

STATE OF NORTH DAKOTA

Journal of the House

OF THE

THIRTEENTH SESSION

OF THE

LEGISLATIVE ASSEMBLY

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January 7 to March 7, 1913
Inclusive*

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1913



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OF THE
**House of Representatives of
North Dakota**
FOR THE
Thirteenth Legislative Assembly
1913

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	John Dynes	Cass	Davenport
10	B. N. Sandbeck	Cass	Grandin
11	Jas. E. Hill	Cass	Erie
	Wm. Watt	Cass	Leonard
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	Albert Weis	Richland	Wahpeton
13	D. L. Warriner	Sargent	Forman
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14	P. H. Butler	Ransom	Lisbon
	James Walsh	Ransom	Enderlin
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16	W. H. Northrup	Steele	Luverne
	E. W. Everson	Griggs	Walum
	A. J. Huso	Griggs	Aneta
17	R. J. Gardiner	Nelson	Brockett
	C. I. Morkrid	Nelson	Petersburg
18	Fred Borusky	Cavalier	Wales
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20	Victor Wardope	Benson	Leeds
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21	M. D. Butler	Ramsey	Brockett
	Bernt Anderson	Ramsey	Churchs 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
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24	J. A. T. Bjornson	LaMoure	LaMoure
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MEMBERS—Continued.

Dist.	Name	County	P. O.
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	C. E. Knox.....	Dickey	Oakes
26	Geo. P. Bope.....	Kidder	Steele
	R. K. Batzer.....	Emmons	Hazleton
	Sid S. Smith.....	Kidder	Steele
	D. R. Streeter.....	Emmons	Linton
	Frank Fox.....	Burleigh	Bismarck
27	John Homan.....	Burleigh	Bismarck
	E. A. Williams.....	Burleigh	Bismarck
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28	H. C. Harty.....	Bottineau	Omemees
	E. O. Haraldson.....	Bottineau	Lansford
	C. C. Jacobson.....	Bottineau	Landa
	F. B. Lambert.....	Ward	Minot
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	A. M. Thompson.....	Ward	Minot
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	W. E. Martin.....	Morton	Mandan
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31	C. C. Turner.....	Stark	Gladstone
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	T. O. Roble.....	Wells	Manfred
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34	J. P. Schroeder.....	Sheridan	McClusky
35	M. H. Kelly.....	Logan	Napoleon
	H. H. France.....	Logan	Gackle
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36	C. W. Carey.....	Richland	Lidgerwood
	Nels Olsgard.....	Richland	Walcott
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38	Robt. J. List.....	Bowman	Scranton
	J. G. Odland.....	Golden Valley.....	Sentinel Butte
	Theo. K. Curry.....	Bowman.....	Buffalo Springs
39	Osc. Lindstrom.....	Burke	Noonan
	S. Hendrickson.....	Burke	Coteau
	H. Endreson.....	Burke	Bowbells
40	N. F. Snyder.....	McKenzie	Schafer
	A. A. Stenehjem.....	McKenzie	Arnegard
	Robt. Norheim.....	McKenzie	Alexandria
	W. G. Owens.....	Williams	Williston
41	E. L. Gunderson.....	Williams	Ray
	L. H. Bratton.....	Pierce	Rugby
42	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
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	Sherman Hickle.....	Oliver	Sanger
	Aug. Isaak.....	Mercer	Mannhaven
49	J. L. Hjort.....	Adams	Reeder
	H. J. Stinger.....	Adams	Petrel
50	John Balsdon.....	Cavalier	Osnabrock

Your committee on public health to whom was referred
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.

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

W. M. BARTLEY,
Chairman.

Also,
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.

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

W. M. BARTLEY,
Chairman.

Also,
Senate Bill No. 33.

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

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

W. M. BARTLEY,
Chairman.

Also,
House Bill No. 430.

A bill for an Act to amend and re-enact Sections 254 and 256 of the Revised Codes of 1905, relating 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.

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

W. M. BARTLEY,
Chairman.

Also
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.

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

In line 6 of the printed bill strike out "the board of county commissioners shall appoint" In line 7 strike out "some suitable person who is a resident of the county." Insert in lieu of the matter stricken out the words "the county superintendent of schools shall be." In line 1, where it first appears on page 7, strike out "Section 6" and insert "Subdivision A." In line 1, where it appears the second time on page 7, strike out "Section 7" and insert "Subdivision B."

And when so amended recommend the same do pass.

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:

That Section 1 be amended to read 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 nose, or any substitute therefor, or imitation thereof. Provided, however, ordinary chewing tobacco as now commonly known to the trade shall not be included in such definition."

And when so amended recommend the same do pass.

W. M. BARTLEY,
Chairman.

Mr. Bartley moved

That the report be adopted.

Which motion prevailed.

Mr. Divet moved

That the report on Senate Bill No. 98 be considered separately

Which motion prevailed.

Mr. Leu moved

That House Bill No. 430 be considered separately.

Which motion prevailed.

Mr. Divet moved

That the amendments proposed by the committee on public health be adopted, and that Senate Bill No. 98 be placed on the calander in the second place for third reading.

Which motion prevailed.

Mr. Leu moved

That House Bill No. 430 be re-referred to the committee on public health for further consideration.

Which motion was lost.

Mr. Buck moved

That the report of the committee on public health be adopted with the reception of Senate Bill No. 98 and House Bill No. 430.

Which motion prevailed.

The committee on immigration made the following report:

Mr. Speaker:

Your committee on immigration to whom was referred

A concurrent resolution relating to literacy being applied to immigrants.

Have had the same under consideration and recommend that the same be referred to the committee of the whole.

J. J. DOYLE,
Chairman.

Mr. Doyle 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

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.

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.

Mr. Hedalen moved

That House Bill No 268 be re-referred to the committee on engrossment.

Which motion prevailed.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred House Bill No. 417.

Being 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."

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 407.

Being a bill for a concurrent resolution amending the Constitution of the State of North Dakota, relating to debt limits.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 403.

Being a bill for a concurrent resolution to amend Section 119 of the Constitution of the State of North Dakota, per-

taining to candidacy of judges of the Supreme and District Courts for other offices during the term for which they have been elected.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 398.

Being a bill for 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.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 362.

Being a bill for 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.

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

A. G. DIVET,
Chairman.

Also,

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 Representatives and its regular sessions.

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

A. G. DIVET,
Chairman.

Also,

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.

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

Also,

A. G. DIVET,
Chairman.

House Bill No. 243.

Being a bill for 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.

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 municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

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.

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

L. L. TWICHELL,
Chairman.

Also,

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.

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

L. L. TWICHELL,
Chairman.

Also,

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.

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

In line 1 of Section 1 of the printed bill, after the word "Section," insert "Amendment.)". In line 3 of Section 1 of the printed bill, subtitle of Section amended so as to be printed in caps to be followed by a bracket. In line 1 of Section 2 of the printed bill, after the word "Section" insert "Amendment.)" In line 3 of same Section, amend subheading so that the same shall be printed in caps and followed by a bracket.) In line 1 of Section 3, after the word "Section," insert "Amendment.)" In line 3 of Section 3, amend subheading so that the same will printed in caps followed by a bracket.

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 election and election privileges made the following report:

Mr. Speaker:

Your committee on election and election privileges to whom was re-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 be amended as follows:

In the title of said bill after the word "amend" insert the words "and re-enact."

In line 1, Section 1, on page 1 of printed bill, after the figure 1, insert the word "Amendment.)"

On line 2 of Section 1 on page 1 of the printed bill immediately after the word amended, insert the word "re-enacted."

On line 4 in Section 1, page 1 of the printed bill, immediately after the word "in" insert the following words, "the combined congressional districts of."

And when so amended recommend the same do pass.

VICTOR WARDROPE,
Chairman.

Also,

Your committee on election and election privileges to whom was referred

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.

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

On line 12 on page 1 of the printed bill, after the word "county" insert the following words: "at a special election to be held."

And when so amended recommend the same do pass.

VICTOR WARDROPE,
Chairman.

Also,

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.

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

Strike out the words "twenty-five" in line 9 of Section 3, on page 6 of the printed bill and insert in lieu thereof the word "thirty."

And when so amended recommend the same do pass.

VICTOR WARDROPE,
Chairman.

Also,

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

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 in lieu thereof the following:

"For an Act to provide for the non-partisan nomination and election of municipal officers.

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

"Section 1. No Party Ballot.) In all petitions to be filed by or in behalf of candidates for nomination to a public office in any incorporated city, town or village in this state, no reference shall be made to a party ballot or to the party affiliation of such candidates.

Section 2. Nominations, How Made.) A candidate for any public office in an incorporated city, town or village may be nominated by filing with the city auditor, at least twenty days prior to the holding of the election, a petition signed by not less than ten per cent of the qualified electors residing within the ward or precinct in and for which such officer or officers are to be elected; provided, however, that in no case shall more than three hundred signatures be required and such signatures may be on separate sheets of paper. No elector shall sign more than one petition for the same office. Each signer of such petition shall add to his name his postoffice address, giving the street and number of his residence. It shall be the duty of the auditor or clerk of such city, town or village, as the case may be, to place only the names of the person or persons so nominated upon the ballot and to arrange the offices upon the ballot in the order in which they are named in the statutes. The arrangement of the names of the candidates upon the ballot shall be determined by lot by such auditor or clerk in the presence of the candidate or their representatives at noon on the day following the last day for the filing of nomination papers.

"Section 3. Repeal.) All Acts or parts of Acts, in so far as the same conflict herewith, are hereby repealed.

And when so amended recommend the same do pass.

VICTOR WARDROPE,
Chairman.

Also,

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.

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

VICTOR WARDROPE,
Chairman.

Also,

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.

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

VICTOR WARDROPE,
Chairman.

Also,

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.

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

VICTOR WARDROPE,
Chairman.

Also,

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.

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

A minority recommend that the same do pass.

VICTOR WARDROPE,
Chairman.

Also,

House Bill No. 326.

A bill for an Act to provide that county commissioners may be elected by the electors of the entire county.

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

VICTOR WARDROPE,
Chairman.

Also,

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.

Have had the same under consideration and a majority of your said committee recommend that the same be indefinitely postponed.

A minority of your said committee recommend that the same do pass.

VICTOR WARDROPE,
Chairman.

Mr. Wardrope moved

That the report be adopted.

Which motion prevailed.

Mr. Curry moved

That House Bill No. 326 be considered separately.

Which motion prevailed.

Mr. Curry moved

That House Bill No. 326 be made a special order for Monday at 3 o'clock.

Which motion prevailed.

The committee on education made the following report:

Mr. Speaker:

A minority of your committee on education to whom was referred

House Bill No. 106.

A bill for an Act creating a state text book commission and defining its duties and powers.

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

E. L. GUNDERSON,
S. HICKLE,
H. GEIGER,
WM. N. HUSBAND.

Also,

A majority of your committee on education to whom was referred

House Bill No. 106.

A bill for an Act creating a state text book commission and defining its duties and powers.

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

O. C. DOSSETH,
Chairman.

Also,

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.

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

O. C. DOSSETH,
Chairman.

Also,

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.

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

In line 4 of Section 141 of the engrossed bill, strike out the word "secretary" and insert in lieu thereof the word "clerk." In line 7 of the engrossed bill after the word "board" change the period to a semi-colon and insert the following: "Provided, however, that the said special school district have within its boundaries and be comprised of territory without the limits of said city, town or village, then the said special school district shall elect, at its regular elections, a treasurer in the manner provided by law for the election of school district treasurer."

