add "or substitute therefor."

That Section 2 be amended to read as follows:

Section 2. Snuff Defined.) For the purpose of this Act Snuff is defined as any tobacco that has been fermented, or dried, or flavored, or pulverized, or cut, or scented or otherwise treated, and intended to be taken or used by the mouth, or any substitute therefor, or imitation therefor. *Provided*, however, ordinary plug, fine cut, or long cut chewing tobacco as now commonly known to the trade shall not be included in such definition.



Mr. Twitchell moved

That the amendments be adopted and that the committee recommend that Senate Bill No. 98 do pass as amended.

Which motion prevailed.

When the committee arose it submitted the following report:

*Mr. Speaker:*

The committee of the whole have had under consideration

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

And have adopted the following amendment:

In line 3, strike out "1,200" and insert in lieu thereof "500."

And recommend the same do pass as amended.

Also,

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station, located at Williston, in Williams County, North Dakota.

And recommend that the same do pass as amended.

Also,

House Bill No. 49.

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 17.

A bill for an Act to provide for the erection of an industrial building and necessary improvements for the school for the deaf at Devils Lake, North Dakota, and making an appropriation therefor.

And recommend that the same do pass as amended.

Also,

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

And recommend that the same do pass as amended.

Also,

House Bill No. 184.

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.

And have adopted the following amendments:

Strike out all of line 17 of printed bill.

In lines 6 and 7, strike out the words "one hundred thirteen" and insert in lieu thereof "forty-eight." Also in line 7, after the word "dollars" insert the figures "48,985."

And recommend that the same do pass as amended.

Also,

House Bill No. 300.

A bill for an Act making an appropriation for the mining substation at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

Have amended by striking out the emergency clause.

And recommend that the same do pass as amended.

Also,

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

And recommend that the same do pass as amended.

Also,

House Bill No. 374.

A bill for an Act to amend Section 2770 of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

And recommend that the same do pass as amended.

Also,

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate for taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

And recommend that the same do pass as amended.

Also,

House Bill No. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

And recommend that the same do pass as amended.

Also,

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell barter, exchange or give away cigarettes or cigarette papers.

And recommend that the same do pass as amended.

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

#### COURTESIES OF THE FLOOR.

Privileges of the floor were extended to F. E. Funk, Washburn; Dr. P. Oyen, Ft. Green; Rudolph Ogrin, John Ogrin, G. H. Davidson, L. H. Stun of Kulm; E. B. Rucol, Rufus Rucol, Walter Sinear, Wm. Merklejohn, S. E. Hurtz, Hazleton; John McCary, Winona, N. D.; A. L. Geil, Hazelton, N. D.; Mr. and Mrs. John Baker, Hazelton, N. D.; G. O. Haugen, Sam Erander, A. M. Sjgms, Maddock, N. D.; Geo. Hart, Ryder; Judge Johnson, Atty. Col. Bitzing, H. H. Harmon, Mandan; John Severson, Churchs Ferry, N. D.; B. Olson, Maddock, N. D.; O. Bratvold, Maddock, N. D.; O. S. Aaker, Minnewaukan, N. D.

Mr. Thompson moved  
That the House do now adjourn.  
Which motion prevailed and  
The House adjourned.

M. J. GEORGE,  
Chief Clerk.

---

FORTY-FIFTH DAY.

HOUSE OF REPRESENTATIVES.  
BISMARCK, NORTH DAKOTA,  
February 20th, 1913.

The House assembled at 2 P. M., pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except, Messrs. France, Fritz, Hickie, Husband, Miller, Pendray, Ryan, Stenehjem, Smith of Ward, who were excused.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

On page 18, line 9, strike out the words "expression in."

On page 19, strike out lines 8, 9, 10 and 11, and insert the same lines on page 20, following line 12 and immediately following the above mentioned four lines, insert the words "Mr. Divet moved."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

Mr. O'Connor moved  
That the report be adopted.  
Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,  
BISMARCK, NORTH DAKOTA,  
February 19th, 1913.

*To the House of Representatives.*

Gentlemen: I have the honor to inform you that I have this day approved and filed with the Secretary of State, House Bill No. 14. A bill for an Act relating to the boundaries, terms of court and chambers of the district judge of the Seventh Judicial District, amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Also, House Bill No. 160. A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging transcribed judgments.

I have the honor to be,

Respectfully,  
L. B. HANNA,  
Governor.

MESSAGE FROM THE SENATE.

Bismarck, N. D., February 20th, 1913.

*Mr. Speaker:*

I have the honor to transmit herewith  
Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissioners and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Also,

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 455 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Also,

Senate Bill No. 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the Prohibition Law.

Also,

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the state superintendent of public instruction to that degree that the present salary would justify.

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

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, N. D., February 20th, 1913.

*Mr. Speaker:*

I have the honor to return herewith

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

Also,

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,  
Secretary.

## PETITIONS AND COMMUNICATIONS.

The following petition was presented:

We, the undersigned, believing that whatever intoxicating liquor legally comes into the state should be up to the standard of purity, and that it is unjust for the private citizen to have to be to the expense and trouble of enforcing the laws relating to the moral welfare of the people when they have paid taxes for this purpose, and that the state should provide a way to enforce its laws, and believing that the Liquor Inspection Bill will provide for purer liquors and for the enforcement of the prohibitory law at the expense of the liquor traffic, therefore, we petition the House of the North Dakota Legislature to pass the inspection bill, House Bill No. 284.

Signed by Wesley Smith and 85 others.

Mr. Fraine presented a similar petition signed by C. E. Stinson of Grafton, N. D. and 20 others.

A similar petition was introduced, signed by H. Edgerton of Wilton, N. D. and 29 others.

A similar petition was introduced, signed by W. T. Mahin of Brantford, N. D. and 39 others.

Mr. Sorlie introduced a similar petition, signed by John Tufte of Northwood, N. D. and 18 others.

Petition relating to House Bill No. 284, presented by Mr. Dynes and signed by H. C. Cooper and 50 others.

A similar petition by Mr. Dynes, signed by C. B. Pritchard and 26 others.

A similar petition was presented, signed by H. P. Cooper of Casselton, N. D. and 51 others.

A similar petition was introduced, signed by H. J. Nyhus and 19 others of Ramsey County, N. D.

Mr. Warriner introduced a similar petition signed by E. C. Lewis and 43 others of Milnor, N. D.

A similar petition was introduced, signed by Thos. Johnston and 31 others of Antler, N. D.

A similar petition was introduced, signed by Mrs. D. Beairsto and 30 others of Backoo, N. D.

A similar petition was introduced, signed by C. E. Winkelman and 17 others of Beach, N. D.

A similar petition was introduced, signed by J. B. Linger and 22 others of the 39th District.

A similar petition was introduced, signed by H. H. Bay and 9 others of Marmarth, N. D.

Mr. Bjornson introduced a similar petition signed by F. W. Morse and 19 others of LaMoure, N. D.

A similar petition was introduced, signed by W. L. Bennett of Jamestown and 18 others of Jamestown and New Rockford, N. D.

Mr. Hawkinson introduced the following petition:

We, the undersigned, citizens of Towner County, North Dakota, believing that gasoline for illuminating, cooking, automobiles, and farm tractors is reaching to prohibitive prices. We therefore petition you to draft a bill for this session of Legislature, or if there should already be such a bill presented, to support such a bill.

“A bill for an Act to create a special committee to investigate whether denatured alcohol can be safely, legally and economically manufactured by the state of North Dakota.” Should the committee’s report be found favorable, we recommend that the state enter into the manufacture of denatured alcohol.

Signed by Albert Spillmann of Egeland, N. D. and 95 others.

Mr. F. W. Turner introduced the following petition:

The Equal Suffrage Club of Dickinson petitions your honorable body to support Senate Bill No. 8, known as the Bronson Bill granting suffrage to women.

Signed by Mrs. T. D. Casey, President, and 40 members.

The following petition was introduced:

*To the Honorable Legislative Assembly, State of North Dakota:*

We, the undersigned, believing in the right of all people to govern themselves, and that the only way in which such self-government can be made effective is by the intelligent use of the ballot, and believing in the principle of equality as between all human beings, and not as between male human beings only, do hereby petition your Honorable Body to pass concurrent resolutions authorizing the submission of a constitutional amendment allowing full and equal suffrage to women.

Signed by Ida Rolston and 524 others of North Dakota.



*To the Honorable Legislative Assembly, State of North Dakota:*

At the annual meeting of the North Dakota State Enforcement League, held in the City of Bismarck on the 19th day of February, 1913, the following resolution was adopted:

“Assistant Attorney General F. C. Heffron has been an indispensable ally of our superintendent, especially west of the river and in the Capitol City. For four years he has rendered his service to this cause at the call of the state through the Attorney General, and the Legislature thus far has neglected to allow any compensation for his time and service in criminal cases. And we urge in the name of law and order, fairness, justice and the honor of our commonwealth, that the Legislative Assembly pass the bill appropriating reasonable compensation for his service.”

And the same is hereby communicated to you.

R. B. GRIFFITH,

President.

CHAS. A. MACUAMARA,

Secretary.

*To the Honorable Legislative Assembly, State of North Dakota:*

At the annual meeting of the North Dakota State Enforcement League, held in the City of Bismarck on the 19th day of February, 1913, the following resolution was adopted:

“We earnestly desire the passage of the liquor inspection House Bill No. 284, and representing thousands of constituents we respectfully petition favorable action thereon on the part of the members of the Legislative Assembly.”

And the same is hereby communicated to you.

R. B. GRIFFITH,

President.

CHAS. A. MACUAMARA,

Secretary.

*To the Honorable Legislative Assembly, State of North Dakota:*

At the annual meeting of the North Dakota State Enforcement League, held in the City of Bismarck on the 19th day of February, 1913, the following resolution was adopted:

"We recognize that the present Legislative Assembly is largely made up of members who are willing to pass laws looking to the strengthening and better enforcement of our constitutional prohibition of the manufacture and sale of intoxicating liquor, and we bespeak the earnest and united effort of such members to the end that the best results may be attained and we ask similar favorable action on all measures looking to moral betterment."

And the same is hereby communicated to you.

R. B. GRIFFITH,

President.

CHAS. A. MACUAMARA,

Secretary.

*To the Honorable Legislative Assembly, State of North Dakota:*

The following resolution on woman's suffrage was passed at the annual meeting of the North Dakota Enforcement League, held at the City of Bismarck on the 19th day of February, 1913:

"Resolved, That we favor votes for women the same as for men and that we petition the Legislative Assembly to take such action at the present session as will most speedily extend the right of suffrage to all adult citizens without regard to sex."

And the same is hereby communicated to you.

R. B. GRIFFITH,

President.

CHAS. A. MACUAMARA,

Secretary.

Mr. Hill of Cass introduced the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned, citizens of the Eleventh Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by Alexander Cuthbertson of Erie, N. D. and 53 others.

A similar petition was introduced, signed by S. E. Zollinger and 66 others of the 39th Legislative District of North Dakota.

A similar petition was introduced, signed by L. F. Hoffmann and 27 others of the 49th Legislative District of North Dakota.

A similar petition was presented, signed by Chas. Pendray and 22 others.

A similar petition was presented, signed by L. M. Thomas and 26 others.

A similar petition was introduced, signed by Ernest Shaw Reynolds and 19 others.

A similar petition was introduced, signed by E. A. Tucker and 25 others of the 11th District of North Dakota.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined:

House Bill No. 17.

A bill for an Act to provide for the erection of an industrial building and necessary improvements for the school for the deaf at Devils Lake, North Dakota, and making an appropriation therefor.

Also,

House Bill No. 49.

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,

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarette paper."

Also,

House Bill No. 184.

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. 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

Also,

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the agricultural sub-experiment station located at Hettinger, Adams County.

Also,

House Bill No. 210.

A bill for an Act to amend Section 1, Chapter 111, Laws of North Dakota, for the year 1907, and providing a penalty for failure to comply with provisions of said Chapter 111.

Also,

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Also,

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

Also,

House Bill No. 254.

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum and the provisions thereof.

Also,

House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station, located at Williston, in Williams County, North Dakota.

Also,

House Bill No. 300.

A bill for an Act making an appropriation for the mining substation at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

Also,

House Bill No. 374.

A bill for an Act to amend Section 2770 of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

Also,

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.

Also,

House Bill No. 418.

A bill for an Act providing for the covering of charges and fees collected by state and county officers into the state and county treasury.

Also,

House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on enrollment made the following report:

*Mr Speaker:*

Your committee on enrollment have examined:

House Bill No. 78,

A bill for an Act entitled "An Act defining boot legging, making it a crime and fixing the penalty therefor."

Also,

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes."

And find the same correctly enrolled.

R. J. GARDINER,  
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The committee on railways made the following report:

Your committee on railways to whom was referred

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

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

A. M. THOMPSON,  
Chairman.

Also,

A minority of your committee on railways to whom was referred

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

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

J. W. CALNAN,  
S. HENDRICKSON,  
D. L. WARRINER,  
OLE NYHUS,  
W. A. SMALL.

Also,

House Bill No. 324.

A bill for an Act to prohibit trespassing on railway right of way.

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

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 439.

A bill for an Act to prohibit trespassing upon railway right of way, tracks and station grounds, and prohibiting trespassers from getting on or off or riding upon railroad trains, cars or engines.

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

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 459.

A bill for an Act regulating the sweeping of passenger coaches or cars while occupied by passengers and providing for a penalty therefor.

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

On the printed bill, Section 1, line 4, after the word "moistened" add the following: "with water or oil or by the use of sufficient sweeping compound to keep down the dust." In Section 2, line 2, after the word "by" strike out the remainder of the line; also strike out the first six words on line 3 and also change "five hundred" to read "twenty-five dollars."

And when so amended recommend the same do pass.

A. M. THOMPSON,  
Chairman.

Also,

House Bill No. 467.

A bill for an Act requiring every railroad, railroad corporation, railway company, car company, every common carrier other than by water, whether operated by steam or electricity, to keep and maintain a constant and uninterrupted lookout for animals and pedestrians or any obstructions on its track that might interfere with the moving of trains and making such railroad, railroad corporation, railway company, car company and of every common carrier

liable for any damages caused by its failure to keep and maintain such lookout and abolishing the defense of contributory negligence in such cases.

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

A. M. THOMPSON,  
Chairman.

Also,

A minority of your committee on railroads to whom was referred

House Bill No. 467.

A bill for an Act requiring every railroad, railroad corporation, railway company, car company and every common carrier other than by water whether operated by steam or electricity, to keep and maintain a constant and uninterrupted lookout for animals, pedestrians or any obstructions on its track that might interfere with the moving of trains and making such railroad, railroad corporation, railway company, car company and of ever ysuch common carrier liable for any damages caused by its failure to keep and maintain such lookout and abolishing the defense of contributory negligence in such cases.

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

J. W. CALNAN,  
D. L. WARRINER.

Also,

Senate Bill No. 207.

A bill for an Act to amend Section 4309, Article 6, Chapter 12 of the Revised Codes of North Dakota of 1905, relating to the licensing of railroad and steamboat ticket agents.

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

A. M. THOMPSON,  
Chairman.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed.

The committee on county and county boundaries made the following report:

Your committee on county and county boundaries to whom was referred



## House Bill No. 434.

A bill for an Act to amend and re-enact Section 1349 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

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

H. GEIGER,  
Chairman.

Also,

## House Bill No. 461.

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.

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

H. GEIGER,  
Chairman.

Also,

## House Bill No. 486.

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Codes of 1905, as amended by Chapter 298, Laws of 1911, relating to the disposition of penalty and interest.

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

H. GEIGER,  
Chairman.

Also,

## House Bill No. 469.

A bill for an Act to amend Section 38, of Chapter 266, of the Session Laws of 1911, relating to what territory may be organized into district school corporations.

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

In line 8 of the printed bill after the word "of" insert the word "any."

And when so amended recommend the same do pass.

H. GEIGER,  
Chairman.

Mr. Geiger moved

That the report be adopted.

Which motion prevailed.

The committee on highways made the following report:

*Mr. Speaker:*

Your committee on highways to whom was referred  
House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of  
the Revised Codes of 1905, relating to county road funds.

Have had the same under consideration and recommend  
that the Senate amendments be concurred in.

NORMAN MORRISON,  
Chairman.

Mr. Morrison moved

That the report be adopted.

Which motion prevailed.

The committee on state affairs made the following report:

*Mr. Speaker:*

Your committee on state affairs to whom was referred  
Senate Bill No. 75.

A bill for an Act to amend Chapter 110, Laws of 1911,  
relating to the investment of county sinking funds.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

Senate Bill No. 200.

A bill for an Act for the payment of expenses of district  
judges when acting outside of the counties of their residence,  
and to amend Chapter 175 of the Session Laws of 1911.

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

In line 2 of the title of the engrossed bill, strike out the  
words "the counties of their residence" and insert in lieu

thereof the words "their judicial district." In line 3, Section 2, of the engrossed bill, strike out the words "the county of his residence" and insert in lieu thereof the words "his judicial district."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

Senate Bill No. 62.

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolves or coyotes.

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

Strike out all after the words "a bill" and insert the following:

For an Act to amend and re-enact Section 1953 of the Revised Codes of 1905, relating to bounty for killing wolves or coyotes.

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

Section 1. Amendment.) That Section 1953 of the Revised Codes of 1905 be amended to read as follows:

Section 1953. The county commissioners of each county may offer a bounty, in such amount as they deem proper, for each wolf or coyote killed within the limits of their county.

Sec. 2. Emergency Clause.) An emergency is hereby declared to exist, and this action is to take effect immediately after its passage and approval.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 363.

A bill for an Act to amend Section 10304 of the 1905 Revised Codes of the State of North Dakota, relating to the power of government to demand the return of fugitives from justice and others charged with crime, to provide for the appointment of agents to receive such person and to provide for compensation of such agents.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 328.

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

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

FRANK E. PLOYHAR,  
Chairman.

• Also,

House Bill No. 235.

A bill for an Act to require the agricultural experiment stations in this state, under the direction and control of the State Agricultural College, to publish some of their bulletins in the Scandinavian and the German languages.

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

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mother's Day."

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

In line 2, Section 1 of the printed bill, strike out the words "some Sunday in the month of April" and insert in lieu thereof the words "the first Sunday in June."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,  
Chairman.

Also,

House Bill No. 391.

A bill for an Act entitled "An Act to amend Section 4037 of the Revised Codes of 1905, relating to marriages, licenses and the solemnization of marriages thereunder."

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.

The committee on judiciary made the following report:

*Mr. Speaker:*

Your committee on judiciary to whom was referred  
House Bill No. 427.

Being a bill for an Act to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1909 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Ninth Judicial District.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 426.

Being a bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws of 1909, relating to the boundaries of, and terms of court in, the Fifth Judicial District.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 421.

Being a bill for an Act to amend Section 474 of the Revised Codes of North Dakota for 1905, as amended by Chapter 171 of the Session Laws of 1911, relating to the boundaries of, and terms of court in, the Sixth Judicial District.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 420.

Being a bill for an Act to amend Section 470 of the Revised Codes of 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911, of the State of North Dakota, relating to the boundaries of, and terms of court in the Second Judicial District.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 393.

Being a bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 419.

Being a bill for an Act making county treasurers custodians of funds paid for the redemption from foreclosure sales, satisfaction of judgments and liens and the payment and discharge of fines, penalties, forfeitures and costs, and for the disbursement of the same.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 388.

Being a bill for an Act to amend Sections 2384 and 2546 of the Revised Codes of North Dakota for 1905, relating to the number and election of county officials, and providing for the appointment of a county surveyor, a county coroner, four constables and a public administrator.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 381.

Being a bill for a concurrent resolution to amend Section 48 of the Constitution of the State of North Dakota, relating to the powers of each house of the legislature and providing that the Legislative Assembly may by law limit the number of bills introduced during any session.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 367.

Being a bill for an Act to amend and re-enact Chapter 57 of the Session Laws of 1911, relating to the qualifications of applicants for admission to the bar of the State of North Dakota.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 369.

Being a bill for an Act to provide for suspension of modification of sentence of persons convicted of misdemeanors.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 347.

Being a bill for an Act to authorize cities organized under general law to provide for the initiative and referendum, or both, in its municipal affairs.

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

A. G. DIVET,  
Chairman.

Also,

House Bill No. 314.

Being a bill for an Act to legalize deeds, judgments and decrees.

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

In the printed bill, strike out the quotation marks appearing in lines 3, 4, 5 and 6.

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Also,

House Bill No. 228.

A bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept, and where persons resort, or are permitted to resort for gambling or disorderly purpose, and prescribing remedies for the prevention and penalties for the violation of the same.

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

In the printed bill, at line 9 of Section 4, after the word "thereof," insert the amendment as follows:

"When leasehold premises are adjudged to be a nuisance, the owner thereof shall have the right to terminate the lease by giving three days' notice thereof, in writing to the tenant, and when this is done the premises shall be turned over to the owner upon the order of the court or judge. But the release of the property shall be upon condition that the nuisance shall not be continued and the return of the property shall not release any lien upon said property, occasioned by any prosecution of the tenant. If the owner appears and pays all costs of the proceedings and files a bond with sureties to be approved by the clerk in the full value of the property to be ascertained by the court or judge, conditioned that he will immediately abate said nuisance and prevent the same from being established or kept therein within the period of one year thereafter, the court, or in vacation, the judge may, if satisfied of his good faith, order the premises taken and closed under the order of abatement to be delivered to said owner, and said order of abatement cancelled so far as the same may relate to said property, and if the proceeding is an action in equity and bond is given and costs therein paid before judgment and order of abatement, the action shall be thereby abated; provided,



however, that the release of the property under the provisions of this Section shall not release it from any judgment, lien or penalty or liability to which it may be subject under any other statute or law."

And when so amended recommend the same do pass.

A. G. DIVET,  
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

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. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed by this Act.

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

W. S. DEAN,  
Chairman.

Also,

A minority of your committee on ways and means to whom was referred

House Bill No. 413.

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed by this Act.

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

JAMES WALSH,  
H. H. FRANCE,  
R. J. GARDINER,  
J. T. HOGE,  
J. E. BASS.

Also,

House Bill No. 216.

A bill for an Act to provide for the issuance of village bonds for certain purposes, limiting the issuance of same, and to provide for the registration and sale of such bonds by the village treasurer, and legalize certain village warrants.

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

W. S. DEAN,  
Chairman.

Also,

House Bill No. 298.

A bill for an Act making an appropriation to compensate P. G. Johnson for services as assistant attorney general, especially authorized to enforce the prohibition law of this state.

Have had the same under consideration and recommend that the same be referred to the committee of the whole.

W. S. DEAN,  
Chairman.

Also,

House Bill No. 246.

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for the violations of this Act.

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

After Section 2 in the original bill add the following:

“Section 3. Penalty.) Any person or persons violating any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifteen (15c) cents nor more than twenty-five (25c) cents.

W. S. DEAN,  
Chairman.

Mr. Dean moved

That the report be adopted.

Which motion prevailed.

The committee on agriculture made the following report:

*Mr. Speaker:*

Your committee on forestry to whom was referred House Bill No. 317.

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907, and Chapter 50 of the Laws of 1909.

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

JOHN S. KYLLO,  
Chairman.

Also,

House Bill No. 409.

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees, seedlings to institutions and land owners of the state.

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

In Section 2, on page 2, in line 3 of the printed bill, after the word "tree" insert the following: "nursery for the propagation of seeds and forest trees."

And when so amended recommend the same do pass.

JOHN S. KYLLO,  
Chairman.

Mr. Kyлло moved

That the report be adopted.

Which motion prevailed.

The committee on penal institutions made the following report:

*Mr. Speaker:*

Your committee on penal institutions to whom was referred

House Bill No. 191.

A bill for an Act making an appropriation to purchase additional land for the state penitentiary at Bismarck and to use the net profits of the twine plant therefor.

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

Strike out all of the bill after the word "Bismarck" in the title of the bill and insert the following:

Section 1. That the State Board of Control of State Institutions are hereby authorized to purchase farm land and that the net profits of the Twine Plant may be set aside and

used for that purpose, after the outstanding bonded indebtedness of the Twine Plant shall have been paid, and that so much of the said net profits of the Twine Plant as may be necessary to purchase the Northwest Quarter (N.W. $\frac{1}{4}$ ) of Section Two (2), Township One hundred thirty-eight (138), Range Eighty (80), containing One Hundred Fifty-eight and 94-100 (158.94) acres, being known as the Quinlan Farm, and joining the present Penitentiary grounds, *provided* that the price shall not exceed One Hundred Dollars (\$100.00) per acre.

Sec. 2. Emergency.) An emergency exists in this, that it is important that this land should be secured to be added to the present grounds; *therefor* this Act shall take effect and be in force from and after its passage and approval.

Referred to Committee on Penal Institutions.

And when so amended recommend the same do pass.

FRANK FOX,  
Chairman.

Also,

House Bill No. 416.

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in the state penitentiary.

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

FRANK FOX,  
Chairman.

Mr. Fox moved

That the report be adopted.

Which motion prevailed.

The committee on appropriations made the following report:

*Mr. Speaker:*

Your committee on appropriations to whom was referred

House Bill No. 247.

A bill for an Act making an appropriation for carrying

out provisions of the law, relating to the duties of the commissioner of agriculture and labor.

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

BERNT ANDERSON,

Chairman.

Also,

House Bill No. 60.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to State Fairs.

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

BERNT ANDERSON,

Chairman.

Also,

House Bill No. 192.

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

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

Strike out on third line of original bill "appropriation for Minot normal." On page 1 and in line 9 of the printed bill, strike out the figures "\$30,000.00" and insert in lieu thereof the figures "\$25,000.00." On page 10 of the printed bill strike out all of lines 10 and 11 and on page 2 of the printed bill strike out all of line 12. On page 2 of the printed bill and in line 14 strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$7,500.00." On page 2 of the printed bill strike out all of lines 15 and 16. On page 2 and in line 20 of the printed bill strike out "etc." and "\$65,000.00" and insert in lieu thereof "\$10,000.00, such sum to be available only in event said normal school shall be completed and open to receive pupils by the first day of October, A. D. 1913." On page 2 of the printed bill strike out all of lines 21, 22, 23. On page 2 and in line 25 of the

printed bill, strike out the figures "\$177,661.36" and insert in lieu thereof the figures "\$42,500.00."

And when so amended recommend the same do pass.

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 35,

A bill for an Act requiring the governor to establish a uniform system of accounting and reporting for all state officers, state institutions, county officers and school districts.

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

BERNT ANDERSON,  
Chairman.

Also,

House Bill No. 201.

A bill for an Act to provide for the appointment of state immigration and labor agents, and fixing their compensation and 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.

The committee on public printing made the following report:

*Mr. Speaker:*

Your committee on public printing to whom was referred

House Bill No. 447.

A bill for an Act to amend and re-enact Chapter 117 of the Session Laws of 1911, relating to designation of official newspapers.

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

D. R. STREETER,  
Chairman.

Also,

House Bill No. 331.

A bill for an Act to provide for the publication and distribution of pamphlet copies of the laws passed with emergency clauses.

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

D. R. STREETER,  
Chairman.

Also,

House Bill No. 261.

A bill for an Act to amend Section 7459 of the Revised Codes of 1905, relating to the publication of notice of foreclosure and publisher's affidavit of publication.

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

D. R. STREETER,  
Chairman.

Also,

House Bill No. 239.

A bill for an Act to amend and re-enact Chapter 301 of Session Laws of 1911, relating to auditor's notice of tax sale and providing for the manner of preparing copy for and the publication of auditor's notice of tax sale and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

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

Strike out all after the words "A bill" and insert in lieu thereof the following:

For an Act to amend and re-enact Chapter 1573 of the Revised Codes of North Dakota for the year 1905, and Chapter 1574 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 196 of the Session Laws of 1909, and Chapter 301 of the Session Laws of 1911, relating to the time at which the treasurer shall return the tax list of the preceding year to the county auditor and in relation to the auditor's notice of tax sale, and furnishing of bonds for the correct printing of the same.

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

Section 1. Amendment.) Section 1573 of the Revised Codes of North Dakota for the year 1905 is hereby amended to read as follows:

Section 1573. Return of Tax List to County Auditors.) Whenever any taxes are paid the treasurer shall immediately write upon the tax list opposite the name, in suitable column or columns for remarks, the word "paid," with the number of the receipt given. And, when a receipt is given for the payment of any taxes on real property owned by any person who is charged with taxes on personal property for the same or any previous year which remains unpaid, he shall note the same on the tax list in like manner, and across the face of the tax receipt and duplicate, substantially in the following form:

"Personal taxes of S. B. for (giving the year or years) unpaid." And, after comparing the tax lists with his duplicate receipts on file in the county auditor's office he shall, at the July meeting of the board of county commissioners exhibit such lists to the board and the county auditor, and the auditor shall make the entries concerning personal taxes as prescribed by Section 1560 without regarding any payment of taxes on such real property. On the first Monday in October in each year the treasurer shall return the tax lists of the preceding year to the county auditor, and thereafter any person desiring to pay his delinquent taxes charged on said lists may pay the same to the treasurer at any time before the sale of the real property charged therewith, as in this chapter prescribed, on first obtaining from the auditor a statement of the amount due, including penalties and costs of advertising.

Section 2. Amendment.) Chapter 301 of the Session



Laws of 1911 are hereby amended and re-enacted to read as follows:

Section 1574. Auditor's Notice of Sale. Publisher Thereof Must Give Bond.) The county auditor, under the direction of the board of county commissioners, or a majority thereof, shall give notice of said sale in a legal newspaper in said county, having at least three hundred bona fide subscribers residing in said county. In case no newspaper published in the county has three hundred bona fide subscribers then such tax list shall be published in a legal newspaper in the county to be selected by the board of county commissioners. Each legal newspaper in said county desiring to be considered by the board of county commissioners as an applicant for the publication of the tax list of the current year, shall under oath state the average number of such paper's bona fide subscribers for the year last past, not including exchanges, free subscribers and sample copies and shall, when requested so to do by the board of county commissioners, submit the subscription book or books of such paper to the board of county commissioners as proof of such bona fide subscription list. The newspaper in which said delinquent tax sale notice is to be printed shall be selected at the regular October meeting of each year. Said delinquent tax sale notice shall be printed for the three successive weeks immediately preceding the tax sale. If there be no newspaper printed in the county the county auditor shall give notice of such delinquent tax sale by a written or printed notice posted on the door of the court house or the building in which terms of court are usually held, or the usual place of meeting of the board of county commissioners. In case the newspaper designated to print the tax list has a daily edition then such delinquent tax list shall be published in one issue of the daily edition and in two consecutive issues of the weekly edition of the same paper. The publisher or publishers of the newspaper selected by the board of county commissioners for the publication of said tax list shall give bond to the county in a sum to be fixed by the board of county commissioners of not less than five hundred nor more than one thousand dollars, to be approved by the board of county commissioners or a majority thereof, for the correct and legal publication of such tax list in conformity with a copy furnished by the county auditor. Said notice shall contain the information that all lands on which the taxes of the preceding year (describing the same) remaining unpaid, shall be sold and the time and place of sale shall be the second Tuesday in December following. Such notice of delinquent tax sale

shall contain a list of lands to be sold and the amount of taxes and penalty due to which the auditor shall add to each description of land so advertised the sum of twenty-five cents, and for each description of town lot the sum of ten cents, to defray the expenses of advertising. The cost of such advertising shall be paid by the county commissioners at the expiration of the sale upon the affidavit of the publisher; provided, that in no case shall the property so advertised be charged for such advertising an amount exceeding the sum actually paid for the same. To give further notice to the public of such tax sale, it shall be the duty of the county auditor to mail to each owner, as the records appear, whose lands or lots are to be sold, a notice giving a legal description of the land offered for sale, said notice to be mailed not earlier than October first, nor later than October fifteenth, prior to date of sale. Provided, further, that in case the auditor's copy furnished to the publisher of the delinquent tax lists contains matter other than description of the land to be sold and total and amount due thereon, including penalty, interest and costs, which shall be printed in one sum total, then the extra space required to print the same shall be paid for by the county at the rate required for other legal printing.

And when so amended recommend the same do pass.

D. R. STREETER,  
Chairman.

Mr. Streeter moved

That the report be adopted.

Which motion prevailed.

The committee on public health made the following report:

*Mr. Speaker:*

Your committee on public health to whom was referred House Bill No. 364.

A bill for an Act to amend and re-enact Section 232 of Article XV, Chapter 266, of the Session Laws of 1911 of North Dakota, relating to compulsory education and medical inspection.

This committee requests that this bill be referred to committee on education.

W. M. BARTLEY,  
Chairman.

Mr. Bartley moved

That the report be adopted.

Which motion prevailed.

### MOTIONS AND RESOLUTIONS.

Mr. Divet moved

That Senate Bill No. 98 be re-referred to the committee on public health for amendment.

Which motion prevailed.

Mr. Anderson moved

That the chairman of the appropriation committee have more time in which to consider House Bill No. 293.

Which motion prevailed.

Mr. Polyhar moved

That House Bill No. 436, which is now in the hands of the public printing committee, be withdrawn from the committee.

Which motion prevailed.

Mr. Sandbeck asked unanimous consent to withdraw House Bill No. 436.

Which consent was given.

### THIRD READING OF HOUSE BILLS.

House Bill No. 408.

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 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 ayes 85, nays 5, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs. —
Anderson	Hanson	Norheim
Balsdon	Hart	Northrup
Bartley	Hawkinson	Nyhus
Bass	Hedalen	O'Connor
Batzner	Hendrickson	Odland
Bjornson	Hickle	Olsgard
Blakemore	Hill of Bottineau	Owens
Bolfinger	Hjort	Petterson
Bope	Hoge	Ployhar
Borusky	Homan	Putnam
Bratton	Husband	Raney
Buck	Huso	Roble
Butler of Ramsey	Isaak	Sandbeck
Butler of Ransom	Jacobson	Schroeder
Calnan	Kellogg	Small
Carey	Kelly	Smith of Kidder
Dean	Klein	Stenehjelm
Divet	Knox	Streeter
Dixon	Kyllo	Taylor
Dosseth	Lambert	Tucker
Doyle	Lawbaugh	Turner, C. C.
Dynes	Leu	Twichell
Endreson	Lewis	Wardrope
Fox	Lindstrom	Watt
France	List	Weis
Fritz	Martin	Wiley
Gardiner	Moen	Mr. Speaker
Geiger	Morkrid	
Gunderson	Morrison	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Pitkin	Wing
Freitag	Sorlie	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Burnett	Hill of Cass	Snyder
Coltom	Hjelmstad	Stinger
Curry	Johnson	Thompson
Davis	Miller	Turner, F. W.
Everson	Pendray	Walsh
Haraldson	Ryan	Warriner
Harty	Smith of Ward	Williams

So the bill passed and the title was agreed to.

Mr. Batzer moved

That the vote by which House Bill No. 408 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hedalen moved

That House Bill No. 418 be referred back to the committee on ways and means for amendments.

Which motion prevailed.

House Bill No. 433.

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 2, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Martin
Balsdon	Gardiner	Miller
Bass	Geiger	Morkrid
Batzer	Gunderson	Nyhus
Bjornson	Hanson	O'Connor
Blakemore	Hawkinson	Odland
Bollinger	Hedalen	Olsgard
Bope	Hill of Bottineau	Pendray
Buck	Hill of Cass	Pitkin
Burnett	Hjort	Ployhar
Butler of Ransom	Hoge	Roble
Calnan	Husband	Sandbeck
Campbell	Huso	Schroeder
Carey	Isaak	Small
Coltom	Jacobson	Smith of Kidder
Curry	Kellogg	Stinger
Davis	Kelly	Thompson
Dean	Klein	Taylor
Dixon	Knox	Tucker
Dosseth	Kyllo	Turner, C. C.
Doyle	Lambert	Twichell
Dynes	Lawbaugh	Walsh
Endreson	Leu	Warriner
Everson	Lewis	Watt
Fox	Lindstrom	Weis
France	List	Mr. Speaker

Messrs. Owens and Putnam voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Fritz	Hickle
Borusky	Haraldson	Hjelmstad
Bratton	Hart	Homan
Butler of Ramsey	Harty	Johnson
Divet	Hendrickson	Moen

Messrs.—	Messrs.—	Messrs.—
Morrison	Smith of Ward	Wardrope
Norheim	Snyder	Wiley
Northrup	Sorlie	Williams
Petterson	Stenehjem	Wing
Raney	Streeter	
Ryan	Turner, F. W.	

So the bill passed and the title was agreed to.

Mr. Moen 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.

House Bill No. 210.

A bill for an Act to amend Section 1, Chapter 111, Laws of North Dakota, for the year 1907, and providing a penalty for failure to comply with provisions of said Chapter 111.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 50, nays 44, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Norheim
Batzer	Hanson	Northrup
Bjornson	Haraldson	O'Connor
Blakemore	Harty	Odland
Bollinger	Hawkinson	Petterson
Borusky	Hedalen	Pitkin
Buck	Hendrickson	Ployhar
Butler of Ramsey	Hjort	Raney
Dean	Hoge	Sandbeck
Divet	Husband	Snyder
Dixon	Jacobson	Stinger
Dosseth	Kellogg	Streeter
Dynes	Knox	Taylor
Endreson	Lambert	Warriner
Fox	Leu	Wing
Gardiner	Lewis	Mr. Speaker
Geiger	Miller	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Calnan	Davis
Bass	Campbell	Doyle
Bope	Carey	Everson
Burnett	Coltom	France
Butler of Ransom	Curry	Hart

Messrs.—	Messrs.—	Messrs.—
Hickle	Lawbaugh	Schroeder
Hill of Bottineau	List	Small
Hill of Cass	Martin	Smith of Kidder
Homan	Moen	Turner, C. C.
Huso	Morrison	Twichell
Isaak	Olsgard	Walsh
Johnson	Owens	Watt
Kelly	Pendray	Weis
Klein	Putnam	Wiley
Kyllo	Roble	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Balsdon	Morkrid	Thompson
Bratton	Nyhus	Tucker
Freitag	Ryan	Turner, F. W.
Fritz	Smith of Ward	Wardrope
Hjelmstad	Sorlie	Williams
Lindstrom	Stenehjem	

So the bill was lost.

Mr. Ployhar moved

That House Bill No. 254 be made a special order for next Wednesday at 3 o'clock P. M.

Which motion prevailed.

House Bill No. 250.

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

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, absent and not voting 23.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ransom	Everson
Balsdon	Calnan	Fox
Bartley	Campbell	France
Bass	Carey	Gardiner
Batzer	Coltom	Geiger
Bjornson	Curry	Gunderson
Blakemore	Davis	Hanson
Bollinger	Dean	Hart
Bope	Divet	Harty
Borusky	Dixon	Hawkinson
Buck	Dosseth	Hedalen
Burnett	Dynes	Hendrickson
Butler of Ramsey	Endreson	Hickle

Messrs.—	Messrs.—	Messrs.—
Hill of Bottineau	Leu	Sandbeck
Hill of Cass	Lewis	Schroeder
Hjort	Lindstrom	Smith of Kidder
Hoge	List	Snyder
Homan	Martin	Streeter
Husband	Miller	Taylor
Huso	Moen	Tucker
Isaak	Morkrid	Turner, C. C.
Jacobson	Morrison	Twichell
Johnson	Nyhus	Walsh
Kellogg	Odland	Watt
Kelly	Petterson	Weis
Klein	Ployhar	Wiley
Kyllo	Putnam	Williams
Lambert	Raney	Wing
Lawbaugh	Roble	Mr. Speaker

Mr. Owens voted in the negative.

#### Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Northrup	Sorlie
Doyle	O'Connor	Stenehjelm
Freitag	Olgard	Stinger
Fritz	Pendray	Thompson
Haraldson	Pitkin	Turner, F. W.
Hjelmstad	Ryan	Wardrope
Knox	Small	Warriner
Norheim	Smith of Ward	

So the bill passed and the title was agreed to.

#### House Bill No. 260.

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams 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 82, nays 0, absent and not voting 29.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ramsey	Dixon
Balsdon	Butler of Ransom	Dosseth
Bartley	Calnan	Dynes
Bass	Campbell	Everson
Batzer	Carey	Fox
Blakemore	Coltom	Gardiner
Bollinger	Curry	Geiger
Bope	Davis	Gunderson
Borusky	Dean	Hanson
Burnett	Divet	Haraldson



Messrs.—	Messrs.—	Messrs.—
Harty	Lindstrom	Snyder
Hawkinson	List	Stenhjem
Hickle	Martin	Streeter
Hill of Böttineau	Miller	Thompson
Hill of Cass	Morrison	<b>Taylor</b>
Hjort	Norheim	Ticker
Hoge	Northrup	Turner, C. C.
Homan	Nyhus	Twichell
Husband	Odland	Walsh
Jacobson	Owens	Wardrobe
Kellogg	Petterson	Warriner
Kelly	Pitkin	Watt
Klein	Ployhar	Weis
Knox	Raney	Wiley
Kyllo	Sandbeck	Williams
Lawbaugh	Schroeder	Mr. Speaker
Leu	Small	
Lewis	Smith of Kidder	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hendrickson	Pendray
Bratton	Hjelmstad	Putnam
Buck	Huso	Roble
Doyle	Isaak	Ryan
Endreson	Johnson	Smith of Ward
France	Lambert	Sorlie
Freitag	Moen	Stinger
Fritz	Morkrid	Turner, F. W.
Hart	O'Connor	Wing
Hedalen	Olsgard	

So the bill passed and the title was agreed to.

**House Bill No. 49.**

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 ayes 86, nays 0, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Borusky	Dean
Balsdon	Burnett	Divet
Bartley	Butler of Ramsey	Dixon
Bass	Butler of Ransom	Dosseth
Batzer	Calnan	Dynes
Bjornson	Campbell	Everson
Blakemore	Carey	Fox
Bollinger	Coltom	France
Bope	Curry	Freitag

Messrs.—	Messrs.—	Messrs.—
Gardiner	Lawbaugh	Raney
Geiger	Leu	Roble
Gunderson	Lewis	Sandbeck
Hanson	Lindstrom	Schroeder
Haraldson	List	Small
Hart	Martin	Stinger
Harty	Miller	Streeter
Hawkinson	Moen	Taylor
Hedalen	Morkrid	Tucker
Hickle	Morrison	Turner, C. C.
Hill of Bottineau	Norheim	Twichell
Hill of Cass	Northrup	Wardrope
Hjort	Nyhus	Warriner
Homan	Odland	Watt
Husband	Owens	Weis
Johnson	Putnam	Wiley
Kellogg	Pendray	Williams
Kelly	Pettersen	Wing
Klein	Pitkin	Mr. Speaker
Kyllo	Ployhar	

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bratton	Huso	Smith of Ward
Buck	Isaak	Snyder
Davis	Jacobson	Sorlie
Doyle	Knox	Stenehjem
Endreson	Lambert	Thompson
Fritz	O'Connor	Turner, F. W.
Hendrickson	Olsgard	Walsh
Hjelmstad	Ryan	
Hoge	Smith of Kidder	

So the bill passed and the title was agreed to.

**House Bill No. 17.**

A bill for an Act to provide for the erection of an industrial building and necessary improvements at the school for the deaf and dumb at Devils Lake, N. D., 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 2, absent and not voting 26.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Borusky	Coltom
Balsdon	Bratton	Davis
Bartley	Buck	Dean
Bass	Butler of Ramsey	Divet
Batzer	Butler of Ransom	Dixon
Blakemore	Calnan	Dosseth
Bollinger	Campbell	Everson
Bope	Carey	France

Messrs.—	Messrs.—	Messrs.—
Fritz	Klein	Schroeder
Gardiner	Kyllo	Small
Geiger	Lambert	Snyder
Gunderson	Lawbaugh	Sorlie
Hanson	Leu	Stinger
Haraldson	Lewis	Strecker
Hart	Lindstrom	Taylor
<b>Harty</b>	List	Tucker
Hawkinson	Martin	Turner, C. C.
Hedalen	Moen	Turner, F. W.
Hickle	Morkrid	Twichell
Hill of Bottineau	Morrison	Walsh
Hill of Cass	Northrup	Wardrobe
Hoge	Nyhus	Warriner
Homan	Odland	Weis
Isaak	Pitkin	Wiley
Jacobson	Ployhar	Williams
Johnson	Putnam	Wing
Kellogg	Raney	Mr. Speaker
Kelly	Sandbeck	

Messrs. Freitag and Miller voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hjort	Petterson
Burnett	Husband	Roble
Curry	Huso	Ryan
Doyle	Knox	Smith of Kidder
Dynes	Norheim	Smith of Ward
Endreson	O'Connor	Stenehjem
Fox	Olsgard	Thompson
Hendrickson	Owens	Watt
Hjelmstad	Pendray	

So the bill passed and the title was agreed to.