In the ninth line of Section 141 of the engrossed bill, before the word "repeal," insert the following: "Section 2."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 197.

A bill for an Act relating to exits in all school houses having more than one school room, and requiring stationary fire escapes and railing to be attached to the outside of all school houses above the first story of every school house having more than one story, and designating whose duty it shall be to provide such exists and fire escapes, and prescribing a penalty for the violation of the provisions of this Act.

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 Speaker called Mr Dean of Grand Forks to the chair.

The committee on corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

House Bill No. 165.

A bill for an Act to define co-operative associations to authorize their incorporation, and to declare an emergency.

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

H. C. HARTY,
Chairman.

Also,

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.

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

H. C. HARTY,
Chairman.

Also,

House Bill No. 123.

A bill for an Act to provide for the annual publication of by-laws by domestic corporations.

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 regulate the operation of automobiles on public highways, designating the equipment and color of same and providing a penalty.

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

"Section 1. Color Scheme.) Any automobile operated on any of the highways of this state shall be colored as follows: During the spring months a dark green, during the summer months a tan color, during the autumn months a golden color and during the winter months a cream color.

"Section 2. Rate of Speed and Whistle.) The rate of travel shall at no time exceed six miles per hour. Every automobile having an engine shall be equipped with a whistle of not less than twenty-five horsepower.

"Section 3. Precautions.) When meeting any vehicle propelled by horsepower, the operator of any automobile shall immediately stop, take his automobile apart and carefully conceal the parts from view.

"Section 4. Irrigation.) The operator of any automobile when approaching within eighty rods of any residence when the roads are dusty shall sprinkle the road to a distance of eighty rods from such residence before operating automobile over same.

"Section 5. Signals.) Any person operating an automobile at night shall, when approaching a crossing or section corner, stop 500 feet from such crossing or section corner and blow a whistle and shoot up to a distance of 1,000 feet not less than one dozen sky rockets and wait at least fifteen minutes before proceeding.

“Section 6. Penalty.) Any person violating any of the provisions of this Act shall on conviction be punishable by a fine of from \$500 to \$1,000, or by imprisonment in the state penitentiary from one to three years or by both such fine and imprisonment. Provided, that farmers shall be exempt from the provisions of this Act, and provided, further, that bankers and lawyers shall in all cases on conviction receive the maximum penalty.”

And when so amended recommend the same do pass.

H. C. HARTY,
Chairman.

Also,

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.

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

H. C. HARTY,

Also,

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.

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

H. C. HARTY,
Chairman.

Also,

House Bill No. 127.

A bill for an Act to require domestic corporations to publish their articles of incorporation.

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

H. C. HARTY,
Chairman.

Mr. Harty moved

That the report be adopted.

Which motion prevailed.

Mr. Martin moved

That House Bills Nos. 123, 124, 125 and 126 be referred to the committee on state affairs.

Mr. Speaker:

Your committee on supplies and expenditures to whom was referred

The report of a select committee relating to the delay in securing the official report of the various state officers and institutions recorded on page 47 of the Journal of the fortieth day.

Have had the same under consideration and made the following recommendations to this House and move the adoption of this report:

Your committee will call your attention to the proposition made by the Knight Printing Company wherein they propose that the contract price for printing be raised in order to enable them to hire extra help for the purpose of rushing the work in getting out the reports of the state officers and institutions. Your committee disapproves of paying the state printer any sum in excess of the contract price and believes there is no warrant of law for any such expenditure and your committee recommends that unless the printing of said reports can be completed in time for their distribution to the members of this Legislative Assembly by the fifty-fifth day of the session, then, and in that event the printing of said reports be abandoned.

Your committee further recommends that all state officers and heads of state institutions and state boards who have failed to file their reports on time according to law, be requested to pay into the state treasury the minimum penalty in the sum of \$20.00, as provided for in Section 377 of the Revised Codes of 1905, unless such state office, head of institutions or board show cause why the same should not be paid and render to this Legislative Assembly a good and sufficient excuse why the said report was not filed within the statutory time.

Your committee will call your attention to the report made by the select committee formerly appointed by this House which report is recorded on page 20 of the Journal for the thirty-third day. The report of said select committee contains the name of the office, institution, or board, who have been delinquent in the filing of their reports.

Your committee further recommends that the payment of this penalty by the offices, heads of boards and institutions, be made voluntarily for the reason that the law providing for the collection of this penalty is so uncertain in its terms that the same is practically inoperative.

Your committee further recommends that heretofore the reports of state officers, heads of boards and institutions have been too voluminous and contained much detailed matter which is of no consequence and interest to the members of this Legislative Assembly and to the public and would recommend that said reports of the state officers, institutions and boards be made in detail to the governor and that the governor summarize said reports and have a digest of said reports printed to be distributed.

Your committee further reports that the printing of the reports of the state officers, institutions and boards heretofore have been a heavy and unnecessary expense and that much money can be saved to the state by printing a digest of the said reports, instead of the report in detail as has heretofore been the custom.

Your committee would further recommend Section 378 of the Revised Codes of 1905 relating to the collection of the penalty imposed on state officers, heads of institutions and boards for the failure to file the report within the statutory time, be amended so that the method of procedure for the collection of said penalty be made certain and operative and that it would be made the duty of the attorney general in all cases, save and except wherein his office is involved to collect the said penalty to protect said cases and in the event the office of the attorney general has been dilatory in the filing of its report then the governor shall have the power to appoint a prosecuting officer for the purpose of collecting the penalty from the attorney general.

Very respectfully submitted,

PAUL J. MOEN,
Chairman.

Mr. Moen moved

That the report be adopted.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Buck moved

That the vote by which House Bill No. 156 was indefinitely postponed, be reconsidered.

Mr. Lambert asked for a roll call.

The roll was called 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	Husbaro	Roble
Bratton	Isaak	Schroeder
Buck	Jacobson	Small
Burnett	Johnson	Stenhjem
Campbell	Kellogg	Stinger
Curry	Kelly	Streeter
Doyle	Klein	Turner, C. C.
France	Leu	Turner, F. W.
Freitag	Lewis	Twichell
Gardner	List	Walsh
Geiger	Martin	Wiley
Hanson	Miller	Wing
Haraldson	Moen	
Hart	Morrison	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Owens
Baldson	Hawkinson	Pendray
Butler of Ramsey	Hedalen	Petterson
Butler of Ransom	Hickle	Putnam
Calnan	Hill of Cass	Sandbeck
Carey	Hoge	Smith of Kidder
Davis	Huso	Sorlie
Dean	Knox	Thompson
Divet	Kylo	Taylor
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Wardrope
Dynes	Morkrid	Warriner
Endreson	Northrup	Watt
Everson	Nyhus	Williams
Fox	Olsgard	Mr. Speaker

Absent and not voting:

Messrs.—
Bartley
Bass
Coltom
Fritz

Messrs.—
Hjelmstad
Lindstrom
Norheim
Ryan

Messrs.—
Smith of Ward
Snyder

So the motion was lost.

Mr. Lambert asked for a verification on the vote.

A verification being had the vote was found correct.

Mr. Martin moved

That the vote by which House Bill No. 156 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, February 21, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 294.

Very respectfully,

W. D. AUSTIN,
Chairman.

Mr. Fritz moved

That House Bill No. 186 be withdrawn from the House.

Which motion prevailed.

Mr. Butler of Ransom moved

That House Bill No. 348 be withdrawn from the committee on taxes and tax laws.

Which motion prevailed.

Mr. Buller of Ransom moved

That House Bill No. 348 be withdrawn from the House.

Which motion prevailed.

Mr. Kylo offered the following concurrent resolution:

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 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 of 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.

Mr. Kylo moved

That the resolution be adopted.

Which motion prevailed.

Mr. Moen asked unanimous consent to return to the 10th order of business.

Which was objected to.

Mr. Williams moved

That the rules be suspended and the gentleman from Benson be allowed to introduce his bill.

Which motion prevailed.

Mr. Williams asked unanimous consent to introduce a bill.

Which consent was given.

Mr. Divet moved

That a committee of 5 be appointed by the Speaker to whom shall be referred all future bills offered during this session, such committee to report to the House whether or not consent of the introduction of such bills should be granted.

Which motion prevailed.

The Speaker appointed as such committee Messrs. Burnett, Williams, Gardiner, Roble and Fritz.

Mr. Thompson moved

That the House return to the tenth order of business for the purpose of reading the two bills just introduced, and have them referred to the proper committee.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

The Committee on Supplies and Expenditures introduced
House Bill No. 495.

A bill for an Act to amend Section 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.

Was read the first and second time and

Referred to the committee on supplies and expenditures.

Mr. Williams introduced

House Bill No. 496.

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.

Was read the first and second time and

Referred to the committee on election privileges.

Mr. Lambert moved

That the House do now take a recess of 10 minutes.

Which motion prevailed.

The House reassembled at 4:15 P. M., pursuant to adjournment.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 4, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Olsgard
Balsdon	Hart	Owens
Bartley	Harty	Pendray
Bass	Hedalen	Petterson
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Putnam
Bollinger	Hill of Cass	Raney
Bope	Hjort	Ryan
Buck	Hoge	Sandbeck
Burnett	Husband	Schroeder
Butler of Ramsey	Jacobson	Small
Butler of Ransom	Johnson	Smith of Kidder
Calnan	Kellogg	Stenehjem
Carey	Kelly	Streeter
Curry	Knox	Thompson
Dean	Kyllo	Tucker
Divet	Lambert	Turner, C. C.
Dixon	Lawbaugh	Twitchell
Dosseth	Leu	Walsh
Dynes	List	Wardrope
Endreson	Martin	Warriner
Everson	Moen	Weis
Fox	Morkrid	Wiley
France	Morrison	Williams
Freitag	Northrup	Wing
Gardiner	Nyhus	Mr. Speaker
Geiger	O'Connor	
Gunderson	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjelmstad	Taylor
Coltom		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Borusky	Davis	Hanson
Bratton	Doyle	Hawkinson
Campbell	Fritz	Hendrickson

Messrs.—
Homan
Huso
Isaak
Klein
Lewis
Lindstrom

Messrs.—
Miller
Norheim
Ployhar
Roble
Smith of Ward
Snyder

Messrs.—
Sorlie
Stinger
Turner, F. W.
Watt

So the bill passed and the title was agreed to.

Mr. Bass moved

That the vote by which House Bill No. 319 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 94, nays 0, absent and not voting 17.

Those voting in the affirmative were:

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

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

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

Messrs.—	Messrs.—	Messrs.—
Smith of Ward	Taylor	Watt
Snyder	Tucker	Weis
Sorlie	Turner, C. C.	Wiley
Stenhjem	Twichell	Williams
Stinger	Walsh	Wing
Streeter	Wardrope	
Thompson	Warriner	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Batzer	Hart	Morrison
Blakemore	Hawkinson	Ployhar
Campbell	Huso	Ryan
Dixon	Klein	Turner, F. W.
Hanson	Lindstrom	Mr. Speaker
Haraldson	Martin	

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. 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.

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 15, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Calnan	Fox
Bass	Campbell	France
Bjornson	Carey	Fritz
Blakemore	Curry	Gunderson
Bollinger	Dean	Haraldson
Bope	Divet	Hart
Borusky	Dixon	Harty
Buck	Dynes	Hawkinson
Burnett	Endreson	Hedalen
Builer of Ransom	Everson	Hickle

Messrs.—	Messrs.—	Messrs.—
Hill of Bottineau	Moen	Sorlie
Hill of Cass	Morkrid	Stenhjem
Hjelmstad	Norheim	Stinger
Isaak	Northrup	Streeter
Jacobson	O'Connor	Thompson
Johnson	Odland	Tucker
Kellogg	Olsgard	Turner, C. C.
Kelly	Owens	Twichell
Kyllo	Pendray	Walsh
Lambert	Pitkin	Wardrope
Lawbaugh	Putnam	Warriner
Leu	Roble	Wiley
Lindstrom	Ryan	Williams
List	Sandbeck	Wing
Martin	Smith of Kidder	
Miller	Snyder	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Ramsey	Gardiner	Morrison
Coltom	Geiger	Petterson
Davis	Hjort	Schroeder
Dosseth	Hoge	Small
Doyle	Knox	Taylor

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Balsdon	Homan	Raney
Bartley	Husband	Smith of Ward
Batzer	Huso	Turner, F. W.
Bratton	Klein	Watt
Freitag	Lewis	Weis
Hanson	Nyhus	Mr. Speaker
Hendrickson	Ployhar	

So the bill passed and the title was agreed to.

Mr. Owens moved

That the vote by which House Bill No. 143 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 36.

A bill for an Act to amend 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 73, nays 13, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Norheim
Balsdon	Gunderson	O'Gonnor
Bartley	Hart	Odland
Bass	Harty	Olsgard
Bjornson	Hawkinson	Owens'
Bollinger	Hedalen	Petterson
Bope	Hendrickson	Pitkin
Borusky	Hill of Bottineau	Putnam
Buck	Hill of Cass	Raney
Burnett	Hjelmstad	Roble
Butler of Ramsey	Hjort	Ryan
Butler of Ransom	Homan	Schroeder
Calnan	Isaak	Small
Campbell	Jacobson	Snyder
Carey	Johnson	Stenehjem
Curry	Kelly	Streeter
Davis	Kyllo	Thompson
Dean	Lambert	Taylor
Divet	Lawbaugh	Tucker
Dosseth	Leu	Turner, C. C.
Dynes	Lewis	Twichell
Everson	Martin	Warriner
Fox	Miller	Williams
France	Morkrid	
Fritz	Morrison	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Hoge	Wardrope
Coltom	Huso	Wiley
Dixon	Moen	Wing
Freitag	Nyhus	
Geiger	Sandbeck	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Batzer	Klein	Sorlie
Bratton	Knox	Stinger
Doyle	Lindstrom	Turner, F. W.
Endreson	List	Walsh
Hanson	Northrup	Watt
Haraldson	Pendray	Weis
Hickle	Ployhar	Mr. Speaker
Husband	Smith of Kidder	
Kellogg	Smith' of Ward	

So the bill passed and the title was agreed to.

Mr. O'Conner moved

That the vote by which House Bill No. 36 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 75, nays 9, absent and not voting 27.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Morkrid
Balsdon	Hart	Morrison
Bartley	Hawkinson	Northrup
Bass	Hedalen	O'Connor
Bjornson	Hendrickson	Odland
Blakemore	Hickle	Olsgard
Bollinger	Hill of Bottineau	Owens
Bope	Hjelmstad	Pendray
Borusky	Hjort	Pitkin
Butler of Ramsey	Hoge	Putnam
Butler of Ransom	Homan	Raney
Calnan	Husband	Roble
Campbell	Isaak	Ryan
Carey	Jacobson	Schroeder
Curry	Kellogg	Stenehjem
Dean	Kelly	Stinger
Divet	Klein	Streeter
Dosseth	Kyllo	Taylor
Endreson	Lambert	Tucker
Fox	Lawbaugh	Turner, C. C.
France	Leu	Walsh
Freitag	Lindstrom	Warriner
Fritz	List	Wiley
Gardiner	Martin	Williams
Geiger	Moen	Wing

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Dynes	Petterson
Coltom	Hill of Cass	Sorlie
Davis	Huso	Twitchell

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Batzer	Johnson	Smith of Kidder
Bratton	Knox	Smith of Ward
Buck	Lewis	Snyder
Dixon	Miller	Thompson
Doyle	Norheim	Turner, F. W.
Everson	Nyhus	Wardrope
Hanson	Ployhar	Watt
Haraldson	Sandbeck	Weis
Harty	Small	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Martin moved

That the vote by which House Bill No. 249 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 0, absent and not voting 27.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Norheim
Balsdon	Gunderson	Northrup
Bartley	Haraldson	O'Connor
Bass	Hawkinson	Odland
Bjornson	Hedalen	Olsgard
Blakemore.	Hickle	Owens
Bollinger	Hill of Bottineau	Pitkin
Bope	Hill of Cass	Putnam
Borusky	Hjelmstad	Raney
Burnett	Hjort	Roble
Butler of Ramsey	Hoge	Schroeder
Butler of Ransom	Husband	Small
Calnan	Huso	Smith of Kidder
Campbell	Isaak	Snyder
Carey	Jacobson	Sorlie
Coltom	Johnson	Stenehjem
Curry	Kellogg	Stinger
Davis	Kelly	Streeter
Dean	Klein	Taylor
Divet	Lambert	Tucker
Dixon	Leu	Turner, C. C.
Dynes	Lewis	Twichell
Endreson	Lindstrom	Walsh
Everson	List	Wardrope
Fox	Miller	Warriner
Freitag	Moen	Wiley
Fritz	Morkrid	Williams
Gardiner	Morrison	Wing

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Batzer	Hendrickson	Ployhar
Bratton	Homan	Ryan
Buck	Knox	Sandbeck
Dosseth	Kyllo	Smith of Ward
Doyle	Lawbaugh	Thompson
France	Martin	Turner, F. W.
Hanson	Nyhus	Watt
Hart	Pendray	Weis
Harty	Petterson	Mr. Speaker

So the bill passed and the title was agreed to.

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 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	Haraldson	Northrup
Baldson	Harty	Nyhus
Bartley	Hawkinson	O'Connor
Bjornson	Hedalen	Odland
Blakemore	Hendrickson	Owens
Bollinger	Hickle	Petterson
Bope	Hill of Bottineau	Pitkin
Borusky	Hill of Cass	Putnam
Buck	Hjelmstad	Raney
Burnett	Hjort	Schroeder
Butler of Ramsey	Hoge	Smith of Kidder
Butler of Ransom	Husband	Snyder
Calnan	Isaak	Stenehjelm
Campbell	Jacobson	Stinger
Carey	Johnson	Thompson
Curry	Kellogg	Taylor
Davis	Kelly	Tucker
Dean	Knox	Turner, C. C.
Dixon	Lambert	Twichell
Dosseth	Leu	Walsh
Doyle	Lewis	Warriner
Dynes	List	Weis
Endreson	Martin	Wiley
Fox	Moen	Williams
Fritz	Morkrid	Wing
Gardiner	Morrison	
Geiger	Norheim	
Gunderson		

Absent and not voting.

Messrs.—

Bass
Batzer
Bratton
Coltom
Divet
Everson
France
Freitag
Hanson
Hart
Homan

Messrs.—

Huso
Klein
Kyllo
Lawbaugh
Lewis
Miller
Olsgard
Pendray
Ployhar
Roble
Ryan

Messrs.—

Sandbeck
Small
Smith of Ward
Sorlie
Streeter
Turner, F. W.
Wardrope
Watt
Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Campbell moved

That the vote by which House Bill No. 21 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 79, nays 1, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bartley
Bass
Bjornson
Blakemore
Bollinger
Bope
Borusky
Buck
Burnett
Butler of Ramsey
Calnan
Carey
Coltom

Messrs.—

Davis
Dean
Divet
Dixon
Dosseth
Dynes
Endreson
Fox
France
Freitag
Gardiner
Geiger
Gunderson
Hart
Harty

Messrs.—

Hawkinson
Hendrickson
Hickle
Hill of Cass
Hjort
Hoge
Husband
Huso
Isaak
Jacobson
Johnson
Kellogg
Kelly
Knox
Kyllo

Messrs.—	Messrs.—	Messrs.—
Lawbaugh	Odland	Stenehjem
Leu	Olsgard	Stinger
Lindstrom	Owens	Streeter
List	Petterson	Thompson
Martin	Pitkin	Tucker
Miller	Putnam	Turner, C. C.
Moen	Raney	Twichell
Morkrid	Roble	Wardrope
Norheim	Sandbeck	Wiley
Northrup	Schroeder	Williams
Nyhus	Small	Wing

Those voting in the negative were: Mr. Campbell.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bartley	Hjelmstad	Snyder
Bratton	Homan	Sorlie
Butler of Ransom	Klein	Taylor
Curry	Lewis	Turner, F. W.
Doyle	Morrison	Walsh
Everson	O'Connor	Warriner
Fritz	Pendray	Watt
Hanson	Ployhar	Weis
Haraldson	Ryan	Mr. Speaker
Hedalen	Smith of Kidder	
Hill of Bottineau	Smith of Ward	

So the bill passed and the title was agreed to.

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."

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 9, absent and not voting 45.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Divet	Gunderson
Bass	Dixon	Harty
Bollinger	Dosseth	Hawkinson
Borusky	Doyle	Hendrickson
Buck	Dynes	Hickle
Butler of Ramsey	Endreson	Hill of Bottineau
Butler of Ransom	Everson	Hjelmstad
Calnan	Fox	Hoge
Campbell	France	Husband
Davis	Freitag	Isaak
Dean	Geiger	Jacobson

Messrs.—	Messrs.—	Messrs.—
Johnson	List	Smith of Kidder
Kelly	Moen	Sorlie
Knox	Morrison	Stenehjem
Kylo	Northrup	Streeter
Lambert	Owens	Tucker
Lawbaugh	Pitkin	Turner, C. C.
Leu	Putnam	Wardrobe
Lindstrom	Roble	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Burnett	Hjort
Blakemore	Coltom	Twichell
Bope	Curry	Wiley

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Balsdon	Klein	Sandbeck
Bartley	Lewis	Schroed̄er
Batzer	Martin	Small
Bratton	Miller	Smith of Ward
Carey	Morkrid	Snyder
Fritz	Norheim	Stinger
Gardiner	Nyhus	Thompson
Hanson	O'Connor	Taylor
Haraldson	Odland	Turner, F. W.
Hart	Olsgard	Walsh
Hedalen	Pendray	Warriner
Hill of Cass	Petterson	Watt
Homan	Ployhar	Weis
Huso	Raney	Wing
Kellogg	Ryan	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Lambert moved

That the vote by which House Bill No. 145 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 19, nays 56, absent and not voting 36.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Lambert	Stinger
Dean	Leu	Streeter
France	Morrison	Thompson
Hjort	Pitkin	Tucker
Homan	Putnam	Williams
Husband	Raney	
Huso	Snyder	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dynes	Miller
Balsdon	Everson	Moen
Bartley	Freitag	Morkrid
Bass	Gardiner	Odland
Blakemore	Geiger	Olsgard
Bollinger	Hart	Owens
Bope	Hawkinson	Roble
Borusky	Hendrickson	Sandbeck
Buck	Hickle	Schroeder
Butler of Ramsey	Hill of Bottineau	Small
Butler of Ransom	Hill of Cass	Smith of Kidder
Calnan	Isaak	Sorlie
Campbell	Jacobson	Stenchjem
Carey	Johnson	Taylor
Coltom	Kelly	Turner, C. C.
Davis	Kyllo	Walsh
Divet	Lawbaugh	Wardrope
Dixon	Lindstrom	Wing
Dosseth	Martin	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Batzer	Hedalen	Pendray
Bjornson	Hjelmstad	Petterson
Bratton	Hoge	Ployhar
Curry	Kellogg	Ryan
Doyle	Klein	Smith of Ward
Endreson	Knox	Turner, F. W.
Fox	Lewis	Twichell
Fritz	List	Warriner
Gunderson	Norheim	Watt
Hanson	Northrup	Weis
Haraldson	Nyhus	Wiley
Harty	O'Connor	Mr. Speaker

Mr. Divit moved

That the vote by which House Bill No. 279 was lost, be reconsidered.