House Bill No. 184.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays 1, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Blakemore	Butler of Ransom
Balsdon	Bope	Calnan
Bartley	Borusky	Campbell
Bass	Bratton	Carey
Batzer	Buck	Coltom
Bjornson	Butler of Ramsey	Curry

Messrs.—	Messrs.—	Messrs.—
Davis	Isaak	Putnam
Dean	Jacobson	Raney
Divet	Kellogg	Roble
Dixon	Kelly	Sandbeck
Doyle	Klein	Schroeder
Dynes	Kyllo	Snyder
Endreson	Lambert	Stenehjem
Everson	Leu	Stinger
Fox	Lewis	Thompson
France	Lindstrom	Tucker
Fritz	List	Turner, C. C.
Gardiner	Martin	Turner, F. W.
Geiger	Miller	Twichell
Gunderson	Moen	Walsh
Hanson	Morkrid	Wardrope
Hart	Morrison	Warriner
Harty	Northrup	Watt
Hawkinson	Nyhus	Weis
Hickle	O'Connor	Wiley
Hill of Cass	Odland	Williams
Hjort	Olgard	Wing
Hoge	Owens	Mr. Speaker
Homan	Pitkin	
Husband	Ployhar	

Mr. Freitag voted in the negative.

**Absent and not voting:**

Messrs.—	Messrs.—	Messrs.—
Bollinger	Huso	Small
Burnett	Johnson	Smith of Kidder
Dosseth	Knox	Smith of Ward
Haraldson	Lawbaugh	Sorlie
Hedalen	Norheim	Streeter
Hendrickson	Pendray	Taylor
Hill of Bottineau	Petterson	
Hjelmstad	Ryan	

So the bill passed and the title was agreed to.

**House Bill No. 300.**

A bill for an Act making an appropriation for the mining sub-station at Hebron, Morton County, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

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 27.

## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Northrup
Bartley	Fritz	Nyhus
Bass	Gardiner	O'Connor
Batzer	Gunderson	Odland
Bjornson	Hanson	Olgard
Bollinger	Harty	Pitkin
Bope	Hawkinson	Ployhar
Borusky	Hickle	Putnam
Bratton	Hill of Bottineau	Raney
Buck	Hill of Cass	Roble
Burnett	Hjort	Sandbeck
Butler of Ramsey	Hoge	Schroeder
Butler of Ransom	Homan	Small
Calnan	Huso	Smith of Kidder
Campbell	Jacobson	Thompson
Carey	Kellogg	Taylor
Coltom	Klein	Turner, C. C.
Curry	Knox	Turner, F. W.
Davis	Lambert	Twichell
Dean	Lawbaugh	Walsh
Divet	Leu	Wardrobe
Dixon	Lewis	Watt
Dosseth	Lindstrom	Weis
Dynes	List	Wiley
Endreson	Martin	Williams
Everson	Morkrid	Wing
Fox	Morrison	Mr. Speaker
France	Norheim	

Mr. Hart voted in the negative.

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Isaak	Ryan
Blakemore	Johnson	Smith of Ward
Doyle	Kelly	Snyder
Gardiner	Kyllo	Sorlie
Haraldson	Miller	Stenhjem
Hedalen	Moen	Stinger
Hendrickson	Owens	Streeter
Hjelmstad	Pendray	Tucker
Husband	Petterson	Warriner

So the bill passed and the title was agreed to.

The Chief Clerk announced that the Speaker was about to sign

## Senate Bill No. 49.

A bill for an Act for preventing the manufacture, sale or transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

## Senate Bill No. 59.

A bill for an Act for the registration of farm names.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Section 4974 of the Revised Codes of 1905 providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees and validating such deeds.

Senate Bill No. 166.

A bill for an Act re-instating 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 of the Revised Codes of 1905.

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

House Bill No. 194.

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 1, absent and not voting 36.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	O'Connor
Balsdon	Hill of Bottineau	Odland
Bass	Hill of Cass	Olsgard
Batzer	Hjort	Pitkin
Bjornson	Hoge	Ployhar
Blakemore	Homan	Raney
Bope	Husband	Roble
Borusky	Jacobson	Schroeder
Buck	Kellogg	Small
Butler of Ramsey	Kelly	Stinger
Butler of Ransom	Klein	Thompson
Calnan	Knox	Taylor
Carey	Lambert	Tucker
Coltom	Lawbaugh	Turner, C. C.
Davis	Leu	Twichell
Dean	Lewis	Walsh
Divet	Lindstrom	Wardrope
Dynes	List	Warriner
Gardiner	Miller	Weis
Geiger	Moen	Wiley
Gunderson	Morkrid	Williams
Hanson	Morrison	Wing
Haraldson	Norheim	Mr. Speaker
Harty	Northrup	
Hedalen	Nyhus	

Mr. Curry and Freitag voted in the negative.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Fritz	Petterson
Bollinger	Hart	Putnam
Borusky	Hawkinson	Ryan
Burnett	Hickle	Sandbeck
Campbell	Hjelmstad	Smith of Kidder
Dixon	Husø	Smith of Ward
Dosseth	Isaak	Snyder
Doyle	Johnson	Sorlie
Endreson	Kyllo	Stenehjem
Everson	Martin	Streeter
Fox	Owens	Turner, F. W.
France	Pendray	Watt

So the bill passed and the title was agreed to.

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 78.

A bill for an Act entitled "An Act defining bootlegging, making it a crime, and fixing the punishment therefor."

House Bill No. 129.

A bill for an Act entitled "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.

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

House Bill No. 374.

A bill for an Act to amend Section 2770, of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D. 1907, relating to sidewalk special assessment funds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 4, absent and not voting 37.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Borusky	Carey
Batzer	Buck	Curry
Bjornson	Butler of Ramsey	Davis
Blakemore	Butler of Ransom	Dean
Bollinger	Calnan	Divet
Bope	Campbell	Dixon

Messrs.—	Messrs.—	Messrs.—
Doyle	Hoge	Owens
Dynes	Husband	Pitkin
Endreson	Isaak	Ployhar
Fox	Kelly	Raney
France	Lambert	Sandbeck
Freitag	Lawbaugh	Smith of Kidder
Fritz	Leu	Smith of Ward
Gardiner	Lewis	Stinger
Geiger	List	Streeter
Hanson	Martin	Thompson
Harty	Miller	Tucker
Hawkinson	Moen	Turner, C. C.
Hedalen	Morkrid	Twichell
Hendrickson	Norheim	Warriner
Hickle	Northrup	Weis
Hill of Bottineau	Nyhus	Mr. Speaker
Hill of Cass	O'Connor	
Hjort	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Schroeder	Taylor
Dosseth		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Johnson	Small
Bartley	Kellogg	Snyder
Bass	Klein	Sorlie
Bratton	Knox	Stenehjem
Burnett	Kylo	Turner, F. W.
Everson	Lindstrom	Walsh
Gunderson	Morrison	Wardrope
Haraldson	Olsgard	Watt
Hart	Pendray	Wiley
Hjelmstad	Petterson	Williams
Homan	Putnam	Wing
Huso	Roble	
Jacobson	Ryan	

So the bill passed and the title was agreed to.

House Bill No. 214.

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 57, nays 22, absent and not voting 32.



## Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	France	Miller
Batzer	Fritz	Morkrid
Bjornson	Gardiner	Norheim
Blakemore	Geiger	O'Connor
Bollinger	Haraldson	Olsgard
Bope	Harty	Owens
Borusky	Hedalen	Pitkin
Buck	Hendrickson	Ployhar
Butler of Ramsey	Hickle	Roble
Butler of Ransom	Isaak	Ryan
Campbell	Johnson	Sandbeck
Carey	Kellogg	Schroeder
Curry	Kelly	Streeter
Dean	Klein	Turner, C. C.
Divet	Lambert	Turner, F. W.
Dixon	Lawbaugh	Twitchell
Doyle	Leu	Weis
Endreson	Lewis	Williams
Fox	Martin	Mr. Speaker

## Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Calnan	Hawkinson	Thompson
Coltom	Hjort	Taylor
Davis	Huso	Walsh
Dosseth	Knox	Wardrope
<b>Freitag</b>	List	Warriner
Gunderson	Odland	Watt
Hanson	Putnam	
Hart	Raney	

## Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Homan	Small
Bartley	Husband	Smith of Kidder
Bass	Jacobson	Smith of Ward
Bratton	Kyllo	Snyder
Burnett	Lindstrom	Sorlie
Dynes	Moen	Stenehjem
Everson	Morrison	Stinger
Hill of Bottineau	Northrup	Tucker
Hill of Cass	Nyhus	Wiley
Hjelmstad	Pendray	Wing
Hoge	Petterson	

So the bill passed and the title was agreed to.

Mr. Nordheim moved

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

Which motion prevailed.

House Bill No 187.

A bill for an Act to amend and re-enact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 63, nays 8, absent and not voting 40.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Geiger	Nyhus
Batzer	Hanson	O'Connor
Bjornson	Hedalen	Odland
Blakemore	Hendrickson	Owens
Bollinger	Hill of Cass	Petterson
Bope	Hjort	Pitkin
Burnett	Hoge	Ployhar
Butler of Ramsey	Jacobson	Raney
Butler of Ransom	Johnson	Roble
Calnan	Kellogg	Sandbeck
Campbell	Kylo	Snyder
Carey	Lawbaugh	Stenehjem
Dean	Leu	Streeter
Divet	Lewis	Tucker
Dixon	List	Turner, C. C.
Dynes	Martin	Turner, F. W.
Endreson	Miller	Walsh
Everson	Morkrid	Weis
France	Morrison	Williams
Freitag	Norheim	Wing
Gardiner	Northrup	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Borusky	Taylor	Watt
Dosseth	Wardrope	Wiley
Putnam	Warriner	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Moen
Balsdon	Hawkinson	Olsgard
Bartley	Hickle	Pendray
Bratton	Hill of Bottineau	Ryan
Buck	Hjelmstad	Schroeder
Colton	Homan	Small
Curry	Husband	Smith of Kidder
Davis	Huso	Smith of Ward
Doyle	Isaak	Sorlie
Fox	Kelly	Stinger
Fritz	Klein	Thompson
Gunderson	Knox	Twichell
Haraldson	Lambert	
Hart	Lindstrom	

So the bill pass'd and the title was agreed to.

House Bill No. 67.

A bill for an Act entitled "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarettes or cigarett paper.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 62, nays 27, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Petterson
Balsdon	Harty	Pitkin
Bass	Hawkinson	Ployhar
Batzer	Hedalen	Putnam
Bope	Hendrickson	Raney
Borusky	Hill of Cass	Roble
Bratton	Hoge	Sandbeck
Buck	Husband	Small
Burnett	Huso	Snyder
Butler of Ramsey	Jacobson	Sorlie
Carey	Johnson	Stenhjem
Coltom	Kylo	Thompson
Davis	Lambert	Tucker
Divet	Lawbaugh	Twichell
Dixon	Lewis	Walsh
Dynes	Morkrid	Wardrope
Endreson	Northrup	Warriner
Gardiner	O'Connor	Watt
Geiger	Odland	Williams
Gunderson	Olsgard	Mr. Speaker
Hanson	Owens	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hickle	Morrison
Blakemore	Homan	Schroeder
Bollinger	Isaak	Stinger
Calnan	Kellogg	Streeter
Campbell	Klein	Taylor
Curry	Knox	Turner, C. C.
Dosseth	Lindstrom	Weis
Freitag	List	Wiley
Haraldson	Miller	Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	Nyhus
Butler of Ransom	Hjelmstad	Pendray
Dean	Hjort	Ryan
Doyle	Kelly	Smith of Kidder
Everson	Leu	Smith of Ward
Fox	Martin	Turner, F. W.
France	Moen	
Fritz	Norheim	

So the bill passed and the title was agreed to.

Mr. Northrup moved

That the vote by which House Bill No. 67 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Thompson moved

That the House concur in the Senate amendments to House Bill No. 36, and that the bill be placed in its regular order on third reading and final passage.

Which motion prevailed.

#### CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Martin moved

That the House concur in the Senate amendments to House Bill No. 249.

Which motion prevailed.

#### FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 245.

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any Fraternal Corporation or Society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.

Was read the first and second time and

Referred to the committee on public health.

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905 relating to reports of officers, departments, boards, commissioners and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 244.

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the state superintendent of public instruction to that degree that the present salary would justify.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 181.

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the Prohibition Law.

Was read the first and second time and

Referred to the committee on temperance.

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 455 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Was read the first and second time and

Referred to the committee on state affairs.

Mr. Thompson moved

That the House do now take a recess.

The House reassembled at 4:45, pursuant to recess taken.

#### MESSAGE FROM THE SENATE.

*Mr. Speaker:*

I have the honor to return herewith House Bills No. 28 and 261 as requested by the House.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Bismarck, North Dakota, February 20th, 1913.

*Mr. Speaker:*

I have the honor to return herewith House Bill No. 318 as requested by the House.

Very respectfully,

W. D. AUSTIN,  
Secretary.

## GENERAL ORDERS.

Mr. Thompson moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Martin to the chair.

When the committee arose it submitted the following report:

*Mr. Speaker:*

The committee of the whole have had under consideration

House Bill No. 56.

A bill for an Act to create a state text book commission and to provide for the adoption and use of uniform text books in the common schools of this state up to and including the eighth grade.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 15.

A bill for an Act to amend Section 12 of House Bill No. 210, of the Laws of 1911 to encourage elementary education.

And have amended the title by adding "and make appropriation."

And recommend that the same do pass as amended.

Also,

House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

And recommend that the same do pass as amended.

Also,

House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and

other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

And recommend that the same do pass as amended.

Also,

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

And recommend that the same do pass as amended.

Also,

House Bill No. 145.

A bill for an Act entitled, "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs or treatment and board of patients in the insane hospital."

And recommend that the same do pass as amended.

Also,

House Bill No. 156.

A concurrent resolution, amending the Constitution of the State of North Dakota relating to the legislative department and providing for the initiative and referendum as applied to laws.

And recommend that the same do pass as amended.

Also,

House Bill No. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

And recommend that the same do pass as amended.

W. E. MARTIN,  
Chairman.

Mr. Streeter moved

That House Bill No. 156 be considered separately from the rest of the report of the committee of the whole.

Which motion prevailed.

Mr. Husband moved

That House Bill No. 56 be considered separately from the report of the committee of the whole.

Which motion prevailed.

Mr. Martin moved

That the report of the committee of the whole, with the exception of House Bills No. 156 and 56, be adopted.

Which motion prevailed.

Mr. Streeter moved

That the report of the committee of the whole be amended so as to indefinitely postpone House Bill No. 156.

Mr. Lambert arose to a point of order.

Mr. Hendrickson moved

That further consideration of House Bill No. 156 be indefinitely postponed.

Roll call demanded.

The question being: Shall further consideration of House Bill No. 156, be indefinitely postponed?

The roll was called and there were ayes 56, nays 45, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Harty	O'Connor
Bjornson	Hendrickson	Odland
Blakemore	Hill of Bottineau	Pitkin
Bollinger	Hjort	Ployhar
Bope	Homan	Raney
Borusky	Husband	Roble
Bratton	Isaak	Schroeder
Buck	Jacobson	Stenchjem
Burnett	Johnson	Stinger
Campbell	Kellogg	Streeter
Curry	Kelly	Turner, C. C.
Doyle	Klein	Turner, F. W.
France	Leu	Twitchell
Freitag	Lewis	Walsh
Gardiner	List	Weis
Geiger	Martin	Wiley
Hanson	Miller	Wing
Haraldson	Moen	
Hart	Morrison	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Davis	Endreson
Balsdon	Dean	Everson
Butler of Ramsey	Divet	Fox
Butler of Ransom	Dixon	Gunderson
Calnan	Dosseth	Hawkinson
Carey	Dynes	Hedalen



## Messrs.—

Hickle  
Hill of Cass  
Hoge  
Huso  
Knox  
Kyllo  
Lambert  
Lawbaugh  
Morkrid

## Messrs.—

Northrup  
Nyhus  
Olsgard  
Owens  
Pendray  
Pettersen  
Putnam  
Sandbeck  
Smith of Kidder

## Messrs.—

Sorlie  
Thompson  
Taylor  
Tucker  
Wardrope  
Warriner  
Watt  
Williams  
Mr. Speaker

## Absent and not voting:

## Messrs.—

Bartley  
Bass  
Coltom  
Fritz

## Messrs.—

Hjelmstad  
Lindstrom  
Norheim  
Ryan

## Messrs.—

Smith of Ward  
Snyder

And so the motion carried.

Mr. Husband moved

That the report of the committee of the whole be amended to read "House Bill No. 56 do pass."

Mr. Thompson moved

That further consideration of House Bill No. 56 be indefinitely postponed.

Mr. Owens demanded a roll call.

Which was lost.

Mr. Thompson's motion prevailed.

## COURTESIES OF THE FLOOR.

Privileges of the floor were extended to Jno. Mantz, Anamoose; Seth D. Curry, Hope, N. D.; Rev. S. F. Beer, W. J. Loomis, C. E. Best, Enderlin; C. H. Shiels, Edgeley; Rev. Farrer, Flasher, N. D.; Herman Hanson, Turtle Lake; H. L. Loomis, W. Shure, Fargo; Andrew Calderwood, S. F. Bate-man, Park River; Rev. John Moore, Larimore; Treadwell Twichell, Mapleton, N. D.; Robert M. Pollock, Will Wright, of Fargo.

Mr. Thompson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,  
Chief Clerk.

FORTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
February 21st, 1913.

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. Smith of Ward, Pendray, who were excused.

REFERENCE OF THE JOURNAL.

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

*Mr. Speaker:*

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

In roll call of members reported absent, strike out "Husband."

On page 4, line 25, change "Dyness" to "Dynes."

On page 23, second line from bottom, change the word "agriculture" to "forestry."

On roll call on House Bill No. 194, change "Freitag" from "aye" to "nay."

In roll call on page 52, strike out "Sandbeck."

On page 24 and preceding the third to last line, insert the following amendment to House Bill No. 191:

"And to use the net profits of the twine plant therefor.

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

Section 1. That the State Board of Control of State Institutions is hereby authorized to purchase farm land to add to the penitentiary farm and that the net profits of the twine plant may be set aside and used for that purpose, after the outstanding bonds of indebtedness of the twine plant shall have been paid and that so much of said net profits of the twine plant as may be necessary to purchase the northwest quarter (nw.  $\frac{1}{4}$ ) of section two (2), township one hundred thirty-eight (138), range eighty (80), containing one hundred and fifty-eight and ninety-four one-hundredths (158.94) acres, adjoining the present penitentiary grounds; *provided* that the price shall not exceed sixty-five dollars (\$65.00) per acre, and that if the above described land cannot be bought for the above price, then and in that event, said board is authorized to purchase for such purpose as above stated, the east one-half (e.  $\frac{1}{2}$ ) of section thirty-five (35), township one hundred and thirty-nine (139), range eighty (80), less the Soo Railway right-of-way, at not to exceed eleven thousand dollars (\$11,000.00.)

Section 2. Emergency.) An emergency exists in this that it is important that this land should be secured to be added to the present grounds, therefore, this Act shall take effect and be in force from and after its passage and approval.

Referred to the committee on penal institutions."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,  
Chairman.

#### MESSAGE FROM THE SENATE.

Bismarck, N. D., February 21, 1913.

*Mr. Speaker:*

I have the honor to return herewith

House Bill No. 339.

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, de-

fining his duties and powers, and providing for the levy-  
ing and collection of road taxes and their distribution.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,  
Secretary.

Also,

*Mr. Speaker:*

I have the honor to return herewith

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of  
North Dakota for the year 1911.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,  
Secretary.

The Chief Clerk announced that the Speaker was about  
to sign

House Bill No. 28.

A bill for an Act, entitled, "An Act to amend and re-enact  
Chapter 54, Laws of 1911, relating to corporations having  
banking powers, defining what per cent of capital stock and  
surplus of such corporations may be used for 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."

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of  
Chapter 266 of the Session Laws of the year 1911, of the  
State of North Dakota, relating to public schools.

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations  
to give a bond to the directors thereof.

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

## PETITIONS AND COMMUNICATIONS.

The following petition was introduced:

*Hon. J. H. Fraine, Speaker of the House of Representatives,  
Bismarck, North Dakota:*

Dear sir: At a mass meeting of the Votes for Women League of Grand Forks, held on the 10th of February, it was unanimously voted to submit to the House and Senate the following resolution:

*"Be it Resolved, That we, as a body, do inform your honorable members that we are in favor of your passing a suffrage bill that will place the women of our state on an equality with the men in regard to the electoral franchise, and put the question to a vote of the people at the next general election."*

Will you kindly submit the above resolution to the House?

Signed by Mary E. MacCumber, Secretary.

The following petition was introduced:

Aneta, North Dakota, February 18, 1913.

*To Honorable C. J. Morkrid, House of Representatives, Bismarck, North Dakota:*

Honorable sir: We, the undersigned, believing it is necessary for rapid development of improvements of farms and in towns, under present conditions, that the state should have a fair mechanics' lien law, and as the present lien law was framed by the last Legislature after the most careful study of all conditions and has proven to be just and fair, ask that you use your influence to prevent the passage of any bill which is to amend or repeal the present law. We believe it to be against the interests of the people to frequently change such important laws.

Signed by C. E. Fodness and 8 others.

Mr. Divet introduced the following petition:

We, the undersigned, believing that whatever intoxicating liquor legally comes into the state should be up to the standard of purity, and that it is unjust for the private citizen to have to be to the expense and trouble of enforcing the laws relating to the moral welfare of the people when they have paid taxes for this purpose, and that the state should provide a way to enforce its laws, and believing that the liquor inspection bill will provide for purer liquors and for the enforcement of the prohibitory law at the ex-

pense of the liquor traffic, therefore, we petition the House of the North Dakota Legislature to pass the inspection bill, House Bill No. 284.

Signed by J. W. Loach of Lidgerwood, N. D., and 19 others.

Mr. Blakemore introduced a similar petition signed by Ralph R. Wolf and 83 others of Fargo, N. D.

Mr. Divet introduced two similar petitions signed by Walter Ingram and 31 others of Lidgerwood and Kensal, N. D.

Mr. Anderson introduced a similar petition signed by J. O. Siverson and 58 others of Ramsey County, N. D.

Mr. Hill of Cass, introduced two similar petitions signed by W. R. Mitchell and 88 other of Cass County, N. D.

Mr. Moer introduced the following petition:

*To the Legislative Assembly of the State of North Dakota:*

We, the undersigned citizens of the Twentieth Legislative District of the State of North Dakota over 21 years of age, hereby petition your honorable body to submit to the voters of the state an amendment to the State Constitution which shall enable women to vote.

Signed by Abraham Baldwin and 47 others.

The following petition was introduced:

*To the Honorable Legislature of the State of North Dakota, at the State Capitol at Bismarck:*

We, the undersigned, believing in the right of all people to govern themselves, and that the only way in which such self-government can be made effective is by the intelligent use of the ballot, and believing in the principle of equality as between all human beings, and not as between male human beings only, do hereby petition your honorable body to pass concurrent resolutions authorizing the submission of a constitutional amendment allowing full and equal suffrage to women.

Signed by Arthur Witherow and 700 others of North Dakota.

The following petition was introduced:

*To the Honorable Members of the House of Representatives, Thirteenth Legislative Assembly, State of North Dakota:*

Gentlemen: Your attention is respectfully called to and favorable consideration sought for the following resolu-

tions, adopted at the nineteenth annual convention of the State Dairymen's Association held at Valley City, February 18 and 19, 1913:

*Whereas*, Dairy farming is a form of agriculture which makes for permanency in the upbuilding of the state, and

*Whereas*, Dairying is in its infancy and needs fostering through financial support, and

*Whereas*, The great need of the present time is well-trained dairymen to engage in the production end of the business, and

*Whereas*, A necessity exists for buttermakers and cheesemakers to manufacture the output within the state, instead of making it necessary to ship the cream to other states for manufacture, and

*Whereas*, The state has not heretofore made provision for instructors at the Agricultural College,

*Be it Therefore Resolved*, That the North Dakota Dairymen's Association petition the state legislature, now assembled to amend the present bill before the legislature, appropriating money for an agricultural building, by dividing the appropriation asked for into separate amounts as follows: \$25,000.00 for a separate dairy building and equipment; \$15,000.00 for a dairy barn and dairy herd, the balance of the appropriation asked for in the bill to be used for an agricultural building, it being the intention to separate and specially designate the items on the aforesaid appropriation bill for the agricultural college," and

*Whereas*, There are pending in our Senate Bills No. 194 and 195, providing for the appointment of additional assistant dairy commissioners and an appropriation for the same, whose duties shall be to instruct and assist the people of the state in the construction of silos and dairy barns, and

*Whereas*, A necessity exists for the construction of silos owing to the growth of the dairy industry and the raising of corn,

*Therefore be it Resolved*, That the North Dakota Dairymen's Association ask of the legislature the passage of the aforesaid Senate Bills No. 194 and 195.

Signed by R. F. Flint Secretary Dairymen's Association.

Mr. Bass introduced the following petition:

*To the Members of the House of Representatives of the State of North Dakota, Bismarck, North Dakota:*

Gentlemen: We, the undersigned, residents and citizens of the State of North Dakota, do respectfully represent to you that we are acquainted with the working of the science of chiropractic and have seen the benefits thereof to many of the citizens in the State of North Dakota, and do represent to you that we believe the practice of chiropractic to be of great good to the citizens of the State of North Dakota as a whole, and a benefit to a large number of citizens of the state personally, and that we would therefore ask your honorable body to pass such laws at the present session of the Legislature of the State of North Dakota as shall properly protect the said science and the practitioners of chiropractic in the practice of their profession within the State of North Dakota.

Signed by the following number of persons from the following towns in North Dakota:

Alice, 6; Amenia, 38; Aneta, 13; Ayr, 18; Absarka, 15; Argusville, 11; Aurta, 11; Bottineau, 40; Balfour, 5; Belfield, 1; Buffalo, 13; Branford, 6; Barlow, 3; Bowbells, 52; Bismarck, 16; Bisbee, 11; Buchanan, 19; Bentley, 6; Berthold, 2; Buxton, 5; Bowdon, 6; Berlin, 4; Christine, 19; Coopers-town, 17; Cando, 79; Carbury, 10; Carrington, 85; Cortean, 12; Crary, 20; Cleveland, 11; Churchs Ferry, 6; Casselton, 5; Cayuga, 5; Crystal Springs, 6; Durbin, 6; Dazen, 3; Douglas, 6; Davenport, 32; Donnybrook, 11; Drake, 11; Devils Lake, 19; Deering, Enderlin, 5; Erie, 38; Elliott, 11; Fingat, 6; Fertle, 11; Flaxton, 11; Fargo, 983; Granville, 13; Galesburg, 6; Grand Forks, 12; Goodrich, 5; Gardner, 6; Grand Rapids, 50; Hatton, 12; Hannaford, 12; Hope, 5; Hunter, 17; Hickson, 3; Howard, 16; Jamestown, 8; Jud, 16; Jessie, 10; Kramer, 13; Kief, 2; Kenmare, 129; Kathryn, 11; Kindred, 18; Lakota, 5; LaMoure, 19; Leeds, 14; Linton, 25; Lucca, 22; Landa, 17; Mapes, 10; Mohall, 19; McKinney, 8; Minot, 183; Mayville, 11; Medina, 9; Mooretown, 5; Marion, 5; Niagara, 6; New Rockford, 12; New England, 10; Newport, 11; Newburg, 12; Oriska, 45; Osnabrock, 35; Portal, 38; Page, 72; Painted Woods, 7; Pleasant Lake, 20; Perkin, 17; Ray, 94; Rolette, 1; Rudland, 5; Rugby, 10; St. John, 12; Sanborn, 12; Sheldon, 8; Streeter, 6; Souris, 28; Sherwood, 1; Saunders, 16; Tower City, 12; Velva, 18; Verona, 31; Valley City, 297; Vanville, 5; Walbery City, 6; Wheatland, 5; Walford, 46; Warren, 16; Warwick, 5; Wilton, 6; York, 11.



## REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

*Mr. Speaker:*

Your committee on engrossment have examined.

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

Also,

House Bill No. 15.

A bill for an Act amending Section 12 of House Bill No. 210, of the Laws of 1911, to encourage elementary education.

Also,

House Bill No. 21.

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

Also,

House Bill No. 45.

A bill for an Act appropriating money for experiments to determine the milling value of cereals, the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

Also,

House Bill No. 36.

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907, as amended by Chapter 141, Laws of 1909.

Also,

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of 1905, relating to county road funds.

Also,

House Bill No. 145.

A bill for an Act entitled "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs of treatment and board of patients in the insane hospital."

Also,

House Bill No. 201.

A bill for an Act entitled "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Also,

House Bill No. 249.

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Also,

House Bill No. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

Also,

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

Also,

House Bill No. 328.

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

Also,

House Bill No. 369.

A bill for an Act to provide for suspension of modification of sentence of persons convicted of misdemeanors.

Also,

House Bill No. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

Also,

House Bill No. 416.

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in the state penitentiary.

Also,

House Bill No. 420.

A bill for an Act to amend Section 470 of the Revised Codes of 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws of 1911, of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Also,

House Bill No. 421.

A bill for an Act to amend Section 474 of the Revised Codes of North Dakota for 1905, as amended by Chapter 171 of the Session Laws of 1911, relating to the boundaries of, and terms of court in, the Sixth Judicial District.

Also,

House Bill No. 426.

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws of 1909, relating to the boundaries of, and terms of court in, the Fifth Judicial District.

Also,

House Bill No. 427.

A bill for an Act to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1909 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Ninth Judicial District.

Also,

House Bill No. 486.

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Code so 1905, as amended by Chapter 298,

Laws of 1911, relating to the disposition of penalty and interest.

And find the same correctly engrossed.

N. T. HEDALEN,  
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on enrollment made the following report:

*Mr. Speaker:*

Your committee on enrollment have examined:

House Bill No. 66.

A bill for an Act to amend and re-enact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.

Also,

House Bill No. 154.

A bill for an Act requiring treasurers of fair associations to give a bond to the directors thereof.

Also,

House Bill No. 28.

A bill for an Act entitled "An Act to amend and re-enact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what per cent of the capital stock and surplus of such corporations may be used for 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.

And find the same correctly enrolled.

R. J. GARDINER,  
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The committee on temperance made the following report:

*Mr. Speaker:*

A majority of your committee on temperance to whom was referred

House Bill No. 494.

A bill for an Act entitled "An Act to prevent drinking or offering others to drink as a beverage any intoxicating liquors in hotels, boarding houses, lodging houses and restaurants, prescribing penalties for the violation thereof and covering police power.

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

S. HENDRICKSON,  
Chairman.

Also,

A majority of your committee on temperance to whom was referred

House Bill No. 494.

A bill for an Act entitled "An Act to prevent drinking or offering others to drink as a beverage any intoxicating liquors in hotels, boarding houses, lodging houses and restaurants, prescribing penalties for the violation thereof and covering police power.

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

S. HENDRICKSON,  
Chairman.

J. A. T. BJORNE,  
LOUIS A. LEU,  
ARTHUR DIXON,  
J. J. RYAN,  
M. D. BUTLER,  
G. A. TUCKER.

Mr. Bjornson moved

That further consideration of House Bill No. 494 be indefinitely postponed.

Mr. Anderson moved

That House Bill No. 494 be referred to the committee of the whole House.

Which motion prevailed.

The committee on public health made the following report:

# INDEX

## RECORD OF BILLS IN THE HOUSE

### HOUSE BILLS

#### House Bill No. 1.—(Moen)

A bill for an Act to amend Sections 525, 527 of the Revised Codes of 1905, relating to the summoning of jurors.

Introduction, 233.

Reference, 233.

Reported, 277.

Third reading, 362.

Passed, 362.

Received from Senate, 1081.

Other action, 308.

#### House Bill No. 2.—(Burnett)

A bill for an Act defining the taxation, of real estate mortgages, and providing penalties for the violation thereof.

Introduction, 233.

Reference, 233.

Reported, 337.

Indefinitely postponed, 337.

#### House Bill No. 3.—(Burnett)

A bill for an Act defining the method of assessing, determining the rate of taxation and disposition of taxes of railways, freight line companies, dining car companies, express companies, telegraph companies, telephone companies or co-operations engaged in carrying persons, property, or messages in the State of North Dakota.

Introduction, 233.

Reference, 233.

Reported, 337.

Indefinitely postponed, 337.

#### House Bill No. 4.—(Everson)

A bill for an Act to amend Sections 5510 and 5511 of the Revised Codes of North Dakota for the year 1905, prescribing lawful rates of interest for any legal indebtedness, defining usury, and providing that interest shall be computed from the date of the actual delivery of the principal.

Introduction, 234.

Reference, 234.

Reported, 548.

Third reading, 656.

Passed, 657.

Received from Senate, 1654.

Other action, 549, 592, 610.

#### House Bill No. 5.—(Blakemore)

A joint resolution, ratifying amendment to the Constitution of the United States.

Introduction, 234.

Reference, 234.

Reported, 283.

Third reading, 363.

Passed, 364.

Received from Senate, 763.

Other action, 309.

#### House Bill No. 6.—(Hendrickson)

A bill for an Act to amend Chapter 170 of the Laws of 1907, and providing for an item indemnifying owners of animals killed or destroyed against the law, for being affected with disease known as glanders, and providing for the cost of proceedings.

Introduction, 234.

Reference, 234.

Reported, 334.

Indefinitely postponed, 334.

**House Bill No. 7.—(Martin)**

A bill for an Act to amend Section 5511 of the Revised Codes of 1905, relating to the legal rate of interest and defining usury.

Introduction, 234.

Reference, 235, 285.

Reported, 567.

Indefinitely postponed, 568.

Other action, 302.

**House Bill No. 8.—(Hanson)**

A joint resolution ratifying a proposed amendment to the Constitution of the United States, providing that a senator shall be elected by the people of the several states, etc.

Introduction, 235.

Reference, 235.

Reported, 283.

Indefinitely postponed, 283.

**House Bill No. 9.—(Johnson)**

A bill for an Act to amend Sections 1933, 1934, 1935 and 1936 of the Revised Codes of 1905 of the State of North Dakota, relating to the Herd Law.

Introduction, 235.

Reference, 235.

Reported, 1634.

Indefinitely postponed, 1634.

**House Bill No. 10.—(Twitchell)**

A bill for an Act to provide a method of voting at any general or primary election by electors absent or anticipating being absent on the day of such election, from the county in which they are electors.

Introduction, 235.

Reference, 235.

Reported, 643.

Indefinitely postponed, 20-33.

Third reading, 805.

Passed, 806.

Received from Senate, 1839.

Amended, 1840.

Amendments adopted, 2036.

Other action, 760-2035.

**House Bill No. 11.—(Blakemore)**

Concurrent resolution to amend Section 121 of Article 5 of the Constitution of the State of North Dakota and Article 2 of the amendments to the Constitution amendatory thereof, relating to elective franchise.

Introduction, 235.

Reference, 235.

Reported, 283.

Third reading, 364.

Passed, 365.

Received from Senate, 1710.

Other action, 309.

**House Bill No. 12.—(Bass)**

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for violation thereof.

Introduction, 240.

Reference, 240.

Reported, 1635.

Indefinitely postponed, 1635.

**House Bill No. 13.—(Endreson)**

A bill for an Act to amend Chapter 170 of Laws of 1907, entitled, An Act indemnifying owners for animals killed or destroyed according to law for being affected with the disease known as glanders.

Introduction, 240.

Reference, 240.

Reported, 334.

Indefinitely postponed, 1647.

Third reading, 394.

Passed, 395.

Received from Senate, 1466.

Amended, 1466.

Amendments adopted, 1749.

Other action, 1475.

**House Bill No. 14.—(Hedalen)**

A bill for an Act relating to the boundaries, terms of court, and chambers of the district judge of the Seventh Judicial district amending Section 475 of the Revised Codes of 1905, as amended by Chapter 75, Laws of 1909.

Introduction, 240.

Reference, 240.

Reported, 292.

Third reading, 396-801.

Passed, 396-802.

Received from the Senate, 714.

Amended, 714.

Amendments adopted, 801.

Other action, 346.

**House Bill No. 15.—(Butler of Ramsey)**

A bill for an Act to amend Section 12 of House Bill No. 210 of the Laws of 1911, to encourage elementary education.

Introduction, 240.

Reference, 240.

Reported, 382, 920.

Third reading, 1052.

Passed, 1053.

Received from Senate, 1755.

Other action, 438-1009.

**House Bill No. 16.—(Twitchell)**

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

Introduction, 240.

Reference, 240.

**House Bill No. 17.—(Butler of Ramsey)**

A bill for an Act to provide for the erection of an industrial building and necessary improvements at the school for the deaf and dumb at Devils Lake, N. D., and making an appropriation therefor.

Introduction, 241.

Reference, 241.

Reported, 875.

Third reading, 997.

Passed, 998.

Received from Senate, 1840.

Other action, 956.

**House Bill No. 18.—(Carey)**

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

Introduction, 241.

Reference, 241.

Reported, 373.

Third reading, 456.

Passed, 457.

Received from Senate, 1709.

Amended, 1709.

Amendments adopted, 1864.

Other action, 437-438.

**House Bill No. 19.—(Hjelmstad)**

A bill for an Act to provide for the appointment of a code commission to compile and publish the laws of the state of North Dakota and for the distribution and sale of the same.

Introduction, 241.

Reference, 241.

Reported, 605.

Indefinitely postponed, 605.

**House Bill No. 20.—(Olsgard)**

A bill for an Act validating certain execution sales heretofore made and limiting the time within which the same may be attached.

Introduction, 241.

Reference, 245.

Reported, 284.

Third reading, 365-652.

Passed, 366-653.

Received from the Senate, 594.

Amended, 594.

Other action, 309-621.

**House Bill No. 21.—(Campbell)**

A bill for an Act making appropriation for the erection of a new building and other necessary improvements, and for the current and contingent expenses of the reform school of North Dakota at Mandan, N. D.

Introduction, 241.

Reference, 241.

Reported, 920.

Third reading, 1053.

Passed, 1054.

Received from the Senate, 1901.

Other action, 1009.

**House Bill No. 22.—(Bratton)**

A bill for an Act to amend and re-enact Section 6237 as amended by the Session Laws of N. D. for 1909, and Sections 6238, 6240, 6242, 6244 and 6250 of Chapter 79 of the Revised Codes of North Dakota for the year 1905.

Introduction, 242.

Reference, 242.

Reported, 293, 591.

Third reading, 708.

Passed, 710.

Other action, 300-626-651-710.



**House Bill No. 23.—(Hjelmstad)**

A joint resolution ratifying a proposed amendment to the Constitution of the United States to be known as Article XVI thereof.  
 Introduction, 242.  
 Reference, 242.  
 Reported, 284.  
 Indefinitely postponed, 284.

**House Bill No. 24.—(Blakemore)**

A bill for an Act to amend Section No. 5119 of the Revised Codes of North Dakota of 1905, relating to succession of children or the issue of any deceased child omitted to be provided for in the will of any testor.  
 Introduction, 242.  
 Reported, 335, 336.  
 Third reading, 452.  
 Lost, 453.  
 Other action, 369.

**House Bill No. 25.—(Hoge)**

A bill for an Act to provide a system by which qualified electors of this state may cast their vote at primary or general election without being personally present at the home polling place.  
 Introduction, 242.  
 Reference, 242.  
 Reported, 353.  
 Indefinitely postponed, 353.

**House Bill No. 26.—(Petterson)**

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.  
 Introduction, 242.  
 Reference, 243.  
 Reported, 1635.  
 Indefinitely postponed, 1635.

**House Bill No. 27.—(Twitchell)**

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.  
 Introduction, 243.  
 Reference, 243.  
 Reported, 1143.  
 Third reading, 1356.  
 Passed, 1357.  
 Received from Senate, 1928, 1981.  
 Other action, 1246.

**House Bill No. 28.—(Hedalen)**

A bill for an Act to amend and reenact Chapter 54, Laws 1911, relating to corporations having banking powers, defining what percent of the capital stock and surplus of such corporation may be used for banking house furniture and fixtures, defining its powers as to other real estate and repealing Section 4640 of the Revised Code for the year 1905.  
 Introduction, 243.  
 Reference, 243.  
 Reported, 444.  
 Third reading, 506.  
 Passed, 507.  
 Received from Senate, 763.  
 Amended, 764.  
 Amendments adopted, 811, 843.  
 Other action, 493.

**House Bill No. 29.—(Campbell)**

A bill for an Act for the appointment of short-hand reporters, and providing for their compensation and traveling expenses and amending Section 484 and Section 487 of the Revised Codes of 1905.  
 Introduction, 243.  
 Reference, 243.  
 Reported, 295.

**House Bill No. 30.—(Norheim)**

A bill for an Act to amend Section 111 of the Revised Codes of 1905, relating to the duties of the state treasurer.  
 Introduction, 243.  
 Reference, 243.  
 Reported back, 296.  
 Third reading, 397.  
 Passed, 398.  
 Received from Senate, 1754.  
 Other action, 346.

**House Bill No. 31.—(Hoge)**

A bill for an Act to amend and reenact Article 3, Chapter 30 of the Code of Civil procedure of the Revised Code of the State of North Dakota of 1905, relating to cancellation of land contracts.  
 Introduction, 243.  
 Reference, 244.  
 Reported, 311, 720.  
 Third reading, 891.  
 Passed, 892.  
 Received from Senate, 1844.  
 Amended, 1844.  
 Other action, 347, 857.

**House Bill No. 32.—(Hendrickson)**

Concurrent resolution amending the State Constitution of the State of North Dakota.  
 Introduction, 244.  
 Reference, 244.  
 Reported, 293.  
 Third reading, 401.  
 Lost, 402.  
 Other action, 295, 318, 345.

**House Bill No. 33.—(Butler of Ransom)**

A bill for an Act to provide for the expenses of district judges when acting outside of their counties.  
 Introduction, 244.  
 Reference, 244.  
 Reported, 298.  
 Indefinitely postponed, 298.  
 Other action, 302.

**House Bill No. 34.—(Hoge)**

A Concurrent Resolution to amend Section 154 of the Constitution of the State of North Dakota, relating to the appropriation of fines for state laws.  
 Introduction, 244.  
 Reference, 244.  
 Reported, 284.  
 Indefinitely postponed, 284.

**House Bill No. 35.—(Gunderson)**

A bill for an Act requiring the governor to establish a uniform system of accounting and reporting for all state officers, state institutions, county officers and school districts.  
 Introduction, 244.  
 Reference, 244.  
 Reported back, 297, 985.  
 Indefinitely postponed, 985.

**House Bill No. 36.—(O'Connor)**

A bill for an Act to amend Sections 6 and 10 of Chapter 135 of the Laws of 1907 as amended by Chapter 141, Laws of 1909.  
 Introduction, 244.  
 Reference, 245.  
 Reported, 415.  
 Third reading, 485, 1050.  
 Passed, 486, 1050.  
 Received from Senate, 954.  
 Amended, 954.  
 Other action, 467.

**House Bill No. 37.—(C. C. Turner)**

A bill for an Act making an appropriation for the Dickinson Experiment Station, located in the city of Dickinson.  
 Introduction, 252.  
 Reference, 252.  
 Reported, 337, 773.  
 Third reading, 932.  
 Passed, 933.  
 Received from Senate, 1840.  
 Other action, 906, 917.

**House Bill No. 38.—(Wardrope)**

A bill for an Act to appropriate money for maintenance equipment and permanent improvements at the State University and Schools of Mines of North Dakota.  
 Introduction, 252.  
 Reference, 252.  
 Reported, 921.  
 Third reading, 1159.  
 Passed, 1160.  
 Received from Senate, 1755.  
 Other action, 1112.

**House Bill No. 39.—(Blakemore)**

A bill for an Act to amend Section No. 85, Article 4, of the Constitution of the State of North Dakota, relating to the judicial department.  
 Introduction, 252.  
 Reference, 252.  
 Reported, 294, 335.  
 Indefinitely postponed, 335.

**House Bill No. 40.—(Sorlie)**

A bill for an Act repealing Sections 2294, 2295 and 2296.  
 Introduction, 252.  
 Reference, 252.  
 Reported, 312.  
 Indefinitely postponed, 1504.  
 Third reading, 366.  
 Passed, 367.  
 Received from Senate, 1504.