Which motion prevailed.

Mr. Thompson moved

That House Bill No. 279 be re-referred to the committee on warehouse and grain grading for amendment.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 65, nays 6, absent and not voting 40.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hill of Bottineau	Owens
Bope	Hjelmstad	Pettersen
Borusky	Hoge	Putnam
Burnett	Homan	Raney
Butler of Ramsey	Husband	Roble
Butler of Ransom	Huso	Sandbeck
Carey	Isaak	Small
Coltom	Jacobson	Smith of Kidder
Curry	Kelly	Snyder
Davis	Klein	Sorlie
Dean	Knox	Stenehjem
Divet	Kyllo	Stinger
Dixon	Lambert	Streeter
Dosseth	Lawbaugh	Thompson
Doyle	Leu	Taylor
Dynes	List	Tucker
Endreson	Martin	Turner, C. C.
France	Moen	Twichell
Freitag	Morkrid	Walsh
Geiger	Norheim	Wardrope
Gunderson	Northrup	Williams
Harty	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Calnan	Hickle	Nyhus
Hawkinson	Johnson	Pitkin

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Campbell	Hendrickson
Balsdon	Everson	Hill of Cass
Bartley	Fox	Hjort
Bass	Fritz	Kellogg
Batzer	Gardiner	Lewis
Blakemore	Hanson	Lindstrom
Bollinger	Haraldson	Miller
Bratton	Hart	Morrison
Buck	Hedalen	O'Connor

Messrs.—
Olsgard
Pendray
Ployhar
Ryan
Sandbeck

Messrs.—
Smith of Ward
Turner, F. W.
Warriner
Watt
Weis

Messrs.—
Wiley
Wing
Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 486 passed, be re-

Which motion prevailed.

considered and the motion to reconsider be laid on the table.

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.

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 7, absent and not voting 36.

Those voting in the affirmative were:

Messrs.—
Anderson
Bartley
Bass
Bjornson
Blakemore
Bollinger
Bope
Buck
Butler of Ramsey
Butler of Ransom
Calnan
Carey
Curry
Davis
Divet
Dixon
Dossseth
Dynes
Endreson
France
Fritz
Geiger
Ganderson

Messrs.—
Harty
Hawkinson
Hendrickson
Hickle
Hill if Cass
Hjelmstad
Homan
Husband
Isaak
Jacobson
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lindstrom
Martin
Miller
Moen
Morkrid
Morrison

Messrs.—
Norheim
Olsgard
Pitkin
Putnam
Roble
Ryan
Sandbeck
Schroeder
Smith of Kidder
Snyder
Stenehjem
Streeter
Thompson
Taylor
Tucker
Turner, C. C.
Twichell
Walsh
Wardrope
Wiley
Williams
Wing

Those voting in the negative were:

Messrs.—
Everson
Hjort
Huso

Messrs.—
List
Northrup
Pettersen

Messrs.—
Stinger

Absent and not voting:

Messrs.—
 Balsdon
 Batzer
 Borusky
 Bratton
 Burnett
 Campbell
 Coltom
 Dean
 Doyle
 Fox
 Freitag
 Gardiner

Messrs.—
 Hanson
 Haraldson
 Hart
 Hedalen
 Hill of Bottineau
 Hoge
 Johnson
 Kellogg
 Lewis
 Nyhus
 O'Connor
 Odland

Messrs.—
 Owens
 Pendray
 Ployhar
 Raney
 Small
 Smith of Ward
 Sorlie
 Turner, F. W.
 Warriner
 Watt
 Weis
 Mr. Speaker

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 4, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—
 Anderson
 Balsdon
 Bartley
 Bass
 Bjornson
 Blakemore
 Bollinger
 Bope
 Borusky
 Burnett
 Carey
 Coltom
 Curry
 Dean
 Divet
 Dixon
 Dossseth
 Dynes
 Endreson
 Everson
 Fox
 France
 Freitag
 Gardiner
 Geiger
 Gunderson

Messrs.—
 Harty
 Hendrickson
 Hickle
 Hill of Bottineau
 Hill of Cass
 Hjort
 Hoge
 Husband
 Huso
 Isaak
 Jacobson
 Kellogg
 Kelly
 Klein
 Kylo
 Lambert
 Lawbaugh
 Leu
 Lindstrom
 List
 Martin
 Miller
 Moen
 Norheim
 Northrup
 Nyhus

Messrs.—
 O'Connor
 Odland
 Olsgard
 Owens
 Petterson
 Pitkin
 Putnam
 Raney
 Ryan
 Sandbeck
 Schroeder
 Smith of Kidder
 Snyder
 Sorlie
 Stinger
 Streeter
 Thompson
 Taylor
 Turner, C. C.
 Twichell
 Wardrobe
 Wiley
 Williams
 Wing

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Ramsey	Johnson	Pendray
Hjelmstad		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hart	Smith of Ward
Bratton	Hawkinson	Stenehjem
Buck	Hedalen	Fucker
Butler of Ransom	Homan	Turner, F. W.
Calnan	Knox	Walsh
Campbell	Lewis	Warriner
Davis	Morkrid	Watt
Doyle	Morrison	Weis
Fritz	Ployhar	Mr. Speaker
Hanson	Roble	
Haraldson	Small	

So the bill passed and the title was agreed to.

Mr. Norheim moved

That the vote by which House Bill No. 3228 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

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 2, absent and not voting 46.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Curry	Hill of Bottineau
Bartley	Divet	Hill if Cass
Bass	Dosseth	Hjort
Bjornson	Dynes	Hoge
Blakemore	Everson	Husband
Bollinger	Fox	Huso
Bope	France	Isaak
Buck	Freitag	Kellogg
Butler of Ransom	Geiger	Kelly
Calnan	Hendrickson	Klein
Carey	Hickle	Knox

Messrs.—
 Kylo
 Lambert
 Leu
 Lindstrom
 List
 Martin
 Miller
 Moen
 Norheim
 Northrup

Messrs.—
 Nyhus
 O'Connor
 Olsgard
 Owens
 Pitkin
 Raney
 Smith of Kidder
 Sorlie
 Stenhjem
 Stinger

Messrs.—
 Streeter
 Thompson
 Taylor
 Tucker
 Turner, C. C.
 Twichell
 Wardrope
 Wiley
 Williams
 Wing

Those voting in the negative were: Messrs. Anderson and Butler of Ramsey.

Absent and not voting:

Messrs.—
 Batzer
 Borusky
 Bratton
 Burnett
 Campbell
 Coltom
 Davis
 Dean
 Dixon
 Doyle
 Endreson
 Fritz
 Gardiner
 Gunderson
 Hanson
 Haraldson

Messrs.—
 Hart
 Harty
 Hawkinson
 Hedalen
 Hjelmstad
 Homan
 Jacobson
 Johnson
 Lawbaugh
 Lewis
 Morkrid
 Morrison
 Odland
 Pendray
 Pitkin
 Ployhar

Messrs.—
 Putnam
 Roble
 Ryan
 Sandbeck
 Schroeder
 Small
 Smith of Ward
 Snyder
 Turner, F. W.
 Walsh
 Warriner
 Watt
 Weis
 Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 427 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

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 1, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Geiger	O'Connor
Bartley	Gunderson	Odland
Bass	Hart	Olgard
Bjornson	Harty	Owens
Blakemore	Hawkinson	Petterson
Bollinger	Hickle	Pitkin
Bope	Hill of Bottineau	Ployhar
Borusky	Hill if Cass	Raney
Buck	Hjort	Ryan
Burnett	Husband	Schroeder
Butler of Ransom	Huso	Smith of Kidder
Calnan	Isaak	Snyder
Campbell	Jacobson	Sorlie
Carey	Johnson	Stenehjem
Colton	Kelly	Stinger
Curry	Klein	Streeter
Davis	Knox	Thompson
Dean	Lambert	Taylor
Divet	Lawbaugh	Tucker
Dosseth	Lewis	Turner, C. C.
Doyle	Lindstrom	Twichell
Dynes	List	Walsh
Endreson	Martin	Wardrope
Everson	Moen	Watt
Fox	Morkrid	Wiley
France	Norheim	Williams
Freitag	Northrup	
Gardiner	Nyhus	

Those who voted in the negative were: Mr. Anderson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hoge	Sandbeck
Bratton	Homan	Small
Butler of Ramsey	Kellogg	Smith of Ward
Dixon	Kyllo	Turner, F. W.
Fritz	Leu	Warriner
Hanson	Miller	Weis
Haraldson	Morrison	Wing
Hedalen	Pendray	Mr. Speaker
Hendrickson	Putnam	
Hjelmstad	Roble	

So the bill passed and the title was agreed to.

Mr. Bjornson moved

That the vote by which House Bill No. 426 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hoge asked unanimous consent to amend House Bill No. 421 by striking out "Wednesday" in line 24, page 2, of the printed bill and inserting in lieu thereof the word "Tuesday."

Which request was granted.

Mr. Thompson moved

To suspend the rules and that House Bill No. 421 be placed on third reading and final passage as amended.

Which motion prevailed.

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.

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 4, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Gunderson	Odland
Bartley	Hart	Olsgard
Bass	Harty	Owens
Bjornson	Hawkinson	Pendray
Blakemore	Hendrickson	Pitkin
Bollinger	Hickle	Raney
Bope	Hill of Bottineau	Roble
Bratton	Hill if Cass	Ryan
Buck	Hjelmstad	Sandbeck
Burnett	Hjort	Schroeder
Calnan	Hoge	Smith of Kidder
Campbell	Husband	Sorlie
Carey	Huso	Stenehjem
Coltom	Johnson	Streeter
Curry	Kellogg	Thompson
Dean	Klein	Tucker
Divet	Kyllo	Turner, C. C.
Dixon	Lambert	Twichell
Dosseth	Lawbaugh	Walsh
Dynes	Leu	Wardrobe
Endreson	Lindstrom	Warriner
Everson	List	Watt
Fox	Morkrid	Wiley
France	Norheim	Williams
Freitag	Northrup	Wing
Geiger	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Ramsey	Jacobson	Morrison
Gardiner		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Homan	Ployhar
Batzer	Isaak	Putnam
Borusky	Kelly	Small
Butler of Ransom	Knox	Smith of Ward
Davis	Lewis	Snvder
Doyle	Martin	Stinger
Fritz	Miller	Taylor
Hanson	Moen	Turner, F. W.
Haraldson	O'Connor	Weis
Hedalen	Petterson	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Bollinger moved

That the vote by which House Bill No. 421 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Anderson moved

That the House defer action on House Bill No. 420.

Which motion was lost.

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 the State of North Dakota, relating to the boundaries of, and terms of court in, the Second Judicial District.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 8, absent and not voting 35.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Divet	Hjort
Bass	Dixon	Hoge
Bjornson	Dosseth	Husband
Blakemore	Doyle	Isaak
Bollinger	Dynes	Jacobson
Bope	Endreson	Johnson
Buck	Fox	Kelly
Burnett	Freitag	Klein
Butler of Ransom	Fritz	Knox
Campbell	Gardiner	Kyllo
Carey	Hart	Lambert
Coltom	Harty	Leu
Curry	Hawkinson	List
Davis	Hickle	Morkrid
Dean	Hill of Bottineau	Norheim

Messrs.—
Northrup
Nyhus
Odland
Olsgard
Owens
Petterson
Pitkin
Putnam

Messrs.—
Raney
Sandbeck
Schroeder
Small
Smith of Kidder
Snyder
Sorlie
Streeter

Messrs.—
Thompson
Taylor
Tucker
Turner, C. C.
Walsh
Wardrope
Watt

Those voting in the negative were:

Messrs.—
Anderson
Butler of Ramsey
Gunderson

Messrs.—
Hendrickson
Hjelmstad
Moen

Messrs.—
Morrison
Roble

Absent and not voting:

Messrs.—
Balsdon
Batzer
Borusky
Bratton
Calnan
Everson
France
Geiger
Hanson
Haraldson
Hedalen
Hill if Cass

Messrs.—
Homan
Huso
Kellogg
Lawbaugh
Lewis
Lindstrom
Martin
Miller
O'Connor
Pendray
Ployhar
Ryan

Messrs.—
Smith of Ward
Stenchjem
Stinger
Turner, F. W.
Twichell
Warriner
Weis
Wiley
Williams
Wing
Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Wardrope moved

That the vote by which House Bill No. 420 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 393.

Being a bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 71, nays 2, absent and not voting 38.

Those voting in the affirmative were:

Messrs.—
Bartley
Bass
Bjornson
Blakemore
Bollinger

Messrs.—
Bope
Buck
Burnett
Butler of Ramsey
Butler of Ransom

Messrs.—
Campbell
Carey
Coltom
Curry
Davis

Messrs.—	Messrs.—	Messrs.—
Dean	Hoge	Pitkin
Divet	Husband	Raney
Dixon	Huso	Roble
Dosseth	Isaak	Ryan
Dynes	Jacobson	Small
Endreson	Johnson	Smith of Kidder
Everson	Kellogg	Snyder
Freitag	Kelly	Sorlie
Gardiner	Knox	Streeter
Geiger	Lambert	Taylor
Gunderson	Lawbaugh	Tucker
Harty	Leu	Turner, C. C.
Hawkinson	Lindstrom	Twichell
Hendrickson	List	Walsh
Hickle	Miller	Wardrope
Hill of Bottineau	Morkrid	Watt
Hill of Cass	Odland	Wiley
Hjelmstad	Olsgard	Williams
Hjort	Pendray	

Those voting in the negative were: Messrs. Anderson and Hart.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Klein	Putnam
Batzer	Kyllo	Sandbeck
Borusky	Lewis	Schroeder
Bratton	Martin	Smith of Ward
Calnan	Moen	Stenehjem
Doyle	Morrison	Stinger
Fox	Norheim	Thompson
France	Northrup	Turner, F. W.
Fritz	Nyhus	Warriner
Hanson	O'Connor	Weis
Haraldson	Owens	Wing
Hedalen	Petterson	Mr. Speaker
Homan	Ployhar	

So the bill passed and the title was agreed to.

Mr. Williams moved

That the vote by which House Bill No. 393 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 369.

Being a bill for an Act to provide for suspension of modification of sentence of persons convicted of misdemeanors.

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 8, absent and not voting 36.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Gardiner	Norheim
Bartley	Geiger	Nyhus
Bass	Hart	Odland
Bjornson	Hendrickson	Olsgard
Blakemore	Hickle	Owens
Bollinger	Hill if Cass	Petterson
Buck	Hjort	Pitkin
Burnett	Hoge	Raney
Butler of Ramsey	Husband	Roble
Butler of Ransom	Huso	Ryan
Carey	Isaak	Sandbeck
Curry	Jacobson	Schroeder
Dean	Johnson	Smith of Kidder
Divet	Kellogg	Stinger
Dixon	Kelly	Streeter
Dosseth	Klein	Turner, C. C.
Doyle	Knox	Twitchell
Dynes	Lawbaugh	Wardrope
Endreson	Leu	Watt
Everson	Lindstrom	Wiley
Fox	List	Williams
France	Miller	
Fritz	Morkrid	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Coltom	Moen
Bope	Hjelmstad	Thompson
Calnan	Lambert	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Batzer	Hill of Bottineau	Smith of Ward
Borusky	Homan	Snyder
Bratton	Kyllo	Sorlie
Campbell	Lewis	Stenehjem
Davis	Martin	Taylor
Freitag	Morrison	Tucker
Gunderson	Northrup	Turner, F. W.
Hanson	O'Connor	Walsh
Haraldson	Pendray	Warriner
Harty	Ployhar	Weis
Hawkinson	Putnam	Wing
Hedalen	Small	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Twitchell moved

That the vote by which House Bill No. 369 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Kyllo moved

That the House do now adjourn.

Which motion was lost.

Mr. Thompson moved

A call of the House.

Which motion was denied.

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.

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 7, absent and not voting 37.

Those voting in the affirmative were:

Messrs.—

Bass
Bjornson
Blakemore
Bollinger
Bope
Buck
Burnett
Butler of Ramsey
Butler of Ransom
Carey
Coltom
Curry
Davis
Dean
Divet
Dixon
Endreson
Everson
Fox
France
Fritz
Geiger
Gunderson

Messrs.—

Hendrickson
Hickle
Hill if Cass
Hjelmstad
Hjort
Husband
Huso
Jacobson
Johnson
Kellogg
Kelly
Klein
Knox
Kyllo
Lambert
Leu
Lindstrom
List
Martin
Norheim
Northrup
Nyhus
Odland

Messrs.—

Olsgard
Pitkin
Putnam
Roble
Ryan
Sandbeck
Schroeder
Smith of Kidder
Stenehjem
Stinger
Streeter
Thompson
Taylor
Tucker
Turner, C. C.
Twichell
Walsh
Wardrope
Watt
Weis
Williams

Those voting in the negative were:

Messrs.—

Calnan
Dixon
Dosseth

Messrs.—

Isaak
Morrison
Owens

Messrs.—

Small

Absent and not voting.

Messrs.—

Anderson
Baldson
Bartley
batzer
Borusky
Bratton
Campbell
Doyle
Freitag
Gardine
Hanson
Haraldson
Hart

Messrs.—

Harty
Hawkinson
Hedalen
Hill of Bottineau
Hoge
Homan
Lawbaugh
Lewis
Miller
Moen
Morkrid
O'Connor
Pendrav

Messrs.—

Petterson
Ployhar
Raney
Smith of Ward
Snyder
Sorlie
Turner, F. W.
Warriner
Weis
Wing
Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 415 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Divet moved

That the House do now adjourn

Which motion was lost.

Mr. Thompson moved

A call of the House.

Which motion was lost.

Mr. Doyle moved

That House Bill No. 201 be placed at the head of the calendar for Monday, February 24th.

Which motion was lost.

Mr. Twichell moved

That the House do now adjourn.

Which motion was lost.

Mr. Knox moved

A call of the House.

Which motion was lost.

Mr. Thompson moved

The previous question.

Which motion was lost.

Mr. Streeter moved

To place House Bill No. 201 at the foot of the calendar for Monday, February 24th.

Which motion prevailed.

COURTESIES OF THE FLOOR.

Privileges of the floor were extended to J. H. Mantz, Anamoose; H. R. Putnam, University; Mr. A. J. Barker, Hankinson; Mr. and Mrs. G. R. Cook, Gardner, N. D.

Mr. Wiley moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FORTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 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. Anderson, Batzer, Bjornson, Blakemore, Bollinger, Bope, Buck, Burnett, Campbell, Fox, Harty, Isaak, Johnson, Kellogg, Knox, Lewis, O'Connor, Petterson, Ployhar, Putnam, Sanbeck, Schroeder, Smith of Ward, Stenehjem, Stinger, Streeter, Thompson, C. C. Turner, F. W. Turner, Weis, Wiley, Wing.

Mr. Hjort read the memorial address of George Washington before the House.

Mr. Hendrickson moved

That a committee of three be appointed to notify the Senate that the House is ready to receive the Senate in joint session.

Which motion prevailed.

The Speaker appointed as such committee Messrs. Hendrickson, Walsh and Bass.

The sergeant at arms announced the members of the Senate.

The President of the Senate called the joint session to order.

Mr. Bronson moved

That the President of this joint assembly appoint a committee of four to consist of two from the Senate and two from the House, to advise the speakers of the day that this assembly awaits their pleasure, and to escort them to the places provided.

Which motion prevailed.

The President appointed as such committee Messrs. Divet and Lambert from the House, Messrs. Hyland and Overson from the Senate.

The sergeant at arms announced the speakers of the day, the state officers and the Supreme Court.

Mr. Bronson moved

That the memorial committee appointed by this Assembly invite the state officials and the members of the Supreme Court to attend this memorial session.

Which motion prevailed.

Program
of
Memorial Exercises

BEFORE JOINT SESSION OF THE

Thirteenth Legislative Assembly

February 22nd, 1913

COMMEMORATIVE OF THE PUBLIC
SERVICES AND THE NAMES OF THE

Late Chief Justice David E. Morgan

AND THE

Late Judge Charles H. Templeton

Memorial Program

PRAYER - - - REV. C. W. HARRIS

INSTRUMENTAL - - - ASE'S DEATH
MISS HELEN FISK (BY GRIEG)

FOR THE

LATE CHIEF JUSTICE MORGAN

MEMORIAL ON THE PART OF SUPREME COURT
JUDGE S. E. ELLSWORTH
FORMER JUSTICE OF THE SUPREME COURT

MEMORIAL ON THE PART OF DISTRICT COURT
JUDGE C. W. BUTTZ
JUDGE OF THE SECOND DISTRICT

MEMORIAL ON THE PART OF THE BAR
HON. TRACY R. BANGS
OF THE GRAND FORKS BAR

FOR THE
LATE JUDGE TEMPLETON

MEMORIAL ON THE PART OF THE COURTS
CHIEF JUSTICE BURLEIGH F. SPALDING
CHIEF JUSTICE OF THE SUPREME COURT

MEMORIAL ON THE PART OF THE BAR
HON. SCOTT REX
OF THE GRAND FORKS BAR

SONG : : : AMERICA

“AMERICA”

My country; 'tis of thee,
Sweet land of liberty,
Of thee I sing;
Land where my fathers died!
Land of the Pilgrim's pride!
From ev'ry mountain side
Let freedom ring.

My native country, thee—
Land of the noble free—
Thy name I love;
I love thy rocks and rills,
Thy woods and templed hills;
My heart with rapture thrills
Like that above.