**House Bill No. 41.—(Johnson)**

A bill for an Act amending Section 8377 of the Revised Codes of 1905, relating to proceedings on change of trial in justice's courts.  
 Introduction, 253.  
 Reference, 253.  
 Reported, 285.  
 Indefinitely postponed, 285.

**House Bill No. 42.—(Owens)**

A bill for an Act to amend and reenact Section 9545 of the Revised Code of the State of North Dakota, providing for the taxation and collection of casts in criminal cases.

Introduction, 253.

Reference, 253.

Reported, 375.

Indefinitely postponed, 375.

**House Bill No. 43.—(Leu)**

A bill for an Act amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and an institution for the feeble minded in connection therewith at the City of Fessenden, in the County of Wells.

Introduction, 253.

Reference, 253.

Reported, 1634.

Indefinitely postponed, 1634.

**House Bill No. 44.—(Hedalen)**

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, relating to the trial by jury.

Introduction, 253.

Reference, 253.

Reported, 1420.

Indefinitely postponed, 1420.

Other action, 1420.

**House Bill No. 45.—(Watt)**

A bill for an Act appropriating money for experiments to determine the milling value of cereals the baking and other chemical properties of the flours produced therefrom and the chemical composition thereof, and providing for the publication of the information thereby obtained and making an appropriation for such work.

Introduction, 253.

Reference, 254.

Reported, 922.

Third reading, 1054.

Passed, 1055.

Received from Senate, 1834.

Other action, 1009.

**House Bill No. 46.—(Borusky)**

A bill for an Act to amend and reenact Chapter 126 of the Laws of 1909, relating to the foreclosure by advertisements of mortgages on real property.

Introduction, 254.

Reference, 254.

Reported, 298.

Indefinitely postponed, 298.

**House Bill No. 47.—(Owens)**

A bill for an Act to amend and reenact Section 6187, Revised Code of 1905 of the State of North Dakota, relating to chattel mortgages.

Introduction, 254.

Reference, 254.

Reported, 298.

Third reading, 431.

Passed, 432.

Received from Senate, 610.

Other action, 346.

**House Bill No. 48.—(Hjelmstad)**

A bill for an Act providing for the purchase by County Commissioners districts, modern road machinery for operating the same and providing for the making of a levy to pay for the same.

Introduction, 254.

Reference, 254.

Reported, 383.

Indefinitely postponed, 383.

**House Bill No. 49.—(Williams)**

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.

Introduction, 254.

Reference, 254.

Reported, 874.

Indefinitely postponed, 1198.

Third reading, 996, 1942.

Passed, 997, 1942.

Received from Senate, 1198.

Other action, 956, 1474.

**House Bill No. 50.—(Dean)**

A bill for an Act to amend Chapter 306 of the Session Laws of 1911, relating to the election and appointment of township officers and their terms of office and to repeal Section 3111 of the Revised Codes of 1905.

Introduction, 255.

Reference, 255.

Reported, 413, 353.

Third reading, 488.

Passed, 489.

Received from Senate, 1936.

Amended, 1936.

Other action, 467.

**House Bill No. 51.—(Knox)**

A bill for an Act to require a re-insurance reserve for mutual fire insurance companies.

Introduction, 255.

Reference, 255.

Reported, 351.

Indefinitely postponed, 351.

**House Bill No. 52.—(Williams)**

A bill for an Act to repeal Article 21 of Chapter 32, entitle, Townsites located on public lands, of the Revised Codes of 1905.

Introduction, 255.

Reference, 255.

Reported, 421.

Third reading, 460.

Passed, 461.

Received from Senate, 1896.

**House Bill No. 53.—(Turner)**

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.

Introduction, 266.

Reference, 266.

Reported, 338.

Indefinitely postponed, 338.

**House Bill No. 54.—(Morkrid)**

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 North Dakota for 1905, relating to mechanics' liens, as amended by Chapter 158 of the Session Laws of North Dakota for the year 1905 and by Chapter 187 of the Session Laws of North Dakota for the year 1911.

Introduction, 266.

Reference, 267.

Reported, 295.

Indefinitely postponed, 567.

Other action, 300.

**House Bill No. 55.—(Turner, F. W.)**

Amending the Constitution of the State of North Dakota, relating to the elective franchises.

Introduction, 267.

Reference, 267.

Reported, 294.

Indefinitely postponed, 294.

**House Bill No. 56.—(Husband)**

A bill for an Act to create a state text book commission and to provide for the adoption and use of uniform text books in the common schools of this state up to and including the eighth grade.

Introduction, 267.

Reference, 267.

Reported, 915.

Indefinitely postponed, 915.

Other action, 1009, 1012.

**House Bill No. 57.—(Huso)**

A bill for an Act to prevent fraudulent registration and sale of animals as being pure bred, and to amend Section 9007 of the Revised Codes of 1905.

Introduction, 267.

Reference, 267.

Reported, 335.

Third reading, 339, 1510.

Passed, 400, 1511.

Received from Senate, 1444.

Amended, 1444.

Amendments adopted, 1510.

Other action, 1445.

**House Bill No. 58.—(Roble)**

A bill for an Act to amend Section 840 of the Revised Code of 1905, relating to the amount of garnishee.  
 Introduction, 267.  
 Reference, 267.  
 Reported, 294.  
 Indefinitely postponed, 294.

**House Bill No. 59.—(Bjornson)**

A bill for an Act to appropriate money for the better equipment of the school of pharmacy at the North Dakota Agricultural College at Fargo.  
 Introduction, 268.  
 Reference, 268.  
 Reported back, 876.  
 Indefinitely postponed, 877.

**House Bill No. 60.—(Wardrope)**

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to State Fairs.  
 Introduction, 268.  
 Reference, 268.  
 Reported, 984.  
 Indefinitely postponed, 984.

**House Bill No. 61.—(Roble)**

A bill for an Act to repeal Sections 3187, 3188, 3189, 3190 and 3191 of the Revised Codes of North Dakota for the year 1905, relating to guideposts.  
 Introduction, 268.  
 Reference, 268.  
 Reported, 384.  
 Third reading, 457, 1506.  
 Passed, 458, 1507.  
 Received from Senate, 1443.  
 Amended, 1443.  
 Other action, 438, 1445.

**House Bill No. 62.—(Klein)**

A bill for an Act to amend Section 643 of the Revised Codes of North Dakota and to prevent the fraudulent or corrupt marking of ballots.  
 Introduction, 268.  
 Reference, 268.  
 Reported, 554.  
 Indefinitely postponed, 379.

**House Bill No. 63.—(Twitchell)**

A bill for an Act to amend Section 1584 of the Revised Codes of the State of North Dakota for the year 1905 as amended in Chapter 220 of the Session Laws of 1907, relating to the rights of purchasers of land at sale for the non-payment of taxes.  
 Introduction, 268.  
 Reference, 269.  
 Reported, 312.  
 Third reading, 400.  
 Passed, 401.  
 Received from Senate, 1907.  
 Other action, 347.

**House Bill No. 64.—(Calnan)**

A bill for an Act to amend Section 2613 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1911, relating to compensation of county commissioners.  
 Introduction, 269.  
 Reference, 269.  
 Reported back, 299.  
 Indefinitely postponed, 299.

**House Bill No. 65.—(Lindstrom)**

A bill for an Act to require operators of threshing machines to deposit a bond with the register of deeds, securing the payment of wages to laborers.  
 Introduction, 269.  
 Reference, 269.  
 Other action, 348.

**House Bill No. 66.—(Buck)**

A bill for an Act to amend and reenact Section 181 of Chapter 266 of the Session Laws of the year 1911 of the State of North Dakota, relating to public schools.  
 Introduction, 269.  
 Reference, 269.  
 Reported back, 545.  
 Third reading, 588.  
 Passed, 589.  
 Received from Senate, 961.

**House Bill No. 67.—(Northrop)**

A bill for an Act entitled, "An Act prohibiting and making it a misdemeanor to manufacture, sell, barter, exchange or give away cigarette or cigarette paper."

Introduction, 269.  
Reference, 269.  
Reported, 412.  
Third reading, 486, 1006.  
Third reading, 487, 1007.  
Received from Senate, 861.  
Amended, 861.  
Other action, 467, 468, 903, 958.

**House Bill No. 68.—(Northrop)**

A bill for an Act to provide for enjoining and keeping of public nuisances as defined by Section 9373 of the Code of North Dakota and to prevent a person enjoined in one locality from keeping a similar nuisance in another locality.

Introduction, 269.  
Reference, 270.  
Reported, 313.  
Indefinitely postponed, 313.

**House Bill No. 69.—(Smith of Kidder)**

A bill for an Act to amend Chapter 299 of the Session Laws of 1911, fixing time when real estate taxes become due and delinquent and describing penalties on delinquent taxes.

Introduction, 270.  
Reference, 270.  
Reported back, 386.  
Indefinitely postponed, 438.  
Other action, 438.

**House Bill No. 70.—(Stenehjem)**

A bill for an Act to amend Section 650 of the Revised Codes of 1905, relating to the manner of making election returns and the compensation of officers.

Introduction, 270.  
Reference, 270.

**House Bill No. 71.—(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, 270.  
Reference, 270.  
Reported, 446.  
Third reading, 507.  
Passed, 508.  
Received from Senate, 1852.  
Amended, 1852.  
Amendments adopted, 1993.  
Conference, 1860.  
Report of conference committee, 1993.  
Other action, 493.

**House Bill No. 72.—(Norheim)**

A bill for an Act to amend Section 136 of the Revised Codes of 1905, relating to the duties of the commissioner of insurance.

Introduction, 270.  
Reference, 270.  
Reported, 352.  
Indefinitely postponed, 352.

**House Bill No. 73.—(Bope)**

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, 271.  
Reference, 271.  
Reported, 412.  
Third reading, 487, 1059.  
Passed, 488, 1060.  
Received from Senate, 911.  
Amended, 911.  
Amendments adopted, 973.  
Other action, 467, 474.

**House Bill No. 74.—(Bope)**

A bill for an Act to amend and reenact "Article 21" of the Political Code of 1905, being Sections 1636 and 1637 of the Revised Codes of North Dakota of 1905, relating to gopher tax and petition.

Introduction, 271.  
Reference, 271.  
Reported, 299.  
Indefinitely postponed, 299.

**House Bill No. 75.—(Watt and Carey)**

A bill for an Act to amend Chapter 306 of the Session Laws of 1911 relating to the term of office of township officers.

Introduction, 278.  
Reference, 278.  
Reported, 414.  
Indefinitely postponed, 414.

**House Bill No. 76.—(Bass)**

A bill for an Act to amend Section 4, of Chapter 275 of the Session Laws of the State of North Dakota for the year 1911, relating to the office of sheriff and providing for deputies.

Introduction, 278.  
Reference, 279.  
Third reading, 536, 936.  
Passed, 537, 937.  
Received from the Senate, 763.  
Amended, 763.  
Other action, 467, 506, 811, 916.

**House Bill 77.—(Campbell)**

A bill for an Act to compel railway companies to protect certain of their employees from inclemencies of the weather while performing services and providing penalties for violation of the same.

Introduction, 279.  
Reference, 279.  
Reported, 352.  
Indefinitely postponed, 352.

**House Bill No. 78.—(Everson)**

A bill defining bootlegging, making it a crime, and fixing the punishment therefor.

Introduction, 279.  
Reference, 279.  
Reported, 313.  
Third reading, 398.  
Passed, 399.  
Received from Senate, 862.  
Other action, 347.

**House Bill No. 79.—(Kyllo)**

A bill for an Act for payment of attorney's fees in certain cases.

Introduction, 279.  
Reference, 279.  
Reported, 352.  
Indefinitely postponed, 352.

**House Bill No. 80.—(Sorlie)**

A bill providing closets or privies for the accommodation of the public at railroad stations and keeping them in a sanitary condition and penalty for violation thereof.

Introduction, 279.  
Reference, 279.  
Reported, 519.  
Third reading, 587, 1047.  
Passed, 588, 1048.  
Received from Senate, 911.  
Amended, 911.  
Other action, 555.

**House Bill No. 81.—(Burnett)**

A bill for an Act defining the method of taxation of grain and seeds and providing a penalty for the violation thereof.

Introduction, 279.  
Reference, 280.  
Other action, 369, 435.

**House Bill No. 82.—(Thompson)**

A bill for an Act to regulate the manufacture of pneumatic rubber tires for motor vehicles and to prevent fraud and deception in the sale thereof.

Introduction, 280.  
Reference, 280.  
Reported, 352.  
Third reading, 432.  
Passed, 433.  
Received from Senate, 1473.  
Amended, 1473.  
Amendments adopted, 1806.  
Other action, 379.

**House Bill No. 83.—(Husband)**

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 2868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes and providing for the relief of poor persons.

Introduction, 280.  
Reference, 280.  
Other action, 435.

**House Bill No. 84.—(Calnan)**

A bill for an Act to amend Section 1868 of the Revised Codes of 1905, relating to compensation of overseers of the poor.

Introduction, 280.  
Reference, 280.  
Reported, 354.  
Indefinitely postponed, 354.

**House Bill No. 85.—(Smith of Kidder)**

A bill for an Act to repeal Sections 1, 2 and 3, of Chapter 213 of the Session Laws of 1911, relating to party registration of electors desiring to vote at any primary election in this state.

Introduction, 280.

Reference, 280.

Reported back, 354.

Indefinitely postponed, 378.

Other action, 378.

**House Bill No. 86.—(Putnam)**

A bill for an Act limiting the liability of innkeepers and hotelkeepers, and providing for their protection and fraud and security for charges.

Introduction, 281.

Reference, 281.

Reported, 374.

Indefinitely postponed, 374.

**House Bill No. 87.—(Davis)**

A bill for an Act relating to the White Stone Hill Memorial Park and making an appropriation therefor.

Introduction, 281.

Reference, 281.

Reported, 686.

Third reading, 747.

Passed, 748.

Received from Senate, 1928.

**House Bill No. 88.—(Williams)**

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.

Introduction, 281.

Reference, 281.

Reported, 336, 875.

Indefinitely postponed, 876.

**House Bill No. 89.—(Bope)**

A bill for an Act entitled, an Act to amend Section 5513 of the Revised Codes of 1905, as amended by Chapter 311 of the Session Laws of 1911, relating to loan of money and usury.

Introduction, 281.

Reference, 281.

Reported back, 567.

Indefinitely postponed, 567.

**House Bill No. 90.—(Dixon)**

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

Introduction, 287.

Reference, 287.

Reported, 602.

Third reading, 707.

Passed, 708.

Received from Senate, 1711.

Amended, 1711.

Amendments adopted, 1865.

Other action, 669.

(Bill withdrawn for amendment.)

**House Bill No. 91.—(Currey)**

A bill for an Act to amend Section 2384 of the Revised Code of 1905, providing for election of county officers.

Introduction, 287.

Reference, 287.

Other action, 302.

**House Bill No. 92.—(Twitchell)**

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911, entitled, an Act to provide for a commission system of government in cities which shall adopt the provisions of this Act.

Introduction, 287.

Reference, 288.

Reported, 375.

Third reading, 463, 1511.

Passed, 464, 1512.

Received from Senate, 1442.

Amended, 1442.

Amendments adopted, 1511.

Other action, 1445.

**House Bill No. 93.—(Lewis)**

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

Introduction, 288.

Reference, 288.

Reported, 690, 773.

Indefinitely postponed, 1126.

Third reading, 841.

Passed, 842.

Received from Senate, 1126.



**House Bill No. 94.—(Lewis)**

A bill for an Act making an appropriation for a mess house on the Rock Island Military Wood Reservation near Devils Lake, North Dakota, and a Stand of Colors.  
Introduction, 288.  
Reference, 288.  
Reported, 690, 772, 919.  
Third reading, 888.  
Passed, 889.  
Received from Senate, 1435.  
Other action, 858.

**House Bill No. 95.—(Sorlie)**

A bill for an Act to amend and reenact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of state's attorneys and attorney general.  
Introduction, 288.  
Reference, 288.  
Reported, 387.  
Third reading, 458.  
Passed, 459.  
Received from Senate, 909.  
Other action, 439.

**House Bill No. 96.—(Kyllo)**

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.  
Introduction, 288.  
Reference, 288.  
Reported, 544.  
Indefinitely postponed, 544.

**House Bill No. 97.—(Kyllo)**

A bill for an Act providing for false or misleading advertisements or statements as to or in connection with the sale of real estate.  
Introduction, 288.  
Reference, 289.  
Reported, 571, 636.  
Indefinitely postponed, 636.

**House Bill No. 98.—(Petterson)**

A bill for an Act providing for the repair and maintenance of high-ways by original townships and authorizing the expenditure of money therefor.  
Introduction, 289.  
Reference, 289.  
Reported, 1371.  
Indefinitely postponed, 1371.

**House Bill No. 99.—(Putnam)**

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a State Hospital for the Insane and Institution for the Feeble Minded, in connection therewith, in the City of Carrington, County of Foster.  
Introduction, 289.  
Reference, 289.  
Reported, 1633.  
Indefinitely postponed, 1633.

**House Bill No. 100.—(Anderson)**

A bill for an Act to amend Chapter 300 of the Session Laws of 1911, relating to delinquent personal property taxes and to the collection of taxes.  
Introduction, 289.  
Reference, 289.  
Reported, 414.  
Indefinitely postponed, 414.

**House Bill No. 101.—(Wing)**

A bill for an Act relating to the legal rate of interest and defining usury and fixing the penalty for taking the same.  
Introduction, 289.  
Reference, 289.  
Reported, 566.  
Indefinitely postponed, 566.

**House Bill No. 102.—(Nyhus)**

A bill for an Act to amend Sections 2584 and 2585 of the Revised Codes of North Dakota for 1905, relating to the fees to be charged and collected by the clerk of courts.  
Introduction, 304.  
Reference, 304.  
Reported, 420.  
Indefinitely postponed, 420.

**House Bill No. 103.—(Huso)**

A bill for an Act to provide for uniform blanks in real estate transfers and providing for the enforcement thereof.  
Introduction, 305.  
Reference, 305.  
Reported, 474.  
Indefinitely postponed, 474.

**House Bill No. 104.**—(Smith of Kidder)

A bill for an Act to amend Section 66 of Chapter 266 of the Session Laws of 1911, relating to the bonds of schools district officers.  
Introduction, 305.  
Reference, 305.  
Reported, 414.  
Indefinitely postponed, 414.

**House Bill No. 105.**—(F. W. Turner)

A bill for an Act to amend Section 3048 of the Revised Codes of North Dakota for 1905, relating to the organization of townships.  
Introduction, 305.  
Reference, 305.  
Reported, 446.  
Third reading, 491.  
Passed, 492.  
Received from Senate, 1435.

**House Bill No. 106.**—(Gunderson)

A bill for an Act creating a state text book commission and defining its duties and powers.  
Introduction, 305.  
Reference, 305.  
Reported, 1035.  
Indefinitely postponed, 1191.

**House Bill No. 107.**—(Walsh)

A bill for an Act to Repeal all of Chapter 329 of the Session Laws of 1911, relating to abstracters of title.  
Introduction, 305.  
Reference, 305.  
Reported, 420.  
Other action, 448.

**House Bill No. 108.**—(Pitkin)

A concurrent resolution, amending the Constitution of the State of North Dakota, establishing and locating a state hospital for insane and institution for the feeble minded, in connection therewith, in the City of Velva, County of McHenry.  
Introduction, 306.  
Reference, 306.  
Reported, 1633.  
Indefinitely postponed, 1633.

**House Bill No. 109.**—(Moen)

A bill for an Act to amend Section 9353 of the Revised Codes of 1905, relating to the penalty for manufacturing and selling intoxicating liquors contrary to law.  
Introduction, 306.  
Reference, 306.  
Reported, 823.  
Indefinitely postponed, 823.

**House Bill No. 110.**—(Moen and Ward-robe)

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane at the City of Leeds, County of Benson.  
Introduction, 306.  
Reference, 306.  
Reported, 1632.  
Indefinitely postponed, 1632.

**House Bill No. 111.**—(Curry)

A bill for an Act to provide for the non-partisan nomination and election of the state superintendent of public instruction and county superintendent of schools.  
Introduction, 306.  
Reference, 306.  
Reported, 641.  
Third reading, 804.  
Passed, 805.  
Received from Senate, 1710.  
Other action, 760.

**House Bill No. 112.**—(Bratton)

A bill for an Act to amend Paragraph 21 of Section 2610 of the Political Code of North Dakota for 1905.  
Introduction, 306.  
Reference, 307.  
Reported, 387.  
Indefinitely postponed, 387.

**House Bill No. 113.**—(Leu)

A bill for an Act to repeal Chapter 114 of the Laws of 1911, relating to the bonding of county commissioners.  
Introduction, 307.  
Reference, 307.  
Reported, 385.  
Third reading, 453.  
Passed, 454.  
Received from Senate, 1654.

**House Bill No. 114.—(Ployhar)**

A bill for an Act to provide for the making of permanent improvements at the state normal school at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.

Introduction, 307.

Reference, 307. •

Reported, 922.

Third reading, 1161.

Passed, 1162.

Received from Senate, 1669.

Amended, 1669.

Amendments adopted, 1750, 1810.

Report of conference committee, 1746.

Other action, 1112, 1747.

**House Bill No. 115.—(Johnson)**

A bill for an Act to amend Chapter 138, relating to 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 otherwise provided therein.

Introduction, 307.

Reference, 307.

Reported, 520.

Indefinitely postponed, 556.

Other action, 555.

**House Bill No. 116.—(Huso)**

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the 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, 307.

Reference, 307.

Reported, 444.

Third reading, 489.

Passed, 490.

Received from Senate, 1081.

**House Bill No. 117.—(Morkrid)**

A bill for an Act providing for the taxation of incomes, prescribing the duties of the state tax commission relative thereto, making an appropriation for carrying into effect the provisions hereof, and for other purposes.

Introduction, 314.

Reference, 314.

Other action, 580.

**House Bill No. 118.—(Freitag)**

A bill for an Act providing that state banks may borrow money to an amount equal to its capital and unimpaired surplus.

Introduction, 314.

Reference, 314.

Reported, 1142.

Indefinitely postponed, 1142.

**House Bill No. 119.—(Buck)**

A bill for an Act authorizing the court or judge to remove officers for misfeasance, malfeasance or nonfeasance in office, and providing the method of procedure therefor.

Introduction, 314.

Reference, 315.

Reported, 777.

Third reading, 942.

Passed, 943.

Received from Senate, 2005.

Other action, 907.

**House Bill No. 120.—(Dixon)**

A bill for an Act providing for the payment of taxes for road purposes and its distribution.

Introduction, 315.

Reference, 315.

Reported, 384.

Other action, 438, 439, 541, 609.

**House Bill No. 121.—(Bass)**

A bill for an Act to provide for the inspection of steam boilers, and providing for licensing engineers of steam engines.

Introduction, 315.

Reference, 315.

Reported, 419.

Indefinitely postponed, 419.

**House Bill No. 122.—(Dean)**

A bill for an Act to amend Sections 1, 2 and 4 of Chapter 258 of the Session Laws of 1907, relating to trade discrimination and unfair competition.  
 Introduction, 315.  
 Reference, 315.  
 Reported, 386.  
 Third reading, 455.  
 Passed, 456.  
 Received from Senate, 1670.  
 Amended, 1670.  
 Conference, 1663, 1722, 1746.  
 Report of conference committee, 1721, 1745, 1805.

**House Bill No. 123.—(Martin)**

A bill for an Act to provide for the annual publication of by-laws by domestic corporations.  
 Introduction, 315.  
 Reference, 315.  
 Reported, 1038.  
 Indefinitely postponed, 1194.  
 Other action, 1193.

**House Bill No. 124.—(Martin)**

A bill for an Act to provide for the publication of the articles of incorporation and by-laws of foreign corporations.  
 Introduction, 315.  
 Reference, 316.  
 Reported, 1039.  
 Indefinitely postponed, 1039.

**House Bill No. 125.—(Martin)**

A bill for an Act to provide for the publication of foreign corporations of their by-laws and articles of incorporation prior to the filing of their next annual report.  
 Introduction, 316.  
 Reference, 316.  
 Reported, 1039.  
 Indefinitely postponed, 1039.

**House Bill No. 126.—(Martin)**

A bill for an Act to provide for the publication of the laws of the state.  
 Introduction, 316.  
 Reference, 316.  
 Reported, 566.  
 Indefinitely postponed, 566.

**House Bill No. 127.—(Martin)**

A bill for an Act to require domestic corporations to publish their articles of incorporation.  
 Introduction, 316.  
 Reference, 316.  
 Reported, 1039.  
 Indefinitely postponed, 1039.

**House Bill No. 128.—(Huso)**

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane in the City of New Salem, County of Morton.  
 Introduction, 316.  
 Reference, 316.  
 Reported, 1633.  
 Indefinitely postponed, 1633.

**House Bill No. 129.—(O'Connor)**

A bill for an Act entitled, "An Act to amend Section 2478 of the Revised Codes of 1905, relating to partial payment of taxes.  
 Introduction, 316.  
 Reference, 317.  
 Reported, 415.  
 Third reading, 461.  
 Passed, 462.  
 Received from Senate, 862.

**House Bill No. 130.—(Hanson)**

A bill for an Act amending and re-enacting Section 4638 of the Revised Codes of 1905, as amended by Chapter 55 of the Session Laws of 1911, relating to banking corporations.  
 Introduction, 317.  
 Reference, 317.  
 Reported, 443.  
 Third reading, 484.  
 Lost, 485.

**House Bill No. 131.—(Polyhar)**

A bill for an Act to amend and re-enact Section 6057 of the Revised Codes for 1905, relating to standard policies for insurance companies and the limitation of actions.  
 Introduction, 317.  
 Reference, 317.  
 Reported, 598.  
 Indefinitely postponed, 669.  
 Other action, 598, 669.

**House Bill No. 132.**—(Smith of Kidder)

A bill for an Act to amend Sections 48 and 57, of Chapter 266, of the Session Laws of 1911, relating to the election of officers in common school districts.

Introduction, 317.

Reference, 317.

Reported, 563.

Indefinitely postponed, 564.

**House Bill No. 133.**—(Ployhar and Blakemore)

Concurrent resolution for an amendment of the Constitution, providing for the initiative and referendum, and the provisions thereof, the recall of public officers and future amendments to the Constitution.

Introduction, 317.

Reference, 317.

Reported, 417.

Third reading, 537.

Passed, 538.

Other action, 418, 439, 509.

**House Bill No. 134.**—(Fritz)

A bill for an Act to amend Section 5 of Chapter 279 of the Laws of 1911, relating to liens on the colts of licensed stallions and providing for a lien on mares served.

Introduction, 318.

Reference, 318.

Reported, 639.

**House Bill No. 135.**—(Curry)

A bill for an Act providing for the nomination and election of County Commissioners at large by the voters of the county.

Introduction, 342.

Reference, 342.

Other action, 499.

**House Bill No. 136.**—(Smith of Kidder)

A bill for an Act to amend Section 84, of Chapter 266, of the Session Laws of 1911, relating to Consolidation of schools and conveying the pupils.

Introduction, 342.

Reference, 342.

Reported, 1807.

Indefinitely postponed, 1807.

**House Bill No. 137.**—(Bope)

A bill for an Act to amend Section 10243 of the Revised Codes of 1905, relating to reprivies, commutations and pardons.

Introduction, 342.

Reference, 342.

Reported, 445.

Indefinitely postponed, 445.

**House Bill No. 138.**—(Bope)

A bill for an Act to amend Section 2082 of the Revised Codes of 1905, as amended by Chapter 50 of the Session Laws of 1909, also Section 2083 of the Revised Codes of 1905, relating to bounty for tree planting.

Introduction, 342.

Reference, 343.

Reported, 637.

Indefinitely postponed, 637.

**House Bill No. 139.**—(Stinger)

A bill for an Act providing for properly expending public money on highways.

Introduction, 343.

Reference, 343.

Reported, 1371.

Indefinitely postponed, 1371.

**House Bill No. 140.**—(Kyllo)

A bill for an Act to regulate the time and manner in which common carriers doing business in the State shall adjust and pay freight overcharges and claims for loss or damage to property.

Introduction, 343.

Reference, 343.

Reported, 518.

Indefinitely postponed, 518.

**House Bill No. 141.**—(Hoge)

A bill for an Act to amend and reenact Section 4633 of the Revised Code of North Dakota, relating to right of way for telephone lines and conditions precedent thereto.

Introduction, 343.

Reference, 343.

Reported, 472.

Indefinitely postponed, 472.

Other action, 472.

**House Bill No. 142.—(Hoge)**

A Concurrent Resolution amending the Constitution of the State of North Dakota, establishing and locating a State Hospital for the Insane and Institution for the Feeble Minded in connection therewith as may hereafter be provided by law in the Village of Garrison, in the County of McLean.

Introduction, 343.

Reference, 344.

Reported, 1633.

Indefinitely postponed, 1633.

**House Bill No. 143.—(Owens)**

A bill for an Act providing for taxation and fixing the rate of taxation on inheritances devisees, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

Introduction, 344.

Reference, 344.

Reported, 879.

Third reading, 1048.

Passed, 1049.

Received from Senate, 1727.

Amended, 1727.

Amendments adopted, 1861.

Other action, 958, 1728.

**House Bill No. 144.—(Smith of Kidder)**

A bill for an Act to repeal Section 23 of Chapter 266, of the Session Laws of 1911, relating to the annual meeting of school officers.

Introduction, 344.

Reference, 344.

Reported, 383.

Indefinitely postponed, 383.

**House Bill No. 145.—(Lambert)**

A bill for an Act entitled, "An Act to amend and re-enact Section 15 of Chapter 137 of the Session Laws of 1907, relating to the payment of costs or treatment and board of patients in the insane hospital."

Introduction, 344.

Reference, 344.

Reported, 569, 925, 1522.

**House Bill No. 146.—(O'Connor)**

A bill for an Act to amend Section 2, of Chapter 220, of the Session Laws of 1909, entitled, "An act relating to evidence regarding the claim of title to real estate."

Introduction, 344.

Reference, 344.

Reported, 605.

Indefinitely postponed, 605.

**House Bill No. 147.—(Anderson)**

A bill for an Act to appropriate the sum of five thousand dollars for the biennial period for the purchase of books by the Public Library Commission with especial reference to the needs of farmers, school and community libraries.

Introduction, 344.

Reference, 345.

Reported, 685.

Third reading, 743.

Passed, 744.

Received from Senate, 1434.

**House Bill No. 148.—(Thompson)**

A Concurrent Resolution authorizing the appointment of two delegates from North Dakota as members of a commission which is to investigate European systems of Rural credits and report thereon, and making an appropriation therefor.

Introduction, 345.

Reference, 345.

Reported, 517.

Lost, 1198.

Received from Senate, 1197.

Other action, 51.

**House Bill No. 149.—(List)**

A bill for an Act to require all persons who may be entitled to have a mechanic's lien, to file for record a notice of his intention to file a verified account and to perfect such mechanic's lien, and to provide a penalty for not filing a notice of such intention.

Introduction, 345.

Reference, 345.

Reported, 1631.

Indefinitely postponed, 1631.

**House Bill No. 150.—(Thompson)**

A bill for an Act regulating the sale of binding twine and preventing deception and fraud in the sale thereof.

Introduction, 360.

Reference, 360.

Reported, 517.

Indefinitely postponed, 517.

**House Bill No. 151.—(Buck)**

A bill for an Act to amend Chapter 277 of the Session Laws of 1911 of the State of North Dakota, prohibiting the use of snuff.

Introduction, 360.

Reference, 360.

Reported, 691.

Indefinitely postponed, 691.

**House Bill No. 152.—(Harty)**

A bill for an Act to provide for the making of improvements at the North Dakota School of Forestry and to assist in the maintenance thereof, and making appropriation therefor.

Introduction, 360.

Reference, 361.

Reported, 685.

Third reading, 750, 1509.

Passed, 750, 1510.

Received from Senate, 1443.

Amended, 1443.

Amendments adopted, 1509.

Other action, 908, 1445.

**House Bill No. 153.—(Owens)**

A bill for an Act relating to the qualifications of locomotive firemen.

Introduction, 361.

Reference, 361.

Reported, 518.

Indefinitely postponed, 518.

**House Bill No. 154.—(Balsdon)**

A bill for an Act requiring treasurers to fair associations to give a bond to the directors thereof.

Introduction, 361.

Reference, 361.

Reported, 420.

Third reading, 459.

Passed, 460.

Received from Senate, 961.

**House Bill No. 155.—(Bartley)**

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

Introduction, 361.

Reference, 361.

Reported, 769.

Third reading, 839.

Passed, 840.

Received from Senate, 1081.

**House Bill No. 156.—(Lambert)**

A concurrent resolution, amending the Constitution of the State of North Dakota relating to the legislative department and providing for the initiative and referendum as applied to laws.

Introduction, 361.

Reference, 361.

Reported, 926.

Lost, 1042.

Other action, 1010, 1011, 1042.

**House Bill No. 157.—(Freitag)**

A concurrent resolution, amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and institution for the feeble minded in connection therewith in the City of Max, County of McLean.

Introduction, 361.

Reference, 362.

Reported, 1632.

Indefinitely postponed, 1632.

**House Bill No. 158.—(Bollinger)**

A bill for an Act to amend Chapter 132 of the laws of North Dakota for 1911, and Section 7117 of the Revised Codes of North Dakota of 1905, relating to the additional exemptions allowed the head of a family residing in North Dakota.

Introduction, 362.

Reference, 362.

Reported, 445.

Indefinitely postponed, 445.

**House Bill No. 159.**—(Wiley)

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota for 1905, relating to coroner fees.

Introduction, 375.

Reference, 375.

Reported, 834.

Third reading, 948.

Passed, 949.

Received from Senate, 1841.

Other action, 908.

**House Bill No. 160.**—(P. H. Butler)

A bill for an Act relating to the duties of clerks of courts or other officers in charge of such courts in cancelling and discharging judgments.

Introduction, 375.

Reference, 376.

Reported, 475.

Third reading, 538, 800.

Passed, 539, 801.

Received from Senate, 713.

Amended, 714.

Amendments adopted, 753, 801.

Other action, 509.

**House Bill No. 161.**—(Kyllo)

A bill for an Act to prohibit the hunting of chickens with dogs.

Introduction, 376.

Reference, 376.

Other action, 389.

**House Bill No. 162.**—(Sandbeck)

A bill for an Act to amend Section 1 of Chapter 172 of the Laws of 1907, relating to who may solemnize marriages.

Introduction, 376.

Reference, 376.

Reported, 472.

Indefinitely postponed, 472.

**House Bill No. 163.**—(Norheim)

A bill for an Act to provide for the preparing of a state budget.

Introduction, 376.

Reference, 376.

Reported, 569.

Third reading, 653.

Passed, 654.

Received from Senate, 1833.

Other action, 627.

**House Bill No. 164.**—(Batzler)

A bill for an Act to amend Chapter 82 of the Session Laws of North Dakota of 1909, relating to the nomination and election of judges of the Supreme, District and County Courts.

Introduction, 376.

Reference, 376.

Reported, 873, 601.

Indefinitely postponed, 873.

Other action, 669, 670.

**House Bill No. 165.**—(Odland)

A bill for an Act to define co-operative associations to authorize their incorporation, and to declare an emergency.

Introduction, 376.

Reference, 377.

Reported, 1037, 1206, 1420.

Third reading, 1594.

Passed, 1595.

Received from Senate, 1873.

Other action, 1107, 1108, 1530.

**House Bill No. 166.**—(Smith of Ward)

A bill for an Act to repeal Chapter 201 of the Session Laws of 1911, relating to taxation of transient merchants.

Introduction, 377.

Reference, 377.

Reported, 566.

Indefinitely postponed, 566.

**House Bill No. 167.**—(Hoge)

A bill for an Act to amend and reenact Section 6 of Chapter 129 of the Session Laws of 1911, relating to limitation of general election expenses.

Introduction, 377.

Reference, 377.

Reported, 516, 641.

Indefinitely postponed, 553, 554.

Other action, 580.



**House Bill No. 168.—(Blakemore)**

A bill for an Act to regulate in certain class of cases the entry by county auditors of notations of prior taxes of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered and noted in cases of that same class.

Introduction, 377.  
Reference, 377.  
Reported, 568.  
Third reading, 654.  
Passed, 655.  
Received from Senate, 1867.  
Other action, 627.

**House Bill No. 169.—(Ployhar)**

A bill for an Act to provide physical connections and joint rates between telephone and telegraph companies.

Introduction, 377.  
Reference, 377.  
Reported, 600.  
Indefinitely postponed, 600.  
Other action, 434.

**House Bill No. 170.—(Calnan)**

A bill for an Act providing for physical connections and joint rates between telephone companies defining the same and giving the State Board of Railroad Commissioners certain powers in connection therewith.

Introduction, 389.  
Reference, 389.  
Reported, 688.  
Third reading, 845.  
Passed, 846.  
Received from Senate, 1470.  
Amended, 1470.  
Amendments adopted, 1672.  
Report of conference committee, 1615.  
Other action, 434, 814, 1474, 1577.

**House Bill No. 171.—(Sorlie)**

A bill for an Act to amend and reenact Section 2494 of the Revised Codes of North Dakota for the year 1905, relating to the duties of state's attorneys and attorney general.

Introduction, 389.  
Reference, 389.  
Reported, 547.  
Indefinitely postponed, 547.

**House Bill No. 172.—(Twitchell)**

A bill for an Act authorizing the cities to incur indebtedness and issue bonds for certain city purposes, when such proposition for issuing such bond shall have been approved by a majority vote of the electors of such city, and fixing a limit to the indebtedness to be thereby incurred.

Introduction, 389.  
Reference, 389.  
Reported back, 604.  
Third reading, 706.  
Passed, 707.  
Received from Senate, 1502.  
Other action, 669.

**House Bill No. 173.—(Northrop)**

A bill for an Act repealing Chapter 158 of the Session Laws of 1907.

Introduction, 389.  
Reference, 390.  
Reported, 598.  
Indefinitely postponed, 598.

**House Bill No. 1734.—(Warriner)**

A bill for an Act to amend and reenact Chapter 208 of the Session Laws of 1911; relating to expenses of delegates to national conventions.

Introduction, 390.  
Reference, 390.  
Reported, 564.  
Indefinitely postponed, 1126.  
Third reading, 663.  
Passed, 664.  
Received from Senate, 1125.  
Other action, 627.

**House Bill No. 175.—(Blakemore)**

A concurrent resolution for amendment of the Constitution of the State of North Dakota, relating to judicial department.

Introduction, 390.  
Reference, 390.  
Reported, 607.  
Indefinitely postponed, 608.  
Other action, 608.

**House Bill No. 176.—(Blakemore)**

A bill for an Act to amend Section 8366 of the Revised Codes of North Dakota for 1905, as amended by Chapter 2 of the Laws of 1909, relating to service by publication of summons in justice courts.

Introduction, 390.

Reference, 390.

Reported, 606.

Indefinitely postponed, 606.

**House Bill No. 177.—(Blakemore)**

A bill for an Act entitled "An Act to amend and re-enact Section 1546 of the Revised Codes of North Dakota of 1905, relating to duties of county treasurer."

Introduction, 390.

Reference, 390.

Reported, 834.

Indefinitely postponed, 1896.

Third reading, 897.

Passed, 898.

Received from Senate, 1893.

Amended, 1893.

**House Bill No. 178.—(Gunderson)**

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, relating to the right of trial by jury.

Introduction, 390.

Reference, 391.

Reported, 1421.

Indefinitely postponed, 1421.

**House Bill No. 179.—(Morrison)**

A bill for an Act appropriating money for the maintenance and protection of the Military Wood reservation in Ramsey County, North Dakota.

Introduction, 391.

Reference, 391.

Reported, 773.

Third reading, 931.

Passed, 932.

Received from Senate, 1840.

Amended, 1841.

Conference, 1856.

Report of conference committee, 1885.

Other action, 906, 917.

**House Bill No. 180.—(Twichell)**

A bill for an Act to amend Article 4, 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, 391.

Reference, 391.

Reported, 604.

Third reading, 657, 1597.

Passed, 659, 1598.

Received from Senate, 1472.

Amended, 1472.

Other action, 1475.

**House Bill No. 181.—(Coltom)**

House concurrent resolution memorializing the Congress of the United States to pass the measure now pending in the Senate known as the Kenyon-Sheppard Bill.

Introduction, 391.

Reference, 391.

Other action, 435.

**House Bill No. 182.—(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, 391.

Reference, 391.

Reported, 603.

Third reading, 660.

Passed, 661.

Received from Senate, 909.

Other action, 4175.

**House Bill No. 183.—(Klein)**

A bill for an Act for the publication of commissioners' proceedings and fixing the legal rate for the publication of legal notices, reports and proceedings, and to amend Section 2432 of the 1905 Revised Codes, as amended by Chapter 232 of the 1911 Session Laws of the State of North Dakota, relating to the publication of the proceedings of boards of county commissioners, and the legal rates thereof.

Introduction, 391.

Reference, 392.

Reported, 782.

Indefinitely postponed, 782.

**House Bill No. 184.—(Weis)**

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 Whape-ton.

Introduction, 392.  
Reference, 392.  
Reported, 877.  
Third reading, 998.  
Passed, 999.  
Other action, 957.

**House Bill No. 185.—(Bratton)**

A bill for an Act fixing the charges to be paid to the railroads for transporting the North Dakota National Guard or the North Dakota Reserve Militia and their baggage; the terms of transporting the same and prescribing the penalty for violations of said Act.

Introduction, 392.  
Reference, 392.  
Reported, 835.  
Indefinitely postponed, 835.

**House Bill No. 186.—(Fritz)**

A bill for an Act to amend and reenact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Introduction, 392.  
Reference, 392.  
Other action, 1043.

**House Bill No. 187.—(Bope)**

A bill for an Act to amend and reenact Section 1597 of the Revised Codes of 1905, as amended by Chapter 302, Laws of 1911, relating to duty of county auditor, and requirements of taxes and deeds.

Introduction, 392.  
Reference, 393.  
Reported, 884.  
Third reading, 1005.  
Passed, 1006.  
Received from Senate, 1981.  
Other action, 958.

**House Bill No. 188.—(Burnett)**

A bill for an Act to amend Section 1871 of the Revised Codes, relating to the purchase, sale and management of an asylum for the poor.

Introduction, 393.  
Reference, 393.  
Reported, 570.  
Third reading, 620.  
Passed, 621.  
Received from Senate, 2040.

**House Bill No. 189.—(Stenehjem)**

A bill for an Act creating a free employment bureau.

Introduction, 393.  
Reference, 393.  
Reported, 780.  
Indefinitely postponed, 780.

**House Bill No. 190.—(Sorlie)**

A bill for an Act repealing Chapter 199 of the Session Laws of 1907 and providing for a maximum rate of fare to be charged and collected by railroads, railroad corporations and common carriers, for the transportation of passengers and baggage, and providing a penalty for the violation thereof.

Introduction, 423.  
Reference, 423.  
Reported, 518.  
Received from Senate, 1654.  
Other action, 555.

**House Bill No. 191.—(Williams)**

A bill for an Act making an appropriation to purchase additional land for the State Penitentiary at Bismarck.

Introduction, 423.  
Reference, 423.  
Reported, 982, 1369.  
Indefinitely postponed, 1370.  
Other action, 1111.

**House Bill No. 192.—(Miller)**

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Introduction, 423.

Reference, 424.

Reported, 984.

Third reading, 1158, 1717.

Passed, 1159, 1718.

Received from Senate, 1670.

Amended, 1671.

Conference, 1663.

Report of conference committee, 1715.

Other action, 1111.

**House Bill No. 193.—(Hjort)**

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the Agricultural Sub-experiment Station located at Hettinger.

Introduction, 424.

Reference, 424.

Reported, 809.

Third reading, 810.

Passed, 811.

Received from Senate, 1435.

**House Bill No. 194.—(Hjort and Stinger)**

A bill for an Act making an appropriation annually for the support and maintenance of the Agricultural Sub-experiment Station located at Hettinger, Adams County.

Introduction, 424.

Reference, 424.

Reported back, 878.

Third reading, 1001, 1512.

Passed, 1002, 1513.

Received from Senate, 1443.

Amended, 1443.

Amendments adopted, 1512.

Other action, 957, 1445.

**House Bill No. 195.—(Batzter)**

A bill for an Act to appropriate the sum of fourteen hundred dollars with which to pay amounts due under Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws for the year 1907, for the arrest and conviction of cattle and horse thieves.