Let music swell the breeze,
And ring from all the trees,
Sweet freedom's song;
Let mortal tongues awake;
Let all that breathe partake;
Let rocks their silence break,
The sound prolong.

Our father's God! to Thee,
Author of liberty,
To Thee we sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God, our King.

Mr. Burnett moved

That this joint assembly, by rising vote, express to the speakers and to Miss Fisk our appreciation of and gratitude for the excellent memorial program rendered today.

Which motion prevailed.

Mr. Bronson moved

That the joint session do now adjourn.

Which motion prevailed.

The Speaker called the House to order.

COURTESIES OF THE FLOOR.

The courtesies of the floor were granted to Messrs. John E. Greene and Theodore Hoppel.

Mr. Burnett moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FORTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 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. Bjornson, Isaak and Petterson.

MESSAGES FROM THE GOVERNOR.

Bismarck, North Dakota, February 20, 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. 78.

A bill for an Act defining bootlegging, making it a crime and fixing 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."

I have the honor to be,

Respectfully,

L. B. HANNA,
Governor.

Bismarck, N. D., February 24, 1913.

To the House of Representatives:

Gentlemen: Answering your request for a statement as to the capitol building lands, would say that at the time North Dakota was admitted as a state we were granted 82,000 acres for capitol buildings. Of this amount of land there was sold prior to July 1, 1912, 51,504 acres for a total price of.....

\$646,597.49

A part of this money has been expended and some of it has been expended for purposes not contemplated under the act giving the land to the state. The items referred to are for the trolley line, about
For well and tower
Furniture
Sewer and water, about.....

\$20,000.00
7,500.00
1,700.00
14,475.00

Making a total of.....

\$43,675.00

From the lands sold there is outstanding in the way of deferred payments.....

\$430,301.41

There is in the state treasury from the interest and income from the capitol lands and investments

144,558.29

There is in the permanent fund, derived from the sale of capitol lands, which has not been invested

58,007.90

This will make in the way of investments and in cash in the capitol building fund a total of

\$632,867.60

To this should be added the sum of.....

\$43,675.00

Which has been expended for other purposes than those contemplated when the lands were given to the state for building a capitol, and this money should be returned. If this is returned, it would make a total of.....

\$676,542.60

There remains unsold 30,495.34 acres. These lands seem to be pretty well located and should bring between twelve and twenty dollars per acre, or perhaps an average of about fifteen dollars per acre. At that price these lands would bring \$457,425.00

Upon this basis, the investments from lands previously sold, cash on hand, the lands remaining unsold and the return to the fund of the money illegally expended, would give a total of \$1,133,967.00

As a fund with which to build a new state capitol.

With reference to the building which we now occupy, after having conferred with those who have been here for some time, would say that it is the general belief that the older part of the building is a fire trap and that the library of the Supreme Court, which is on one of the upper floors and which has cost the state somewhere from seventy-five to one hundred thousand dollars, is a menace, by reason of its great weight, to the safety of the building; and further, that in case of a fire, it would be absolutely impossible to save the library or any part of it.

If a new building is contemplated by the legislature, it would take approximately the next two years to dispose of the lands remaining unsold, to secure plans and estimates for the construction of a new building, and to assemble the material necessary to build it.

I am attaching to this report a blue print showing the capitol grounds and the lots where title remains in the state. The lots upon this blue print colored pink have been disposed of in years gone by.

If there is any further information which the legislature may wish to have, I shall be glad to furnish it or have it furnished at any time.

I have the honor to be

Very respectfully,

L. B. HANNA,
Governor.

Mr. Williams moved

That the message from the governor be printed in the Journal and referred to the committee on state affairs, together with the map.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., February 21, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 29.

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 of trustees of incorporated villages.

Also,

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 Ssession Laws of 1911, relating to state aid to rural and consolidated schools.

Also,

Senate Bill No. 256.

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.

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Senate Bill No. 270.

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.

Senate Bill No. 291.

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."

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. 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.

Also,

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.

Also,

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

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. 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.

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.

Also,

House Bill No. 246.

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.

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. 271.

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

Also,

Senate Bill No. 255.

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.

Also,

Senate Bill No. 213.

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

Also,

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

Also,

Senate Bill No. 286.

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.

Also,

Senate Bill No. 287.

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."

Also,

Senate Bill No. 184.

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.

Also,

Senate Bill No. 117.

A bill for an Act relating to the enforcement of liens for storage of personal property and charges thereon.

Also,

Senate Bill No. 232.

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.

Also,

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

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

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-sixth and forty-seventh days, have carefully examined the same and recommend that the same be corrected as follows:

Journal of the forty-sixth day:

On page 6, last line, change "Fline" to "Flint."

On page 9, line 28, change "professor" to "profession."

On page 13, transpose lines 25 and 26.

On page 30, insert roll call following line 22.

In roll call of members voting aye on House Bill No. 80, change "Hendrickson" to "Hill of Bottineau."

On page 36, members voting aye on House Bill No. 143, change "Odland" to "Olsgard."

Your committee finds the Journal of the forty-seventh day correct.

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.

Towner, North Dakota, Feb. 6, 1913

To the Legislative Assembly of the State of North Dakota:

We, the undersignad, respectfully urge your vote "aye" on the anti-cigarette and anti-snuff bills now before your honorable body, for the sake of our young people.

Signed by Jane McNaughton Stevens and 26 others.

Mr. Dean introduced the following petition:

To the Members of the House of Representatives, Bismarck, North Dakota:

Believing in equal rights for all and special privilege for none, we, the undersigned residents of Grand Forks County do hereby petition your honorable body to give just and due consideration to the passage of the consistent bill allowing the women of our state equal rights with men in regard to the electoral franchise.

Signed by Paul M. Paulsen and 300 others.

Mr. Endreson introduced the following petition:

To the Legislative Assembly of the 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 the law, by settlers that could not otherwise have been extended to them, and many small contractors and carpenters with either small capital, or no capital at all would be unable to secure the necessary credit with which to carry on their business, if it is repealed. The state has not yet reached such a point in its development when it is wise to shut off this important source of credit to the common people.

Dated at Coteau, N. D., February 11th, 1913.

Signed by W. C. Bronson and 15 others of Coteau, N. D.

Mr. Endreson presented a similar petition signed by J. J. Christiansen and 43 others of Powers Lake, N. D.

Mr. Hendrickson introduced a similar petition signed by W. C. Bronson and 15 others of Coteau, N. D.

Mr. Smith of Kidder 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 L. F. Green of Robinson, N. D., and 31 others.

Mr. Bartley introduced a similar petition, signed by Carl Perrin and 21 others of Barlow, N. D.

Mr. Pendray 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 stallion 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 R. H. Reid of Courtenay, North Dakota and 23 other stallion owners of Stutsman County, N. D.

The following petition was introduced:

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 un-American 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 M. Jaknay and 33 others of Ward County, N. D.

Bismarck, North Dakota, February 24, 1913.

*Hon. J. H. Fraine, Speaker of the House of Representatives,
Bismarck, North Dakota:*

Dear sir: In response to the report of the committee on supplies and expenditures submitted on Friday, the 21st inst., recommending that state boards which have failed to file their annual report on time, be required to show cause

why the members of said board should not be fined as provided in the Revised Codes, Section 377, we desire to state the following facts:

First. The members of the House Committee are in error in assuming that the annual report of the board of railroad commissioners should be filed on or before September 1st, as provided by Section 73. It has been the custom of this and former boards to make their report to the Governor on or before the first Monday of December pursuant to the provisions of Section 4363, which fell in 1912 on the second day of said month.

Second. The report of this commission was completed and ready to turn over to the Governor on this day, but inasmuch as a great many other reports were then on file and it was apparent that said report could not be immediately placed in the hands of the printer, the same was held for the purpose of securing some details of minor information as to dates, and the like, which were not then readily accessible. The report was actually filed on December 19th and during all of this time Thomas Hall, the then secretary of this commission, was striving in every way to secure the immediate printing of the report, and it was only due to his efforts that the report was finally sent to the printer on the 4th day of January, 1913.

This commission desires to state that prior to the meeting of the Twelfth Legislative Session the commission had prepared its report to the governor and made every effort in its power to have the same promptly printed, and finally succeeded, after many delays, in laying the printed report on the desks of the members, of the assembly before its adjournment, and anticipating a recurrence of the same situation this year, the commission made a special effort to prepare its reports in time so that it might be printed and distributed to the members at the opening of the session, but was unable to do so for the reasons stated above.

This commission realizes that these reports are intended primarily for the information of the members of the Legislative Assembly, and if they cannot be promptly printed the very purpose for which they are intended is defeated, and can see no good reason why reports should be printed at all.

So far as the members of this commission are concerned we are willing and anxious to live up to every law pertaining to our department, but in the matter of making reports when we prepare the copy our duty in this regard

under the law is ended. We have no further supervision over it. If the printed copy is not available when it should be, responsibility for its delay should be placed where it belongs. If it is true, as claimed, that no establishment in the state can do all this work in the time allowed by law it would seem like a senseless practice to dump all those reports in one workshop.

Without in any way conceding the authority of the Legislature to impose the fine prescribed by Section 377, the commission frankly acknowledges the right of the legislature to inquire into the reasons of any apparent delay and will take pleasure in furnishing any information that may be desired of it.

Respectfully submitted,
Board of Railroad Commissioners,
 W. H. STUTSMAN,
 President.
 O. P. N. ANDERSON,
 Commissioner.
 W. H. MANN,
 Commissioner.

Referred to the committee on supplies and expenditures.

REPORTS OF STANDING COMMITTEES.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined:

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. 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.."

Also,

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.

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. 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. 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. 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 find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment to whom was referred House Bill No. 165.

A bill for an Act to define co-operative associations to authorize their incorporation, and to declare an emergency.

Also,

House Bill No. 243.

Being a bill for 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.

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. 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.

Also,

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.

Also,

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.

Also,

House Bill No. 403.

Being a bill for a concurrent resolution to amend Section 119 of the Constitution of the State of North Dakota, pertaining to candidacy of judges of the Supreme and District Courts for other offices during the term for which they have been elected.

Also,

House Bill No. 417.

Being 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."

Also,

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.

Also,

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.

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. 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.

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

In line 3, Section 2, on page 2, after the word "tenths," insert the word "and" and after the word "hundredths" in the same line strike out the words "and thousandths." In line 4, Section 2, on page 2, strike out the word "fourth" and insert in lieu thereof the word "third," and in the same

line after the word "five" strike out the word "ten." In line 5, Section 2, page 2, strike out the word "thousandth" and insert in lieu thereof the word "hundredth," and in the same line strike out the word "third" and insert in lieu thereof the word "second." In line 15, Section 3, on page 2, after the word "levy," insert the words "or extend." In line 16, Section 3, page 2, after the word "levy" insert the words "or extend." In line 7, Section 4, page 3, after the second words "per cent" insert the words "for such years." Line 3, Section 7, page 4, strike out the word "which." In line 14, Section 7, on page 4, after the words "per cent" insert the following: "and provided, that should the assessed acreage in any county be increased for the year 1913 more than fifteen per cent above that of 1912, or for the year 1914 more than twelve per cent above that of 1913, or should the assessed railway mileage in any county be increased for either or both of such years more than fifteen per cent, the salary of any officer or officers whose salary would be affected by the resulting increase in the assessed valuation under existing laws, shall be the same as the salary of such officer or officers in the county not affected by this provision having an assessed value nearest equal that of the county so affected.