Introduction, 424.

Reference, 424.

Reported, 684.

Indefinitely postponed, 684.

**House Bill No. 196.—(Geiger)**

A bill for an Act to provide that counties may require adjoining land owners to build, maintain and keep in repair partition fences between them.

Introduction, 424.

Reference, 424.

Reported, 573-688.

Third reading, 848.

Lost, 849.

Other action, 573, 814, 1716.

**House Bill No. 197.—(Twitchell)**

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota, being Section 2678 of the Revised Codes of North Dakota for 1905, relating to powers of city councils.

Introduction, 424.

Reference, 425.

Reported, 604.

Third reading, 661.

Passed, 662.

Received from Senate, 1502.

**House Bill No. 198.—(Twitchell)**

A bill for an Act to amend Article 4, Chapter 30 of the Political Code of North Dakota of 1905, relating to powers of city council, as amended by Chapter 79 of the Session Laws of 1911.

Introduction, 425.

Reference, 425.

Reported, 545.

Third reading, 589.

Passed, 590.

Received from Senate, 1502.

**House Bill No. 199.—(Fritz)**

A concurrent resolution, amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane and institution for the feeble minded in connection, therewith, in the City of Towner, County of McHenry.

Introduction, 425.

Reference, 425.

Reported, 1634.

Indefinitely postponed, 1634.

**House Bill No. 200.—(Kyllo)**

A bill for an Act to amend Chapter 74 of the Laws of 1907 (being an amendment to Section 2580 of the Revised Codes of 1905), relating to the salary of the Clerk of the District Court.

Introduction, 425.

Reference, 425.

Reported, 572.

Indefinitely postponed, 572.

**House Bill No. 201.—(Hill)**

A bill for an Act entitled, "An Act creating the office of deputy commissioner of labor, defining his powers and duties and making an appropriation therefor."

Introduction, 425.

Reference, 426.

Reported, 780, 785.

Third reading, 1149.

Passed, 1150.

Received from Senate, 1940.

Amendments adopted, 1941.

Other action, 441, 907, 917, 1070.

**House Bill No. 202.—(Buck)**

A bill for an Act entitled, "An Act relating to the liability of municipalities for injuries caused by defective streets or sidewalks."

Introduction, 426.

Reference, 426.

Reported, 603.

Indefinitely postponed, 603.

**House Bill No. 203.—(Buck)**

A bill for an Act to amend Section 7 of Chapter 46 of the Session Laws of 1907, relating to cities.

Introduction, 426.

Reference, 426.

Other action, 609.

**House Bill No. 204.—(Nyhus)**

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing that the county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff and state's attorney shall be elected for a term of four years; and providing that members of the House of Representatives of the Legislative Assembly shall be elected for a term of four years.

Introduction, 426.

Reference, 426.

Other action, 476.

**House Bill No. 205.—(Jacobsen)**

A bill for an Act to amend and reenact Sections 1, 4 and 5 of Chapter 208 of the Session Laws of the year 1911, relating to the primary election of national delegates.

Introduction, 426.

Reference, 426.

Reported, 872.

Indefinitely postponed, 872.

**House Bill No. 206.—(Odland)**

A bill for an Act to amend Chapter 201, Session Laws of 1911, relating to transient merchants and peddlers.

Introduction, 427.

Reference, 427.

Reported, 723.

Third reading, 799.

Passed, 800.

Received from Senate, 1656.

**House Bill No. 207.—(Bass)**

A bill for an Act to determine the interests of the holders of chattel mortgages upon crops; to prevent fraud in the application of chattel mortgages given to secure future advances; to define the rights of parties under farm leases and cropping contracts, and to require the filing of the same.

Introduction, 427.

Reference, 427.

Reported, 545.

Indefinitely postponed, 545.

**House Bill No. 208.**—(C. C. Turner)

A bill for an Act to amend Section 1 of Chapter 232 of the Session Laws of 1911, relating 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 board of county commissioners.

Introduction, 427.

Reference, 427.

Other action, 208.

**House Bill No. 209.**—(Hoge)

A bill for an Act to amend and reenact Sections 9 and 12 of Chapter 109 of the Laws passed by the Tenth Legislative Assembly of the State of North Dakota and Acts amendatory thereto, relating to primary election ballots and party nominations and repealing Chapter 212 of the Laws of 1911.

Introduction, 427.

Reference, 427.

Reported, 1035

Third reading, 1514.

Passed, 1515.

Received from Senate, 1926.

Other action, 1194.

**House Bill No. 210.**—(Hjort)

A bill for an Act to amend Section 1, Chapter 111, Laws of North Dakota, for the year 1907, and providing a penalty for failure to comply with provisions of said Chapter 111.

Introduction, 427.

Reference, 428.

Reported, 924.

Third reading, 993.

Lost, 994.

Other action, 1449.

**House Bill No. 211.**—(Devit and Weis)

A bill for an Act to appropriate money for the maintenance, care and repair of the State Park at Fort Abercrombie, in Richland County, North Dakota.

Introduction, 428.

Reference, 428.

Reported, 684.

Third reading, 751.

Lost, 751.

Received from Senate, 1928.

Other action, 752.

**House Bill No. 212.**—(Committee on State Affairs.)

A bill for an Act to amend and reenact Section 408 of the Revised Codes of 1905, relating to the bonds of county, township, city, village or school district officers and repealing Section 405 of the Revised Codes of 1905, relating to official bonds of county treasurers.

Introduction, 428.

Reference, 428.

Reported, 568.

Third reading, 849.

Passed, 850.

Received from Senate, 1655.

Other action, 627, 656, 700, 814.

**House Bill No. 213.**—(Husband)

A bill for an Act to amend Sections 1851, 1852, 1853, 1855, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1856 and 1861 of said Codes, and providing for the relief of poor persons.

Introduction, 428.

Reference, 428.

Reported, 570.

Third reading, 619.

Lost, 620.

**House Bill No. 214.**—(Williams)

A bill for an Act to amend Section 1508 of the Revised Codes of North Dakota of 1905, relating to the assessment of bank stock, and to provide a method for reviewing the same, and to repeal inconsistent provisions.

Introduction, 428.

Reference, 429.

Reported, 883.

Third reading, 1003.

Passed, 1004.

Received from Senate, 1851.

Amended, 1851.

Amendments adopted, 1869.

Other action, 956.

**House Bill No. 215.—(Williams)**

A bill for an Act to provide for the issuance of city bonds for certain purposes, limiting the issue and providing for the sale thereof; also to legalize certain city warrants and to repeal Sections 2979, 2980, 2981, 2982, 2983, 2984, 2985, 2986, 2987, 2988, 2989, 2990 and 2991 of the Political Code of 1905 and all amendments thereto, and all other Acts or parts of Acts in conflict with this Act.

Introduction, 429.

Reference, 429.

Reported, 727, 1857.

Indefinitely postponed, 1857.

**House Bill No. 216.—(Williams)**

A bill for an Act to provide for the issuance of village bonds for certain purposes, limiting the issuance of same, and to provide for the registration and sale of such bonds by the village treasurer, and legalize certain village warrants.

Introduction, 429.

Reference, 429.

Reported, 980.

Indefinitely postponed, 981.

**House Bill No. 217.—(Williams)**

A bill for an Act entitled, "An Act amending Section 7218 of the Revised Codes of 1905, relating to appeals."

Introduction, 429.

Reference, 429.

Reported, 546.

Indefinitely postponed, 546.

**House Bill No. 218.—(Williams)**

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

Introduction, 429.

Reference, 429.

Reported, 603.

Third reading, 659.

Passed, 660.

Received from Senate, 1502.

**House Bill No. 219.—(Doyle)**

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, 429.

Reference, 430.

Reported, 606.

Indefinitely postponed, 606.

**House Bill No. 220.—(Sorlie)**

A bill for an Act to amend Section 9404 of the 1905 Revised Codes of North Dakota, relating to state's attorneys acting contrary to official duty.

Introduction, 430.

Reference, 430.

Reported, 605.

Indefinitely postponed, 605.

Other action, 731.

**House Bill No. 221.—(Moen)**

A bill for an Act to amend Section 643 of the Revised Codes of 1905, relating to assistance to electors who by reason of disability are unable to mark their ballots.

Introduction, 430.

Reference, 430.

Reported, 516, 872.

Indefinitely postponed, 872.

Other action, 555.

**House Bill No. 222.—(Kyllo)**

A bill for an Act to amend Section 2584 of the Revised Codes of North Dakota for the year 1905, relating to fees of clerks of the district court.

Introduction, 430.

Reference, 430.

Reported, 572.

Indefinitely postponed, 572.

**House Bill No. 223.—(Lindstrom)**

A bill for an Act to prohibit the building of a public school house within less than 80 rods from a cemetery, and to prohibit the surveying, platting or laying out of a cemetery within less than 80 rods from a public school house.

Introduction, 430.

Reference, 431.

Reported, 599.

Third reading, 662.

Passed, 663.

Received from Senate, 1081.

**House Bill No. 224.—(Frietag)**

A bill for an Act to amend Section 4049 of the Revised Codes of 1905, relating to causes for divorce.  
 Introduction, 431.  
 Reference, 431.  
 Reported, 607.  
 Indefinitely postponed, 607.

**House Bill No. 225.—(Divet)**

A bill for an Act to amend Section 10 of Chapter 129, Laws of 1911, relating to charitable contributions by candidates.  
 Introduction, 448.  
 Reference, 448.  
 Reported, 564, 641.  
 Third reading, 704.  
 Passed, 705.  
 Received from Senate, 1755.  
 Other action, 580.

**House Bill No. 226.—(Divet)**

A bill for an Act authorizing the Supreme Court of North Dakota to direct the Bar Association of North Dakota to institute legal proceedings for the disbarment, or other discipline, of practicing attorneys of the State of North Dakota, providing for the payment of counsel in the conduct of such disbarment proceedings and authorizing the Supreme court to fix the amount and direct the payment thereof.  
 Introduction, 449.  
 Reference, 449.  
 Reported, 547.  
 Third reading, 949.  
 Passed, 950.  
 Received from Senate, 1880.  
 Other action, 580, 908.

**House Bill No. 227.—(Owens)**

A bill for an Act to authorize changes in the schedule of items to be listed and valued for purposes of taxation.  
 Introduction, 449.  
 Reference, 449.  
 Third reading, 552.  
 Passed, 553.  
 Received from Senate, 1968.  
 Other action, 515.

**House Bill No. 228.—(Hill of Cass)**

A bill for an Act declaring to be common nuisances any house, building, room or place where gambling paraphernalia is kept and where persons resort, or are permitted to resort for gambling or disorderly purpose, and prescribing remedies for the prevention and penalties for the violation of the same.  
 Introduction, 449.  
 Reference, 449.  
 Reported, 546, 979.  
 Third reading, 1154.  
 Passed, 1155.  
 Received from Senate, 1683.  
 Other action, 592, 1109.

**House Bill No. 229.—(Walsh)**

A bill for an Act creating park districts for villages and providing for the government thereof, creating a board of park commissioners, and specifying the power and authority of such commissioners.  
 Introduction, 449.  
 Reference, 449.  
 Reported, 827.  
 Third reading, 894.  
 Passed, 895.  
 Received from Senate, 1824.

**House Bill No. 230.—(Martin)**

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the taxation of farm property.  
 Introduction, 449.  
 Reference, 450.  
 Reported, 634.  
 Indefinitely postponed, 634.

**House Bill No. 231.—(Twitchell)**

A bill for an Act repealing Section 1904 of the Revised Codes of North Dakota of 1905.  
 Introduction, 450.  
 Reference, 450.  
 Reported, 548.  
 Indefinitely postponed, 548.

**House Bill No. 232.—(Lindstrom)**

A bill for an Act to create October 12th in each year a legal holiday to be known as Columbus Day.  
 Introduction, 450.  
 Reference, 450.  
 Reported, 572.  
 Indefinitely postponed, 572.



**House Bill No. 233.—(Bartley)**

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

Introduction, 450.  
Reference, 450.  
Reported, 686.  
Third reading, 745.  
Passed, 746.  
Received from Senate, 1435.

**House Bill No. 234.—(Bartley)**

A bill for an Act to amend Section 19 of 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," and the amendment thereto, Chapter 37, Session Laws of 1909.

Introduction, 450.  
Reference, 450.  
Reported, 773.  
Third reading, 842.  
Passed, 843.  
Received from Senate, 1841.

**House Bill No. 235.—(C. C. Turner)**

A bill for an Act to require the agricultural experiment stations in this state, under the direction and control of the State Agricultural College, to publish some of their bulletins in the Scandinavian and the German languages.

Introduction, 450.  
Reference, 451.  
Reported, 975.  
Indefinitely postponed, 975.

**House Bill No. 236.—(Knox)**

A bill for an Act to refund to Dickey County, certain taxes paid to the state, but which were later decreed to be improperly levied and assessed and were collected by the tax payer from said county and making an appropriation.

Introduction, 451.  
Reference, 451.  
Reported, 920.  
Indefinitely postponed, 920.

**House Bill No. 237.—(Miller)**

A bill for an Act to amend Section 2593 of the Revised Codes of 1905 of the State of North Dakota, relating to provision for deputies for county auditors.

Introduction, 451.  
Reference, 451.  
Reported, 516.  
Indefinitely postponed, 516.  
Other action, 516.

**House Bill No. 238.—(Homan)**

A bill for an Act to amend Section 70 of Chapter 266 of the Session Laws of 1911, relating to the purchase of school supplies.

Introduction, 451.  
Reference, 451.  
Reported, 1205.  
Third reading, 1513.  
Passed, 1514.  
Received from Senate, 1839.  
Amended, 1839.  
Amendments adopted, 1891.  
Other action, 1449.

**House Bill No. 239.—(Hendrickson)**

A bill for an Act to amend and reenact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale, and providing for the manner of preparing copy for, and the publication of, the auditor's notice of tax sale, and for the furnishing of bond by the person or persons publishing the newspapers in which such tax list shall be published.

Introduction, 451.  
Reference, 452.  
Reported, 986.  
Third reading, 1157.  
Passed, 1158.  
Received from the Senate, 1894.  
Amended, 1894.  
Amendments adopted, 1945.  
Other action, 499, 1111.

**House Bill No. 240.—(Bjornson)**

A bill for an Act to amend and reenact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

Introduction, 452.  
Reference, 452.  
Reported, 599.  
Third reading, 655.  
Passed, 656.  
Received from Senate, 1081.

**House Bill No. 241.—(Bjornson)**

A bill for an Act to amend and reenact Chapter 250 of the Session Laws of 1911, relating to requiring emigrants to file tax receipts.  
 Introduction, 452.  
 Reference, 452.  
 Reported, 518, 639.  
 Indefinitely postponed, 639.  
 Other action, 554.

**House Bill No. 242.—(Fritz)**

A bill for an Act to prohibit the soliciting or receiving of gratuities or tips by the patrons or employes of public places or public service corporations; and prohibiting the giving or tendering of tips or gratuities and providing a penalty for the violation of this Act.

Introduction, 477.  
 Reference, 478.  
 Reported, 570.  
 Third reading, 617, 705.  
 Passed, 706.  
 Lost, 618.  
 Received from Senate, 1840.  
 Other action, 646, 668.

**House Bill No. 243.—(Snyder)**

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, extending the term of office of the governor from two to four years and providing for the appointment of a secretary of state, auditor, treasurer, superintendent of public instruction, commissioner of insurance, three commissioners of railroads, an attorney general, and one commissioner of agriculture and labor.

Introduction, 478.  
 Reference, 478.  
 Reported, 1030.  
 Indefinitely postponed, 1101.

**House Bill No. 244.—(Roble)**

A concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing that the county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff, state's attorney and county superintendent of schools shall be elected for a term of four years, and providing that members of the House of Representatives of the Legislative Assembly shall be elected for a term of four years.

Introduction, 478.  
 Reference, 478.  
 Reported, 571.  
 Indefinitely postponed, 571.

**House Bill No. 245.—(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, 478.  
 Reference, 478.  
 Reported, 720.  
 Indefinitely postponed, 1504.  
 Third reading, 930.  
 Passed, 931.  
 Received from Senate, 1504.  
 Other action, 916.

**House Bill No. 246.—(Fritz)**

A bill for an Act providing for the construction, maintenance and repair of wire fences along public highways, and providing for penalties for violations of the provisions of this Act.

Introduction, 478.  
 Reference, 479.  
 Reported, 688, 981.  
 Indefinitely postponed, 1110.  
 Received from Senate, 1082.  
 Other action, 814, 842.

**House Bill No. 247.—(Putnam)**

A bill for an Act making an appropriation for carrying out provisions of the law, relating to the duties of the commissioner of agriculture and labor.

Introduction, 479.  
 Reference, 479.  
 Reported, 983.  
 Indefinitely postponed, 984.

**House Bill No. 248.—(Lambert)**

A bill for an Act to amend Section 26 of Chapter 62, Laws of 1911, relating to board of control and providing for the commitment of non-resident insane patients to the state hospital by county board of commissioners of insanity.

Introduction, 479.  
Reference, 479.  
Reported, 569.  
Third reading, 618.  
Passed, 619.  
Received from Senate, 1971.

**House Bill No. 249.—(Martin)**

A bill for an Act prescribing the duties of the state engineer in connection with the construction of highway bridges and culverts.

Introduction, 479.  
Reference, 479.  
Reported, 638.  
Third reading, 701, 1051.  
Passed, 701, 1052.  
Other action, 1007.

**House Bill No. 250.—(Williams)**

A bill for an Act making an appropriation to pay F. O. Hellstrom for the use of land for the state penitentiary for the years 1907, 1908, 1909, 1910, 1911, 1912.

Introduction, 479.  
Reference, 480.  
Reported, 685, 873.  
Third reading, 994.  
Passed, 995.  
Received from Senate, 1434.  
Other action, 731, 956.

**House Bill No. 251.—(Williams)**

A bill for an Act to provide an economical way of delivering building material, labor and supplies on the capitol site by extending the state trolley line; providing the necessary equipment and making an appropriation therefor.

Introduction, 480.  
Reference, 480.  
Reported, 1333.  
Indefinitely postponed, 1333, 1452.  
Other action, 1452.

**House Bill No. 252.—(Hawkinson)**

A bill for an Act to amend Section 8 of Chapter 62 of the Session Laws of 1911, relating to institutions under jurisdiction of the board of control of state institutions.

Introduction, 480.  
Reference, 480.  
Reported, 692.  
Third reading, 739.  
Passed, 740.  
Received from Senate, 1970.

**House Bill No. 253.—(Hawkinson)**

A bill for an Act to provide that portions of the grounds belonging to the state tuberculosis sanitarium may be leased to individuals, firms, corporations, associations or societies for the purpose of erecting cottages for patients afflicted with tuberculosis when such property is used exclusively for charitable purposes.

Introduction, 480.  
Reference, 480.  
Reported, 768.  
Third reading, 837.  
Passed, 838.  
Received from Senate, 1925.

**House Bill No. 254.—(Hawkinson)**

A concurrent resolution for amendment of the Constitution, providing for the initiative and referendum and the provisions thereof.

Introduction, 480.  
Reference, 480.  
Reported, 926.  
Indefinitely postponed, 1438.  
Other action, 484, 1223, 994.

**House Bill No. 255.—(Haraldson)**

A bill for an Act to amend and reenact Chapter 41 of the Session Laws of 1907, Chapter 308 of the Session Laws of 1911 and Section 2083 of the Revised Codes of 1905, relating to the planting of trees and providing a bounty for the encouragement of same.

Introduction, 480.  
Reference, 481.  
Reported, 774.  
Third reading, 939.  
Passed, 940.  
Received from the Senate, 1835.  
Other action, 906, 917.

**House Bill No. 256.—(Calnan)**

A bill for an Act providing for a bounty for and defining shelter hedges.

Introduction, 481.  
Reference, 481.  
Reported, 774.  
Third reading, 941.  
Passed, 942.  
Received from Senate, 1655.  
Other action, 906, 917.

**House Bill No. 257.—(Warriner)**

A bill for an Act amending and re-enacting Section 2594 of the Revised Codes of 1905, relating to salary of register of deeds.

Introduction, 481.  
Reference, 481.  
Reported, 565.  
Indefinitely postponed, 565.

**House Bill No. 258.—(Norheim)**

A bill for an Act to limit tax levels during the years 1913 and 1914, to restrict debt limits, and to regulate salaries of officers which, under existing laws, depend upon assessed valuation.

Introduction, 481.  
Reference, 481.  
Reported, 1091.  
Third reading, 1349.  
Passed, 1350.  
Received from Senate, 1880.  
Other action, 1194.

**House Bill No. 259.—(Hoge)**

A bill for an Act to amend and re-enact Section 1559 of the Revised Codes of North Dakota of 1905, relating to collections of delinquent taxes.

Introduction, 481.  
Reference, 481.  
Reported, 633.  
Indefinitely postponed, 633.

**House Bill No. 260.—(Owens)**

A bill for an Act making an appropriation for the Williston Experimental Station located at Williston, in Williams County, North Dakota.

Introduction, 481.  
Reference, 482.  
Reported, 809, 874.  
Third reading, 995.  
Passed, 996.  
Received from Senate, 1434.  
Other action, 810, 858, 956, 1409, 1475.

**House Bill No. 261.—(Lindstrom)**

A bill for an Act to amend Section 7459 of the Revised Code of 1905, relating to publication of notice of foreclosure and publisher's affidavit of publication.

Introduction, 482.  
Reference, 482.  
Reported, 782, 986.  
Third reading, 1220, 1507.  
Lost, 1221, 1508.  
Other action, 843, 1220, 1110, 1432.

**House Bill No. 262.—(Lindstrom)**

A bill for an Act to amend Chapter 50 of the Session Laws of 1909, relating to bounties for tree planting.

Introduction, 482.  
Reference, 482.  
Reported, 775.  
Indefinitely postponed, 775.

**House Bill No. 263.—(Streeter)**

A bill for an Act amending and re-enacting Chapter 250, Session Laws of 1911, requiring the shipper or shippers of emigrant movables, household goods or live stock to deposit with the agent of the transportation company to which such property is offered for shipment, a county treasurer's tax receipt showing that all taxes on such property has been paid.

Introduction, 482.  
Reference, 482.  
Reported, 882.  
Indefinitely postponed, 883.

**House Bill No. 264.—(Streeter)**

A bill for an Act providing for failure to close gates on private roadways.

Introduction, 482.  
Reference, 483.  
Reported, 689, 831.  
Third reading, 945.  
Passed, 946.  
Received from Senate, 1503.  
Other action, 815, 908.

**House Bill No. 265.—(Fox)**

A bill for an Act to amend and re-enact Section 1637 of the Revised Code of the year 1905 of the State of North Dakota, relating to gopher and prairie dog bounties.

Introduction, 483.  
Reference, 483.  
Reported, 565.  
Indefinitely postponed, 565.

**House Bill No. 266.—(France)**

A bill for an Act to provide what facts shall be set forth in an emergency clause.  
 Introduction, 483.  
 Reference, 483.  
 Reported, 692.  
 Indefinitely postponed, 692.

**House Bill No. 267.—(Moen)**

A bill for an Act to amend Sections 1, 2, 3 and 5 of Chapter 279 of the Session Laws of 1911, entitled "An Act to amend Sections 1, 3, 5, 8 and 13 of Chapter 161 of the Session Laws of 1909."  
 Introduction, 483.  
 Reference, 483.  
 Reported, 726, 639.  
 Third reading, 893.  
 Passed, 893.  
 Received from Senate, 1843.  
 Amended, 1843.  
 Amendments adopted, 1890.  
 Other action, 710, 857.

**House Bill No. 268.—(O'Connor)**

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.  
 Introduction, 483.  
 Reference, 483.  
 Reported, 926.  
 Indefinitely postponed, 1504.  
 Third reading, 1150.  
 Passed, 1151.  
 Received from Senate, 1504.  
 Other action, 1010.

**House Bill No. 269.—(Calnan)**

A bill for an Act making an appropriation for the maintenance of departments of agriculture, manual training and domestic economy in state high, graded and consolidated schools, as provided by Chapter 40 of the Session Laws of 1911.  
 Introduction, 500.  
 Reference, 501.  
 Reported, 876.  
 Indefinitely postponed, 876.

**House Bill No. 270.—(Geiger)**

A bill for an Act to appropriate money for the maintenance, care and repair of the Old Settlers' and Historical Park at Walhalla, in Pembina County, North Dakota.  
 Introduction, 501.  
 Reference, 501.  
 Reported, 683.  
 Third reading, 806.  
 Passed, 807.  
 Received from Senate, 1928.

**House Bill No. 271.—(Owens)**

A bill for an Act creating a state immigration commission for the purpose of encouraging immigration and development of the resources of the state by publicity thereof and providing an appropriation therefor.  
 Introduction, 501.  
 Reference, 501.  
 Reported, 1117.  
 Indefinitely postponed, 1117.

**House Bill No. 272.—(Calnan)**

A bill for an Act to amend Section 59 of Article 5 of the Session Laws of 1911, relating to meetings of board. Fees.  
 Introduction, 501.  
 Reference, 501.  
 Reported, 599.  
 Indefinitely postponed, 599.

**House Bill No. 273.—(O'Connor)**

A bill for an Act entitled "An Act to amend Section 7 of Chapter 6 of the Laws of 1911, relating to motor license and road regulations."  
 Introduction, 501.  
 Reference, 501.  
 Reported, 687.  
 Indefinitely postponed, 687.

**House Bill No. 274.—(Williams)**

A bill for an Act authorizing the board of trustees of public property to acquire for the state, by purchase or condemnation proceedings in the name of the state, additional land for capitol park and site purposes and making an appropriation therefor.  
 Introduction, 501.  
 Reference, 502.  
 Reported, 1333, 1334.  
 Third reading, 1517.  
 Passed, 1518.  
 Received from Senate, 1895.  
 Other action, 1449.

**House Bill No. 275.—(Nyhus)**

For an amendent to the Constitution of the of the State of North Dakota, providing that the county judge, clerk of court, register of deeds, county auditor, treasurer, sheriff, county superintendent of schools and state's attorney shall be elected for a term of your years; and providing that members of the House of Representatives of the Legislative Assembly be elected for a term of four years.

Introduction, 502.

Reference, 502.

Reported, 1030.

Indefinitely postponed, 1030.

**House Bill No. 276.—(Wing)**

A bill for an Act to provide for the sinking test wells in orders to ascertain the grade of coal in stratas lower than where ordinary lignite is found, and making an appropriation therefor.

Introduction, 502.

Reference, 502.

Reported, 1639.

**House Bill No. 277.—(Huso)**

A bill for an Act to require all persons, firms, co-partnerships, associations or corporations operating as track buyers of grain to furnish a bond and take out a state license.

Introduction, 502.

Reference, 502.

Reported, 602.

Other action, 669, 761, 814.

**House Bill No. 278.—(Divet)**

A bill for an Act appropriating money to compensate A. G. Hanson, Charles S. Ego and George E. Wallace, memers of the Probate Code commisison for balance per diem and extra service during the term of service on said commission.

Introduction, 502.

Reference, 503.

Reported, 686.

Indefinitely postponed, 686.

Other action, 687.

**House Bill No. 279.—(Huso)**

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

Introduction, 503.

Reference, 503.

Reported, 923, 1482.

Third reading, 1056, 1691, 1698, 1691, 1699.

Lost, 1057.

Other action, 1010, 1698, 1057.

**House Bill No. 280.—(Hedalen)**

A bill for an Act to provide that in weighing and grading flax or any other grain where the amount of dockage shall be stated in so many per cent per bushel and the equivalent thereof in pounds or fraction thereof, and prescribing duty of public elevators and warehouses in relation thereto.

Introduction, 503.

Reference, 503.

Reported, 923.

Indefinitely postponed, 923.

**House Bill No. 281.—(Hedalen)**

A concurrent resolution for amendments 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, 503.

Reference, 503.

Reported, 1029.

Indefinitely postponed, 1029.

**House Bill No. 282.—(Dean)**

A bill for an Act to amend Sections 921, 923, 924, 925, 928 and 933 of the Revised Codes of the State of North Dakota of 1905, relating to city and school depositories.

Introduction, 503.

Reference, 503.

Reported, 687, 830.

Third reading, 947.

Passed, 948.

Other action, 746, 907.

**House Bill No. 283.—(Lewis)**

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.  
 Introduction, 504.  
 Reference, 504.  
 Reported, 688.  
 Third reading, 742.  
 Passed, 743.  
 Received from Senate, 1971.

**House Bill No. 284.—(Wardrope and Buck)**

A bill for an Act for the inspection of fermented and spirituous liquors, malt liquors, wines, ciders and all beverages manufactured, sold or offered for sale as a substitute for intoxicating liquors, and providing for the appointment of a state inspector and deputies, prescribing their duties.  
 Introduction, 504.  
 Reference, 504.  
 Reported, 779, 1203, 1204.  
 Third reading, 1407.  
 Lost, 1407.  
 Other action, 907, 1403, 1405.

**House Bill No. 285.—(Snyder)**

A bill for an Act appropriating money to provide for the erection, equipment and maintenance of a pumping and acclimatizing plant at the biological station at Devils Lake, North Dakota, and to carry on scientifically controlled experiments with animals and plants, and to provide abundant biological material and microscopical preparations free to the schools and the rural consolidated schools of North Dakota.  
 Introduction, first and second reading, 504.  
 Reference, 504.  
 Reported, 504.  
 Indefinitely postponed, 876.  
 Third reading, 876.

**House Bill No. 286.—(Fritz)**

A bill for an Act to amend Section 1 of Chapter 164 of the Session Laws of 1907, relating to legislative offices and employes and their compensation.  
 Introduction, 504.  
 Reference, 505.  
 Other action, 549.

**House Bill No. 287.—(Hendrickson)**

A bill for an Act entitled, "An Act to appropriate \$578.35 out of the general fund in the state treasury not otherwise appropriated to the County of Burke, State of North Dakota, for the purpose of reimbursing said county for moneys paid out of the county treasury on account of glandered horses.  
 Introduction, 505.  
 Reference, 505.  
 Reported, 684.  
 Third reading, 748.  
 Passed, 749.  
 Received from Senate, 1434.

**House Bill No. 288.—(Moen)**

A bill for an Act providing for the the inspection of freight and express books and records by the state's attorney in the enforcement of the prohibition law.  
 Introduction, 505.  
 Reference, 505.  
 Reported, 720.  
 Third reading, 796.  
 Passed, 797.  
 Received from Senate, 1842.  
 Amended, 1842.  
 Amendments adopted, 1892.

**House Bill No. 289.—(Nyhus)**

A bill for an Act to amend Section 1 of Chapter 42 of the Session Laws of 1909, relating to automobiles.  
 Introduction, 505.  
 Reference, 505.  
 Reported, 834.  
 Indefinitely postponed, 834.

**House Bill No. 290.—(F. W. Turner)**

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assessment of property of companies or associations and the listing of the same.  
 Introduction, 505.  
 Reference, 505.  
 Reported, 634.  
 Third reading, 703.  
 Passed, 704.  
 Received from Senate, 1849.  
 Amended, 1849.  
 Amendments adopted, 1870.

**House Bill No. 291.—(Leu)**

A bill for an Act to amend and re-enact Section 1 of Chapter 177 of the Session Laws of 1907, permitting to attorney's fees in foreclosures of liens and mortgages.  
 Introduction, 505.  
 Reference, 506.  
 Reported, 693.  
 Indefinitely postponed, 693.  
 Other action, 731.

**House Bill No. 292.—(Bratton)**

A concurrent resolution amending the Constitution of the State of North Dakota, establishing and locating a state hospital for the insane in the City of Rugby, County of Pierce.  
 Introduction, 506.  
 Reference, 506.  
 Reported, 1630.  
 Indefinitely postponed, 1630.  
 Other action, 506.

**House Bill No. 293.—(France)**

A bill for an Act to appropriate money for the expenses of the state government and for other purposes; to repeal certain laws which may conflict with this general appropriations bill, when such repeal is specifically stated following; specifying the amount and time for which such appropriations shall be available, and providing the manner in which the appropriations herein made shall be paid.  
 Introduction, 511.  
 Reference, 511.  
 Reported, 1144.  
 Third reading, 1382.  
 Passed, 1383.  
 Received from Senate, 1937.  
 Amended, 1937.  
 Amendments adopted, 1997.  
 Other action, 990, 1246.

**House Bill No. 294.—(Twichell)**

A bill for an Act repealing Chapter 33 of the Laws of North Dakota for the year 1911.  
 Introduction, 511.  
 Reference, 511.  
 Reported, 637.  
 Indefinitely postponed, 1015.  
 Third reading, 701.  
 Passed, 702.  
 Received from Senate, 1015, 1832.

**House Bill No. 295.—(Stinger)**

A bill for an Act to amend Sections 4, 7, and 12 of Chapter 35 of School Laws of 1911, relating to improving conditions of rural consolidated schools.  
 Introduction, 511.  
 Reference, 512.  
 Reported, 876.  
 Indefinitely postponed, 876.  
 Other action, 581.

**House Bill No. 296.—(Calnan)**

A bill for an Act providing for stopping of passenger trains at junction points.  
 Introduction, 512.  
 Third reading, 1223.  
 Passed, 1224.  
 Received from Senate, 1835.  
 Other action, 1112, 1224.

**House Bill No. 297.—(Fox)**

A bill for an Act to reimburse John Harold for work done under the direction of the capitol commission in grading Ninth street to the state capitol.  
 Introduction, 512.  
 Reference, 512.  
 Reported, 686.  
 Third reading, 744.  
 Passed, 745.  
 Received from Senate, 1832.

**House Bill No. 298.—(Borusky)**

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, 512.  
 Reference, 512.  
 Reported, 981, 1632.  
 Other action, 1110.

**House Bill No. 299.—(Williams)**

A bill for an Act creating a state board to be known as the capitol commission; fixing the manner of appointment and the compensation of the members thereof; prescribing their powers and duties and authorizing the erection of a state capitol.  
 Introduction, 512.  
 Reference, 512.  
 Reported, 1333.  
 Indefinitely postponed, 1333, 1451.  
 Other action, 549, 590, 591, 1451.



**House Bill No. 300.—(Miller)**

A bill for an Act making an appropriation for the mining sub-station at Hebron, Morton county, for the purpose of perfecting the process or formula used in the manufacturing of briquettes.

Introduction, 513.

Reference, 513.

Reported, 877.

Third reading, 1000.

Received from the Senate, 1834.

Other action, 957.

**House Bill No. 301.—(Leu)**

A bill for an Act to amend Section 1 of Chapter 300 of the Session Laws of 1911, relating to personal property taxes, when they shall become due and delinquent, how and when they shall be paid and describing penalties and interest thereon, and distress.

Introduction, 513.

Reference, 513.

Reported, 1208.

Indefinitely postponed, 1208.

**House Bill No. 302.—(Leu)**

A bill for an Act to amend Section 1 of Chapter 299 of the Session Laws of 1911, relating to real estate taxes, when they shall become due and delinquent, how and when they shall be paid, and describing penalties and interest thereon.

Introduction, 533.

Reference,, 533.

Reported, 1208.

Indefinitely postponed, 1208.

**House Bill No. 303.—(Thompson)**

A bill for an Act providing for the payment by the county to the public administrator of the costs of administration in estates not having sufficient funds to pay the same.

Introduction, 534.

Reference, 534.

Reported, 636.

Indefinitely postponed, 636.

**House Bill No. 304.—(Thompson)**

A bill for an Act to amend and reenact Sections 27, 29, and 41 of Chapter 80 of the Session Laws of the State of North Dakota for the year 1909, regulating the practice in county courts, having increased jurisdiction, and matters relating thereto; fixing the fees to be charged by the clerk of county court, compensation of the clerk of the county court with increased jurisdiction and their duties, and the procedure relative to trials of civil actions by a jury.

Introduction, 534.

Reference, 534.

Reported, 693.

Indefinitely postponed, 693.

**House Bill No. 305.—(Northrop)**

A bill for an Act to provide for the support of needy women whose husbands are dead, or whose husbands are prisoners, and who are the mothers of one or more children under fourteen years of age.

Introduction, 534.

Reference, 534.

Reported, 638.

Indefinitely postponed, 638.

**House Bill No. 306.—(Wiley)**

A bill for an Act to amend Section 6 of Chapter 266 of the Laws of 1911, being an Act relating to compensation of field officer.

Introduction, 534.

Reference, 534.

Reported, 723.

Indefinitely postponed, 723.

**House Bill No. 307.—(Walsh)**

A bill for an Act to amend and reenact Section 2231 of the Revised Codes of North Dakota, as amended by Chapter 1 of the 1907 Session Laws, relating to abstracters of title, and to repeal Chapter 329 of the Session Laws of 1911, relating to abstracters of title.

Introduction, 534.

Reference, 535.

Reported, 835.

Third reading, 900.

Passed, 900.

Received from Senate, 1939.

Amendments adopted, 1939.

**House Bill No. 308.—(O'Connor)**

A bill for an Act entitled, "An Act to amend Sections 2254, 2255, 2257, and 2260, Revised Codes of North Dakota, of 1905, relating to sites for warehouses, elevators and feed mills on railroad right of way.  
Introduction, 535.  
Reference, 535.

**House Bill No. 309.—(Wardrope)**

A bill for an Act to amend Section 6295 of the Revised Code of North Dakota for 1905, as amended by Chapter 168 of the Laws of 1907, providing for a lien for repairs upon personal property.  
Introduction, 535.  
Reference, 535.  
Reported, 535.  
Third reading, 890, 1218. .  
Passed, 891, 1219.  
Received from Senate, 1834.  
Other action, 859, 1219.

**House Bill No. 310.—(Hill of Cass)**

A bill for an Act to prevent the spread of noxious weeds by conveyances used in hauling grain.  
Introduction, 535.  
Reference, 535.  
Reported, 637.  
Indefinitely postponed, 2014.

**House Bill No. 311.—(Streeter)**

A bill for an Act to amend Section 1217 of the Revised Codes of 1905, relating to funds of soldiers' home. How kept.  
Introduction, 535.  
Reference, 535.  
Reported back, 690.  
Third reading, 740.  
Passed, 741.  
Received from Senate, 1914.

**House Bill No. 312.—(Sorlie)**

A bill for an Act to amend Sections 2294 and 2296 and re-enacting Section 2295 of the Revised Codes of 1905, relating to the publication of Constitutional Amendments.  
Introduction, 535.  
Reference, 536.  
Reported, 834.  
Indefinitely postponed, 2021, 2022.  
Third reading, 898.  
Passed, 899.  
Received form Senate, 2017.  
Amended, 2017.

**House Bill No. 313.—(O'Connor)**

A bill for an Act to legalize certain sheriff's certificates and sheriff's deeds in foreclosures by advertisement.  
Introduction, 550.  
Reference, 550.  
Reported, 776.  
Indefinitely postponed, 776.

**House Bill No. 314.—(O'Connor)**

A bill for an Act to legalize deeds, judgments and decrees.  
Introduction, 550.  
Reference, 550.  
Reported, 978.  
Third reading, 1153.  
Passed, 1154.  
Received from Senate, 1668, 1710.  
Amended, 1668, 1710.  
Amendments adopted, 1751.  
Other action, 1109.

**House Bill No. 315.—(Kyllo)**

A bill for an Act to amend and re-enact Section 514 of the Revised Codes of North Dakota for the year 1905, relating to the qualifications of jurors.  
Introduction, 550.  
Reference, 550.  
Reported, 776.  
Indefinitely postponed, 775.  
Received from Senate, 1474.

**House Bill No. 316.—(Butler of Ramsey)**

A bill for an Act to amend and re-enact Section 29 of Chapter 182 of the Laws of 1907.  
Introduction, 550.  
Reference, 769, 1411.  
Indefinitely postponed, 769, 1411.  
Other action, 836.

**House Bill No. 317.—(Balsdon)**

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907, and Chapter 50 of the Laws of 1909.  
Introduction, 550.  
Reference, 551.  
Reported, 981.  
Indefinitely postponed, 982.

**House Bill No. 318.—(Bass)**

A bill for an Act creating a state board of chiropractic examiners to regulate the practice of chiropractic in the State of North Dakota; defining chiropractic and to provide for licensing chiropractors and to prescribe penalties for the violation of this Act.

Introduction, 551.

Reference, 551.

Reported, 771, 1641.

Other action, 841, 1708.

**House Bill No. 319.—(Bass)**

A bill for an Act to amend Section 3, of Chapter 19, of the Session Laws of 1911, relating to rates for state officers in the publicity pamphlet.

Introduction, 551.

Reference, 551.

Third reading, 1046, 1867.

Passed, 1047, 1868.

Other action, 916.

**House Bill No. 320.—(Calnan)**

A bill for an Act repealing Section 3 of Chapter 264 of Session Laws of 1911.

Introduction, 551.

Reference, 551.

Reported, 1645.

Indefinitely postponed, 1645.

**House Bill No. 321.—(Morrison)**

A bill for an Act to amend Section 2020 of the Revised Code of 1905, relating to registration fees and compensation of the state board of veterinary examiners, and the amendment thereto, Chapter 282, Session Laws of 1911.

Introduction, 551.

Reference, 551.

Reported, 689.

Third reading, 746.

Passed, 747.

Received from Senate, 1502.

**House Bill No. 322.—(Hoge)**

A bill for an Act to amend and reenact Chapter 117 of the Laws of 1911, relating to designation of official papers.

Introduction, 551.

Reference, 552.

Reported, 782.

Indefinitely postponed, 783.

**House Bill No. 323.—(Lewis)**

A bill for an Act to regulate the practice of photography and licensing of persons to carry on to teach such practice, and to insure the better education of such practitioners in the State of North Dakota, and to regulate the selling and offering for sale within the State of North Dakota of the products of photography, as herein defined, and to provide penalties for violations of this Act.

Introduction, 552.

Reference, 552.

Reported, 724.

Indefinitely postponed, 724.

**House Bill No. 324.—(Walsh)**

A bill for an Act to prohibit trespassing on railway rights of way.

Introduction, 552.

Reference, 552.

Reported, 833, 969.

Indefinitely postponed, 970.

**House Bill No. 325.—(Hjelmstad)**

A bill for an Act to amend Section 177, Session Laws of 1907, relating to fees of attorneys, relating to foreclosure of mortgages.

Introduction, 581.

Reference, 581.

Other action, 609.

**House Bill No. 326.—(Curry)**

A bill for an Act to provide that county commissioners may be elected by the electors of the entire county.

Introduction, 581.

Reference, 581.

Reported, 1034.

Indefinitely postponed, 1108, 1035.

**House Bill No. 327.—(Stenehjem)**

A bill for an Act to amend Chapter 129 of the Laws of 1911, being an Act to secure the purity of elections.

Introduction, 581.

Reference, 581.

Reported, 1034.

Indefinitely postponed, 1034.

**House Bill No. 328.—(Norheim)**

A bill for an Act to regulate the certification of public accountants and the practicing of the profession of accountancy in North Dakota.

Introduction, 581.

Reference, 581.

Reported, 975.

Third reading, 1060.

Passed, 1061.

Received from Senate, 1880.

**House Bill No. 329.—(Kyllo)**

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

Introduction, 582.

Reference, 582.

Third reading, 946.

Passed, 947.

Other action, 908.

**House Bill No. 330.—(O'Connor)**

A bill for an Act to amend Section 4463 of the Revised Codes of 1905, relating to conditions of admission of foreign insurance companies to do business in this state.

Introduction, 582.

Reference, 582.

Reported, 1411.

Third reading, 1580.

Passed, 1581.

Received from Senate, 1873.

Other action, 1529.

**House Bill No. 331.—(Martin)**

A bill for an Act to provide for the publication and distribution of pamphlet copies of the laws passed with emergency clauses.

Introduction, 582.

Reference, 582.

Reported, 986.

Indefinitely postponed, 986.

**House Bill No. 332.—(Kellogg)**

A bill for an Act to amend Section 2005, as amended by Chapter 162, Laws of 1909, prohibiting the sale or other disposition of animals affected with contagious or infectious diseases, and the use of milk or hides from any such animals.

Introduction, 582.

Reference, 582.

Reported, 769.

Indefinitely postponed, 769.

**House Bill No. 333.—(Kellogg)**

A bill for an Act to amend Section 9 of Chapter 310, Laws of 1911, relating to the burial of cattle condemned and killed for tuberculosis.

Introduction, 582.

Reference, 582.

Reported, 768.

Indefinitely postponed, 768.

**House Bill No. 334.—(Sandbeck)**

A bill for an Act to amend Section 1 of Chapter 290 of the Session Laws of 1911, relating to property exempt from taxation.

Introduction, 582.

Reference, 583.

Reported, 879.

Indefinitely postponed, 879.

**House Bill No. 335.—(Streeter)**

A bill for an Act amending and reenacting Section 1213, Chapter 278, of the Session Laws of 1911, relating to boards of trustees of the soldiers' home.

Introduction, 583.

Reference, 583.

Reported, 691.

Indefinitely postponed, 1950.

Third reading, 741.

Passed, 742.

**House Bill No. 336.—(Haraldson)**

A bill for an Act to amend and reenact Chapter 127 of the Session Laws of 1909, providing for greater publicity of the finances of the State of North Dakota and to guard against partiality in the deposit of public funds.

Introduction, 583.

Reference, 583.

Reported, 723.

Indefinitely postponed, 723.

**House Bill No. 337.—(Streeter)**

A concurrent resolution amending Section 45 of Article 2 of the Constitution of the State of North Dakota, relating to the compensation of the members of the Legislative Assembly.

Introduction, 583.  
Reference, 583.  
Reported, 719.  
Indefinitely postponed, 1503.  
Third reading, 846.  
Passed, 847.  
Received from Senate, 1503.  
Other action, 815.

**House Bill No. 338.—(Weis)**

A bill for an Act to establish a day in the State of North Dakota to be known as "Mothers' Day."

Introduction, 583.  
Reference, 583.  
Reported, 975.  
Third reading, 1152.  
Passed, 1153.  
Received from Senate, 1867.  
Other action, 1109.

**House Bill No. 339.—(Dynes)**

A bill for an Act providing for the appointment of a township overseer of highways and his compensation, defining his duties and powers, and providing for the levying and collection of road taxes and their distribution.

Introduction, 483.  
Reference, 584.  
Reported, 632.  
Third reading, 802.  
Passed, 803.  
Received from Senate, 1014.  
Other action, 760, 802.

**House Bill No. 340.—(Curry)**

A bill for an Act amending Section 2 of Chapter 128 of the Session Laws of North Dakota for 1905, being Section 8878 of the Revised Codes of North Dakota for 1905.

Introduction, 584.  
Reference, 584.  
Reported, 719.  
Third reading, 797, 1722.  
Passed, 798, 1723.  
Received from Senate, 1472.  
Amended, 1472.  
Other action, 1475, 1716.

**House Bill No. 341.—(O'Connor)**

A bill for an Act to amend Section 8 of Chapter 177, Session Laws of 1911, relating to dependent and neglected children.

Introduction, 584.  
Reference, 584.  
Reported, 835.  
Third reading, 901.  
Passed, 902.  
Received from Senate, 1866.

**House Bill No. 342.—(Northrop)**

A bill for an Act to prevent procreation of confirmed criminals, insane, idiots, defectives and rapists; providing for a board of medical examiners and making provision for carrying out the same.

Introduction, 584.  
Reference, 584.  
Reported, 769.  
Third reading, 838.  
Passed, 839.  
Received from Senate, 1848.  
Amended, 1848.  
Amendments adopted, 1875.

**House Bill No. 343.—(Burnett)**

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Introduction, 584.  
Reference, 584.  
Reported, 870.  
Third reading, 933.  
Passed, 934.  
Received from Senate, 1830.  
Other action, 916.

**House Bill No. 344.—(Streeter)**

A bill for an Act to amend Section 474 of Chapter 171 of the Session Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

Introduction, 584.  
Reference, 585.  
Reported, 1857.  
Indefinitely postponed, 1857.

**House Bill No. 345.—(Bratton)**

A bill for an Act to amend Section 3 of Chapter 149 of the Session Laws of 1911, relating to fees for labor on highways.  
 Introduction, 585.  
 Reference, 585.  
 Reported, 871.  
 Indefinitely postponed, 871.

**House Bill No. 346.—(Warriner)**

A bill for an Act to define and regulate the extension and restriction of the corporate limits of cities, towns and villages.  
 Introduction, 612.  
 Reference, 612.  
 Reported, 827.  
 Indefinitely postponed, 827.

**House Bill No. 347.—(P. H. Butler)**

A bill for an Act to authorize cities organized under the General Law to provide for the initiative or referendum, or both, in its municipal affairs.  
 Introduction, 612.  
 Reference, 613.  
 Reported, 978.  
 Indefinitely postponed, 978.

**House Bill No. 348.—(P. H. Butler)**

A bill for an Act to amend and reenact Chapter 196 of the Session Laws of 1909, as amended by Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.  
 Introduction, 613.  
 Reference, 613.  
 Other action, 1043.

**House Bill No. 349.—(P. H. Butler)**

A bill for an Act providing for county treasurer's notice to taxpayers.  
 Introduction, 613.  
 Reference, 613.  
 Reported, 1208.  
 Third reading, 1358. 1439.  
 Passed, 1440.  
 Lost, 1358.  
 Received from Senate, 1937.

**House Bill No. 350.—(Stenehjem)**

A bill for an Act to avoid the expense of selling land or lots for a trivial tax.  
 Introduction, 613.  
 Reference, 613.  
 Reported, 828.  
 Third reading, 944.  
 Passed, 945.  
 Received from Senate, 1656.  
 Other action, 907, 2009.

**House Bill No. 351.—(Stenehjem)**

A bill for an Act relating to the qualifications and examination of persons called to serve as jurors.  
 Introduction, 613.  
 Reference, 613.  
 Reported, 829.  
 Indefinitely postponed, 829.

**House Bill No. 352.—(Stenehjem)**

A bill for an Act to debar attorneys at law from conspiring together to elect or defeat any person who may be a candidate for a judicial office at any election.  
 Introduction, 613.  
 Reference, 614.  
 Reported, 1034.  
 Indefinitely postponed, 1193.  
 Other action, 1193.

**House Bill No. 353.—(Stenehjem)**

A bill for an Act relating to the redemption of land sold for taxes.  
 Introduction, 614.  
 Reference, 614.  
 Reported, 830.  
 Indefinitely postponed, 830.

**House Bill No. 354.—(Stenehjem)**

A bill for an Act to prevent oppression and fraud by the foreclosure of mortgages on real estate.  
 Introduction, 614.  
 Reference, 614.  
 Reported, 1212.  
 Indefinitely postponed, 1212.  
 Other action, 646.

**House Bill No. 355.—(Dean)**

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Introduction, 614.  
Reference, 614.  
Reported, 1033.  
Third reading, 1348.  
Passed, 1349.  
Received from Senate, 1936.  
Amended, 1937.  
Amendments adopted, 1947.  
Other action, 1192.

**House Bill No. 356.—(Twichell)**

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota of 1905, relating to coroner's fees.

Introduction, 614.  
Reference, 614.  
Reported, 833.  
Indefinitely postponed, 833.

**House Bill No. 357.—(Buck)**

A bill for an Act to amend and reenact Section 1189 of the Revised Codes of North Dakota for 1905.

Introduction, 614.  
Reference, 614.  
Reported, 771.  
Third reading, 840.  
Passed, 841.  
Received from Senate, 1669.  
Amended, 1670.  
Amendments, 1868.  
Conference, 1664.  
Other action, 1663.

**House Bill No. 358.—(Divet, Lambert and Buck)**

A bill for an Act providing the rules of practice to prevail in the district courts, county courts of increased jurisdiction, before referees appointed by such courts and in the Supreme court, and repealing Sections 7054, 7055, 7056, 7057, 7058, 7059, 7064, 7065, 7067, 7068, 7069, 7204 and all other laws in conflict therewith.

Introduction, 615.  
Reference, 615.  
Reported, 828.  
Third reading, 895.  
Passed, 896.  
Received from Senate, 1846.  
Amended, 1846.  
Amendments adopted, 1887.

**House Bill No. 359.—(Twichell)**

A bill for an Act to amend Section 2615 of the Revised Codes of North Dakota of 1905, relating to the fees of witnesses.

Introduction, 615.  
Reference, 615.  
Reported, 776.  
Indefinitely postponed, 776.

**House Bill No. 360.—(Williams)**

A bill for an Act authorizing and directing the board of university and school lands and the state treasurer to allow counties, cities, villages and school districts that have sold their bonds at par to the state, to redeem any of said bonds when they have sufficient funds in their sinking fund to redeem one or more bonds at par with the accrued interest.

Introduction, 615.  
Reference, 615.

**House Bill No. 360.—(Williams)**

A bill for an Act authorizing and directing the board of university and school lands and the state treasurer to allow counties, cities, villages and school districts that have sold when they have sufficient funds in their sinking fund to redeem one or more bonds at par with the accrued interest.

Introduction, 615.  
Reference, 615.  
Reported, 1338.  
Third reading, 1387.  
Passed, 1388.  
Received from Senate, 1656.

**House Bill No. 361.—(Moen)**

A bill for an Act to amend Section 1350 of the Revised Codes of 1905, as amended in Chapter 148 of the Laws of 1911, relating to laying out, altering or discontinuing roads.

Introduction, 615.  
Reference, 615.  
Reported, 1371.  
Third reading, 1521.  
Passed, 1522.  
Received from Senate, 1847.  
Other action, 1451.

**House Bill No. 362.—(Doyle)**

A concurrent resolution to amend the Constitution of the state of North Dakota, relating to the terms of office of state and county officers, and providing that the legislative assembly shall meet quadrennially.

Introduction, 615.

Reference, 616.

Reported, 1029.

Indefinitely postponed, 1029.

**House Bill No. 363.—(O'Connor)**

A bill for an Act to amend Section 10304 of the 1905 Revised Codes of the State of North Dakota, relating to the power of the governor to demand the return of fugitives from justice and others charged with crime; to provide for the appointment of agents to receive such persons, and provide for compensation of such agents.

Introduction, 616.

Reference, 616.

Reported, 974.

Indefinitely postponed, 975.

**House Bill No. 364.—(Miller)**

A bill for an Act to amend and reenact Section 232 of Article XV, Chapter 266, of the Session Laws of 1911 of North Dakota, relating to compulsory education and medical inspection.

Introduction, 616.

Reference, 616.

Reported, 989, 1808.

Indefinitely postponed, 1808.

**House Bill No. 365.—(Hendrickson)**

A bill for an Act making it the duty of the president of the senate and the speaker of the house to employ expert accountants to audit the state offices and departments.

Introduction, 616.

Reference, 616.

Reported, 771.

Indefinitely postponed, 771.

**House Bill No. 366.—(Buck)**

A bill for an Act to amend Section 249 of Chapter 266 of the Laws of 1911.

Introduction, 616.

Reference, 617.

Reported, 871.

Indefinitely postponed, 871.

**House Bill No. 367.—(Thompson)**

A bill for an Act to amend and reenact Chapter 57 of the Session Laws of 1911, relating to the qualifications of applicants for admission to the bar of the State of North Dakota.

Introduction, 647.

Reference, 647.

Reported, 978.

Indefinitely postponed, 978.

**House Bill No. 368.—(Leu)**

A bill for an Act to provide for the recognition of popular vote of one election in a primary election subsequent thereto.

Introduction, 647.

Reference, 647.

Reported, 872.

Indefinitely postponed, 872.

**House Bill No. 369.—(Twichell)**

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Introduction, 647.

Reference, 647.

Reported, 978.

Third reading, 1067.

Passed, 1068.

Received from Senate, 1503.

**House Bill No. 370.—(Warriner)**

A bill for an Act prescribing and limiting the punishment for the crime of murder in the first degree and prescribing the conditions under which such punishment may be relieved from by way of pardon, and repealing laws in conflict therewith.

Introduction, 647.

Reference, 647.

Reported, 1462.

Indefinitely postponed, 1462.

**House Bill No. 371.—(Lindstrom)**

A bill for an Act to amend Section 7574 of the Revised Codes of 1905, relating to eminent domain.

Introduction, 647.

Reference, 648.

Reported, 1094.

Indefinitely postponed, 1094.



**House Bill No. 372.—(Twichell)**

A bill for an Act to amend Section 4588 of the Revised Codes of North Dakota of 1905, relating to the powers of cemetery corporations.

Introduction, 648.  
Reference, 648.  
Reported, 1037.  
Indefinitely postponed, 2040.  
Third reading, 1106.  
Passed, 1107.  
Received from Senate, 1715.

**House Bill No. 373.—(Putnam)**

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

Introduction, 648.  
Reference, 648.  
Reported, 1139.  
Third reading, 1355.  
Passed, 1356.  
Received from Senate, 1842.  
Amended, 1842.  
Amendments adopted, 1994.  
Other action, 1246.

**House Bill No. 374.—(Owens)**

A bill for an Act to amend Section 2770, of the Revised Codes of 1905, amended by Chapter 46 of the Laws of North Dakota, A. D., 1907, relating to sidewalk special assessment funds.

Introduction, 648.  
Reference, 648.  
Reported, 878.  
Indefinitely postponed, 878.  
Third reading, 1002.  
Passed, 1003.  
Received from Senate, 1846.  
Other action, 957.

**House Bill No. 375.—(Owens)**

A bill for an Act to amend Section 2657 of the Revised Codes of 1905, with respect to the revision and adoption of ordinances by cities.

Introduction, 648.  
Reference, 648.  
Reported, 1030.  
Third reading, 1102.  
Passed, 1103.  
Received from Senate, 1833.

**House Bill No. 376.—(Odland)**

A bill for an Act to provide for the disposition of school and institutional lands required for townsite purposes, school house sites, church sites, cemetery sites, sites for other educational or charitable purposes, public parks, fair grounds, public highways, railroad right of way and other railroad uses and purposes; reservoirs for the storage of water for irrigation, grain ditches and irrigation ditches and lands required for any of the purposes over which the right of eminent domain may be exercised under the Constitution and laws of this state.

Introduction, 648.  
Reference, 649.  
Reported, 828.  
Third reading, 896.  
Passed, 896.  
Received from Senate, 2040.

**House Bill No. 377.—(Williams)**

A bill for an Act providing for accepting by the State of North Dakota any military reservation, Indian school reservation and all property connected therewith, that the United States may cede or transfer to the State of North Dakota, subject to any conditions and requirements which Congress may make.

Introduction, 649.  
Reference, 649.  
Reported, 1213.  
Third reading, 1385.  
Passed, 1386.  
Received from Senate, 1848.  
Amended, 1848.  
Amendments adopted, 1873.

**House Bill No. 378.—(Bartley)**

A bill for an Act to amend Sections 259, 262, 263, 264, 267, 275, 3116 and 3117 of the Revised Codes of 1905, relating to county and township boards of health and relating to the meetings and duties of officers of county boards of health.

Introduction, 649.  
Reference, 649.  
Reported, 1025, 1483.  
Third reading, 1692.  
Passed, 1693.  
Other action, 113, 1191, 1616.

**House Bill No. 379.—(Dixon)**

A bill for an Act to provide for the licensing of land surveyors, inspectors of county bridges, and superintendents of county roads.  
Introduction, 649.  
Reference, 650.  
Reported, 829.  
Indefinitely postponed, 830.

**House Bill No. 380.—(Committee on Highways)**

A bill for an Act entitled, "An Act authorizing private associations or organizations to work upon and improve the public roads at their own expense and to name said roads under the authority and with the approval of the county commissioners of the various counties.  
Introduction, 650.  
Reference, 650.  
Reported, 871.  
Third reading, 934, 1508.  
Passed, 935, 1509.  
Received from Senate, 1443.  
Amended, 1443.  
Amendments adopted, 1508.  
Other action, 916, 1445.

**House Bill No. 381.—(Everson)**

A concurrent resolution to amend Section 48 of the constitution of the State of North Dakota, relating to the powers of each house of the legislature, and providing that the legislative assembly may by law limit the number of bills introduced during any session.  
Introduction, 650.  
Reference, 650.  
Reported, 978.  
Indefinitely postponed, 978.

**House Bill No. 382.—(Hedalen)**

A concurrent resolution for an amendment to the constitution of the state of North Dakota, providing for the appointment of justices of the peace.  
Introduction, 650.  
Reference, 650.  
Reported, 925.  
Indefinitely postponed, 925.  
Received from Senate, 1656.

**House Bill No. 383.—(Leu)**

A bill for an Act to amend Section 40 of Chapter 211 of the Session Laws of 1911, relating to the election of county committeemen.  
Introduction, 650.  
Reference, 650.  
Reported, 873.  
Indefinitely postponed, 873.

**House Bill No. 384.—(Stinger)**

A bill for an Act repealing Sections 7244, 7245, 7247, 7248, 7249, 7250, 7251 and Section 7246 as amended by Chapter 5 of the Session Laws of 1907 and Section 7252 as amended by Chapter 4 of the Session Laws of 1907 of the Revised Codes of 1905, relating to enumeration of parties and to enact in lieu thereof the following:  
Introduction, 651.  
Reference, 651.  
Reported, 1564.  
Other action, 1714.

**House Bill No. 385.—(Huso)**

A bill for an Act providing for the inspection of weights and measures in public elevators and warehouses and providing that the control and jurisdiction of the same shall be vested in the board of railroad commissioners.  
Introduction, 651.  
Reference, 651.  
Reported, 1339.  
Indefinitely postponed, 1339.

**House Bill No. 386.—(Coltom)**

A bill for an Act to amend Section 9377 of the Code of 1905, and to provide for the punishment and prevention of sales, gifts and use of intoxicating liquor, for the purpose of hospitality or otherwise, in club rooms, lodge rooms and other places of like kind for public and private resort.  
Introduction, 697.  
Reference, 697.  
Reported, 823.  
Indefinitely postponed, 823.

**House Bill No. 387.**—(Wardrope)

A bill for an Act to amend Section 605, subdivision 1, of the Revised Codes of North Dakota for 1905, and Chapter 131 of the Session Laws of North Dakota for the year 1911, relating to who is entitled to vote, and providing for woman suffrage.

Introduction, 697.  
Reference, 697.  
Reported, 1140.  
Indefinitely postponed, 1440.  
Received from the Senate, 1896.  
Other action, 1228, 1385.

**House Bill No. 388.**—(Hedalen)

A bill for an Act to amend Sections 2384 and 2546 of the Revised Codes of North Dakota for 1905, relating to the number and election of county officers, and providing for the appointment of a county surveyor, a county coroner, four constables and a public administrator.

Introduction, 697.  
Reference, 697.  
Reported, 977.  
Indefinitely postponed, 977.  
Third reading, 1946.  
Passed, 1946.

**House Bill No. 389.**—(Twichell)

A bill for an Act to amend Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Introduction, 697.  
Reference, 698.  
Reported, 1034.  
Third reading, 1104.  
Passed, 1105.  
Received from Senate, 1711.

**House Bill No. 390.**—(Smith of Kinder)

A bill for an Act to amend Section 111 of Chapter 266 of the Session Laws of 1911, relating to the annual settlement of school district treasurers.

Introduction, 698.  
Reference, 698.  
Reported, 833.  
Indefinitely postponed, 833.

**House Bill No. 391.**—(Hjelmstad)

A bill for an Act entitled, "An Act to amend Section 4037 of the Revised Codes of 1905, relating to marriage licenses and the solemnization of marriages thereunder."

Introduction, 698.  
Reference, 698.  
Reported, 975.  
Indefinitely postponed, 976.

**House Bill No. 392.**—(Twichell)

A bill for an Act to amend Sections 20 and 38 of Chapter 77 of the Laws of 1911, entitled, "An Act to provide for a commission system of government in cities which shall adopt the provisions of this Act."

Introduction, 698.  
Reference, 698.  
Reported, 827.  
Third reading, 886.  
Passed, 887.  
Received from Senate, 1843.  
Amended, 1844.  
Amendments adopted, 1943.  
Conference, 1855.  
Report of conference committee, 1885.  
Other action, 1886.

**House Bill No. 393.**—(Buck)

A bill for an Act providing for the satisfaction of judgments pleading an appeal therefrom to the supreme court.

Introduction, 698.  
Reference, 698.  
Reported, 977.  
Third reading, 1066.  
Passed, 1067.  
Received from Senate, 1503.

**House Bill No. 394.**—(Hedalen)

A bill for an Act to provide for a zone or alley between the enclosures of adjoining land owners for the purpose of preventing the transmission of communicable diseases among live stock and to prevent injury to such animals from barb wire fences.

Introduction, 698.  
Reference, 699.  
Reported, 1419.  
Indefinitely postponed, 1530.  
Other action, 1530.

**House Bill No. 395.—(Dynes)**

A bill for an Act to provide that notice of foreclosure of mortgages upon personal property shall be given to the county.

Introduction, 699.

Reference, 699.

Reported, 866.

Third reading, 937.

Passed, 938.

Received from Senate, 1656.

Other action, 916.

**House Bill No. 916.—(Lewis)**

A bill for an Act to amend Section 2801 of the Revised Codes of North Dakota of 1905, relating to special assessments in cities.

Introduction, 699.

Reference, 699.

Reported, 827.

Third reading, 887.

Passed, 888.

Received from Senate, 1833.

**House Bill No. 397.—(Haraldson)**

A bill for an Act to amend and reenact Section 259 of the Revised Codes of North Dakota for the year 1905, relating to membership of county boards of health.

Introduction, 699.

Reference, 699.

Reported, 1642.

Indefinitely postponed, 1642.

**House Bill No. 398.—(Hedalen)**

A concurrent resolution for amendments to Sections 27, 30, 33 and 55 of the constitution of the State of North Dakota, relating to the election and duration of terms of office of members of the legislative assembly and regular sessions thereof.

Introduction, 699.

Reference, 699.

Reported, 1029.

Indefinitely postponed, 1029.

**House Bill No. 399.—(Hanson)**

A bill for an Act to amend Chapter 147 of the Laws of 1907.

Introduction, 700.

Reference, 700.

Reported, 1412.

Indefinitely postponed, 1412.

**House Bill No. 400.—(Leu)**

A bill for an Act to amend and reenact Section 1 of Chapter 175 of the Session Laws of 1907, and add thereto Section 3, providing for the satisfaction of liens and mortgages before maturity.

Introduction, 731.

Reference, 731.

Reported, 1094, 1480.

Indefinitely postponed, 1480.

**House Bill No. 401.—(Buck)**

A bill for an Act to amend Chapter 130 of the Session Laws of 1909, being an Act to amend Chapter 128 of the Laws of 1907, being an amendment of Section 8983 of the Revised Codes of North Dakota, 1905, relating to minors not allowed in certain public places and prescribing certain penalties for the violation thereof.

Introduction, 731.

Reference, 732.

Reported, 1410.

Indefinitely postponed, 1410.

**House Bill No. 402.—(Lambert)**

A bill for an Act entitled, "An Act to recognize common law marriages heretofore had in this state in accordance with the requirements of the common law, legitimizing children and declaring an emergency exists."

Introduction, 732.

Reference, 732.

Reported, 1135.

Third reading, 1224.

Lost, 1225.

Other action, 1224.

**House Bill No. 403.—(Lambert)**

A concurrent resolution to amend Section 119 of the constitution of the state of North Dakota, pertaining to candidacy of judges of the supreme court or district courts for other offices during the term for which they have been elected.

Introduction, 732.

Judiciary, 732.

Reported, 1029, 1480.

Third reading, 1693.

Passed, 1694.

Other action, 1101, 1617.

**House Bill No. 404.—(Lambert)**

A bill for an Act providing for the pensioning of policemen after twenty years' service.  
 Introduction, 732.  
 Reference, 732.  
 Reported, 827.  
 Indefinitely postponed, 827.

**House Bill No. 405.—(Martin)**

A bill for an Act to amend Section 1 of Chapter 177 of the Session Laws of North Dakota for 1907, relating to attorney's fees on foreclosure.  
 Introduction, 732.  
 Reference, 732.  
 Reported, 1209.  
 Third reading, 1519.  
 Passed, 1520.  
 Received from Senate, 2004.  
 Other action, 1450.

**House Bill No. 406.—(Hanson)**

A bill for an Act to amend Chapter 156 of the Laws of 1907.  
 Introduction, 732.  
 Reference, 733.  
 Reported, 1412.  
 Third reading, 1505.  
 Passed, 1506.  
 Received from Senate, 1873, 2069.  
 Amended, 2069.

**House Bill No. 407.—(Small)**

A concurrent resolution amending the constitution of the State of North Dakota, relating to debt limits.  
 Introduction, 733.  
 Reference, 733.  
 Reported, 1028.  
 Indefinitely postponed, 1028.

**House Bill No. 408.—(Batzler)**

A bill for an Act to repeal Section 9202 of the Revised Codes of 1905, as amended by Chapter 43 of the Session Laws of 1907, and Section 9203 of the Revised Codes of 1905.  
 Introduction, 733.  
 Reference, 733.  
 Reported, 919.  
 Third reading, 990.  
 Passed, 991.  
 Received from Senate, 1824.

**House Bill No. 409.—(Haraldson)**

A bill for an Act authorizing the establishment of nurseries under the supervision of a state forester, providing for the distribution of seeds and forest trees seedlings to institutions and land owners of the state.  
 Introduction, 733.  
 Reference, 733.  
 Reported, 982.  
 Third reading, 1156.  
 Passed, 1157.  
 Received from Senate, 1847.  
 Other action, 110.

**House Bill No. 410.—(Haraldson)**

A bill for an Act to amend and reenact Section 7119 of the Revised Codes of North Dakota for 1905, relating to exemptions.  
 Introduction, 733.  
 Reference, 733.  
 Reported, 866.  
 Third reading, 938.  
 Passed, 939.  
 Received from Senate, 1839.  
 Amended, 1839.  
 Amendments adopted, 1944.  
 Other action, 917.

**House Bill No. 411.—(Borusky)**

A bill for an Act to repeal Section 49 of the Revised Codes of North Dakota for the year 1905, and also for the repeal of Senate Bill No. 83 of the Session Laws of 1907 and to provide for the free and unrestricted purchase of printed supplies and stationery by counties, cities and villages.  
 Introduction, 733.  
 Reference, 734.  
 Reported, 102.  
 Indefinitely postponed, 1202.

**House Bill No. 412.—(Smith of Kidder)**

A bill for an Act to amend Section 3160 of the Revised Codes of 1905, relating to the compensation of township officers.  
 Introduction, 734.  
 Reference, 734.  
 Reported, 867.  
 Indefinitely postponed, 867.

**House Bill No. 413.—(Gardiner)**

A bill for an Act providing for the inspection of coal imported into this state and charging the state oil inspector and his deputies with the performance of his duties imposed by this Act.

Introduction, 734.

Reference, 734.

Reported, 980, 1481.

Indefinitely postponed, 1156.

Third reading, 1577.

Passed, 1578.

Received from Senate, 1968.

Other action, 1109, 1156.

**House Bill No. 414.—(Stenehjem)**

A bill for an Act to provide for the collection, arrangement and display of the products and resources of the State of North Dakota at the Centennial Exposition to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purpose.

Introduction, 734.

Reference, 734.

Reported, 118, 1573.

Indefinitely postponed, 1195.

Third reading, 1613.

Passed, 1614.

Received from Senate, 1901.

Conference, 1666.

Other action, 1195, 1616.

**House Bill No. 415.—(Stenehjem)**

A bill for an Act to amend Section 2386 of the Revised Codes of 1905, providing for the increase or diminishing of the number of county commissioners.

Introduction, 734.

Reference, 735.

Reported, 1032.

Third reading, 1346.

Passed, 1347.

Received from Senate, 1861.

Other action, 1192.

**House Bill No. 416.—(Carey)**

A bill for an Act to compensate persons who have been wrongfully and innocently incarcerated and imprisoned in the state penitentiary.

Introduction, 735.

Reference, 735.

Reported, 983.

Third reading, 1069.

Passed, 1070.

Received from Senate, 1754.

**House Bill No. 417.—(Lindstrom)**

A bill for an Act to amend and reenact Chapter 221 of the Session Laws of North Dakota for 1907, entitled, "An Act providing for the giving of notice by merchants to their creditors before making sale of their entire stock or business."

Introduction, 735.

Reported, 1028.

Third reading, 1100.

Passed, 1101.

Received from Senate, 1846.

**House Bill No. 418.—(Freitag)**

A bill for an Act providing for the covering of charges and fees collected by state and county officers into the state and county treasury.

Introduction, 735.

Reference, 735.

Reported, 919, 1095, 1414.

Indefinitely postponed, 1414.

Other action, 992, 1195, 1218, 1415.

**House Bill No. 419.—(Wing)**

A bill for an Act making county treasurers custodians of funds paid for the redemption from foreclosure sales, satisfaction of judgments and liens and the payment and discharge of fines, penalties, forfeitures and costs, and for the disbursements of the same.

Introduction, 735.

Reference, 735.

Reported, 977.

Indefinitely postponed, 977.

**House Bill No. 420.**—(Committee on Judiciary)

A bill for an Act to amend Section 470 of the Revised Codes for 1905 of the State of North Dakota, as amended by Chapter 172 of the Sessions Laws of 1911 of the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Introduction, 735.  
Reference, 736.  
Reported, 977.  
Third reading, 1065.  
Passed, 1066.  
Received from Senate, 1833.  
Other action, 1065.

**House Bill No. 421.**—(Committee on Judiciary)

A bill for an Act to amend Section 474 of the Revised Codes, 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

Introduction, 736.  
Reference, 736.  
Reported, 976.  
Third reading, 1064.  
Passed, 1065.  
Received from Senate, 1834.  
Other action, 1063.

**House Bill No. 422.**—(Harty)

A bill for an Act to provide funds for the erection, purchase, lease or establishment of a terminal elevator system in the State of Wisconsin, or in the State of Minnesota, or in both said states, and for the maintenance and operating of the same, and for the establishment of additional duties of the board of control of state institutions in relation thereto.

Introduction, 736.  
Reference, 736.  
Reported, 1093.  
Third reading, 1162.  
Passed, 1163.  
Received from Senate, 1847, 2048.  
Amended, 1847, 2048.  
Amendments adopted, 1876, 2051.  
Other action, 1163.

**House Bill No. 423.**—(Twichell)

A bill for an Act to amend Sections 628, 629 and 631 of the Revised Codes of North Dakota of 1905, relating to elections.

Introduction, 736.  
Reference, 736.  
Reported, 1034.  
Third reading, 1105.  
Passed, 1106.  
Received from Senate, 1755.

**House Bill No. 424.**—(Hanson)

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Introduction, 736.  
Reference, 737.  
Reported, 1412.  
Third reading, 1541.  
Passed, 1542.  
Received from Senate, 1928.

**House Bill No. 425.**—(Homan)

A bill for an Act to amend Article 4, 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, 737.  
Reference, 737.  
Reported, 1030.  
Third reading, 1103.  
Passed, 1104.  
Received from Senate, 1969.

**House Bill No. 426.**—(Committee on Judiciary)

A bill for an Act to amend Section 473 of the Revised Codes of North Dakota for the year 1905, as amended by Chapter 74 of the Session Laws of 1909, relating to the boundaries of and terms of court in the Fifth Judicial District.

Introduction, 737.  
Reference, 737.  
Reported, 976.  
Third reading, 1062.  
Passed, 1063.  
Received from Senate, 1849.  
Amended, 1849.  
Amendments adopted, 1872.

**House Bill No. 427.**—Committee on Judiciary)

A bill for an to amend Chapter 161 of the Session Laws of 1907, as amended by Chapter 76 of the Session Laws of 1909 of the State of North Dakota, relating to the boundaries of and terms of court in the Ninth Judicial District.

Introduction, 737.

Reference, 737.

Reported, 976.

Indefinitely postponed, 1503.

Third reading, 1061.

Passed, 1062.

Received from Senate, 1503.

**House Bill No. 428.**—(Wardrope)

A bill for an Act entitled, "An Act specifying who may be sent to the state reform school and amending Section 10401 of the Revised Codes of North Dakota of 1905."

Introduction, 737.

Reference, 737.

Reported, 1139.

Third reading, 1354.

Passed, 1355.

Received from Senate, 1901.

Other action, 1246.

**House Bill No. 429.**—(Leu)

A bill for an Act to amend and reenact Section 9452 of the Revised Code of 1905, pertaining to the promiscuous distribution of drug samples.

Introduction, 737.

Reference, 738.

Reported, 1410.

Third reading, 1540, 1600.

Passed, 1601.

Lost, 1541.

Received from Senate, 1757, 2063.

Other action, 1990.

**House Bill No. 430.**—(Leu)

A bill for an Act to amend and reenact Sections 254 and 256 of the Revised Codes of 1905, pertaining to the office of the superintendent of public health, changing the time of meeting, salary and other compensation for expenses incurred therein and providing for the payment thereof.

Introduction, 738.

Reference, 738.

Reported, 1025.

Indefinitely postponed, 1025.

**House Bill No. 431.**—(Martin)

A bill for an Act relating to contracts as to rates of interest.

Introduction, 738.

Reference, 738.

Reported, 1142.

Indefinitely postponed, 1142.

**House Bill No. 432.**—(Fritz)

A bill for an Act to amend and reenact Sections 2792, 2793 and 2804 of the Revised Codes of North Dakota for 1905, relating to special assessments for sewers, water mains, sidewalks and other purposes.

Introduction, 738.

Reference, 738.

Reported, 1031.

Third reading, 1345.

Passed, 1346.

Received from Senate, 1901.

Other action, 1191.

**House Bill No. 433.**—(Moen)

A bill for an Act to amend Section 2548 of the Revised Codes of North Dakota for 1905, relating to the compensation of the public administrator.

Introduction, 738.

Reference, 738.

Reported, 919.

Indefinitely postponed, 1504.

Third reading, 992.

Passed, 993.

Received from Senate, 1504.

**House Bill No. 434.**—(Hendrickson)

A bill for an Act to amend and reenact Section 1349 of the Revised Codes, relating to the jurisdiction of township supervisors and county commissioners in laying out public highways.

Introduction, 783.

Reference, 784.

Reported, 972.

Indefinitely postponed, 1135.

Third reading, 1225.

Passed, 1226.

Received from Senate, 1824.



**House Bill No. 435.—(Hedalin)**

A bill for an Act to prohibit the holding of a dance or ball in the state house or capitol during the session of the legislative assembly of the State of North Dakota.  
 Introduction, 784.  
 Reference, 784.  
 Reported, 1095.  
 Third reading, 1164.  
 Lost, 1165.  
 Other action, 1163, 1165.

**House Bill No. 436.—(Sandbeck)**

A bill for an Act to amend Section 111, Chapter 266, of the Session Laws of 1911, relating to accounts of school district treasurers, annual settlement and publication of treasurer's annual report.  
 Introduction, 784.  
 Reference, 784.  
 Other action, 990.

**House Bill No. 437.—(Bjornson)**

A bill for an Act to amend Section 1554 of the Revised Codes of 1905, as amended by Chapter 300 of the Session Laws of 1911, relating to delinquent personal property taxers and collection of taxes.  
 Introduction, 784.  
 Reference, 784.  
 Reported, 1201.  
 Indefinitely postponed, 1202.

**House Bill No. 438.—(Watt)**

A bill for an Act to amend Section 1378 of the Revised Codes of 1905, as amended by Chapter 42 of the Session Laws of 1907, relating to location and building of bridges.  
 Introduction, 784.  
 Reference, 784.  
 Reported, 1202.  
 Indefinitely postponed, 1202.

**House Bill No. 439.—(Buck)**

A bill for an Act prohibiting trespassing upon railways rights of way, tracks and station grounds, and prohibiting trespassers from getting on or off or riding upon railroad trains, cars or engines.  
 Introduction, 785.  
 Reference, 785.  
 Reported, 970.  
 Indefinitely postponed, 970.

**House Bill No. 440.—(Buck)**

A concurrent resolution amending the constitution of the State of North Dakota, relating to the issuance of state road bonds.  
 Introduction, 785.  
 Reference, 785.  
 Reported, 1371, 1372.  
 Indefinitely postponed, 1451.  
 Other action, 1451.

**House Bill No. 441.—(Buck)**

A concurrent resolution amending the state constitution of the State of North Dakota.  
 Introduction, 785.  
 Reference, 785.  
 Reported, 1207.  
 Indefinitely postponed, 1449.  
 Other action, 1449.

**House Bill No. 442.—(Watt)**

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.  
 Introduction, 785.  
 Reference, 785.  
 Reported, 1095, 1414.  
 Third reading, 1593.  
 Passed, 1594.  
 Received from Senate, 1724.  
 Amended, 1724.  
 Amendments adopted, 1860.  
 Conference, 1727.  
 Report of conference committee, 1804.  
 Other action, 1529.

**House Bill No. 443.—(Hjelmstad)**

A bill for an Act to amend Chapter 177 of the Session Laws of 1907, relating to fees of attorneys for foreclosure of mortgages and liens.  
 Introduction, 785.  
 Reference, 785.  
 Reported, 1643.  
 Indefinitely postponed, 1643.

**House Bill No. 444.—(Hjelmstad)**

A bill for an Act amending Section 461 of the Revised Codes of the State of North Dakota for 1905, relating to the salary of the supreme court reporter.  
 Introduction, 786.  
 Reference, 786.  
 Reported, 1135.  
 Indefinitely postponed, 1135.

**House Bill No. 445.—(Martin)**

A bill for an Act providing for the regulation of hotels and permitting a dispensing of intoxicating liquors thereby and providing regulations therefor.

Introduction, 786.

Reference, 786.

Reported, 1117.

Indefinitely postponed, 1196.

Other action, 1118.

**House Bill No. 446.—(Klein)**

A bill for an Act repealing Section 6131 of the Revised Codes of 1905, and declaring void all mortgages or liens by contract hereafter placed on growing crops, with certain specific exceptions.

Introduction, 786.

Reference, 786.

Reported, 1419.

Indefinitely postponed, 1419.

**House Bill No. 447.—(Kyllo)**

A bill for an Act to amend and reenact Chapter 117 of the Session Laws of 1911, relating to designation of official newspapers.

Introduction, 786.

Reference, 786.

Reported, 985.

Indefinitely postponed, 986.

**House Bill No. 448.—(Twichell)**

A bill for an Act to amend Section 2589 of the Revised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

Introduction, 786.

Reference, 786.

Reported, 1093.

Third reading, 1352.

Passed, 1353.

Received from Senate, 1841.

Other action, 1194.

**House Bill No. 449.—(Batzer)**

A bill for an Act to amend and reenact subdivision three (3) of Section 4256 of the Revised Codes of 1905.

Introduction, 787.

Reference, 787.

Reported, 1136.

Indefinitely postponed, 1136.

**House Bill No. 450.—(Buthe of Ramsey)**

A bill for an Act to amend Sections 9354, 9355, 9356, 9357, 9359, 9360, 9361 of the Revised Codes of 1905, as amended in Chapter 183, Session Laws of 1909, and any Acts amendatory thereof.

Introduction, 787.

Reference, 787.

Reported, 1367.

Indefinitely postponed, 1450.

Other action, 1450.

**House Bill No. 451.—(Carey)**

A bill for an Act prescribing maximum fees for mileage to be charged by any person practicing medicine, surgery or obstetrics.

Introduction, 787.

Reference, 787.

Reported, 1025.

Indefinitely postponed, 1025.

**House Bill No. 452.—(Smith of Kinder)**

A bill for an Act to amend Section 1 of Chapter 213 of the Session Laws of 1911, relating to registration of electors and requiring the assessors of this state, at the time of assessing property for the purpose of taxation in 1913, to inquire of women of voting age, whether or not they favor or wish for universal suffrage.

Introduction, 787.

Reference, 787.

Reported, 1141.

Indefinitely postponed, 1246.

**House Bill No. 453.—(Twichell)**

A bill for an Act to amend Section 9 of Chapter 80 of the Session Laws of North Dakota for the year 1909, relating to practice in county courts having increased jurisdiction.

Introduction, 787.

Reference, 788.

Reported, 1093.

Third reading, 1353.

Passed, 1354.

Received from Senate, 1841.

Other action, 1195.

**House Bill No. 454.—(Lambert)**

A bill for an Act providing for the protection and safety of persons engaged in the construction, repairing, alteration or other work, upon buildings, bridges, viaducts, tanks, stacks and other structures, or engaged in any work upon or about electrical wires, on conductors or poles, or supports, or other electrical appliances or contrivances or contrivances carrying a dangerous current of electricity; or about any machinery or in any dangerous, any or all acts of negligence, or for injury or death of their employes, and defining who are the agents of the employes against employers, and prescribing a penalty for a violation of the law.

Introduction, 788.  
Reference, 788.  
Reported, 1571.  
Indefinitely postponed, 1571.

**House Bill No. 455.—(Hjort)**

A bill for an Act to amend Section 4455 of the Revised Codes of North Dakota for 1905, relating to fidelity insurance companies.

Introduction, 788.  
Reference, 788.  
Reported, 1636.  
Indefinitely postponed, 1636.

**House Bill No. 456.—(Twichell)**

A bill for an Act to provide for the manner of letting and making all contracts by or on the behalf of cities for work or improvements.

Introduction, 788.  
Reference, 788.  
Reported, 1332.  
Third reading, 1516.  
Passed, 1517.  
Received from Senate, 2041, 2062.  
Amended, 2041.  
Conference, 1939.  
Other action, 1449.

**House Bill No. 457.—(Dean)**

A bill for an Act to amend Section 1876 of the Revised Codes of North Dakota for 1905, relating to the disposition of the poor.

Introduction, 788.  
Reference, 789.  
Reported, 1095.  
Indefinitely postponed, 1095.

**House Bill No. 458.—(Northrup)**

A bill for an Act to amend Section 1 of Chapter 158 of the Session Laws of North Dakota for 1907, relating to the amount of insurance written upon real property.

Introduction, 789.  
Reference, 789.  
Reported, 1414.  
Indefinitely postponed, 1414.  
Received from Senate, 1846.  
Amended, 1846.

**House Bill No. 459.—(Twichell)**

A bill for an Act regulating the sweeping of railway coaches or cars while occupied by passengers and providing for a penalty therefor.

Introduction, 789.  
Reference, 789.  
Reported, 970.  
Third reading, 1151.  
Passed, 1152.  
Received from Senate, 1847.  
Other action, 1108.

**House Bill No. 460.—(Lambert)**

A bill for an Act prohibiting the harboring, keeping or maintenance of a female person for lewd, lascivious or immoral purposes; prescribing a penalty and defining prima facie evidence upon which conviction may be had.

Introduction, 789.  
Reference, 789.  
Reported, 1410.  
Indefinitely postponed, 1410, 1579.  
Other action, 1529, 1663.

**House Bill No. 461.—(Odland)**

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.

Introduction, 789.  
Reference, 789.  
Reported, 972.  
Indefinitely postponed, 972.

**House Bill No. 462.—(Haraldson)**

A bill for an Act to amend and re-enact Section 1 of Chapter 199, Laws of North Dakota for 1907, fare to be charged and collected providing for maximum rate of by railroads.

Introduction, 789.

Reference, 790.

Reported, 1638.

Indefinitely postponed, 1638.

**House Bill No. 463.—(Ryan)**

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

Introduction, 790.

Reference, 790.

Reported, 1136.

Third reading, 1228.

Received from Senate, 1655.

Other action, 1227.

**House Bill No. 464.—(Ryan)**

A bill for an Act to amend Sections 9354, 9355, 9356, 9357, 9361, 9362 and 9363 of the Revised Codes of 1905, as amended by 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 and of granting and revoking permits to sell.

Introduction, 790.

Reference, 790.

Reported, 1366.

Indefinitely postponed, 1366.

Other action, 1368.

**House Bill No. 465.—(Haraldson)**

A bill for an Act to amend and re-enact Section 7454 of the Revised Codes of North Dakota for 1905, relating to when foreclosure proceedings may be enjoined.

Introduction, 790.

Reference, 790.

Reported, 1211.

Indefinitely postponed, 1211.

**House Bill No. 466.—(Haraldson)**

A bill for an Act to amend Section 6762 of the Revised Codes of 1905, and providing for the procedure in district courts, and providing for the keeping of a record of proceedings therein outside of term time.

Introduction, 790.

Reference, 790.

Reported, 1211.

Third reading, 1383.

Lost, 1384.

Other action, 1432.

**House Bill No. 467.—(Lambert)**

A bill for an Act requiring every railroad, railroad corporation, railway company, car company and every common carrier other than by water whether operated by steam or electricity, to keep and maintain a constant and uninterrupted lookout for animals, pedestrians or any obstructions on its track that might interfere with the moving of trains and making such railroad, railroad corporation, railway company, car company and of every such common carrier liable for any damages caused by its failure to keep and maintain such lookout and abolishing the defense of contributory negligence in such cases.

Introduction, 791.

Reference, 791.

Reported, 970.

Third reading, 1221.

Passed, 1222.