And when so amended recommend the same do pass.

ROBERT NORHEIM,
Chairman.

Mr. Norheim 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. 482.

Being a bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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.

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

In the amended bill, in the first line of the title, after the word "authorizing" strike out the words "and directing"; and

In the same bill, at line 2, strike out the words "and directed."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

House Bill No. 448.

Being 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.

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

Beginning at line 24, on page 2 of the printed bill, strike out all the bill after the word "law."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

House Bill No. 422.

Being 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.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 453.

Being 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.

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 "time" and insert in lieu thereof the word "term"; and

Also in the printed bill, in line 9 after the word "cases" where it first appears, insert the following: "in which the defendant is confined in jail and demands a trial ten days before the opening of such term;" and

Also in line 9 of the printed bill, after the word "cases" where it last appears, insert the following: "in which a jury trial is so demanded."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

House Bill No. 371.

A bill for an Act to amend Section 7574 of the Revised Codes of 1905, relating to eminent domain.

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. 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 leins and mortgages before maturity.

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

W. S. DEAN,
Chairman.

Also,

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.

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

W. S. DEAN,
Chairman.

Also,

House Bill No. 483.

A bill for an Act relating to the foreclosure of mortgages and liens on real property.

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

W. S. DEAN,
Chairman.

Also,

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

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

W. S. DEAN,
Chairman.

Also,

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.

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 the state and county officers into the state and county treasury.

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

In the printed bill, after Section 3, add Section 4, which reads as follows: "Section 4. Providing that the provisions of this Act shall not apply to the present term of officers elected or appointed prior to the taking effect of this Act." Make Section 4 of the printed bill read "Section 5."

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 agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

A concurrent resolution, introduced by Representative E. L. Gunderson, memorial to United States Senate.

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

A. A. STENEHJEM,
Chairman.

Mr. Stenehjem moved

That the report be adopted.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

Your committee on introduction of bills recommend that Mr. Roble be allowed to introduced three bills.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Williams introduced the following concurrent resolution:

Resolved by the House of Representatives, the Senate Concurring:

That the secretary of state be and he is hereby directed to publish in the Blue Book:

Washington's Farewell Address;
Lincoln's Address at Gettysburg;
Cuts of George Washington and Lincoln;
And the Flag of the United States.

Mr. Williams moved

That the resolution be adopted.

Which motion prevailed.

Mr. Smith of Ward introduced the following resolution and moved its adoption:

Whereas, The Tariff Act of August 5, 1909, on imports into the United States provides that wheat can be imported in bond without paying duty, provided it be manufactured and exported according to conditions prescribed by the secretary of the treasury; and,

Whereas, The Tariff Act of August 5, 1909, on imports into the United States provides, that an importer of wheat upon which duty has been paid, when converted into manufactured articles shall be allowed on the exportation of such articles a draw back equal to the duty paid less one per cent of such duties; and,

Whereas, Under the provisions of the above entitled Act the United States treasury department has ruled that whole wheat may be handled in bond including exportations without any process of manufacture; and,

Whereas, The treasury department of the United States has also ruled that a period of three years is a reasonable limit of time in which wheat can be moved in bond through the United States; and,

Whereas, We believe the agricultural interests of the grain growing states are suffering loss upon the price of their product by the provisions of the "Draw Back Clause" in the above entitled Tariff Act; and,

Whereas, The farmers of the grain growing states are suffering loss in the price of their product by the way in which whole wheat is handled in bond; and,

Whereas, We believe sixty days is ample time in which to move wheat or any other commodity in bond through the United States.

Now, Therefore, Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Con-

curring, That our members of Congress each be provided with a copy of these resolutions and that they be hereby instructed to do all in their power to repeal the "Draw Back Clause" in the Tariff Act of August 5, 1909, on imports into the United States.

And be it Further Resolved, That we hereby make these resolutions a protest against the ruling of the United States treasury department in respect to the way whole wheat is handled in bond, and against the ruling regarding the length of time allowed for handling wheat in bond, by sending a copy of these resolutions to the secretary of the treasury and recommending that sixty days be the time limit for any commodity to pass in bond through the United States.

And be it Further Resolved, That a copy of these resolutions be sent to the governors of each of the following states with an urgent request herein contained that they submit these or resolutions of a similar nature to their respective state legislatures as follows:

California, Oregon, Washington, Montana, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Wisconsin, Illinois, Indiana, Ohio and Pennsylvania.

Referred to the committee on federal relations.

Mr. Buck introduced the following concurrent resolution:

Resolved, That the addresses delivered before the Legislative Assembly on the 22nd day of February, 1913, in honor of the memory of the late Chief Justice David E. Morgan and the late Charles F. Templeton, be transcribed by the stenographers and that five hundred of said addresses be printed for the use of the members of this Legislative Assembly; further, that the address delivered before the Supreme Court, at its last session, in honor of Chief Justice David E. Morgan, be included in the same.

Mr. Buck moved

That the resolution be adopted.

Which motion prevailed.

Mr. Wardrobe moved

That House Bill No. 309 be recalled from the House for the purpose of correctly engrossing the same.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF
HOUSE BILLS.

Mr. Roble introduced

House Bill No. 497.

A bill for an Act to amend Chapter 206 of the Laws of North Dakota for 1911, "To provide for the expression by the qualified voters of the several political parties of their choice for nomination by their party for president and vice president of the United States; to provide for and regulate direct primary election for the election of said political party's delegates to their respective national conventions, fixing a time for said election and harmonizing therewith the time of city elections every presidential year, and for the payment of delegates' necessary expenses, not exceeding \$200.00 each, for the election party candidates for the office of presidential elector, and for the election of national committeeman."

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Roble introduced

House Bill No. 498.

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.

Was read the first and second time and

Referred to the committee on election and election privileges.

Mr. Roble introduced

House Bill No. 499.

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.

Was read the first and second time and

Referred to the committee on election and election privileges.

THIRD READING OF HOUSE BILLS.

House Bill No. 417.

Being 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 13, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Cdland
Balsdon	Hedalen	Olsgard
Bartley	Hendrickson	Owens
Bass	Hill of Bottineau	Pitkin
Blakemore	Hill of Cass	Ployhar
Bope	Hjort	Sandbeck
Borusky	Hoge	Small
Buck	Husband	Smith of Kidder
Butler of Ramsey	Huso	Snyder
Butler of Ransom	Jacobson	Stenehjem
Calnan	Johnson	Stinger
Carey	Kyllo	Streeter
Dean	Lambert	Thompson
Divet	Lawbaugh	Tucker
Dixon	Lewis	Turner, C. C.
Doyle	Lindstrom	Turner, F. W.
Everson	List	Warriner
France	Miller	Watt
Freitag	Morkrid	Weis
Gardiner	Norheim	Williams
Gunderson	Northrup	Wing
Hanson	Nyhus	Mr. Speaker
Harty	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Knox	Taylor
Coltom	Leu	Wardrope
Davis	Moen	Wiley
Hart	Pendray	
Klein	Putnam	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Dosseth	Haraldson
Bollinger	Dynes	Hickle
Bratton	Endreson	Hjelmstad
Burnett	Fox	Homan
Campbell	Fritz	Isaak
Curry	Geiger	Kellogg

Messrs.—
 Kelly
 Martin
 Morrison
 Petterson

Messrs.—
 Raney
 Roble
 Ryan
 Schroeder

Messrs.—
 Smith of Ward
 Sorlie
 Twichell
 Walsh

So the bill passed and the title was agreed to.

Mr. Lindstrom moved

That the vote by which House Bill No. 417 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Lambert moved

That House Bill No. 403 be re-referred to the committee on judiciary.

Which motion prevailed.

Mr. Dosseth moved

That House Bill No. 243 be indefinitely postponed.

Mr. Snyder demanded a roll call. The roll being called, there were 53 ayes, 44 nays, 14 absent and not voting.

So the motion prevailed.

Those voting in the affirmative were:

Messrs.—
 Anderson
 Balsdon
 Bass
 Batzer
 Bartley
 Butler of Ramsey
 Butler of Ransom
 Burnett
 Carey
 Coltom
 Curry
 Davis
 Dean
 Dosseth
 Dynes
 Dyole
 Everson
 France

Messrs.—
 Freitag
 Gardiner
 Geiger
 Haraldson
 Hart
 Hawkinson
 Hedalen
 Hickie
 Hill of Bottineau
 Husband
 Huso
 Jacobson
 Johnson
 Klein
 Knox
 Kylo
 Lawbaugh
 Morkrid

Messrs.—
 Morrison
 Northrup
 Nyhus
 O'Connor
 Olsgard
 Pendray
 Putnam
 Sandbeck
 Smith of Kidder
 Smith of Ward
 Stinger
 Streeter
 Taylor
 Turner, C. C.
 Warriner
 Watt
 Wiley
 Wing

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Hjort	Pitkin
Bollinger	Hoge	Ployhar
Borusky	Homan	Roble
Bratton	Kelly	Ryan
Buck	Lambert	Small
Calnan	Leu	Snyder
Divet	Lewis	Sorlie
Dixon	Lindstrom	Stenhjem
Endreson	List	Thompson
Fritz	Martin	Tucker
Gunderson	Miller	Twichell
Hanson	Moen	Walsh
Harty	Norheim	Wardrobe
Hendrickson	Odland	Williams
Hill of Cass	Owens	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Isaak	Thompson
Bope	Kellogg	Turner, F. W.
Campbell	Petterson	Weis
Fox	Raney	
Hjelmstad	Schroeder	

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 82, nays 1, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dosseth	Hjort
Bass	Dyole	Hoge
Batzer	Endreson	Homan
Blakemore	Everson	Husband
Bollinger	Freitag	Huso
Borusky	Gardiner	Jacobson
Bratton	Geiger	Johnson
Buck	Gunderson	Kelly
Burnett	Hanson	Klein
Butler of Ramsey	Haraldson	Kyllo
Butler of Ransom	Hart	Lambert
Calnan	Harty	Lawbaugh
Carey	Hawkinson	Leu
Curry	Hedalen	Lewis
Dean	Hendrickson	Lindstrom
Divet	Hill of Bottineau	List
Dixon	Hill of Cass	Miller

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

Messrs.—
 Pitkin
 Ployhar
 Putnam
 Raney
 Roble
 Ryan
 Sandbeck
 Small
 Smith of Kidder
 Smith of Ward
 Sorlie

Messrs.—
 Stinger
 Streeter
 Taylor
 Tucker
 Walsh
 Wardrope
 Warriner
 Wiley
 Mr. Speaker

Those voting in the negative were: Mr. Coltom.

Absent and not voting:

Messrs.—
 Balsdon
 Bartley
 Bjornson
 Bope
 Campbell
 Davis
 Dyole
 Fox
 France
 Fritz

Messrs.—
 Hickle
 Hjelmstad
 Isaak
 Kellogg
 Knox
 Martin
 Northrup
 Schroeder
 Snyder
 Stenehjelm

Messrs.—
 Thompson
 Turner, C. C.
 Turner, F. W.
 Twichell
 Watt
 Weis
 Williams
 Wing

So the bill passed and the title was agreed to.