Received from Senate, 2004.

Other action, 1111, 1220.

**House Bill No. 468.—(Ryan)**

A bill for an Act changing and defining the boundaries of Morton County.

Introduction, 791.

Reference, 791.

Reported, 1337.

Indefinitely postponed, 1337.

Third reading, 1384.

Passed, 1385.

**House Bill No. 469.—(Gunderson)**

A bill for an Act to amend Section 38, of Chapter 266, of the Session Laws of 1911, relating to what territory may be organized into district school corporations.

Introduction, 791.

Reference, 791.

Reported, 972, 1560.

Third reading, 1725.

Passed, 1726.

Other action, 1109, 1725.

**House Bill No. 470.—(Smith of Kinder)**

A bill for an Act to provide that when the county superintendent of health is called upon to diagnose cases of diphtheria, scarlet fever, infantile paralysis, smallpox, typhoid fever and tuberculosis, the expenses and the fees of said county superintendent of health may be paid by the county.

Introduction, 791.

Reference, 791.

Reported, 1641.

Indefinitely postponed, 1641.

**House Bill No. 471.—(Wardrope)**

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to redemption of real estate, payment on and period for redemption, and the filing of certificate of redemption, and the rate of interest to be paid by the redemptioner.

Introduction, 792.

Reference, 792.

Reported, 1136.

Third reading, 1228.

Passed, 1229.

Received from Senate, 1655.

**House Bill No. 472.—(Wardrope)**

A bill for an Act entitled "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursement of appropriations therefor, and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905.

Introduction, 792.

Reference, 792.

Reported, 1114, 1524.

Third reading, 1614.

Passed, 1615.

Received from Senate, 1913.

Other action, 1193, 1554, 1617.

**House Bill No. 473.—(Hickle)**

A bill for an Act repealing Section 9465 of Article 1 of Chapter 75 of the Revised Codes of 1905, relating to the protection of beaver.

Introduction, 792.

Reference, 792.

Reported, 1412.

Indefinitely postponed, 1413.

**House Bill No. 474.—(Leu)**

A bill for an Act to repeal Sections 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362, 9363, 9364, 9365, 9366, of the Revised Codes of 1905, and all Acts amendatory thereof and to enact in lieu thereof Sections 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360.

Introduction, 792.

Reference, 792.

Reported, 1464.

Indefinitely postponed, 1616.

Other action, 1616, 1619.

**House Bill No. 475.—(Knox)**

A bill for an Act to amend Section 1 of Chapter 217, of the Session Laws of North Dakota for 1907, relating to the taxation of grain and repealing Sections 2, 3 and 4 of said Chapter.

Introduction, 792.

Reference, 793.

Reported, 1208.

Indefinitely postponed, 1208.

**House Bill No. 476.—(Blakemore)**

A bill for an Act to provide for a means of removal of elective officers by the will of the people, and for the political reserve powers of electors to be used through the initiative and referendum in city matters and the form of petitions, applicable to cities which have adopted or may hereafter adopt the commission system of government; also to prescribe the manner by which a city having adopted the commission system of government may return to the former system.

Introduction, 793.

Reference, 793.

Reported, 1032.

Third reading, 1380.

Passed, 1381.

Received from Senate, 1879.

Other action, 1192.

**House Bill No. 477.—(Moen)**

A bill for an Act enablin gcertain school districts in this state to consolidate and to maintain dormitories for the housing of children and pertaining to the care of children.

Introduction, 793.  
Reference, 793.  
Reported, 1561.  
Third reading, 1694.  
Passed, 1695.  
Received from Senate, 1835.

**House Bill No. 478.—(Haraldson)**

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Introduction, 793.  
Reference, 793.  
Reported, 1211.  
Third reading, 1384.  
Passed, 1385.  
Received from Senate, 1656.

**House Bill No. 479.—(Ryan)**

A bill for an Act to amend Section 9445 of the Revised Codes of 1905, relating to unlawful obligations in writing.

Introduction, 793.  
Reference, 794.  
Reported, 1414.  
Indefinitely postponed, 1414.

**House Bill No. 480.—(Stinger and Hedalen)**

A bill for an Act to provide for building a dormitory in rural consolidated school districts.

Introduction, 795.  
Reference, 794.

**House Bill No. 481.—(Williams)**

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

Introduction, 794.  
Reference, 794.  
Reported, 1370.  
Third reading, 1437.  
Passed, 1438.  
Received from Senate, 1911.

**House Bill No. 482.—(Williams)**

A bill for an Act authorizing and directing the state board of pardons to reconsider after favorable action has been taken by them of the application of any convict in the state penitentiary for pardon or parole, on their own motion or on the application of interested parties before the release of such convict from the state penitentiary.

Introduction, 794.  
Reference, 794.  
Reported, 1092.  
Third reading, 1350.  
Passed, 1351.  
Received from Senate, 1971.  
Other action, 1194.

**House Bill No. 483.—(Leu)**

A bill for an Act relating to the foreclosure of mortgages and liens on real property.

Introduction, 794.  
Reference, 794.  
Reported, 1095.  
Indefinitely postponed, 1095.

**House Bill No. 484.—(Hedalen)**

A bill for an Act to amend Sections 3234, 3237, 3238, 3240, 3241, 3242, 3243, 3244, 3245, 3248, 3251 and 3252 of the Revised Codes of North Dakota for 1905, relating to partition fences and repealing Sections 3233, 3235, 3246 and 3252 of said Codes.

Introduction, 794.  
Reference, 795.  
Reported, 1570.  
Indefinitely postponed, 1570.

**House Bill No. 485.—(Tucker)**

A bill for an Act to amend Sections 37, 38, 44 and 48 of Chapter 128 of the Session Laws of North Dakota for 1909, and Section 1 of Chapter 142 of the Session Laws for 1911, relating to game and fish.

Introduction, 795.  
Reference, 795.

**House Bill No. 486.—(Bope)**

A bill for an Act to amend Section 1575 of Chapter 20 of the Revised Codes of 1905, as amended by Chapter 298, Laws of 1911, relating to the disposition of penalty and interest.

Introduction, 795.

Reference, 795.

Reported, 972.

Third reading, 1058.

Passed, 1059.

Received from Senate, 1655.

**House Bill No. 487.—(Smith of Kidder)**

A bill for an Act to provide for the publication of the Session Laws of the state in pamphlet form for distribution in the state.

Introduction, 795.

Reference, 795.

Reported, 1137.

Third reading, 1381.

Passed, 1382.

Received from Senate, 1845.

Amended, 1846.

Amendments adopted, 1888.

Other action, 1245.

**House Bill No. 488.—(Stinger)**

A bill for an Act extending the powers and duties of state and district veterinarians and providing for the testing of animals exposed to the disease known as glanders.

Introduction, 795.

Reference, 795.

Reported, 1425.

Indefinitely postponed, 1896.

Third reading, 1595.

Received from Senate, 1893.

Amended, 1893.

Amendments adopted, 2037.

Other action, 1530, 1595.

**House Bill No. 489.—(Pettersen)**

A bill for an Act requiring the county treasurer to make an annual statement to the township treasurer.

Introduction, 796.

Reference, 796.

Reported, 1202.

Indefinitely postponed, 1202.

**House Bill No. 490.—(Lambert)**

A bill for an Act entitled "An Act to prescribe a form for acknowledgment for attorneys in fact."

Introduction, 796.

Reference, 796.

Reported, 1136.

Indefinitely postponed, 1136.

**House Bill No. 491.—(Curry)**

A bill for an Act to repeal Chapter 10 of the Session Laws of North Dakota for the year 1911, relating to salaries of deputy state officers.

Introduction, 796.

Reference, 796.

Reported, 1206.

Indefinitely postponed, 1206.

**House Bill No. 492.—(Dynes)**

A bill for an Act to amend Sections 1 and 2 of Chapter 125 of the Session Laws of 1911, relating to drainage, protest, notice, place of hearing, right of way and compensation.

Introduction, 808.

Reference, 808.

Reported, 1138.

Indefinitely postponed, 1138.

**House Bill No. 493.—(Wiley)**

A bill for an Act making appropriation for the deficit, covering the support and maintenance during the last biennial period of the agricultural sub-experiment station located at Hettinger.

Introduction, 812.

Reference, 812.

Reported, 1209.

Indefinitely postponed, 1209.

**House Bill No. 494.—(Lambert)**

A bill for an Act entitled "An Act to prevent drinking or offering to others to drink as a beverage, any intoxicating liquors in hotels, boarding houses, lodging houses and restaurants, prescribing penalties for the violation thereof and covering police power."

Introduction, 813.

Reference, 813.

Reported, 1024.

Other action, 1024, 1112.

**House Bill No. 495.—** (Committee on Supplies and Expenditures)

A bill for an Act to amend Sections 377 and 378 of the Revised Codes of 1905, relating to the penalty for failing to make reports and duties of the attorney general in connection with such failure.

Introduction, 1045.  
Reference, 1045.  
Reported, 1337.  
Third reading, 1386.  
Passed, 1387.

**House Bill No. 496.—** (Williams)

A bill for an Act authorizing county commissioners to submit to the voters of their respective counties at any general or special election called for that purpose, the question of establishing at the county seat of their county a public market place for the sale of farm produce and the maintenance of such market place.

Introduction, 1045.  
Reference, 1045.  
Reported, 1370.  
Third reading, 1520.  
Passed, 1521.  
Received from Senate, 1982.  
Other action, 1450.

**House Bill No. 497.—** (Roble)

A bill for an Act to amend Chapter 206 of the Laws of North Dakota, "To provide for the expression by the qualified voters of the several political parties of their choice for nomination by their party for president a 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 party candidates for the office of presidential elector, and for the election of national committeeman."

Introduction, 1099.  
Reference, 1099.  
Reported, 1415.  
Indefinitely postponed, 1416.

**House Bill No. 498.—** (Roble)

A bill for an Act to amend Section 2 of Chapter 109 of the Laws of North Dakota for 1909, relating to the selection of candidates for election by popular vote, and the time of holding said popular primaries.

Introduction, 1099.  
Reference, 1099.  
Reported, 1415.  
Indefinitely postponed, 1415.

**House Bill No. 499.—** (Roble)

A bill for an Act to amend Section 1 of Chapter 213 of the Laws of the State of North Dakota for 1911, being an Act providing for party registration of electors desiring to vote at any primary election in this state.

Introduction, 1099.  
Reference, 1099.

**House Bill No. 500.—** (Twichell)

A bill for an Act to amend and reenact Sections 44, 45 and 73 of the Revised Codes of North Dakota of 1905, relating to printing and distribution of journals, bills and public documents.

Introduction, 1120.  
Reference, 1120.  
Reported, 1424.  
Third reading, 1578.  
Passed, 1579.  
Received from Senate, 1926.  
Other action, 1529.

**House Bill No. 501.—** (Williams)

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of the secretary of state.

Introduction, 1504.  
Reference, 1504.  
Third reading, 1596.  
Passed, 1597.  
Received from Senate, 1970.  
Other action, 1505.



## SENATE BILLS

**Senate Bill No. 6.—(Bronson)**

A bill for an Act to re-enact Section 16, Chapter 6, of the Laws of North Dakota for the year 1911 relating to motor license and road regulations.

Received from Senate, 435.

Reported, 633.

Indefinitely postponed, 858.

**Senate Bill No. 7.—(Bronson)**

An Act to appropriate money for maintenance, etc., at State University and School of Music.

Received from Senate, 1342.

First and second reading, 1362.

Reported, 1486.

Passed, 1551.

**Senate Bill No. 10.—(McLean)**

A bill for an Act making an appropriation of a sum sufficient to complete payment for the silver service to be donated by the State of North Dakota to the Battleship North Dakota.

Received from Senate, 1128.

First and second reading, 1168.

Reference, 1168.

Reported, 1487.

Indefinitely postponed, 1487.

**Senate Bill No. 13.—(McLean)**

A bill for an Act to amend Sections 1933, 1934, 1935, 1936, 1937 and 1938 of the Revised Code of 1905, relating to stock running at large.

Received from Senate, 521.

First and Second reading, 540.

Reference, 540.

Reported, 561, 727.

Amended, 727, 1213.

Passed, 1987.

**Senate Bill No. 14.—(England)**

A bill for an Act to provide for the extermination of gophers and the compensation thereof.

Received from Senate, 549.

First and second reading, 554.

Reference, 554.

Reported, 565.

Passed, 623.

**Senate Bill No. 16.—(Nelson)**

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanitarium at Dunseith.

Received from Senate, 1127.

First and second reading, 1169.

Reference, 1169.

Reported, 1369.

Amended, 1369.

Passed, 1673.

**Senate Bill No. 17.—(Overson)**

A bill amending the constitution of North Dakota providing for the recall of public officials by the people.

Received from Senate, 1518.

First and second reading, 1526.

Reference, 1526.

Reported, 1568.

Amended, 1568.

Passed, 2007.

Indefinitely postponed, 2068.

**Senate Bill No. 18.—(Gibbens)**

A bill for a joint resolution ratifying an amendment to Section three, Article one, of the constitution of the United States.

Received from Senate, 394.

First and second reading, 405.

Reference, 405.

Reported, 925.

Indefinitely postponed, 925.

**Senate Bill No. 20.—(Jacobson)**

A bill for an Act amending and re-enacting Section 2597 of the Revised Codes of 1905, as amended by Chapter 257 of the Session Laws of 1911, relating to the fees in the office of the Register of Deeds.

Received from Senate, 611.

First and second reading, 622.

Reference, 622.

Reported, 1413.

Passed, 1823.

Indefinitely postponed, 1720.

**Senate Bill No. 22.—(Bronson)**

A bill for an Act to amend Section 6246 of the Revised Codes of 1905, relating to Mechanics' Liens and the enforcement thereof.  
 Received from Senate, 470.  
 First and second reading, 492.  
 Reference, 492.  
 Reported, 1459.  
 Indefinitely postponed, 1774.

**Senate Bill No. 23.—(Talcott)**

A bill for an Act to amend Chapter 290 of the Laws of 1911, relating to property exempt from taxation.  
 Received from Senate, 522.  
 First and second reading, 540, 1230.  
 Reference, 540, 1230.  
 Reported, 722, 1461.  
 Passed, 1779.  
 Indefinitely postponed, 722.

**Senate Bill No. 25.—(Gronvold)**

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 from Senate, 1128.  
 First and second reading, 1170.  
 Reference, 1170.  
 Reported, 1369.  
 Passed, 1543.

**Senate Bill No. 26.—(Ellingson)**

A bill for an Act to amend Section 618 of the Revised Codes of North Dakota for 1905, relating to elections.  
 Received from Senate, 496.  
 First and second reading, 509.  
 Reference, 509.  
 Reported, 563, 1031.  
 Passed, 1394.

**Senate Bill No. 27.—(Ellingson)**

A bill for an Act to amend Section 4493 of the Revised Codes of North Dakota for 1905, relating to county mutual insurance companies.  
 Received from Senate, 443.  
 First and second reading, 465.  
 Reference, 465.  
 Reported, 599.  
 Passed, 755.

**Senate Bill No. 29.—(Cashel)**

A bill for an Act to amend Section 2864 of the Revised Codes of North Dakota for 1905, as amended by Chapter 186 of the Session Laws of 1905, and re-amended by Chapter 268 of the Session Laws of 1907, relating to the general powers of the boards or trustees of incorporated villages.  
 Received from Senate, 1080.  
 First and second reading, 1120.  
 Reference, 1120.  
 Reported, 1483.  
 Amended, 1483.  
 Passed, 1803.

**Senate Bill No. 30.—(Cashel)**

A bill for an Act to provide an appropriation for the current and contingent expense, and for permanent improvements for the Institution for Feeble Minded, at Grafton, North Dakota.  
 Received from Senate, 1438.  
 First and second reading, 1445.  
 Reference, 1446.  
 Reported, 1572.  
 Amended, 1572.  
 Passed, 1605, 1914.

**Senate Bill No. 31.—(McLean)**

A bill for an Act to amend Section 3 of Chapter 209 of the Session Laws of 1909, relating to the selling, offering or exposure of seed for sale.  
 Received from Senate, 1552.  
 First and second reading, 1602.  
 Reference, 1602.  
 Reported, 1653.  
 Amended, 1685.

**Senate Bill No. 32.—(Overson)**

A concurrent resolution amending the constitution of the State of North Dakota, providing for the initiative and referendum.  
 Received from Senate, 1518.  
 First and second reading, 1526.  
 Reference, 1526.  
 Amended, 1566.  
 Passed, 2005, 2066.

**Senate Bill No. 33.—(Gronvold)**

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

Received from Senate, 817.

First and second reading, 851.

Reference, 851.

Reported, 1025.

Passed, 1232.

Indefinitely postponed, 1184.

**Senate Bill No. 36.—(Loftsgaard)**

A bill for an Act entitled, "An Act to amend Section 4331 of the Revised Codes of North Dakota of 1905, relating to the operation of railroads in this state, receiving and transporting passengers and property."

Received from Senate, 549.

First and second reading, 554.

Reference, 554.

Reported, 639.

Passed, 756.

**Senate Bill No. 40.—(Hanley)**

A bill for an Act making an appropriation for the erection of a new building, and other improvements and for the current and contingent expenses of the Reform School of North Dakota, located at Mandan, N. D.

Received from Senate, 1343.

First and second reading, 1362.

Reported, 1485.

Indefinitely postponed, 1485.

**Senate Bill No. 41.—(Hughes)**

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 from Senate, 1342.

First and second reading, 1359.

Reference, 1360.

Reported, 1734.

Indefinitely postponed, 1734.

**Senate Bill No. 43.—(Talcott)**

A bill for an Act to authorize the superintendent of public instruction to publish the report of the state inspector of rural and graded schools for 1912 and to appropriate money to defray the expense of the same and to meet the deficiency in the expenses of the state inspector of rural and graded schools.

Received from Senate, 1343.

First and second reading, 1361.

Reference, 1361.

Reported, 1486.

Passed, 1549.

**Senate Bill No. 44.—(Talcott)**

A bill for an Act to amend and reenact Sections, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 of Chapter 35 of the Session Laws of the year 1911, of the State of North Dakota, being an Act to encourage elementary education in North Dakota, and appropriate money therefor.

Received from Senate, 1199.

First and second reading, 1230.

Reference, 1231.

Reported, 1556.

Amended, 1556.

Passed, 1969.

**Senate Bill No. 45.—(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 from Senate, 886.

First and second reading, 904.

Reference, 904.

Reported, 1925.

Passed, 1186.

**Senate Bill No. 47.—(Jacobson)**

A bill for an Act repealing Chapter 268 of the Session Laws of 1911 relating to school houses and sites.

Received from Senate, 394.

First and second reading, 405.

Reference, 405.

Reported, 600.

Passed, 667.

**Senate Bill No. 48.—(Porterfield)**

A bill for an Act entitled, "An Act relating to cold storage and refrigerating warehouses, the disposition or sale of the food kept or preserved therein, and defining the duties of the food commissioner of the North Dakota Government Agricultural Experiment Station relation thereto and providing penalties for the violation thereof.

Received from Senate, 470.

First and second reading, 492.

Reference, 492.

Reported, 1213.

Passed, 1753.

**Senate Bill No. 49.—(Porterfield)**

A bill for an Act for preventing the manufacture, sale of transportation of adulterated insecticides and fungicides, and for regulating traffic therein and fixing penalties for the violation of this Act.

Received from Senate, 470.

First and second reading, 492.

Reference, 493.

Reported, 768.

Passed, 852.

**Senate Bill No. 51.—(Cashel)**

A bill for an Act to amend and re-enact Sections 1031, 1032, 1033, 1034, 1035, 1036, 1037 of the Revised Codes of 1905, relating to education, as amended by Chapter 99 of the Session Laws of 1907 and Chapter 267 of the General Laws of 1911; and to amend Sections 1, 2, 3, 4, 5, of Chapter 40 of the General Laws of 1911, and to repeal Sections, 6, 7, 8, 9, 10, 11, of Chapter 40 of the General Laws of 1911.

Received from Senate, 1198.

First and second reading, 1231.

Reference, 1231.

Reported, 1645, 1716.

Amended, 1645, 1717.

Passed, 1720, 1983.

**Senate Bill No. 52.—(Bronson)**

A bill for an Act concerning railroads, regulating the size of engines, motors and cars, and also the clearance of obstructions thereon.

Received from Senate, 674.

Reported, 1373, 1374.

Amended, 1374.

Passed, 1982.

**Senate Bill No. 153.—(Turner)**

A bill for an Act to re-enact Section 492 of the Revised Codes of North Dakota for the year 1905, relating to the State Board of Bar Examiners.

Received from Senate, 378.

First and second reading, 405.

Reference, 405.

Reported, 561, 605.

Passed, 622.

**Senate Bill No. 54.—(Talcott)**

A bill for an Act regulating the manner in which payments shall be made for any service or fee prescribed by law from any department of the State of North Dakota.

Received from Senate, 1659.

First and second reading, 1701.

Reference, 1702.

Reported, 1731.

Passed, 1916.

**Senate Bill No. 55.—(Bond)**

A bill for an Act to amend Section 157 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to the election of school officers.

Received from Senate, 521.

First and second reading, 540.

Reference, 540.

Reported, 563.

Passed, 625.

**Senate Bill No. 59.—(Duncan)**

A bill for an Act for the registration of farm names.

Received from Senate, 470.

First and second reading, 493.

Reference, 493.

Reported, 638.

Passed, 904.

**Senate Bill No. 62.—(Hoverson)**

A bill for an Act to amend Section 1953 of the Revised Codes of 1905 relating to bounty for killing wolves and coyotes.

Received from Senate, 443.  
First and second reading, 465.  
Reference, 465.  
Reported, 544, 974.  
Amended, 544, 974.  
Indefinitely postponed, 1393.

**Senate Bill No. 64.—(Talcott)**

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and prescribing the manner of distribution of the legislative manual known as the North Dakota Blue Book.

Received from Senate, 1683.  
First and second reading, 1700.  
Reference, 1700.  
Reported, 1884.  
Indefinitely postponed, 2013.

**Senate Bill No. 67.—(Albrecht)**

A concurrent resolution amending Section 185 of the constitution of the State of North Dakota, relating to state aid in the construction and improvements of public highways.

Received from Senate, 378.  
First and second reading, 405.  
Reference, 405.  
Reported, 633.  
Passed, 952.  
Indefinitely postponed, 757.

**Senate Bill No. 68.—(Kretschmar)**

A bill for an Act repealing Chapter 174 of the Session Laws of 1911, relating to terms of court in various counties comprising the Fourth Judicial District of this state.

Received from Senate, 378.  
First and second reading, 405.  
Reference, 405.  
Reported, 416.  
Passed, 466.

**Senate Bill No. 70.—(Hyland)**

A bill for an Act to provide for the erection of an Industrial Building at the school for the deaf and dumb at Devils Lake, North Dakota, and making and appropriation therefor.

Received from Senate, 1216.  
First and second reading, 1231.  
Reference, 1231.  
Reported, 1484.  
Passed, 1548.

**Senate Bill No. 72.—(Hanley)**

A bill for an Act to appropriate money to reimburse the citizens of Mandan, North Dakota, for moneys advanced by them for the purchase of certain lands in Morton County, North Dakota, to be deeded to the board of trustees of the North Dakota Agricultural College and to be used in connection with the Experiment Station established by act of congress and located near Mandan, North Dakota.

Received from Senate, 1127.  
First and second reading, 1169.  
Reference, 1169.  
Reported, 1485.  
Passed, 1681.

**Senate Bill No. 73.—(Gibbens)**

A concurrent resolution amending the constitution of the State of North Dakota, providing for future amendments thereof.

Received from Senate, 1518.  
First and second reading, 1528.  
Reference, 1528.  
Reported, 1567.  
Amended, 1567.  
Passed, 2006, 2064.

**Senate Bill No. 75.—(Allen)**

A bill for an Act to amend Chapter 110, Laws of 1911, relating to the investment of county sinking funds.

Received from Senate, 586.  
First and second reading, 621.  
Reference, 621.  
Reported, 973.  
Indefinitely postponed, 973.

**Senate Bill No. 77.—(Plain)**

A bill for an Act to amend Sections 1851, 1852, 1853, 1858, 1859, 1860, 1862, 1863, 1866, 1867, 1868, 1869 and 1870 of the Revised Codes of 1905, and to repeal Sections 1855, 1856 and 1861 of the said Codes, and providing for the relief of poor persons.

Received from Senate, 1553.

First and second reading, 1603.

Reference, 1603.

Reported, 1737.

Passed, 1923.

**Senate Bill No. 78.—(Allen)**

A bill for an Act to amend Chapter 103, Laws of 1907, relating to depositories of school funds.

Received from Senate, 713.

First and second reading, 755.

Reference, 755.

Reported, 870.

Indefinitely postponed, 870.

**Senate Bill No. 80.—(Special Committee)**

A bill for an Act to amend Section 84 of Article 5 of the Revised Code of the State of North Dakota for 1905, relating to enrolling and engrossing bills.

Received from Senate, 292.

First and second reading, 308.

Reference, 308.

Reported, 411.

Amended, 411.

Passed, 436.

**Senate Bill No. 81.—(Special Committee)**

A bill for an Act to amend Section 54 of Article 4 of the Revised Code of the State of North Dakota for 1905.

Received from Senate, 292.

First and second reading, 308.

Reference, 308.

Reported, 355.

Passed, 368.

**Senate Bill No. 82.—(Vail)**

A bill for an Act to amend Section 8363 of the Revised Codes of 1905 of the Laws of North Dakota, relating to the service of summons out of justice court and who is authorized to make service of such summons, and fees to be paid therefor; also to amend Section 2887 of the Revised Codes of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

Received from Senate, 885.

First and second reading, 904.

Reference, 904.

Reported, 1134.

Passed, 1233.

**Senate Bill No. 84.—(Davidson)**

A bill for an Act to amend and reenact Section 1546 of the Revised Code of 1905, requiring a notation on tax receipts where real estate has been sold for taxes and not redeemed, and providing a penalty for failure therefor.

Received from Senate, 1466.

First and second reading, 1527.

Reference, 1527.

Reported, 1644.

Indefinitely postponed, 1644.

**Senate Bill No. 85.—(Bronson)**

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Received from Senate, 674.

Reported, 1314.

Passed, 1769.

**Senate Bill No. 86.—(Heckle)**

A bill for an Act to enable incorporated villages to provide or contract for the furnishing of water for fire protection and for light for streets, alleys, public buildings and grounds.

Received from Senate, 1501.

First and second reading, 1527.

Reference, 1527.

Reported, 1561.

Passed, 1795.

**Senate Bill No. 88.—(McBride)**

A bill for 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 equip locomotives with electric headlights.  
 Received from Senate, 712.  
 First and second reading, 754.  
 Reference, 754.  
 Reported, 1338.  
 Amended, 1338.  
 Passed, 1752.

**Senate Bill No. 89.—(Committee on Judiciary)**

A bill for an Act to provide for the regulation and supervision of investments companies and providing penalties for the violation thereof.  
 Received from Senate, 1198.  
 First and second reading, 1230.  
 Reference, 1230.  
 Reported, 1421.  
 Passed, 1763.

**Senate Bill No. 90.—(Wartner)**

A bill for an Act entitled, "An Act to amend and re-enact Chapter 131 of the Laws of 1909, relating to garnishment proceedings in justice courts."  
 Received from Senate, 435.  
 Reported, 562, 606.  
 Amended, 562, 606, 607.  
 Passed, 1172.

**Senate Bill No. 94.—(Cashel)**

A bill for an Act to amend Chapter 213 of the Laws of 1909, relating to the inmates of the institution for the feeble minded.  
 Received from Senate, 712.  
 First and second reading, 754.  
 Reference, 754.  
 Passed, 1176.

**Senate Bill No. 97.—(Linde)**

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state fairs.  
 Received from Senate, 1128.  
 First and second reading, 1171.  
 Reference, 1171.  
 Reported, 1572.  
 Amended, 1572.  
 Passed, 1606.

**Senate Bill No. 98.—(Thoreson)**

A bill for an Act to prohibit the importation, manufacture, distribution, transportation, sale or use of snuff and providing a penalty therefor.  
 Received from Senate, 496.  
 First and second reading, 509.  
 Reference, 509.  
 Reported, 692, 1026.  
 Amended, 692, 956.  
 Passed, 1173, 1775.

**Senate Bill No. 100.—(Hanley)**

A bill for an Act to amend Chapter 121 of the Session Laws of 1907, providing for the determination of heir and the share of such heirs respectively in the claims to certain real estate by action in the district court.  
 Received from Senate, 443.  
 First and second reading, 465.  
 Reference, 465.  
 Reported, 562, 607.  
 Amended, 563, 607.  
 Passed, 665.

**Senate Bill No. 102.—(Porterfield)**

A bill for an Act providing for the inspection of refined petroleum, illuminating oils, gasolines and other low flash test petroleum products, defining the ports of entry, appointment of oil inspectors and deputies, and fixing the salaries of the same.  
 Received from Senate, 1216.  
 First and second reading, 1230.  
 Reported, 1458.  
 Passed, 1772.

**Senate Bill No. 103.—(Davis)**

A bill for an Act providing for the removal of certain county, township, municipal and other officers.  
 Received from Senate, 1438.  
 First and second reading, 1446.  
 Reference, 1446.  
 Reported, 1640.  
 Passed, 1980.

**Senate Bill No. 104.—(Cashel)**

A bill for an Act to amend Chapter 165 of the Laws of 1911, relating to the maintenance of inmates of the institution for the feeble minded.  
 Received from Senate, 674.  
 Reported, 925, 1459.  
 Passed, 1547.  
 Indefinitely postponed, 1180.

**Senate Bill No. 105.—(McBride)**

A bill for an Act relating to the responsibility of fidelity insurance companies.  
 Received from Senate, 587.  
 First and second reading, 622.  
 Reference, 622.  
 Reported, 1143.  
 Passed, 1242.

**Senate Bill No. 106.—(Barnes)**

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale State Normal and Industrial School.  
 Received from Senate, 1216.  
 First and second reading, 1229.  
 Reference, 1229.  
 Reported, 1418.  
 Amended, 1418.  
 Passed, 1771, 1933.

**Senate Bill No. 107.—(Mudgett)**

A bill for an Act to provide for the making of permanent improvements at the State Normal School at Valley City, North Dakota, to assist in the maintenance thereof and for other purposes and make an appropriation therefor.  
 Received from Senate, 1343.  
 First and second reading, 1361.  
 Reference, 1361.  
 Reported, 1733.  
 Indefinitely postponed, 1733.

**Senate Bill No. 110.—(Plain)**

A concurrent resolution amending the constitution of the State of North Dakota.  
 Received from Senate, 645.  
 First and second reading, 667.  
 Reference, 667.  
 Reported, 1460.  
 Passed, 1986.

**Senate Bill No. 113.—(Leutz)**

A bill for an Act making an appropriation for the Experiment Station of the School of Mines and the Mining Sub-station at Hebron, Morton County.  
 Received from Senate, 1343.  
 First and second reading, 1362.  
 Reference, 1362.  
 Reported, 1485.  
 Passed, 1682.

**Senate Bill No. 114.—(Plain)**

A bill for an Act to amend Section 1377 of the Revised Codes of 1905, relating to the compensation of assessors for collecting agricultural statistics.  
 Received from Senate, 817.  
 First and second reading, 850.  
 Reference, 850.  
 Reported, 1028.  
 Indefinitely postponed, 1187.

**Senate Bill No. 115.—(McBride)**

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.  
 Received from Senate, 1127.  
 First and second reading, 1169.  
 Reference, 1169.  
 Reported, 1636.  
 Amended, 1636.  
 Passed, 1971.

**Senate Bill No. 117.—(Hughes)**

A bill for an Act relating to the enforcement of liens for storage of personal property and charges thereon.  
 Received from Senate, 1083.  
 First and second reading, 1122.  
 Reference, 1122.  
 Reported, 1632.  
 Indefinitely postponed, 1632.

**Senate Bill No. 121.—(Steele)**

A bill for an Act to provide an appropriation for the current and contingent expenses, for the erection of necessary additional buildings, for other necessary improvements and repairs at the State Hospital for the Insane of North Dakota, at Jamestown, and for purchasing additional land for the use of such state hospital.  
 Received from Senate, 816.  
 First and second reading, 850.  
 Reference, 851.  
 Reported, 1523.  
 Amended, 1523.  
 Passed, 1609, 1899.



**Senate Bill No. 125.—(Elken)**

A bill for an Act making an appropriation for the State Normal School at Mayville, North Dakota, for a demonstration school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagons, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

Received from Senate, 1216.  
First and second reading, 1231.  
Reference, 1231.  
Reported, 1417.  
Passed, 1676.

**Senate Bill No. 127.—(Cashel)**

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Received from Senate, 1364.  
First and second reading, 1391.  
Reference, 1391.  
Reported, 1639.  
Passed, 1824.

**Senate Bill No. 128.—(Cashel)**

A concurrent resolution to further amend Section 121 of Article V. of the constitution of the State of North Dakota; being heretofore amended by Article 11, Amendments to the constitution, pertaining to elective franchise.

Received from Senate, 762.  
First and second reading, 812.  
Reference, 812.  
Reported, 1481.  
Indefinitely postponed, 1988.

**Senate Bill No. 130.—(Gilbert)**

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific International Exposition at San Francisco, California, and at the Panama-California Exposition at San Diego, California, celebrating the opening and commercial use of the Panama Canal and making an appropriation therefor.

Introduction, 158.  
Reference, 158.  
Reported, 693, 774.  
Third reading, 870, 922.  
Passed, 922.  
Received from House, 1536, 1551.  
Other action, 922, 1592.

**Senate Bill No. 131.—(Thoreson)**

A bill for an Act to require public warehouses to first clean a sample of any grain before testing for the grade of such grain, and providing a penalty for the violation of this Act.

Received from Senate, 862.  
First and second reading, 903.  
Reference, 903.  
Reported, 1570.  
Amended, 1570.  
Passed, 1967.

**Senate Bill No. 132.—(Mudgett)**

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota, as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in the various counties of the state.

Received from Senate, 586.  
First and second reading, 621.  
Reference, 622.  
Reported, 1212.  
Passed, 1400.

**Senate Bill No. 133.—(McDowell)**

A bill for an Act to amend and reenact Section 4639 of the Revised Codes of 1905, relating to power of banking corporations.

Received from Senate, 713.  
First and second reading, 753.  
Reference, 753.  
Reported, 1142.  
Passed, 1240.

**Senate Bill No. 134.—(Hoverson)**

A bill for an Act to amend Chapter 62 of the Session Laws of 1911, entitled, "An Act to create a state board of control and provide for the management and control of the charitable and penal institutions of the state, and to make an appropriation therefor, and for the defining of certain offences and providing penalties therefor."

Received from Senate, 1712.  
First and second reading, 1724.  
Reference, 1724.  
Reported, 1830.

**Senate Bill No. 136.—(Porterfield)**

A bill for an Act to provide for increased maintenance and contingent expenses, for establishment and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Received from Senate, 1341.  
First and second reading, 1362.  
Reference, 1362.  
Reported, 1653.  
Amended, 1653.  
Passed, 1719, 1905.

**Senate Bill No. 137.—(Overson)**

A bill for an Act providing for a contract system of legislative clerical work and employment.

Received from Senate, 817.  
First and second reading, 852.  
Reference, 852.  
Reported, 1564.  
Indefinitely postponed, 1564.

**Senate Bill No. 138.—(Bond)**

A bill for an Act to amend Sections 838, 839, 840 and 841, Chapter 9, of the Political Code of the State of North Dakota, Revised Codes of 1905, relating to education, as amended by Chapter 107 of the Session Laws of 1907.

Received from Senate, 645.  
First and second reading, 667.  
Reference, 667.  
Reported, 691.  
Passed, 758.

**Senate Bill No. 139.—(Leutz)**

A bill for an Act providing for cancellation of live stock brands, and recording of same; appropriation for additional clerk hire.

Received from Senate, 1127.  
First and second reading, 1169.  
Reference, 1170.  
Reported, 1425, 1573.  
Amended, 1573.  
Passed, 1607.

**Senate Bill No. 140.—(Leutz.)**

A bill for an Act making an appropriation for a suitable building and an experimental mine at the mining experiment sub-station at Hebron, Morton County.

Received from Senate, 1343.  
First and second reading, 1361.  
Reference, 1361.  
Reported, 1416.  
Passed, 1545.

**Senate Bill No. 141.—(Bronson)**

A bill for an Act to amend and reenact Section 4974 of the Revised Codes of 1905, providing for the confirmation of the conveyance of the family homestead in any case in which the same has been or may be deeded by both husband and wife in separate instruments where said deeds purport to convey the land to the same person or his grantees, and validating such deeds.

Received from Senate, 645.  
First and second reading, 667.  
Reference, 667.  
Reported, 776.  
Passed, 854.

**Senate Bill No. 142.—(Englund)**

A bill for an Act to incorporate and establish the Des Lacs and Mouse River Valley agricultural and fair association and making an appropriation therefor.

Received from Senate, 1341.  
First and second reading, 1362.  
Reported, 1734.  
Indefinitely postponed, 1734.

**Senate Bill No. 144.—(Talcott)**

A bill for an Act to amend and reenact Section 3147 of the Revised Codes of North Dakota for the year 1905, relating to duties of township treasurers and the method of drawing township funds from the county treasurer.

Received from Senate, 910.

First and second reading, 953.

Reference, 953.

Reported, 1460.

Passed, 1776.

**Senate Bill No. 145.—(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 from Senate, 1343.

First and second reading, 1343.

Reported, 1522.

Passed, 1610, 1900.

**Senate Bill No. 146.—(Nelson)**

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Received from Senate, 1344.

First and second reading, 1360.

Reference, 1361.

Reported, 1418.

Amended, 1418.

Passed, 1674.

**Senate Bill No. 147.—(Nelson)**

A bill for an Act to provide for making permanent improvements at the State Tuberculosis Sanitarium at Dunseith, to assist in the maintenance thereof, and for other purposes and making appropriations therefor.

Received from Senate, 1216.

First and second reading, 1230.

Reference, 1230.

Reported, 1416.

Amended, 1416.

Passed, 1675, 1963.

**Senate Bill No. 148.—(McLean)**

A bill for an Act to amend Sections 2 and 36 of Chapter 128 of the Laws of 1909, and Sections 4, 6 and 10 of Chapter 141 of the Laws of 1911, relating to fish and game providing for the removal of beavers causing damage to property and making an appropriation therefor.

Received from Senate, 1341, 1712.

First and second reading, 1361, 1724.

Reference, 1361, 1724.

Reported, 1728.

Amended, 1729.

Passed, 1949, 2012.

**Senate Bill No. 150.—(Bronson)**

A bill for an Act relating to settlements of causes of action or cases for damages sustained through personal injuries and contracts of retainer made therefor.

Received from Senate, 1657.

First and second reading, 1703.

Reference, 1703.

Reported, 1741.

Passed, 1927.

**Senate Bill No. 151.—(Plain)**

A bill for an Act to legalize the execution and acknowledgment of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

Received from Senate, 587.

First and second reading, 622.

Reference, 622.

Reported, 924.

Passed, 1178.

**Senate Bill No. 152.—(Englund)**

A bill for an Act relating to the transfer of messages by telegraph companies and penalty for the violation thereof.

Received from Senate, 522.

First and second reading, 540.

Reference, 541.

Reported, 600, 829.

Amended, 600, 829.

Passed, 1175.

**Senate Bill No. 154.—(Bond)**

A bill for an Act making an appropriation for the Normal School at Minot to meet an expenditure for the erection of buildings and permanent improvements necessary in connection therewith, and for furnishing, equipment and maintenance.

Received from senate, 1343.  
First and second reading, 1361.  
Reference,, 1361.  
Reported, 1733.  
Indefinitely postponed, 1733.

**Senate Bill No. 156.—(Ellingson)**

A bill for an Act establishing a state bonding department in the office of the state examiner; providing for the maintenance thereof; and creating a reserve therefor; prescribing the duties of officers connected therewith; providing for the payment of premiums and of indemnities for losses; and providing for the disposal of the surplus after said reserve has been created.

Received from Senate, 712.  
First and second reading, 753.  
Reference, 753.  
Reported, 1143.  
Passed, 1241.

**Senate Bill No. 157.—(Bronson)**

A concurrent resolution for an amendment to the Constitution providing for the elective franchise.

Received from Senate, 762.  
First and second reading, 812.  
Reference, 812.  
Reported, 1481.  
Passed, 1792.

**Senate Bill No. 158.—(Overson)**

A bill for an Act to repeal Chapters 132 and 133 of the Session Laws of 1907, and Chapter 139 of the Session Laws of 1909, relating to the Historical Society of North Dakota, and making an appropriation.

Received from Senate, 1126.  
First and second reading, 1168,  
Reference, 1168.  
Reported, 1369.  
Passed, 1544.

**Senate Bill No. 159.—(Overson)**

A bill for an Act to amend Section 241 of the Revised Codes of 1905, relating to the duties of the State Historical Society of North Dakota.

Received from Senate, 1657.  
First and second reading, 1702.  
Reference, 1702.  
Reported, 1730.  
Indefinitely postponed, 1730.

**Senate Bill No. 160.—(Clark)**

A bill for an Act to amend Section 271 of Chapter 266 of the Session Laws of 1911, relating to branches to be taught in the public schools.

Received from Senate, 713.  
First and second reading, 754.  
Reference, 754.  
Reported, 1036.  
Indefinitely postponed, 1190.

**Senate Bill No. 161.—(McDowell)**

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Received from Senate, 1080.  
First and second readings, 1122.  
Reference, 1122.  
Reported, 1340, 1571.  
Passed, 2022.  
Indefinitely postponed, 1340.

**Senate Bill No. 162.—(Mudgett)**

A bill for an Act to create a board to prepare and publish a history of North Dakota troops in the Spanish-American War and Philippine Insurrection and appropriating money to pay therefor.

Received from Senate, 1216.  
First and second reading, 1229.  
Reference, 1230.  
Reported, 1486.  
Passed, 1553.

**Senate Bill No. 163.—(Mudgett)**

A bill for an Act creating the office of county assessor, defining his duties, abolishing the offices of township assessor, village assessor, and city assessor, and amending Sections 1513, 1525, 1528, 1530 and 1533 of the Revised Codes of 1905.

Received from Senate, 1687.  
First and second reading, 1700.  
Reference, 1700.  
Reported, 1739.  
Indefinitely postponed, 1925.

**Senate Bill No. 166.—(Ellingson)**

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 of the Revised Codes of 1905.

Received from Senate, 645.  
First and second reading, 667.  
Reference, 667.  
Reported, 775.  
Passed, 853.

**Senate Bill No. 167.—(Hughes)**

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Received from Senate, 1126.  
First and second reading, 1168.  
Reference, 1168.  
Reported, 1485.  
Amended, 1485.  
Passed, 1612.

**Senate Bill No. 168.—(Cashel)**

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.

Received from Senate, 818.  
First and second reading, 850.  
Reference, 850.  
Reported, 1138.  
Indefinitely postponed, 1138.

**Senate Bill No. 170.—(Hookway)**

A bill for an Act to amend and reenact Section 3 of Chapter 78 of the Session Laws of North Dakota for year 1909, entitled "An Act to amend Section 8288 of the Revised Codes of 1905, of the State of North Dakota, relating to the increased jurisdiction of the county courts, and providing for abolishing the same."

Received from Senate, 712.  
First and second reading, 754.  
Reference, 755.  
Reported, 1211.  
Passed, 1398.

**Senate Bill No. 171.—(Overson)**

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part of and during the Twelfth Legislative Assembly of the State of North Dakota.

Received from Senate, 1127.  
First and second reading, 1170.  
Reference, 1170.  
Reported, 1368.  
Passed, 1542.

**Senate Bill No. 173.—(Davis)**

A bill for an Act to amend Section 1972, Section 1973 as amended by Chapter 117 of the Laws of 1907, and Section 1974 of the Revised Codes of 1905, relating to notice of taking up estrays.

Received from Senate, 862.  
First and second reading, 903.  
Reference, 903.  
Reported, 1425.  
Passed, 1765.

**Senate Bill No. 174.—(Davis)**

A bill for an Act repealing Section 7 of Chapter 235 of Session Laws of 1911, relating to the payment of premiums on bonds and insurance.

Received from Senate, 611.  
First and second reading, 622.  
Reference, 622.  
Reported, 1413.  
Passed, 1760.

**Senate Bill No. 175.—Davidson)**

A bill for an Act to amend Section 73 of the Revised Codes of 1905, relating to reports of officers, departments, boards, commissioners and state institutions by law required to be made to the Governor and the Legislative Assembly of the State, requiring the person or persons, having contracts for printing with the state to execute a bond, providing a penalty for failure to make, transmit and and print such reports at the time required, and repealing all existing provisions of law inconsistent herewith.

Received from Senate, 960.  
First and second reading, 1007.  
Reference, 1008.  
Reported, 1141, 1423.  
Amended, 1141, 1423.  
Passed, 1769.

**Senate Bill No. 176.—(Hookway)**

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, relating to certificate of sale and purchase for taxes and the form of such certificate.  
 Received from Senate, 1501.  
 First and second reading, 1527.  
 Reference, 1527.  
 Reported, 1566.  
 Passed, 1797.

**Senate Bill No. 177.—(Hookway)**

A bill for an Act to provide for the execution of tax deeds for lands sold for delinquent taxes under the provisions of Section 1576 of the Revised Codes of North Dakota for 1905 and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed, and to provide for the issuance of new tax deeds in lieu of defective ones heretofore issued under the provisions of Section 1591 of the Revised Codes of North Dakota for 1905.  
 Received from Senate, 1501.  
 Reported, 1566.  
 Amended, 1566.  
 Passed, 1965.

**Senate Bill No. 178.—(Allen)**

A bill for an Act making an appropriation for carrying out provisions of the law, relating to the duties of the Commissioner of Agriculture and Labor.  
 Received from Senate, 1345.  
 First and second reading, 1362.  
 Reference, 1362.  
 Reported, 1418.  
 Indefinitely postponed, 1418.

**Senate Bill No. 181.—(Duncan)**

A bill for an Act providing for the inspection of freight and express books and records by the state's attorney in the enforcement of the Prohibition Law.  
 Received from Senate, 961.  
 First and second reading, 1008.  
 Reference, 1008.  
 Reported, 1212.  
 Indefinitely postponed, 1399, 1809.

**Senate Bill No. 182.—(McLean)**

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.  
 Received from Senate, 910.  
 First and second reading, 953.  
 Reference, 953.  
 Reported back, 1134.  
 Passed, 1234.

**Senate Bill No. 183.—(Garden)**

A bill for an Act to amend Section 1531 of the Revised Codes of 1905 relating to the state board of equalization, how constituted, its meetings, rules for equalizing.  
 Received from Senate, 1433.  
 First and second reading, 1445.  
 Reference, 1445.  
 Reported, 1461.  
 Passed, 1780.

**Senate Bill No. 184.—(Garden)**

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.  
 Received from Senate, 1083.  
 First and second reading, 1121.  
 Reference, 1121.  
 Reported, 1479.  
 Passed, 1791.

**Senate Bill No. 185.—(Putnam)**

A bill for an Act for an appropriation to reimburse Prof. E. F. Ladd for disbursements and expenses incurred in the enforcement of the pure food laws.  
 Received from Senate, 1128.  
 First and second reading, 1170.  
 Reference, 1170.  
 Reported, 1368.  
 Amended, 1369.  
 Indefinitely postponed, 1678.

**Senate Bill No. 188.—(Steele)**

A bill for an Act to amend and re-enact Section 3, Chapter 137 of the Session Laws of 1907, as amended by Chapter 155 of the Session Laws of 1911, relating to the payment of costs of treatment and board of patients in the insane hospital.  
 Received from Senate, 817.  
 First and second reading, 851.  
 Reference, 851.  
 Reported, 1140, 1458.  
 Amended, 1140.  
 Indefinitely postponed, 1190, 1458.

**Senate Bill No. 192.—(Vail)**

A bill for an Act to amend and reenact Section 1283 of the Revised Codes of 1905 for North Dakota, prohibiting excessive expenditures out of appropriations and providing for an emergency commission.

Received from Senate, 91v.  
First and second reading, 953.  
Reference, 953.  
Reported, 1212.  
Passed, 1401.

**Senate Bill No. 193.—(Vail)**

A bill for an Act authorizing the governor of the State of North Dakota to employ chartered public accountants to examine, audit and check the accounts of the several departments of the state government, to list, examine and appraise the securities of all kinds in possession of any of the state officers, to make a complete appraisal on a date certain of all buildings and property of all kinds belonging to the state, to suggest improvements in book-keeping and methods of handling the business of the state; extending the duties of the state examiner prescribed in Section 141 of Article 9 of the Political Code of 1905, to cover all examination of books and accounts of auditor and treasurer of the cities of the State of North Dakota, and prescribing fees therefor; requiring the governor to make report to the legislature next succeeding any such examination of the result of such examination, credit and check of the several state departments of the state property by the chartered public accountants by him employed and appropriating money to carry out the provisions of this Act.

Received from Senate, 1126.  
First and second reading, 1168.  
Reference, 1169.  
Reported, 1563, 1651.  
Amended, 1651.  
Passed, 1689, 1828.

**Senate Bill No. 194.—(Davis)**

A bill for an Act making an appropriation for the dairy department of the State of North Dakota.

Received from Senate, 1552.  
First and second reading, 1602.  
Reference, 1602.  
Reported, 1653.  
Amended, 1653.  
Passed, 1686.

**Senate Bill No. 195.—(Davis)**

A bill for an Act to provide additional assistant dairy commissioners, defining their duties, salaries, expenses, and how same shall be paid.

Received from Senate, 1552.  
First and second reading, 1602.  
Reference, 1602.  
Reported, 1631.  
Indefinitely postponed, 1631.

**Senate Bill No. 196.—(Davis)**

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 and village boards of health, and making an appropriation for the expenses of the state board of health, and to repeal Sections 252 to 287, inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

Received from Senate, 1341.  
First and second reading, 1359.  
Reference, 1359.  
Reported, 1738, 1881.  
Indefinitely postponed, 1881.

**Senate Bill No. 197.—(Barnes)**

A bill for an Act requiring front and rear exits in all schoolhouses having more than one schoolroom and requiring stationary fire escapes with proper landings and railings to be attached to the outside of all schoolhouses above the first story of every schoolhouse having more than one story, and designating whose duty it shall be to provide such exits, fire escapes, landings and railings, prescribing a time within which said Act shall be done, and prescribing a punishment for the violation thereof.

Received from Senate, 762.  
First and second reading, 812.  
Reported, 1037.  
Passed, 1189.

**Senate Bill No. 200.—(Wartner)**

A bill for an Act providing for the payment of expenses of district judges when acting outside of the counties of their residence, and to amend Chapter 175 of the Session Laws of 1911.

Received from Senate, 645.  
 First and second reading, 667.  
 Reference, 668.  
 Reported, 973.  
 Amended, 973.  
 Passed, 1392.

**Senate Bill No. 201.—(Bronson)**

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropriation to meet the necessary expenses of the state geological survey.

Received from Senate, 1128.  
 First and second reading, 1171.  
 Reference, 1171.  
 Reported, 1417.  
 Passed, 1546.

**Senate Bill No. 202.—(Bronson)**

A bill for an Act to amend and reenact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

Received from Senate, 1082.  
 First and second reading, 1121.  
 Reference, 1121.  
 Reported, 1459.  
 Amended, 1459.  
 Indefinitely postponed, 1799.

**Senate Bill No. 206.—(Jacobsen)**

A bill for an Act to amend and reenact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for repayment and delinquent payments extended on tax lists.

Received from Senate, 1345.  
 First and second reading, 1362.  
 Reported, 1461.  
 Passed, 1781.

**Senate Bill No. 207.—(Kretschmar)**

A bill for an Act to amend Section 4309, Article 6, Chapter 12, of the Revised Codes of North Dakota of 1905, relating to the licensing or railroad and steamboat ticket agents.

Received from Senate, 762.  
 First and second reading, 813.  
 Reference, 813.  
 Reported, 971.  
 Passed, 1182.

**Senate Bill No. 208.—(Davis)**

A bill for an Act to amend Section 2613 of the Revised Codes of North Dakota for 1905 as amended by Chapter 119, Session Laws of 1911, relating to compensation and office hours of county commissioners.

Received from Senate, 1364.  
 First and second reading, 1391.  
 Reference, 1391.  
 Reported, 1460.  
 Indefinitely postponed, 1460.

**Senate Bill No. 210.—(McLean)**

A bill for an Act repealing Sections 2082, 2083, 2084 and 2085, also Chapter 41 of the Laws of 1907 and Chapter 50 of the Laws of 1909.

Received from Senate, 863.  
 First and second reading, 903.  
 Reference, 903.  
 Reported, 1462.  
 Indefinitely postponed, 1462.

**Senate Bill No. 212.—(Englund)**

A bill for an Act to amend and reenact Sections 2262, 2263 and 2264 Article 47, Chapter 24, of the Revised Codes of 1905, relating to the licensing and bonding of storage companies.

Received from Senate, 885.  
 First and second reading, 904.  
 Reference, 904.  
 Reported, 1482.  
 Passed, 1794.



**Senate Bill No. 213.—(Englund)**

A bill for an Act to amend and reenact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24, of the Revised Codes of 1905, relating to the bonding and licensing of commission merchants.

Received from Senate, 1082.

First and second reading, 1121.

Reference, 1121.

Reported, 1643.

Passed, 1827.

**Senate Bill No. 214.—(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 officers and persons connected therewith; prescribing how premiums, expense, and indemnity for losses by hail shall be paid, and repealing all Acts of parts of Acts in conflict with the provisions of this Act.

Received from Senate, 1661.

First and second reading, 1703.

Reference, 1703.

Reported, 1735.

Passed, 1917.

**Senate Bill No. 215.—(Jacobson)**

A bill for an Act to amend and reenact Sections 4179, 4180, 4181, 4182, 4186 and 4188 (Article 1, Chapter 11) of the Revised Codes of 1905, relating to the manner of filing and recording articles of incorporations, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Received from Senate, 1658.

First and second reading, 1706.

Reference, 1706.

Reported, 1882.

Indefinitely postponed, 2040.

**Senate Bill No. 216.—(Talcott)**

A bill for an Act to repeal Section 3 of Chapter 264 of the Session Laws of 1911, relating to reviews in high schools.

Received from Senate, 713.

First and second reading, 754.

Reference, 754.

Reported, 1205.

Amended, 1205.

Passed, 1984.

**Senate Bill No. 217.—(Clark, by Request)**

A bill for an Act to amend Sections 5, 8 and 14 of Chapter 6, of the Session Laws of the State of North Dakota, of 1911, being an Act to license motor and other vehicles and defining the good 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 Section 2169 of the Revised Codes of North Dakota for the year 1905.

Received from Senate, 1341.

First and second reading, 1359.

Reference, 1359.

Reported, 1646.

Indefinitely postponed, 1906.

**Senate Bill No. 218.—(Porterfield)**

A bill for an Act to amend Section 4190, Article 2, of Chapter 11 of the Revised Codes of the State of North Dakota of 1905, relating to the disposition of fees collected for the filing of the annual reports of corporations.

Received from Senate, 818.

First and second reading, 850.

Reference, 850.

Reported, 1635.

Passed, 1820.

**Senate Bill No. 219.—(Ganssle)**

A bill for a concurrent resolution to amend Section 216 of the constitution of the State of North Dakota, pertaining to public institutions.

Received from Senate, 1661.

First and second reading, 1706.

Reference, 1706.

Reported, 1731.

Passed, 1912.

**Senate Bill No. 221.—(Davis)**

A bill for an Act to amend Sections 6, 7 and 8, and to repeal Section 14 of Chapter 303 of the Session Laws of 1911, relating to the organization and expenses of the state tax commission.

Received from Senate, 1363.  
First and second reading, 1391.  
Reference, 1391.  
Reported, 1461, 1573.  
Passed, 1608.

**Senate Bill No. 223.—(Hickley)**

A bill for an Act to provide for the creation of a fire marshal department for the better protection and preservation of life and property from fire, for the appointment of a fire marshal, chief assistant fire marshal and deputies. Defining their duties and powers. Providing penalties for the violation and enforcement of the provisions of this Act, and to provide for a tax upon fire insurance companies therefor.

Received from Senate, 1553.  
First and second reading, 1603.  
Reference, 1603.  
Reported, 1636.  
Passed, 1822.

**Senate Bill No. 225.—(Elkin)**

A bill for an Act to amend and reenact Sections 6 and 8 of Chapter 61 of the Session Laws of the State of North Dakota of 1911, relating to normal schools.

Received from Senate, 713.  
First and second reading, 752.  
Reference, 752.  
Passed, 1181.

**Senate Bill No. 227.—(Linde)**

A bill for an Act relating to the sale of personal property and the warranty thereof; providing for a reasonable time in which to ascertain defects or breaches of warranty and the giving of notice of such defects or breaches of warranty.

Received from Senate, 817.  
First and second reading, 850.  
Reference, 850.  
Reported, 1134.  
Passed, 1235.

**Senate Bill No. 228.—(Linde)**

A bill for an Act prohibiting the waiver or release of a cause of action before the same shall actually have accrued.

Received from Senate, 817.  
First and second reading, 850.  
Reference, 850.  
Reported, 1134.  
Passed, 1237.

**Senate Bill No. 231.—(Duncan)**

A bill for an Act to amend Section 48 of Article 4 of Chapter 266, Session Laws 1911, relating to election of officers in common school districts.

Received from Senate, 713.  
First and second reading, 753.  
Reference, 753.  
Reported, 870.  
Indefinitely postponed, 870.

**Senate Bill No. 232.—(McDowell)**

A bill for an Act to amend Section 7497 of the Revised Codes of North Dakota for the year 1905, relating to the time allowed and specifying the mode of cancellation of land contracts.

Received from Senate, 1083.  
First and second reading, 1122.  
Reference, 1122.  
Reported, 1479.  
Indefinitely postponed, 1479.

**Senate Bill No. 233.—(McDowell)**

A bill for an Act authorizing the boards of county commissioners to levy taxes for the promotion of diversified farming, agricultural development and extension of scientific agricultural work.

Received from Senate, 863.  
First and second reading, 903.  
Reference, 903.  
Reported, 924.  
Passed, 1177.

**Senate Bill No. 234.—(Bond)**

A bill for an Act to amend Section 141 of Article 9 of Chapter 266 of the Session Laws of 1911, relating to public schools.

Received from Senate, 713.  
First and second reading, 753.  
Reference, 753.  
Reported, 1036.  
Amended, 1036.  
Passed, 1396.

**Senate Bill No. 235.**—(Committee on Education)

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legislation in advance of the meeting of the legislature.  
 Received from Senate, 713.  
 First and second reading, 754.  
 Reference, 754.  
 Reported, 1481.  
 Passed, 1793.

**Senate Bill No. 236.**—(Joint Committee on Education)

A bill for an Act to create a state board of education and to amend Chapter 266 of the Session Laws of 1911, relating to state board of examiners, and to repeal Sections 243, 244 and 245 of Chapter 266; and to amend Chapter 265 of the Laws of 1911, relating to a state agricultural and training school board, and to amend Chapter 65 of the Session Laws of 1911, relating to state aid to rural and consolidated schools.  
 Received from Senate, 816, 1080.  
 First and second reading, 851, 1120.  
 Reference, 851, 1120.  
 Reported, 1556.  
 Amended, 1557.  
 Passed, 1904.

**Senate Bill No. 239.**—(Elkin)

A bill for an Act to authorize the public examiner to make examination of state offices.  
 Received from Senate, 762.  
 First and second reading, 813.  
 Reference, 813.  
 Reported, 1135.  
 Passed, 1239.

**Senate Bill No. 241.**—(Overson)

A bill for an Act to amend Sections 2272, 2775, 2776, 2777 and 2786, Revised Codes of 1905, as amended by Chapter 70 of the Laws of North Dakota, A. D., 1911, relating to the creation of improvement districts and the purpose for which special assessments may be levied in this state.  
 Received from Senate, 1661.  
 First and second reading, 1703.  
 Reference, 1704.  
 Reported, 1744.  
 Passed, 1957.

**Senate Bill No. 243.**—(Hoverson)

A bill for an Act to amend Section 2485 of the Revised Codes of North Dakota for 1905, relating to the annual statement of the county auditor and treasurer.  
 Received from Senate, 1657.  
 First and second reading, 1702.  
 Reference, 1702.  
 Reported, 1737.  
 Passed, 1922.

**Senate Bill No. 244.**—(Davis)

A bill for an Act to amend Section 1 of Chapter 266 of the Session Laws of 1911 in order to raise the qualifications of the state superintendent of public instruction to that degree that the present salary would justify.  
 Received from Senate, 961.  
 First and second reading, 1008.  
 Reference, 1008.  
 Reported, 1478.  
 Indefinitely postponed, 1478.

**Senate Bill No. 245.**—(Allen)

A bill for an Act to provide for the establishment, equipment and government of a cottage or cottages on the site at Dunseith of the State Tuberculosis Sanitarium by any fraternal corporation or society, organized under the laws of this state or authorized to do business in this state, for the treatment of all members of such corporation or society or members of their families affected with pulmonary tuberculosis.  
 Received from Senate, 954.  
 First and second reading, 1007.  
 Reference, 1007.  
 Reported, 1411.  
 Passed, 1761.

**Senate Bill No. 246.**—(Talcott)

A bill for an Act to amend and reenact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.  
 Received from Senate, 1552.  
 First and second reading, 1602.  
 Reference, 1603.  
 Reported, 1651.  
 Passed, 1995.

**Senate Bill No. 247.—(McDowell)**

A bill for an Act to amend and re-enact Section 1129 of the Revised Codes of North Dakota for the year 1905, relating to the agricultural and geological survey and appropriation therefor.

Received from Senate, 1128.  
First and second reading, 1170.  
Reference, 1170.  
Reported, 1417.  
Passed, 1604.

**Senate Bill No. 248.—(Garden)**

A bill for an Act to amend Section 281 of the Revised Codes of 1905, relative to the burial of the bodies of persons who have died from infectious and contagious diseases, and to provide for the disinfecting of such bodies.

Received from Senate, 1501.  
First and second reading, 1528.  
Reference, 1528.  
Reported, 1642.  
Indefinitely postponed, 1642.

**Senate Bill No. 249.—(Garden)**

A bill for an Act to amend Section one of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

Received from Senate, 1345.  
First and second reading, 1362.  
Reference, 1362.  
Reported, 1484.  
Passed, 1767.

**Senate Bill No. 250.—(Kretschmar)**

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 amendatory thereof, providing for the investments in bonds and mortgages of all moneys belonging to the permanent funds of the common schools, University, School of Mines, Reform School, Agricultural College, Scientific School, School for the Deaf and Dumb, Industrial School, Normal Schools, Blind Asylum, Insane Asylum and Soldiers' Home.

Received from Senate, 1662.  
First and second reading, 1704.  
Reference, 1704.  
Reported, 1736.  
Passed, 1921.

**Senate Bill No. 252.—(Nelson)**

A bill for an Act to amend and re-enact Section 2 and Section 6 of Chapter 44 of the Session Laws of 1911, relating to the State Tuberculosis Sanitarium at Duneith.

Received from Senate, 1659.  
First and second reading, 1700.  
Reference, 1700.  
Reported, 1738.  
Indefinitely postponed, 1738.

**Senate Bill No. 253.—(Hanley)**

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

Received from Senate, 1083.  
First and second reading, 1121.  
Reference, 1122.  
Reported, 1479.  
Passed, 1790.

**Senate Bill No. 255.—(Plain by Request)**

A bill for an Act to encourage the creation of Farmers' Clubs in order to further the interest of the farmers in this state educationally, socially and industrially.

Received from Senate, 1082.  
First and second reading, 1122.  
Reference, 1123.  
Reported, 1570.

**Senate Bill No. 256.—(Gronvold)**

A bill for an Act to require persons selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

Received from Senate, 1080.  
First and second reading, 1122.  
Reference, 1122.  
Reported, 1411.  
Passed, 1759.

**Senate Bill No. 257.—(Overson)**

A bill for an Act to provide for the payment of county and school warrants, when there is no money in the hands of the proper officer for the payment of such warrants out of the funds on which they are drawn.

Received from Senate, 1528.  
First and second reading, 1539.  
Reference, 1539.  
Reported, 1640.  
Indefinitely postponed 1640.

**Senate Bill No 258.—(Hoverson)**

A bill for an Act to amend Chapter 90 of the Civil Code of the Revised Codes of 1905 known as the "Negotiable Instrument" law.

**Senate Bill No. 259.—(McBride)**

A concurrent resolution amending Section 216 of the constitution of the State of North Dakota, establishing and locating a State Normal School in the City of Dickinson, County of Stark.

Received from Senate, 1434.  
First and second reading, 1446.  
Reference, 1446.  
Reported, 1630.  
Passed, 1911.

**Senate Bill No. 260.—(Gibbens)**

A bill for an Act entitled, "An Act to amend Section 2, Chapter 265, of the Session Laws of 1911, relating to establishment and maintenance, and improvements and equipment of a County Agricultural and Training School, and providing levies therefor.

Received from Senate, 1344.  
First and second reading, 1360.  
Reference, 1360.  
Reported, 1460.  
Passed, 1819.  
Indefinitely postponed, 1460.

**Senate Bill No. 261.—(Talcott)**

A bill for an Act to amend and reenact Section 455 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

Received from Senate, 961.  
First and second reading, 1008.  
Reference, 1008.  
Reported, 1458.  
Indefinitely postponed, 1458.

**Senate Bill No. 263.—(Putnam)**

A bill for an Act to amend Section 6245, Chapter 79, of the Revised Codes of North Dakota for 1905, relating to the enforcement of mechanic's liens.

Received from Senate, 1344.  
First and second reading, 1362.  
Reference, 1362.  
Reported, 1421.  
Amended, 1422.  
Passed, 1767.

**Senate Bill No. 264.—(Davidson)**

A bill for an Act to amend and reenact Chapter 301 of the Session Laws of 1911, relating to auditor's notice of tax sale.

Received from Senate, 1466.  
First and second reading, 1527.  
Reference, 1527.  
Reported, 1644.  
Indefinitely postponed, 1644.

**Senate Bill No. 267.—(McDowell)**

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

Received from Senate, 1501.  
First and second reading, 1525.  
Reference, 1525.  
Reported, 1637.  
Passed, 1972.

**Senate Bill No. 268.—(Heckle)**

A bill for an Act in reference to declaring churches and church societies extinct and disposing of the property of extinct church and church societies.

Received from Senate, 1433.  
First and second reading, 1447.  
Reference, 1447.  
Reported, 1462.  
Indefinitely postponed, 1462.

**Senate Bill No. 270.—(Bond)**

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

Received from Senate, 1080.  
First and second reading, 1120.  
Reference, 1121.  
Reported, 1339.  
Passed, 1755.

**Senate Bill No. 271.—(Englund)**

A bill for an Act to amend and reenact Section 4395 of the Revised Codes of North Dakota for 1905, as amended by Chapter 51, Session Laws of 1907, relating to the maximum freight rate on coal and briquettes, and defining the term briquettes.

Received from Senate, 1082.  
First and second reading, 1121.  
Reference, 1121.  
Reported, 1339.  
Passed, 1757.

**Senate Bill No. 272.—(Hanley)**

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Received from Senate, 1344.  
First and second reading, 1360.  
Reference, 1360.  
Reported, 1422.  
Indefinitely postponed, 1422.

**Senate Bill No. 274.—(Trageton)**

A bill for an Act to fix and regulate obligations and liabilities as between hotel and inn keepers and their guests and boarders and those intending to become such with respect to baggage and other property of such guests and boarders and the property belonging to or in use in any hotel, lodging house, boarding or eating house, defining and fixing the liability of hotel and inn keepers for loss of or injury to property of guests or boarders or persons intending to become such and giving to such hotel and inn keepers a lien upon the baggage and other property of guests and boarders for charges due.

Received from Senate, 1658.  
First and second reading, 1705.  
Reference, 1705.  
Reported, 1743.  
Passed, 1956.

**Senate Bill No. 276.—(Duncan)**

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905, relating to the official estray papers.

Received from Senate, 1500.  
First and second reading, 1525.  
Reference, 1525.  
Reported, 1641.  
Indefinitely postponed, 1641.

**Senate Bill No. 277.—(Davis)**

A bill for an Act to amend and reenact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Received from Senate, 1658.  
First and second reading, 1705.  
Reference, 1705.  
Reported, 1737.  
Passed, 1924.

**Senate Bill No. 278.—(Talcott)**

A bill for an Act to amend Section 163 of Article 9 and Sections 222 and 227 of Article 14 of Chapter 266 of the Session Laws of 1911, relating to school district bonds.

Received from Senate, 1344.  
First and second reading, 1360.  
Reference, 1360.  
Reported, 1560.

**Senate Bill No. 279.—(Hookway)**

A bill for an Act to promote forest tree culture and providing for a bounty for tree planting and the levy of a tax to pay such bounty.

Received from Senate, 1126, 1528.  
First and second reading, 1168, 1539.  
Reference, 1168, 1539.  
Reported, 1743.  
Indefinitely postponed, 1743.

**Senate Bill No. 280.—(Hanley)**

A bill for an Act defining property minority as regards persons sentenced to the state reform school.

Received from Senate, 1433.  
First and second reading, 1447.  
Reference, 1447.  
Reported, 1463.  
Passed, 1777.

**Senate Bill No. 283.—(Davis)**

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Received from Senate, 1128.  
First and second reading, 1170.  
Reference, 1170.  
Reported, 1463, 1486.  
Amended, 1486.  
Passed, 1611.

**Senate Bill No. 284.—(Overson)**

A bill for an Act fixing the times and place for holding the general terms of the supreme court, providing for special terms in certain cases and fixing the time at which appeals shall be heard.

Received from Senate, 1364.  
First and second reading, 1391.  
Reference, 1391.  
Passed, 1800.

**Senate Bill No. 286.**—(Judiciary Committee)

A bill for an Act authorizing the secretary of state to contract with the Lawyer's Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the laws of North Dakota.

Received from Senate, 1083.  
First and second reading, 1123.  
Reference, 1123.  
Reported, 1479.  
Passed, 1989.

**Senate Bill No. 287.**—(Judiciary Committee)

A bill for an Act entitled, "An Act to regulate the distribution of the laws of the State of North Dakota, and compilation and codification thereof."

Received from Senate, 1083.  
Reported, 1480.  
Passed, 1988.

**Senate Bill No. 288.**—(Overson)

A bill for an Act to amend and reenact Sections 9987 and 10078 of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases and to repeal Section 9988 thereof.

Received from Senate, 1364.  
First and second reading, 1391.  
Reference, 1391.  
Reported, 1463.  
Passed, 1778.

**Senate Bill No. 289.**—(Bond)

A bill for an Act entitled, "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1905.

Received from Senate, 1433.  
First and second reading, 1446.  
Reference, 1446.  
Reported, 1644.  
Amended, 1644.  
Passed, 2002.

**Senate Bill No. 290.**—(Jacobson)

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Received from Senate, 1661.  
First and second reading, 1703.  
Reference, 1703.  
Reported, 1745.  
Passed, 1964.

**Senate Bill No. 291.**—(Porterfield)

A bill for an Act entitled, "An Act to amend Chapter 56 of the laws passed by the Tenth Legislative Assembly of the State of North Dakota, being Chapter 56 of the Session Laws of 1907, relating to building and loan associations."

Received from Senate, 1080.  
First and second reading, 1122.  
Reference, 1122.  
Reported, 1207.  
Passed, 1397.

**Senate Bill No. 292.**—(Hoverson)

A bill for an Act to amend Section 1, Chapter 168, of the Session Laws of 1911, relating to the Tenth Judicial District.

Received from Senate, 1198.  
First and second reading, 1230.  
Reference, 1230.  
Reported, 1422.  
Passed, 1764.

**Senate Bill No. 293.**—(Williams)

A bill for an Act to provide for the preparing of an annual county budget.

Received from Senate, 1659.  
First and second reading, 1702.  
Reference, 1702.  
Reported back, 1731.  
Passed, 1915.

**Senate Bill No. 294.**—(Plain)

A bill for an Act to amend Sections 8, 9 and 10 of Chapter 137 of the Session Laws of 1907, relating to the time and manner of levying taxes in each county in order to raise funds to pay the amount chargeable to the county for the care, board and treatment of patients in the hospital for the insane, and fixing the time when such payments shall be made into the state treasury, and providing a penalty for failure to make such payments.

Received from Senate, 1500.  
First and second reading, 1526.  
Reference, 1526.  
Reported, 1564.  
Passed, 1796.

**Senate Bill No. 296.**—(McLean)

A bill for an Act to enlarge the power of state's attorneys.  
 Received from Senate, 1433.  
 First and second reading, 1447.  
 Reference, 1447.  
 Reported, 1463.  
 Indefinitely postponed, 1463.

**Senate Bill No. 298.**—(Davidson)

A bill for an Act to amend Section 1573 of the Revised Codes of North Dakota for 1905, relating to the duties of the county treasurer, and the return of tax list to the county auditor.  
 Received from Senate, 1466.  
 First and second reading, 1527.  
 Reference, 1527.  
 Reported, 1643.  
 Indefinitely postponed, 1643.

**Senate Bill No. 301.**—(Davidson)

A bill for an Act to amend and reenact Section 1541 of the Revised Codes of 1905, as amended by Chapter 112 of the 1911 Session Laws, relating to tax lists made out by county auditors.  
 Received from Senate, 1465.  
 First and second reading, 1525.  
 Reference, 1525.  
 Reported, 1564.  
 Indefinitely postponed, 1564.

**Senate Bill No. 302.**—Overson.

A bill for an Act to prevent unnecessary delay in appeals from the district court to the supreme court, arising from delay in making transcripts of testimony and proceedings, and limiting time within which and prescribing proceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers and deputy stenographers.  
 Received from Senate, 1660.  
 First and second reading, 1707.  
 Reference, 1707.  
 Indefinitely postponed, 1955.

**Senate Bill No. 305.**—(Wartner)

A bill for an Act providing for the appointment of short-hand reporters by referees, coroners, and committing magistrates, and providing for their compensation.  
 Received from Senate, 1342.  
 First and second reading, 1360.  
 Reference, 1360.  
 Reported, 1422.  
 Indefinitely postponed, 1422.

**Senate Bill No. 306.**—(Heckle)

A bill for an Act to provide for the appointment of clerks for county courts and fixing their compensation.  
 Received from Senate, 1696.  
 First and second reading, 1707.  
 Reference, 1707.  
 Reported, 1740.  
 Indefinitely postponed, 1926.

**Senate Bill No. 307.**—(Trageton)

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905, relating to bridge tax in certain cities or municipalities.  
 Received from Senate, 1684.  
 First and second reading, 1699.  
 Reference, 1699.  
 Reported, 1744.  
 Indefinitely postponed, 1957.

**Senate Bill No. 308.**—(Jacobson)

A bill for an Act to amend and reenact 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institutes and training schools.  
 Received from Senate, 1366.  
 First and second reading, 1389.  
 Reference, 1389.  
 Reported, 1477.  
 Indefinitely postponed, 1477.

**Senate Bill No. 309.**—(Duncan)

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of general or special elections and to legalize such general or special elections attempted held pursuant to such calls and notices, under the provisions of Chapter 265 of the Session Laws of 1911.  
 Received from Senate, 1344.  
 First and second reading, 1360.  
 Reference, 1360.  
 Reported, 1415.  
 Passed, 1762.



**Senate Bill No. 130.—(Albrecht)**

A bill for an Act to amend and re-enact Sections 232 and 269 of Chapter 266 of the Session Laws of 1911, relating to school age, who exempt from compulsory attendance, and teachers' register, what to contain.

Received from Senate, 1659.  
First and second reading, 1702.  
Reference, 1702.  
Reported, 1807.

**Senate Bill No. 311.—(Overson)**

A bill for an Act declaring the island situated in the Missouri River south of the city of Williston, and all islands that may appear in said river within five miles of said city, state parks.

Received from Senate, 1552.  
First and second reading, 1603.  
Reference, 1603.  
Reported, 1631.  
Passed, 2029.

**Senate Bill No. 313.—(Englund)**

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates and charges and amendments thereto, prohibiting excessive charges, and providing a penalty for violations thereof.

Received from Senate, 1342.  
First and second reading, 1359.  
Reference, 1359.  
Reported, 1638.  
Indefinitely postponed, 1638.

**Senate Bill No. 314.—(Overson)**

A bill for an Act legalizing the action of register of deeds and county commissioners in paying or authorizing the payment of extra clerk hire in register of deeds' office when said payment was made in good faith.

Received from Senate, 1364.  
First and second reading, 1391.  
Reference, 1391.  
Reported, 1464.  
Indefinitely postponed, 1985.

**Senate Bill No. 315.—(Bonzer)**

A bill for an Act providing for the labelling of meats from animals affected with contagious or infectious disease and prescribing a penalty for violations thereof.

First and second reading, 1540.  
Reference, 1540.  
Reported, 1642.  
Passed, 1826.

**Senate Bill No. 317.—(Gronvold)**

A bill for an Act to establish a legislative drafting bureau in connection with the legislative reference department of the state library commission.

Received from Senate, 1695.  
First and second reading, 1700.  
Reference, 1700.  
Reported, 1740.

Indefinitely postponed, 1740.

**Senate Bill No. 318.—(Bronson)**

A bill for an Act authorizing county drainage boards to refund illegal penalties and interest, prior to the passage of this Act paid on delinquent drainage assessments levied prior to July 1, 1911.

Received from Senate, 1501.  
First and second reading, 1527.  
Reference, 1527.  
Reported, 1637.

Indefinitely postponed, 1637.

**Senate Bill No. 319.—(Committee on State Affairs)**

A concurrent resolution amending the constitution of the state of North Dakota, providing for the establishment and location of a state hospital for the insane and institution for the feeble minded in connection therewith.

Received from Senate, 1433.  
First and second reading, 1446.  
Reference, 1446.  
Reported, 1458.  
Passed, 1773.

**Senate Bill No. 320.—(Englund)**

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of machinery and repairs of parts for machinery and prescribing a penalty for the violation thereof.

Received from Senate, 1364.  
First and second reading, 1390.  
Reference, 1390.  
Reported, 1638.  
Indefinitely postponed, 1638.

**Senate Bill No. 322.—(Heckle)**

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Received from Senate, 1660.  
First and second reading, 1705.  
Reference, 1705.  
Reported, 1742.  
Passed, 1954.

**Senate Bill No. 325.—(Committee on Education)**

A bill for an Act to provide for a state board of industrial school trustees, the organization, meetings and compensation of such board, and the purpose, maintenance and government of the state industrial school and school for manual training at Ellendale, the Academy of Science at Wahpeton and the School of Forestry at Bottineau, and repealing Sections 1092 to 1099, 1172 to 1176, 1231 to 1236 of the Revised Codes of North Dakota of 1905, as amended by Sections 1092 and 1231 of Chapters 100 and 241 of the Session Laws of North Dakota of 1907.

Received from the Senate, 1687.  
First and second reading, 1701.  
Reference, 1701.  
Reported back, 1858.  
Indefinitely postponed, 1858.

**Senate Bill No. 328.—(Garden)**

A bill for an Act to amend Chapter 229 of the Laws of 1911, prohibiting 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, or of any county, city or village in the state.

Received from Senate, 1662.  
First and second reading, 1704.  
Reference, 1704.  
Reported, 1730.  
Passed, 1907.

**Senate Bill No. 330.—(Vail)**

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Received from Senate, 1552.  
First and second reading, 1602.  
Reference, 1602.  
Reported, 1652.  
Passed, 1687.

**Senate Bill No. 333.—(Hyland)**

A bill for an Act creating a state highway commission, defining their duties and powers.

Received from Senate, 1552  
First and second reading, 1603.  
Reference, 1603.  
Reported, 1646.  
Passed, 1979.

**Senate Bill No. 335.—(Bond)**

A bill for an Act to re-enact and amend Section 22, Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect and pertaining to his duties and salary. Emergency.

Received from Senate, 1661.  
First and second reading, 1706.  
Reference, 1706.  
Reported, 1740.  
Indefinitely postponed, 1740.

**Senate Bill No. 336.—(Talcott)**

A bill for an Act to amend Section 133 of Chapter 266 of the Session Laws of 1911, relating to the annexation of adjacent territory to special school districts.

Received from Senate, 1438.  
First and second reading, 1446.  
Reference, 1446.  
Reported, 1560.

**Senate Bill No. 337.—(Joint Subcommittee on Education)**

A bill for an Act to amend Section 282 of Chapter 266 of the Session Laws of 1911, relating to conductors and county superintendents filing state of number of schools with county auditor.

Received from Senate, 1364.  
First and second reading, 1390.  
Reference, 1390,  
Reported, 1477.  
Passed, 1784.

**Senate Bill No. 338.**—(Joint Sub-committee on Education)

A bill for an Act providing that persons in charge of school children shall furnish suitable books in districts wherein the free text book system has not been adopted. Received from Senate, 1365. First and second reading, 1390. Reference, 1390. Reported, 1477. Passed, 1785.

**Senate Bill No. 339.**—(Joint Sub-committee on Education)

A bill for an Act to amend and reenact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporations. Received from the Senate, 1365. First and second reading, 1390. Reference, 1390. Reported, 1478. Passed, 1786.

**Senate Bill No. 340.**—(Joint Sub-committee on Education)

A bill for an Act to repeal Section 28 of Chapter 266 of the Session Laws of 1911, relating to office, postage and stationery of county superintendents. Received from Senate, 1365. First and second reading, 1390. Reference, 1390. Reported, 1478. Passed, 1789.

**Senate Bill No. 341.**—(Joint Sub-committee on Education)

A bill for an Act to amend and reenact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report. Received from Senate, 1709. First and second reading, 1723. Reference, 1723. Reported, 1830.

**Senate Bill No. 342.**—(Joint Sub-committee on Education)

Received from Senate, 1365. First and second reading, 1390. Reference, 1390. Reported, 1478. Passed, 1787.

**Senate Bill No. 343.**—(Joint Sub-committee on Education)

A bill for an Act to amend and reenact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites. Received from Senate, 1365. First and second reading, 1389. Reference, 1389. Reported, 1476. Passed, 1783.

**Senate Bill No. 344.**—(Joint Sub-committee on Education)

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts. Received from Senate, 1366. First and second reading, 1389. Reference, 1389. Reported, 1478. Passed, 1788.

**Senate Bill No. 345.**—(Joint Sub-committee on Education)

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time. Received from Senate, 1366. First and second reading, 1389. Reference, 1389. Reported, 1476. Passed, 1782.

**Senate Bill No. 347.**—(Joint Sub-committee on Education)

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas. Received from Senate, 1365. First and second reading, 1389. Reference, 1389. Reported, 1477. Passed, 1802.

**Senate Bill No. 348.**—(Joint Sub-committee on Education)

A bill for an Act to amend and reenact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards and their salaries. Received from Senate, 1365. First and second reading, 1389. Reference, 1389. Reported, 1476. Passed, 1801.

**Senate Bill No. 349.—(Garden)**

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Received from Senate, 1502.

First and second reading, 1525.

Reference, 1525.

Reported, 1636.

Passed, 1821.

**Senate Bill No. 350.—(Judiciary Committee)**

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanics' lien to file a notice of lien, to take a statement or acknowledgement for such lien, and providing a penalty for filing unlawful liens.

Received from Senate, 1712.

First and second reading, 1723.

Reference, 1723.

Reported, 1857.

Passed, 2014.

**Senate Bill No. 352.—(Linde)**

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Received from Senate, 1660.

First and second reading, 1707.

Reference, 1707.

Reported, 1731.

Passed, 1909.

**Senate Bill No. 357.—(Hanley)**

A bill for an Act to amend Section 5701 of the Revised Codes of North Dakota for 1905, relating to damages for postponing or refusing messages.

Received from Senate, 1659.

First and second reading, 1701.

Reference, 1701.

Reported, 1742.

Passed, 1953.

**Senate Bill No. 358.—(Plain and Duncan)**

A bill for an Act to require the railroad commission to formulate a uniform system of accounting for public elevators and warehouses and to provide for the examination of the accounts of such elevators and warehouses when requested by not less than 15 per cent of the stockholders thereof, and prescribing fees therefor; and amending Chapter 251 of the Session Laws of 1911, relating to the filing of bonds by public warehouses.

Received from Senate, 1662.

First and second reading, 1704.

Reference, 1704.

Reported, 1733.

Amended, 2003.

**Senate Bill No. 359.—(Hoverson)**

A bill for an Act to require auctioneers to notify the county sheriff of the sale of personal property at public auction.

**Senate Bill No. 360.—(Hughes)**

A bill for an Act amending Section 7608 of the Revised Codes of 1905, as amended in Section 1 of Chapter 52 of the Session Laws of 1907, relating to the appointment, duties, powers, qualifications and salary of the state engineer; also to amend Section 7665 of the Revised Codes of 1905, relating to the expenses of the state engineer's office.

Received from Senate, 1657.

First and second reading, 1701.

Reference, 1701.

Reported, 1831.

Indefinitely postponed, 1831.

**Senate Bill No. 362.—(Bond)**

A bill for an Act to amend Section 38 of Chapter 62 of the Session Laws of 1911, relating to estimates and the purchase of supplies for state institutions.

Received from Senate, 1660.

First and second reading, 1702.

Reference, 1702.

Reported, 1740.

Passed, 1952.

Indefinitely postponed, 1740.

**Senate Bill No. 367.—(Thoreson)**

A bill for an Act to amend Section 9329 of the Revised Codes of 1905, relating to malicious mischief and injury to real property, emblements and fixtures.

Received from Senate, 1684.  
First and second reading, 1699.  
Reference, 1700.  
Reported, 1742.  
Indefinitely postponed, 1742.

**Senate Bill No. 368.—(Mudgett)**

A bill for an Act to amend and reenact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 61 of the Session Laws of 1907, relating to county seats.

Received from Senate, 1657.  
First and second reading, 1703.  
Reference, 1703.  
Reported, 1738.  
Indefinitely postponed, 1958.

**Senate Bill No. 370.—(Hanley by Request)**

A concurrent resolution amending the constitution of the State of North Dakota, changing the name of the state reform school located at Mandan, in the county of Morton, to that of State Farm and Mechanic Arts School.

Received from Senate, 1658.  
First and second reading, 1700.  
Reference, 1700.  
Reported, 1741.  
Passed, 2009.

**Senate Bill No. 372.—(Trageton)**

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Received from Senate, 1712.  
First and second reading, 1723.  
Reference, 1723.  
Reported, 1831.

**Senate Bill No. 373.—(Overson)**

A bill for an Act to amend and reenact Section 1904 of the Revised Codes of North Dakota for 1905.

Received from Senate, 1658.  
First and second reading, 1706.  
Reference, 1706.  
Passed, 2039.

**Senate Bill No. 375.—(Mudgett)**

A joint resolution authorizing the board of trustees of the soldiers' home to expend a portion of the interest and income fund of the soldiers' home for the purpose of aiding the North Dakota Union and Confederate Soldiers of the Civil War to attend the reunion to be held at Gettysburg, Pa., in the month of July, 1913.

Received from Senate, 1500.  
First and second reading, 1526.  
Reference, 1526.  
Reported, 1569.  
Passed, 1798.

**Senate Bill No. 376.—(Joint Committee on Education)**

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Received from Senate, 1662.  
First and second reading, 1704.  
Reference, 1704.  
Reported, 1808.  
Passed, 1902.

**Senate Bill No. 381.—(Plain)**

A bill for an Act prohibiting the sale of Pure-Bred Cattle Unless Accompanied by a Certificate of Health.

Received from Senate, 1660.  
First and second reading, 1705.  
Reference, 1705.  
Reported, 1736.  
Passed, 1920.

**Senate Bill No. 386.—(Plain)**

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Received from Senate, 1712.  
First and second reading, 1723.  
Reference, 1723.  
Reported, 1735.  
Passed, 1919.

**Senate Bill No. 387.—(Cashel)**

A bill for an Act to amend Section 8154 of Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Received from Senate, 1659.  
First and second reading, 1701.  
Reference, 1701.  
Reported, 1741.  
Passed, 1934.

**Senate Bill No. 388.—(Steel)**

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Received from Senate, 1661.

First and second reading, 1706.

Reported, 1831.

Indefinitely postponed, 1832.

**Senate Bill No. 389.—(Nelson)**

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of the secretary of state.

Received from Senate, 1660.

First and Second reading, 1705.

Reference, 1705.

Reported, 1831.

Indefinitely postponed, 1831.

**Senate Bill No. 390.—(Joint Committee on Education)**

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Received from Senate, 1712.

First and second reading, 1724.

Reference, 1724.

Reported, 1807.

Passed, 1903.

**Senate Bill No. 391.—(Mudgett)**

A bill for an Act to amend Section 2596 of the 1905 Revised Codes of North Dakota as amended by Chapter 69 of the Session Laws of North Dakota for the year 1907, providing the clerk hire for the register of deeds in various counties of the state.

Received from Senate, 1659.

First and second reading, 1702.

Reference, 1702.

Reported, 1730.

Passed, 1908.



# GENERAL INDEX

---

## COMMITTEE BILLS—

212, 380, 420, 421, 426, 427, 495.

## CALL OF THE HOUSE—

664, 1070, 1405, 1406.

## ADDRESS, WASHINGTON'S FAREWELL—

1071.

## CONFERENCE COMMITTEES—

Appointed, 1238, 1539, 1577, 1671, 1716, 1722, 1724, 1727, 1746, 1765,  
1818, 1860, 1856, 1879, 1939, 1966.

Report of, 1340, 1375, 1436, 1615, 1721, 1745, 1746, 1747, 1804, 1805,  
1809, 1810, 1816, 1817, 1878, 1885, 1886, 1938, 1973, 1992, 2034,  
2048, 2058.

## CONSIDERATION OF MESSAGES—

492, 611, 752, 811, 902, 953, 1007, 1118, 1167, 1388, 1445, 1474, 1602,  
1671, 1724, 1726, 1818, 1852, 1896, 1935, 1936, 2034, 2050, 2070,  
2071.

## CONCURRENT RESOLUTIONS—

160, 161, 165, 213, 218, 237, 266, 275, 388, 393, 422, 435, 447, 464,  
476, 477, 499, 640, 644, 646, 928, 929, 1043, 1096, 1097, 1098, 1165,  
1217, 1430, 1441, 1499, 1748, 1974, 1991, 2025, 2067.

## GENERAL ORDERS—

308, 318, 345, 369, 378, 437, 467, 493, 509, 541, 555, 591, 626, 813,  
857, 906, 955, 1009, 1108, 1191, 1245, 1403, 1448, 1528, 1616, 1671,  
1708, 1713, 1813.

## GOVERNOR, OATH OF OFFICE—

197.

## JOINT SESSION—

165, 671, 1072.

## LINCOLN'S DAY PROGRAM—

560.

## MEMORIAL EXERCISES—

1073.

## MEMORIALS—

162, 163, 264, 265, 300, 301, 1379.

## MESSAGES FROM THE GOVERNOR—

29-157, 166-197, 402, 892, 960, 1077, 1243, 1774.



## MESSAGES FROM THE SENATE—

247, 251, 271, 286, 292, 377, 394, 435, 443, 470, 496, 521, 533, 549, 586,  
 594, 610, 645, 674, 712, 762, 816, 861, 885, 909, 954, 960, 1008, 1014,  
 1043, 1080, 1125, 1197, 1216, 1238, 1340-1363, 1432, 1438, 1442, 1447,  
 1465, 1500, 1518, 1521, 1525, 1528, 1552, 1580, 1680, 1654, 1657,  
 1658, 1569, 1660, 1664, 1668, 1669, 1670, 1677, 1679, 1683, 1684,  
 1685, 1687, 1690, 1695, 1698, 1709, 1710, 1711, 1712, 1713, 1714,  
 1715, 1719, 1724, 1727, 1728, 1754, 1755, 1756, 1757, 1758, 1759,  
 1777, 1801, 1802, 1804, 1810, 1812, 1829, 1830, 1832, 1839, 1859,  
 1866, 1868, 1875, 1874, 1879, 1893, 1901, 1907, 1910, 1913, 1925,  
 1928, 1936, 1948, 1966, 1968, 1970, 1981, 1990, 2004, 2017, 2033,  
 2040, 2047, 2050, 2054, 2056, 2062, 2069.

## MESSAGE OF GOVERNOR HANNA—

198-213.

## MILEAGE AND PER DIEM—

260, 331.

## MOTIONS—

260, 302, 360, 388, 403, 404, 434, 475, 499, 580, 609, 610, 671, 695,  
 710, 728-731, 752, 783, 802-807, 836-841, 842, 902, 941, 990-1007,  
 1042, 1043, 1044, 1068, 1070, 1098, 1130, 1146, 1156, 1163, 1165,  
 1167-1172, 1191, 1217, 1218, 1325-1326, 1327-1328, 1329, 1379, 1431,  
 1432, 1491, 1575, 1593, 1601, 1615, 1616, 1619, 1621, 1628, 1630,  
 1634, 1635, 1637, 1638, 1639, 1640, 1641, 1643, 1644, 1646, 1647,  
 1648, 1654, 1663, 1664, 1665, 1666, 1671, 1672, 1676, 1678, 1685,  
 1688, 1689, 1690, 1691, 1695, 1697, 1698, 1707, 1708, 1709, 1713,  
 1714, 1715, 1716, 1718, 1721, 1725, 1726, 1727, 1728, 1729, 1730,  
 1731, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1743,  
 1745, 1746, 1774, 1791, 1793, 1799, 1804, 1805, 1808, 1809, 1811,  
 1816, 1817, 1818, 1818, 1828, 1829, 1858, 1860, 1877, 1878, 1879,  
 1882, 1884, 1885, 1887, 1898, 1918, 1921, 1922, 1925, 1926, 1929,  
 1932, 1935, 1948, 1958, 1959, 1963, 1966, 1967, 1971, 1973, 1984,  
 1985, 1989, 1998, 2000, 2006, 2007, 2008, 2009, 2010, 2017, 2024,  
 2025, 2035, 2036, 2045, 2056, 2066, 2073.

## NESS TRIAL—

1146, 1179-1180, 1214, 1248-1290, 1290-1330, 1332, 1376, 1576.

## PETITIONS AND COMMUNICATIONS—

216-217, 238, 248, 249-250, 257, 273, 276, 291, 311, 320-331, 340, 350,  
 371, 408, 441, 470, 474, 495, 514, 532, 543, 558, 574, 594, 630, 674,  
 714, 765, 818, 863, 912, 962, 1016, 1084, 1129, 1199, 1132, 1366,  
 1409, 1555, 1621, 1809, 1829.

## REFERENCE OF THE JOURNAL—

158, 163, 215, 236, 246, 256, 273, 282, 290, 310, 319, 349, 370, 380,  
 407, 440, 469, 473, 494, 514, 542, 557, 593, 629, 671, 673, 711, 764,  
 818, 860, 912, 959, 1013, 1084, 1124, 1197, 1330, 1408, 1453, 1620,  
 1880.

## REPORT ON ASYLUM AT JAMESTOWN—

355.

## RESOLUTIONS—

27, 28, 29, 164, 218, 239, 263, 304, 314, 339, 341, 418, 522, 525, 549,  
 609, 693, 730, 885, 1324, 1377, 1491, 1492, 1576, 1665, 1666, 1696,  
 1748, 1975, 2043, 2024, 2054.

## RULES, COMMITTEE ON—

219, 251.

## JOINT COMMITTEE--

334.

## SELECT COMMITTEES--

Appointed, 28, 29, 164, 165, 273, 403, 436, 524, 671, 1045, 1071, 1072,  
1148, 1663, 1664, 1666.Reports of, 157, 165, 232, 278, 286, 303, 338, 359, 360, 421, 498, 525,  
576, 608, 807, 1096, 1214, 1248, 1427, 1492, 1533, 1582, 1715.

## SENATE ORGANIZED--

160.

## SPECIAL ORDERS--

651, 951, 1108, 1438.

## STANDING COMMITTEES--

Appointed, 229.

Reports of, 277, 283, 285, 286, 292, 311, 334, 350, 373, 381, 411, 441,  
471, 474, 496, 514, 543, 561, 597, 632, 682, 719, 768, 809, 823, 866,  
915, 966, 1020, 1088, 1114, 1130, 1131, 1148, 1199, 1332, 1366, 1410,  
1455, 1476, 1556, 1626-1654, 1716, 1728, 1807, 1856, 1880, 1881,  
1950, 1958, 1959, 1996, 2015, 2025, 2038, 2039, 2040, 2045, 2052,  
2057, 2059.

## STATE OFFICERS--

Oath of office, 197.

## UNFINISHED BUSINESS--

239, 341, 448, 549, 1577.

## INDEX TO MEMBERS

---

### ANDERSON—Bills—100, 147.

Committees—28, 165, 228, 230, 231, 1722, 1746, 1856.

Resolutions—27, 239, 422.

Committee Reports—157, 286, 359, 684, 685, 686, 687, 773, 774, 809, 874, 875, 876, 877, 878, 920, 921, 922, 923, 983, 984, 985, 1144, 1368, 1416, 1484, 1487, 1522, 1572, 1651, 1716, 1733, 1746, 1809, 1881, 1885.

Motions—286, 388, 404, 423, 628, 664, 687, 744, 752, 758, 774, 802, 809, 810, 878, 923, 985, 990, 1024, 1065, 1146, 1162, 1163, 1182, 1191, 1218, 1242, 1370, 1419, 1487, 1490, 1524, 1542, 1554, 1575, 1602, 1654, 1661, 1665, 1672, 1678, 1685, 1735, 1746, 1816, 1853, 1881, 1885, 1896, 1929, 1967, 1985, 1999, 2055.

Petitions—1017.

### BALDSON—Bills—154, 317.

Committees—228, 229, 230, 232, 1539.

Motions—460, 1235.

### BARTLEY—Bills—155, 233, 234, 378.

Committees—165, 228, 229, 231.

Committee Reports—415, 497, 691, 692, 768, 769, 989, 1410, 1025, 1026, 1483, 1641, 1738.

Motions—415, 691, 769, 990, 1026, 1411, 1484, 1643, 1739, 1747.

Minority Report—1640.

Petitions—1086, 1146.

### BASS—Bills—12, 76, 121, 207, 318, 319.

Committees—228, 229, 232.

Resolutions—549.

Motions—549, 937, 1047, 1234.

Minority Reports—386, 1141.

Petitions—1019.

### BATZER—Bills—164, 195, 408, 449.

Committees—229, 231, 1716.

Committee Reports—761, 1373, 1557, 1640, 1938.

Motions—760, 991.

Chair—760.

Minority Reports—521.

### BJORNSON—Bills—59, 240, 241, 437.

Committees—164, 228, 229, 230, 231, 232.

Committee Reports—418, 908.

Motions—278, 290, 554, 711, 906, 908, 1024, 1063, 1240, 1554.

Chair—906.

Minority Reports—1024, 1367.

Petitions—963.

- CALNAN—Bills—64, 84, 170, 256, 269, 272, 296, 320.  
 Committees—228, 230, 231, 232, 1765.  
 Committee Reports—434, 1427.  
 Motions—846, 941, 942, 1168, 1224, 1577.  
 Minority Reports—969, 971.
- CAMPBELL—Bills—21, 29, 77.  
 Committees—228, 229, 230, 231, 341, 532.  
 Committee Reports—609.  
 Motions—281, 310, 339, 1054.  
 Minority Reports—498.
- CAREY—Bills—18, 75, 416, 451.  
 Committees—228, 229, 231.  
 Motions—456, 1726.
- COLTOM—Bills—181, 386.  
 Committees—228, 230, 231.  
 Resolutions—388.  
 Committee Reports—1465.  
 Motions—1828, 1927, 2006.  
 Minority Reports—1368.
- CURRY—Bills—75, 91, 111, 135, 326, 340, 491.  
 Committees—229, 231, 232, 1765.  
 Committee Reports—1816.  
 Motions—799, 1035, 1440, 1817.  
 Minority Reports—1739.
- DAVIS—Bills—87.  
 Committees—228, 230, 231, 1765.  
 Committee Reports—263, 333, 1427, 1816.
- DEAN—Bills—50, 122, 282, 355, 457.  
 Committees—229, 230, 231, 232, 671, 2045.  
 Committee Reports—295, 312, 385, 386, 413, 414, 445, 446, 472,  
 510, 516, 544, 544, 565, 566, 600, 601, 687, 688, 689, 723, 724, 771,  
 772, 829, 830, 831, 832, 919, 980, 981, 1140, 1094, 1332, 1413, 1481,  
 1563, 1572, 1643, 1740, 1830.  
 Motions—295, 312, 374, 374, 385, 386, 414, 439, 446, 456, 472, 476,  
 485, 509, 510, 516, 541, 545, 566, 601, 625, 660, 690, 712, 724, 772,  
 811, 832, 920, 948, 981, 1096, 1142, 1177, 1333, 1349, 1414, 1482,  
 1564, 1643, 1663, 1721, 1741, 1746, 1853, 1935, 2045.  
 Chair—509, 1037.  
 Petitions—1084.
- DIVET—Bills—211, 225, 226, 278, 358.  
 Committees—229, 230, 231, 1539, 1577, 1879, 2050.  
 Committee Reports—219, 277, 283, 284, 285, 293, 294, 295, 335,  
 336, 379, 387, 475, 561, 562, 563, 605, 606, 607, 636, 692, 693, 719,  
 720, 721, 722, 776, 777, 778, 779, 780, 828, 925, 926, 927, 928, 976,  
 977, 978, 979, 980, 1028, 1029, 1030, 1092, 1134, 1209, 1420, 1462,  
 1479, 1487, 1564, 1567, 1568, 1615, 1857, 2058.  
 Motions—285, 295, 335, 336, 378, 475, 541, 563, 580, 608, 617, 621,  
 626, 637, 693, 697, 705, 719, 720, 721, 722, 723, 731, 752, 780, 828,  
 902, 928, 935, 950, 980, 990, 1027, 1030, 1044, 1057, 1070, 1094,  
 1108, 1123, 1136, 1148, 1167, 1212, 1388, 1422, 1430, 1432, 1445,  
 1464, 1480, 1498, 1500, 1569, 1593, 1615, 1619, 1716, 1726, 1748,  
 1813, 1816, 1818, 1852, 1855, 1855, 1856, 1878, 1879, 1885, 1887,  
 1897, 1898, 2058, 2065.  
 Chair—378, 1813.  
 Petitions—1017, 1146.

- BLAKEMORE—Bills—5, 11, 24, 39, 133, 168, 175, 176, 177, 476.  
Committees—28, 229, 230, 232, 1855.  
Resolutions—1887.  
Committee Reports—418, 1885.  
Motions—365, 655, 898, 1856, 1896, 2000, 2032.  
Point of Order—2065.  
Petitions—1017.  
Minority Reports—608.
- BOLLINGER—Bills—158.  
Committees—229, 230, 231, 1539.  
Motions—1065.
- BOPE—Bills—73, 74, 89, 137, 138, 187, 486.  
Committees—228, 229, 230, 231, 232, 1765.  
Committee Reports—1492.  
Minority Reports—386.
- BORUSKY—Bills—46, 298, 411.  
Committees—228, 229, 231.  
Motions—891.
- BRATTON—Bills—22, 112, 185, 292, 345.  
Committees—28, 228, 230, 231, 403.  
Committee Reports—1423, 1571.  
Motions—651, 710, 1425, 1571.
- BUCK—Bills—66, 119, 151, 202, 203, 284, 357, 358, 366, 393, 401, 439,  
440, 441.  
Committees—230, 231, 236, 341, 1663, 1664, 1855, 1939.  
Resolutions—1098, 1665.  
Committee Reports—219, 238, 251, 411, 467, 609, 1373, 1376, 1487,  
1715, 1744, 1885.  
Motions—252, 234, 411, 467, 468, 608, 617, 746, 752, 764, 841, 943,  
1027, 1042, 1098, 1280, 1431, 1663, 1664, 1666, 1715, 1829, 1853,  
1854, 1955, 2040.  
Chair—467.  
Minority Reports—417, 547, 1567, 1568.
- BURNETT—Bills—2, 3, 81, 188, 343.  
Committees—229, 230, 232, 403, 671, 1663, 1746.  
Resolutions—218, 693.  
Committee Reports—866, 867, 1138, 1206, 1637, 1721, 1805.  
Motions—157, 163, 218, 369, 492, 553, 586, 695, 729, 867, 934, 1139,  
1206, 1637, 1908, 1925, 2024, 2033, 2040, 2048.  
Chair—160.  
Minority Reports—1739.
- BUTLER of Ramsey—Bills—15, 17, 316, 450.  
Committees—28, 228, 229, 231, 232.  
Committee Reports—1938.  
Motions—434, 448, 696, 731, 836, 901, 1217, 1220, 1228, 1232, 1245,  
1247, 1368, 1474, 1595, 1619, 1713, 1714, 1745, 1774, 1799, 1860,  
1877, 1878.  
Chair—1245, 1713.  
Minority Reports—1024, 1203, 1367, 1464.
- BUTLER of Ransom—Bills—33, 160, 347, 348, 349.  
Committees—230, 231, 1716.  
Motions—276, 532, 668, 712, 753, 850, 853, 1043, 1227, 1393, 1575,  
1672, 1676, 1691, 1856, 1938.  
Chair—167.

## DIXON—Bills—90, 120, 379.

Committees—228, 230, 231, 232.

Committee Reports—1427.

Motions—439, 609, 646, 670, 708, 802, 951, 1448, 1452, 1809, 1855,  
1906, 1958, 2008, 2025.

Chair—1449.

Minority Reports—1024, 1203, 1372, 1367.

## DOSSETH—

Committees—165, 229, 230, 1860.

Committee Reports—383, 870, 871, 915, 1035, 1036, 1037, 1205, 1476,  
1556, 1560, 1645, 1640, 1807, 1858, 1992.Motions—164, 384, 559, 560, 600, 845, 871, 915, 1189, 1037, 1101,  
1189, 1452, 1479, 1560, 1561, 1646, 1698, 1725, 1808, 1817, 1854,  
1969, 1974.

## DOYLE—Bills—219, 362.

Committees—228, 229, 230, 231, 341.

Committee Reports—609, 1027.

Motions—673, 710, 1027, 1070, 1114, 1118, 1279, 1405, 1716, 1808,  
1809, 2004.

## DYNES—Bills—339, 395, 492.

Committees—228, 229, 230, 232, 339.

Motions—938.

Minority Reports—384, 1372.

Petitions—962.

## ENDRESON—Bills—13.

Committees—229, 230, 231, 1765.

Motions—395.

Petitions—1085.

## EVERSON—Bills—4, 78, 381.

Committees—228, 231, 232.

Committee Reports—1465.

Motions—399, 1332, 1979, 1981.

Minority Reports—1368.

## FOX—Bills—265, 297.

Committees—228, 230, 231, 1765.

Resolutions—522, 609.

Committee Reports—982, 983, 1639, 1730, 1809.

Motions—522, 610, 983, 1640, 1730, 2056.

## FRANCE—Bills—266, 293.

Committees—228, 230, 231, 232, 1666, 1818.

Committee Reports—1746, 1886.

Motions—695, 728, 1176, 1528, 1533, 1746, 1858, 1860, 1966, 1992.

Chair—1529.

Minority Reports—521, 1141, 1832.

## . FRAINE—

Resolutions—162.

## FREITAG—Bills—118, 157, 224, 418.

Committees—229, 231.

Resolutions—304.

Committee Reports—1373.

Motions—802, 1760, 1932, 1971, 2010.

- FRITZ—Bills—134, 186, 199, 224, 242, 245, 246, 286, 432.  
 Committees—228, 229, 230, 231.  
 Committee Reports—1744.  
 Motions—706, 842, 931, 1043, 1346.  
 Minority Reports—521.
- GARDINER—Bills—182, 413.  
 Committees—164, 228, 229, 232, 1671, 1724, 1845.  
 Committee Reports—233, 287, 832, 869, 968, 969, 1023, 1088, 1490,  
 1626, 1729, 1810, 1878, 1882, 1958, 1959, 1996, 2015, 2025, 2038,  
 2045, 2052, 2057, 2059.  
 Motions—661, 695, 832, 870, 895, 969, 1023, 1089, 1149, 1363, 1628,  
 1727, 1728, 1729, 1805, 1884, 1952, 1963, 2017, 2028, 2052, 2060.  
 Chair—1149.  
 Minority Reports—1141, 1832.  
 Petitions—1332.
- GEIGER—Bills—196, 270.  
 Committees—229, 230.  
 Committee Reports—447, 638, 972, 1028, 1201, 1557, 1640, 1737.  
 Motions—447, 638, 807, 973, 1028, 1202, 1641, 1737, 2010.  
 Minority Reports—915, 1035.
- GUNDERSON—Bills—35, 106, 178, 469.  
 Committees—229, 230.  
 Minority Reports—915, 1035, 1557.
- HANSON—Bills—8, 130, 399, 406, 424.  
 Committees—164, 229, 230, 1238.  
 Resolutions—29.  
 Committee Reports—418, 444, 1142, 1340, 1736, 1884.  
 Committee Reports—418, 444.  
 Motions—263, 348, 364, 444, 467, 729, 1143, 1340, 1737.
- HARALDSON—Bills—255, 336, 397, 409, 410, 462, 465, 466, 478.  
 Committees—229, 230, 231, 336, 397, 423, 532.  
 Committee Reports—418, 1376, 1582.  
 Motions—1218, 1581, 1593, 1935.
- HART—  
 Committees—28, 229, 230, 231, 1238.  
 Committee Reports—1340.  
 Minority Reports—1374.
- HARTY—Bills—152, 422.  
 Committees—228, 229, 231, 232, 1818.  
 Committee Reports—359, 493, 497, 775, 1037, 1038, 1039, 1206, 1635,  
 1882, 1886.  
 Motions—493, 775, 1040, 1207, 1635, 1854, 1882.  
 Chair—493.
- HAWKINSON—Bills—252, 253, 254.  
 Committees—28, 229, 230, 231, 252, 253, 254, 1966, 2045.  
 Resolutions—28.  
 Committee Reports—216, 1728.  
 Motions—236, 439, 1238, 1728, 1819, 1853, 1992.  
 Minority Reports—417, 547, 608, 1372, 1567, 1568, 1569.  
 Petitions—963.

HEDALEN—Bills—14, 28, 44, 280, 281, 382, 388, 394, 398, 434, 435, 480, 484.

Committees—164, 228, 229, 230, 231, 1722, 1765.

Resolutions—164.

Committee Reports—232, 351, 359, 360, 382, 417, 443, 472, 474, 497, 515, 544, 574, 598, 636, 683, 724, 725, 726, 824, 825, 826, 869, 918, 966, 967, 968, 1020, 1021, 1022, 1023, 1090, 1131, 1200, 1334, 1372, 1455, 1561, 1628, 1732, 1746, 1817.

Motions—232, 360, 382, 396, 417, 443, 454, 472, 474, 497, 507, 515, 544, 574, 598, 636, 683, 726, 752, 756, 771, 811, 826, 869, 918, 968, 992, 1028, 1090, 1108, 1113, 1133, 1201, 1337, 1373, 1423, 1458, 1563, 1733, 1630, 1817, 1914.

Chair—1108.

Petition—1129.

HENDRICKSON—Bills—6, 32, 239, 287, 365, 434.

Committees—230, 231, 1663.

Resolutions—29.

Committee Reports—52, 313, 412, 823, 1024, 1203, 1212, 1366, 1721.

Motions—295, 314, 412, 468, 473, 499, 591, 592, 824, 1011, 1071, 1158, 1204, 1212, 1226, 1243, 1374, 1431, 1465, 1491, 1556, 1578, 1663, 1697, 1897, 1989, 2009, 2066, 2070.

Chair—592.

Minority Reports—521, 969, 1374, 1464.

Petitions—1085.

HECKLE—Bills—473.

Committees—229, 230, 231.

Minority Reports—384, 915, 1035, 1557, 1646.

HILL of Bottineau—Bills—201.

Committees—29, 228, 229, 230, 231, 1238, 1845, 2054.

Resolutions—29, 693.

Committee Reports—157, 336, 337, 517, 1375, 1436, 1570, 1878.

Motions—337, 517, 1150, 1570, 1940.

Minority Reports—1640.

HILL of Cass—Bills—228, 310.

Committees—164, 228, 230, 231, 281, 1765, 1856.

Committee Reports—233, 287, 339, 772, 1373, 1885, 1974.

Motions—510, 772, 859, 1155, 1973.

Petitions—965, 1017.

HJELMSTAD—Bills—19, 23, 48, 325, 391, 443, 444.

Committees—228, 229, 231, 232, 1716, 1765.

Resolutions—339.

Committee Reports—422, 580, 808, 1465, 1938, 1974.

Motions—266, 609, 757, 1708, 1709, 1858.

Chair—1708.

Minority Reports—1368.

HJORT—Bills—193, 194, 210, 455.

Committees—229, 232, 1765.

Committee Reports—1974.

Motions—728, 810, 1403.

Chair—1403.



## C

## INDEX

- HOGUE—Bills—25, 31, 34, 141, 142, 167, 209, 259, 322.  
Committees—165, 229, 230, 232.  
Resolutions—16, 1748.  
Committee Reports—422, 580, 808, 1139.  
Motions—483, 580, 892, 1063, 1140, 1172, 1191, 1248, 1415, 1748, 1959,  
1975, 2007.  
Chair—1191.  
Minority Reports—547, 1567, 1568.
- HOMAN—Bills—238, 425.  
Committees—228, 229, 230, 231, 1860.  
Motions—1104.
- HUSBAND—Bills—56, 83, 213.  
Committees—229, 231, 232.  
Motions—1010, 1012.  
Minority Reports—915, 1035.
- HUSO—Bills—57, 103, 116, 128, 277, 279, 332, 333, 385.  
Committees—230, 231, 232, 423.  
Committee Reports—263, 333, 334, 335, 561, 639, 726, 727, 1425, 1647,  
1736.  
Motions—334, 335, 561, 609, 639, 727, 1427, 1651, 1736, 2066.
- ISAAK—  
Committees—228, 229, 230, 232, 1664.  
Motions—513.  
Minority Reports—1419.
- JACOBSON—Bills—205.  
Committees—228, 229, 230.  
Committee Reports—263, 333.
- JOHNSON—Bills—9, 41, 115.  
Committees—228, 231.  
Resolutions—28.  
Committee Reports—1373.  
Motions—1196, 1217, 1408, 1747.
- KELLOGG—Bills—332.  
Committees—228, 229, 230.  
Committee Reports—1492.  
Motions—710, 1475, 1492, 1554, 1808, 1855, 1878, 1896, 1922, 1989,  
2050.
- KELLY—  
Committees—228, 229, 230, 231, 232, 1666, 1724.  
Committee Reports—1746.  
Motions—274, 283, 493, 668, 854.
- KLEIN—Bills—62, 183, 446.  
Committees—228, 229, 1724.  
Resolutions—1492.  
Committee Reports—668, 1715, 1747.  
Motions—652, 670, 1438, 1492, 1695, 1807, 1557.  
Chair—651, 668.
- KNOX—Bills—51, 236, 475.  
Committees—228, 230, 231, 232.  
Committee Reports—359, 603, 923, 1482, 1570, 1733.  
Motions—580, 603, 923, 1070, 1156, 1340, 1392, 1482, 1571, 1733,  
1887.

INDEX

CI

KYLLO—Bills—79, 96, 97, 140, 161, 200, 221, 222, 315, 329, 447.

Committees—228, 229, 230, 231.

Resolutions—928, 1043.

Committee Reports—774, 775, 981, 982, 1743.

Motions—775, 940, 944, 947, 982, 1058, 1601.

Petitions—1129.

LAMBERT—Bills—145, 156, 248, 358, 402, 403, 404, 454, 460, 467, 490, 494.

Committees—229, 230, 231, 232.

Committee Reports—541, 1465.

Motions—165, 260, 302, 418, 453, 541, 547, 628, 710, 855, 1045, 1056,  
1101, 1165, 1186, 1187, 1222, 1379, 1401, 1409, 1432, 1474, 1475, 1661,  
1663, 1774, 1818, 1876, 1936, 1967, 2006, 2037, 2045, 2056.

Chair—541.

Point of Order—1011.

Minority Reports—336, 417, 547, 1368, 1567, 1568.

Petitions—1809.

LAWBAUGH—

Committees—229, 231.

Minority Reports—1884.

LEU—Bill—43, 113, 291, 301, 302, 368, 383, 400, 429, 430, 474, 483.

Committees—229, 230, 232.

Resolutions—447.

Motions—266, 664, 710, 731, 739, 841, 902, 1027, 1167, 1191, 1688,  
1804, 1935, 2043.

Minority Reports—1024, 1203, 1367, 1464.

LEWIS—Bill—93, 94, 283, 323, 396.

Committees—228, 229, 230, 671, 1724.

Resolutions—2024.

Committee Reports—418, 690, 691, 870, 871, 1569, 1810.

Motions—691, 842, 888, 1569.

LINDSTROM—Bills—65, 223, 232, 261, 262, 371, 417.

Committees—229, 231.

Committee Reports—1640.

Motions—348, 670, 1101, 1224, 1225, 1926.

Minority Reports—834.

LIST—Bills—149.

Committees—228, 229.

Committee Reports—359.

Minority Reports—1557.

MARTIN—Bills—7, 123, 124, 125, 126, 127, 230, 249, 331, 405, 431, 445.

Committees—124, 125, 126, 127, 229, 230, 231.

Committee Reports—1337.

Motions—485, 657, 666, 1007, 1011, 1040, 1043, 1052, 1118, 1172, 1337,  
1356.

Chair—1009.

Minority Reports—548, 834.

MILLER—Bills—192, 237, 300, 364.

Committees—228, 229, 230, 231.

Committee Reports—359.

Motions—1404.

Petitions—1809.

## CII

## INDEX

- MOEN—Bills—1, 109, 110, 221, 267, 288, 361, 433, 477.  
 Committees—228, 231.  
 Resolutions—28, 1666.  
 Committee Reports—497, 1040, 1041, 1337, 1563, 1735.  
 Motions—797, 894, 993, 1042, 1338, 1233, 1563, 1666, 1697, 1736, 1855, 1856.  
 Petitions—1017.
- MORKRID—Bills—54, 117.  
 Committees—228, 229, 230, 231.  
 Committee Reports—1465, 1533, 1559.  
 Motions—580.  
 Minority Reports—1368.  
 Petitions—1016.
- MORRISON—Bills—179, 321.  
 Committees—164, 229, 230, 231, 1666.  
 Committee Reports—165, 383, 384, 385, 413, 633, 871, 973, 1371, 1373, 1647, 1746.  
 Motions—164, 384, 385, 413, 633, 871, 973, 1372, 1647, 1856, 2017.
- NORHEIM—Bills—30, 72, 163, 258, 328.  
 Committees—165, 230, 231, 232.  
 Resolutions—29, 1379.  
 Committee Reports—219, 312, 336, 337, 338, 414, 415, 418, 445, 515, 634, 691, 879, 880, 881, 882, 883, 884, 1091, 1207, 1643, 1739.  
 Motions—313, 336, 338, 415, 445, 490, 515, 634, 646, 691, 760, 884, 1004, 1061, 1092, 1209, 1350, 1379, 1462, 1476, 1643, 1645, 1739.
- NORTHROP—Bills—67, 68, 173, 305, 342, 458.  
 Committees—229, 230, 231.  
 Committee Reports—219, 1533.  
 Motions—839, 902, 1007, 1854.
- NYHUS—Bills—102, 204, 275, 289.  
 Committees—164, 229, 230, 231, 236, 1663.  
 Committee Reports—238, 1721.  
 Minority Reports—521, 969, 1374.  
 Petitions—962.
- O'CONNOR—Bills—36, 129, 146, 268, 273, 308, 313, 314, 320, 330, 341, 363.  
 Committees—28, 228, 229, 230, 231.  
 Committee Reports—237, 247, 257, 274, 282, 291, 311, 319, 350, 359, 371, 380, 408, 440, 469, 473, 494, 514, 543, 557, 594, 629, 671, 673, 711, 764, 818, 861, 912, 960.  
 Motions—5, 237, 247, 257, 291, 311, 319, 315, 371, 380, 408, 440, 463, 469, 474, 495, 514, 543, 558, 594, 629, 633, 671, 673, 711, 764, 818, 861, 912, 960, 1050, 1084, 1125, 1331, 1405, 1409, 1621, 1639, 1881, 1957.
- ODLAND—Bills—165, 206, 376, 461.  
 Committees—228, 229, 230, 1539.  
 Committee Reports—418, 859.  
 Motions—800, 857, 1107, 1108, 1595.  
 Chair—857.
- OLSGARD—Bills—20.  
 Committees—29, 228, 229, 230, 232.  
 Motions—366.  
 Minority Reports—384, 1646.

- OWENS—Bills—42, 47, 143, 153, 227, 260, 271, 374, 375.  
 Committees—229, 230, 231, 232, 1724, 1939, 2034, 2050.  
 Resolutions—1576.  
 Committee Reports—219, 628, 1376, 1461, 1487, 2049, 2058.  
 Motions—228, 234, 403, 422, 553, 580, 626, 628, 673, 810, 903, 955,  
 1049, 1103, 1146, 1148, 1179, 1180, 1215, 1290, 1377, 1432, 1577,  
 1639, 1663, 1676, 1728, 1808, 1816, 1858, 1874, 1935, 1939, 2004.  
 Chair—626.
- PENDRAY—  
 Committees—165, 228, 231, 232.  
 Committee Reports—359, 1465.  
 Minority Reports—1368.  
 Petitions—1086.
- PETTERSON—Bills—26, 98, 489.  
 Committees—228, 231, 232.  
 Resolutions—2043.  
 Committee Reports—219.
- PITKIN—Bills—108.  
 Committees—229, 230.  
 Committee Reports—263, 333.  
 Motions—1541.
- PLOYHAR—Bills—114, 131, 133, 169.  
 Committees—228, 230, 231, 1602.  
 Committee Reports—263, 285, 296, 297, 298, 299, 333, 354, 355,  
 419, 420, 548, 566, 567, 568, 569, 570, 571, 572, 573, 612, 833, 834,  
 835, 836, 973, 974, 975, 976, 1212, 1333, 1458, 1630, 1715.  
 Motions—215, 239, 285, 299, 300, 302, 318, 355, 360, 368, 369, 420,  
 538, 542, 549, 573, 598, 656, 664, 700, 728, 836, 897, 939, 976, 990,  
 994, 1214, 1223, 1334, 1409, 1445, 1461, 1476, 1593, 1634, 1665,  
 1666, 1689, 1747, 1884, 1885.  
 Chair—668.
- PUTNAM—Bills—86, 99, 247, 373.  
 Committees—228, 229, 230, 231, 239, 1238, 1860.  
 Committee Reports—278, 351, 352, 359, 598, 599, 1143, 1340, 1411,  
 1635, 1636, 1735, 1992.  
 Motions—352, 599, 811, 1144, 1356, 1412, 1637, 1735, 1994.
- RANEY—  
 Committees—229, 230, 232, 1539.
- ROBLE—Bills—58, 61, 242, 244, 497, 498, 499.  
 Committees—228, 229, 230, 231, 1577.  
 Committee Reports—1557, 1615.  
 Motions—458, 905, 1173, 1445, 1690.  
 Minority Reports—1372.
- RYAN—Bills—463, 464, 468, 479.  
 Committees—229, 230, 232, 1577, 1663.  
 Committee Reports—422, 580, 808, 1615, 1640.  
 Motions—1690, 2000.  
 Minority Reports—1024, 1203, 1367.
- SANDBECK—Bills—162, 334, 436.  
 Committees—229, 231, 232.  
 Motions—990.

## SCHROEDER—

Committees—228, 229, 230, 231, 232.  
 Motions—1379.  
 Minority Reports—1207.

## SMALL—Bills—407.

Committees—28, 229, 231, 403, 1765.  
 Committee Reports—163, 263, 333, 1373, 1809.  
 Minority Reports—969, 1557.

SMITH of Kidder—Bills—69, 85, 104, 132, 136, 144, 390, 412, 452, 470,  
487.

Committees—228, 230, 231, 232.  
 Committee Reports—497.  
 Petitions—1085, 1366.

## SMITH of Ward—Bills—166.

Committees—228, 229, 230, 232.  
 Resolutions—1097, 1217, 1499.  
 Committee Reports—333, 1557.  
 Motions—341, 1616, 1619.  
 Chair—1616.  
 Petitions—1809.

## SNYDER—Bills—243, 285.

Committees—229, 230, 231, 239.  
 Committee Reports—278, 418.  
 Motions—1101.  
 Minority Reports—1640.

## SORLIE—Bills—40, 80, 95, 171, 190, 220, 312.

Committees—229, 230, 231, 236, 281.  
 Committee Reports—238, 239, 421, 556, 1338, 1730.  
 Motions—235, 239, 245, 256, 272, 281, 204, 341, 342, 367, 421, 459,  
 555, 556, 573, 588, 668, 899, 902, 1048, 1163, 1165, 1187, 1220,  
 1280, 1338, 1359, 1385, 1405, 1405, 1431, 1432, 1445, 1475, 1500,  
 1579, 1707, 1731, 1734, 1747, 1802, 1903, 1926, 1932, 1948, 1967,  
 1988, 1998, 2014, 2021, 2024, 2050, 2052, 2055, 2056, 2073.  
 Chair—555.  
 Petitions—962.

## STENEHJEM—Bills—70, 189, 327, 350, 351, 352, 353, 354, 414, 415, 480.

Committees—228, 229, 231, 281.  
 Committee Reports—339, 498, 637, 780, 781, 782, 924, 1419.  
 Motions—638, 782, 1096, 1186, 1347, 1420.

## STINGER—Bills—139, 194, 295, 384, 480, 488.

Committees—229, 231, 232.  
 Committee Reports—1557.  
 Motions—581, 1445.

## STREETER—Bills—263, 264, 311, 335, 337, 344.

Committees—28, 230, 231, 532, 671.  
 Resolutions—28, 275.  
 Committee Reports—159, 216, 369, 782, 783, 985, 986, 987, 988,  
 989, 1137, 1582, 1641.  
 Motions—157, 159, 216, 218, 260, 302, 339, 341, 369, 448, 488, 554,  
 576, 610, 626, 695, 783, 843, 847, 946, 989, 1010, 1011, 1070, 1138,  
 1172, 1188, 1276, 1277, 1280, 1408, 1641, 1678, 1725, 2024, 2070.  
 Chair—369.  
 Point of Order—1279.  
 Minority Reports—1884.

INDEX

CV

THOMPSON—Bills—82, 148, 150, 303, 304, 367.

Committees—230, 231, 1539, 1724, 1879.

Resolutions—1430.

Committee Reports—318, 352, 353, 416, 418, 497, 518, 519, 544, 546, 547, 548, 639, 640, 958, 969, 970, 971, 1338, 1638, 1741, 1810.

Motions—165, 302, 318, 349, 353, 363, 387, 387, 403, 416, 418, 437, 448, 465, 519, 520, 521, 541, 544, 546, 548, 556, 593, 640, 810, 815, 909, 941, 953, 955, 958, 959, 971, 1007, 1009, 1012, 1045, 1057, 1059, 1064, 1068, 1070, 1159, 1167, 1178, 1218, 1220, 1221, 1237, 1280, 1340, 1374, 1432, 1474, 1475, 1518, 1638, 1663, 1716, 1718, 1811, 1816, 1818, 1829, 1858, 1878, 1975, 1980, 1990, 1999, 2000, 2002, 2010, 2024, 2025, 2050, 2070, 2071.

Chair—318, 955.

Point of Order—1277.

Minority Reports—1374.

Petitions—1809.

TAYLOR—

Committees—229, 231, 232, 1663.

Committee Reports—1715.

Minority Reports—1207.

TUCKER—Bills—485.

Committees—228, 230, 232, 1727, 1879.

Committee Reports—263, 333, 498, 1804.

Minority Reports—1024, 1203, 1367.

TURNER, C. C.—Bills—37, 53, 208, 235.

Committees—29, 230, 231, 1602, 1724, 1765, 1856, 1966.

Committee Reports—418, 497, 815, 1412, 1715, 1747, 1817, 1885.

Motions—475, 815, 933, 1146, 1184, 1218, 1243, 1399, 1413, 1516, 1747, 1854.

Chair—815.

TURNER, F. W.—Bills—53, 55, 105, 290.

Committees—228, 229, 230, 232.

Committee Reports—1492, 1744.

Motions—704.

Petitions—963.

TWICHELL—Bills—10, 16, 27, 63, 92, 172, 180, 197, 198, 231, 294, 356,

359, 369, 372, 389, 392, 423, 448, 453, 456, 459, 500.

Committees—165, 228, 230, 231, 423, 1238, 1664, 1765, 1845, 1939, 2050.

Resolutions—646, 1974, 2025.

Committee Reports—219, 375, 446, 545, 603, 604, 728, 827, 828, 1030, 1031, 1375, 1436, 1483, 1561, 1816, 1878, 2058.

Motions—375, 401, 446, 464, 537, 545, 605, 646, 728, 806, 813, 828, 889, 956, 1031, 1068, 1070, 1120, 1171, 1175, 1357, 1376, 1378, 1395, 1405, 1431, 1437, 1445, 1475, 1483, 1525, 1561, 1878, 1695, 1727, 1745, 1774, 1809, 1855, 1878, 1897, 1929, 1974, 2032, 2034, 2035, 2036.

Petitions—1146.

WALSH—Bills—107, 229, 307, 324.

Committees—228, 230, 231, 232, 239, 1671, 1722, 1746.

Resolutions—2056.

Committee Reports—278, 1805.

Minority Reports—1832.

- WARDROPE**—Bills—38, 60, 110, 284, 309, 387, 428, 471, 472.  
 Committees—229, 230.  
 Committee Reports—353, 354, 374, 418, 437, 439, 563, 564, 601, 602, 641, 642, 643, 644, 872, 873, 1031, 1032, 1033, 1034, 1035, 1370, 1376, 1415, 1651, 1738, 1744.  
 Motions—354, 374, 398, 407, 437, 438, 565, 602, 644, 873, 1035, 1066, 1098, 1219, 1228, 1239, 1355, 1370, 1379, 1405, 1413, 1580, 1651, 1663, 1665, 1698, 1738, 2009.  
 Chair—437, 438.
- WARRINER**—Bills—174, 257, 346, 370.  
 Committees—228, 229, 231, 1238, 1727.  
 Resolutions—218.  
 Committee Reports—1375, 1436, 1465, 1804.  
 Minority Reports—969, 971, 1368, 1374.  
 Petitions—962.
- WATT**—Bills—45, 75, 438, 442.  
 Committees—228, 229, 230, 232, 1727.  
 Committee Reports—1533, 1804.  
 Motions—302, 494, 924, 951, 1533, 1538, 1167, 1726, 1804, 1853, 1855, 1898, 1918.  
 Chair—951.  
 Minority Reports—384, 1646.  
 Petitions—1409.
- WEIS**—Bills—184, 211, 338.  
 Committees—164, 228, 229, 231, 1765, 1818, 2034.  
 Committee Reports—1817, 1886, 2049.  
 Motions—1153, 1171, 1517, 1853, 1877, 1966, 1984, 1989, 2069.  
 Minority Reports—1374.
- WILEY**—Bills—159, 306, 493.  
 Committees—228, 230, 231, 232, 1602, 1671, 1724, 1724, 2034.  
 Committee Reports—245, 263, 334, 1715, 1747, 1805, 2049.  
 Motions—672, 902, 949, 1071, 1156, 1431, 1538, 1619, 1879, 1921, 1998, 2021, 2034, 2048.  
 Minority Reports—548.
- WILLIAMS**—Bills—49, 52, 71, 88, 191, 214, 215, 216, 217, 218, 250, 251, 274, 299, 360, 377, 481, 482, 496, 501.  
 Committees—164, 229, 230, 231, 671, 1855.  
 Resolutions—525, 730, 885, 928, 1096, 1377, 1491.  
 Committee Reports—233, 287, 310, 498, 1639, 1744, 1885.  
 Motions—164, 233, 287, 308, 310, 498, 590, 671, 672, 715, 730, 739, 807, 885, 928, 1044, 1067, 1079, 1130, 1334, 1378, 1492, 1505, 1541, 1572, 1639, 1853, 1854, 1856, 1886, 1938, 1992, 1993, 2056.  
 Chair—308, 628.  
 Petitions—1130, 1410.
- WING**—Bills—101, 276, 419.  
 Committees—229, 230, 231, 232, 1966.  
 Minority Reports—1884.
- MR. SPEAKER**—  
 Speaker Signs—1000, 1002, 1015, 1113, 1125, 1231, 1351, 1399, 1448, 1454, 1666, 1680, 1726, 1811, 1835, 1862, 1901, 1929, 1937, 1975, 2017, 2028, 2030, 2041, 2045, 2053, 2057, 2058, 2060, 2063, 2071.  
 Petitions—962, 1016, 1086.