Mr. Owens moved

That the vote by which House Bill No. 375 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 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.—
 Anderson
 Balsdon
 Bass
 Batzer
 Bollinger
 Borusky
 Bratton

Messrs.—
 Buck
 Burnett
 Butler of Ransom
 Calnan
 Carey
 Curry
 Dean

Messrs.—
 Divet
 Dosseth
 Dynes
 Endreson
 France
 Freitag
 Geiger

Messrs.—	Messrs.—	Messrs.—
Gunderson	Lawbaugh	Raney
Hanson	Leu	Roble
Haraldson	Lewis	Ryan
Harty	Lindstrom	Sandbeck
Hawkinson	List	Small
Hedalen	Martin	Smith of Kidder
Hendrickson	Moen	Smith of Ward
Hickle	Morkrid	Stenhjem
Hill of Bottineau	Morrison	Stinger
Hill of Cass	Norheim	Streeter
Hjort	Northrup	Taylor
Hoge	Nyhus	Tucker
Husband	O'Connor	Twichell
Jacobson	Odland	Walsh
Johnson	Olsgard	Wardrope
Kelly	Owens	Warriner
Klein	Pendray	Wiley
Knox	Pitkin	Williams
Kyllo	Ployhar	Mr. Speaker
Lambert	Putnam	

Those voting in the negative were: Mr. Coltom.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Fox	Petterson
Bjornson	Fritz	Schroeder
Blakemore	Gardiner	Snyder
Bope	Hart	Sorlie
Butler of Ramsey	Hjelmstad	Thompson
Campbell	Homan	Turner, C. C.
Davis	Huso	Turner, F. W.
Dixon	Isaak	Watt
Dyole	Kellogg	Weis
Everson	Miller	Wing

So the bill passed and the title was agreed to.

Mr. Homan moved

That the vote by which House Bill No. 425 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67, nays 20, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hedalen	Owens
Bass	Hendrickson	Fendray
Blakemore	Hill of Bottineau	Pitkin
Balsdon	Hill of Cass	Ployhar
Bollinger	Hjort	Putnam
Borusky	Homan	Raney
Bratton	Husband	Roble
Burnett	Jacobson	Ryan
Butler of Ransom	Kelly	Sandbeck
Calnan	Klein	Smith of Kidder
Carey	Knox	Smith of Ward
Davis	Lambert	Sorlie
Dean	Lawbaugh	Stenhjem
Divet	Leu	Streeter
Dosseth	Lewis	Taylor
Dyole	List	Turner, C. C.
Dynes	Lindstrom	Twichell
Endreson	Martin	Wardrope
France	Morrison	Warriner
Fritz	Northrup	Wiley
Hanson	O'Connor	Williams
Hart	Odland	Mr. Speaker
Harty	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Kyllo
Bjornson	Gunderson	Moen
Butler of Ramsey	Haraldson	Morrison
Coltom	Hawkinson	Nyhus
Curry	Hickle	Stinger
Dixon	Hoge	Tucker
Freitag	Johnson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Huse	Small
Bope	Isaak	Snyder
Buck	Kellogg	Thompson
Campbell	Lindstrom	Turner, F. W.
Everson	Miller	Walsh
Fox	Morkrid	Watt
Gardiner	Petterson	Weis
Hjelmstad	Schroeder	Wing

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

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	Harty	Pendray
Balsdon	Hedalen	Pitkin
Bartley	Hendrickson	Ployhar
Bass	Hill of Bottineau	Putnam
Batzer	Hill of Cass	Raney
Blakemore	Hjort	Roble
Bollinger	Hoge	Ryan
Borusky	Homan	Sandbeck
Bratton	Husband	Small
Buck	Jacobson	Smith of Kidder
Burnett	Kellogg	Smith of Ward
Butler of Ransom	Kelly	Snyder
Calnan	Klein	Sorlie
Carey	Kyllo	Stenehjerm
Curry	Lambert	Streeter
Davis	Lawbaugh	Taylor
Divet	Leu	Tucker
Dosseth	Lewis	Turner, C. C.
Dynes	Lindstrom	Twichell
Endreson	List	Walsh
Everson	Martin	Wardrope
Fritz	Moen	Warriner
Gardiner	Norheim	Wiley
Geiger	Nyhus	Williams
Hanson	O'Connor	Wing
Haraldson	Olsgard	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dixon	Gunderson	Hawkinson
Freitag	Harty	Johnson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hickle	Odiand
Bope	Hjelmstad	Owens
Butler of Ramsey	Huso	Peterson
Campbell	Isaak	Schroeder
Coltom	Knox	Stinger
Dean	Miller	Thompson
Dyole	Morkrid	Turner, F. W.
Fox	Morrison	Watt
France	Northrup	Weis

So the bill passed and the title was agreed to.

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 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	Hart	Olsgard
Balsdon	Harty	Pendray
Bass	Hawkinson	Pitkin
Batzer	Hendrickson	Ployhar
Bollinger	Hickle	Putnam
Bope	Hill of Bottineau	Raney
Borusky	Hill of Cass	Roble
Buck	Hjort	Sandbeck
Burnett	Hoge	Schroeder
Butler of Ramsey	Homan	Small
Butler of Ransom	Husband	Smith of Kidder
Calnan	Huso	Smith of Ward
Carey	Jacobson	Snyder
Coltom	Kelly	Sorlie
Curry	Klein	Stenchjem
Dean	Kyllo	Streeter
Divet	Lawbaugh	Taylor
Dixon	Leu	Turner, C. C.
Dynes	Lewis	Walsh
Endreson	Lindstrom	Wardrobe
Everson	List	Warriner
Freitag	Martin	Watt
Fritz	Miller	Wiley
Gardiner	Moen	Williams
Geiger	Morkrid	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson	Odland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hedalen	Owens
Bjornson	Hjelmstad	Petterson
Blakemore	Isaak	Ryan
Bratton	Johnson	Stinger
Campbell	Kellogg	Thompson
Davis	Knox	Tucker
Dosseth	Lambert	Turner, F. W.
Dyole	Morrison	Twichell
Fox	Norheim	Weis
France	Northrup	
Haraldson	O'Connor	

Messrs.— Messrs.— Messrs.—

So the bill passed and the title was agreed to.

Mr. Odland asked unanimous consent to amend House Bill No. 165 as follows:

“On page 2 of the printed bill strike out all of lines 9 and 10.”

Which amendment was objected to.

Mr. Odland moved

That House Bill No. 165 be re-referred to the committee on corporations other than municipal.

Which motion prevailed.

Mr. Divet moved

That House Bill No. 326, being a special order for today at 3 o'clock, be placed at the head of general orders and that the House do now resolve itself into a committee of the whole.

Which motion prevailed.

Mr. Hedalen moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Hedalen to the chair:

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration as a special order

House Bill No. 326.

A bill for an Act to provide that county commissioners may be elected by the electors of the entire county.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 459.

A bill for an Act regulating the sweeping of passenger coaches or cars while occupied by passengers and providing a penalty therefor.

And recommend that the same do pass as amended.

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.

And recommend that the same be referred to the education committee.

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."

And recommend that the same do pass as amended.

Also,

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Have adopted the following amendment:

Strike out quotation marks in lines 3, 4, 5, 6 and 7.

And recommend that the same do pass as amended.

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.

And recommend that the same do pass as amended.

Also,

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 adopted the following amendments:

Page 4, Section 5, lines 2 and 3 of printed bill, strike out words "oil inspection," and insert in lieu thereof the word "general."

And recommend that the same do pass as amended.

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.

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

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 violation of this Act.

And recommend that further consideration of the bill be indefinitely postponed.

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.

And recommend that the same do pass as amended.

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 adopted the following amendments:

On page 1, Section 7459, line 7, after the word "sold" insert the words "or some parts thereof."

On page 2, Section 7459, after line 14, strike out the words "referred to committee on public printing" and add in lieu thereof the following:

“Provided, further, the publication of the notice of sale in a paper in the county, though not the nearest to the land, shall not invalidate the sale but in such case none of the

expenses of foreclosure, shall be charged against the land and if so charged may be recovered by the owner of the land from the party foreclosing."

And recommend that the same do pass as amended.

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.

And recommend that the same do pass as amended.

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.

And recommend that the same do pass.

Also,

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.

And recommend that the same be referred to the appropriations committee.

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 38.

A bill for an Act to appropriate money for maintenance equipment and permanent improvements of the State University and Schools of Mines of North Dakota.

And recommend that the same do pass as amended.

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

Have adopted the following amendments.

In line 5, Section 1, page 1, of the printed bill, after the word "points" insert the following: "Where branch lines extend from such main lines."

In line 3, Section 2, of the printed bill, after the word "of" strike out the word "five" and insert in lieu thereof the word "one." On the same line after the dollar sign strike out the figure "5" and insert in lieu thereof the figure "1."

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same do pass as amended.

N. T. HEDALEN,
Chairman.

Mr. Hedalen moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign:

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.

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."

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.

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.

House Bill No. 80.

A bill for an Act 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.

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.

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.

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

Mr. Doyle asked unanimous consent to return to the fifth order of business.

Which consent was given.

REPORT OF STANDING COMMITTEE.

The committee on immigration made the following report:

Your committee on immigration to whom was referred
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."

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

By striking out all after the words "A bill" and insert the following and when so amended recommend that the same be referred to committee on appropriations for their favorable consideration.

For an Act creating a state board of immigration and labor, prescribing the duties and powers thereof and making an appropriation therefor and repealing Sections 131 and 132 of the Revised Codes of North Dakota for 1905.

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

Section 1. State Board of Immigration and Labor.) A board to be known as the North Dakota state board of immigration and labor is hereby created.

Section 2. Membership of Board. Compensation.) The said board shall be composed of five members, the governor, lieutenant governor and secretary of state shall be ex-officio members, the other two members shall be chosen by the three ex-officio members aforesaid, one of the said appointed member shall be a resident of the western part of the state and one a resident of the eastern part of the state. The term of office of said appointed members shall be two years and until their respective successors shall have been duly chosen and qualified, and they shall serve without any compensation whatsoever; provided, however, that said appointive members shall be reimbursed for their expenses, out of the state appropriation funds for the promotion of immigration when in attendance upon the meetings of said board, and provided, further, that when said appointive members may, or shall be designated by the said board to superintend any state exhibit, at any fair, or exposition, that such appointive member, or members, shall receive the sum of five (\$5.00) dollars per day and all other necessary traveling expenses during the time so employed. Each member shall be a citizen of the United States of America and a resident of the State of North Dakota and a qualified elector. The governor shall ex-officio be chairman of the board.

Section 3. Power of Board, General Executive Agent, Duties, Other Employes. Compensation.) The commissioner of agriculture and labor shall be the general executive agent of said board and he shall act by and with the advice of said board and he shall perform such functions as said board may designate. All appropriations from the state treasury, and all private donations to the board of immigration, for the publication of any literature or advertisements designed by the commissioner of agriculture and labor and all appropriations from the state treasury, and all private donations to the board of immigration for exhibits at fairs and expositions shall be expended under the direction of said board of immigration and in such manner as said board may designate. The said board may also employ an agent to secure necessary laborers for this state and such other servants and agents as in the judgment of said board shall be necessary and shall define the duties, term of service and compensation of the persons so employed.

Section 4. Quorum.) A majority of the board members present at a meeting shall constitute a quorum for the transaction of such business as may come before the board.

Section 5. Office and Supplies.) The North Dakota State Board of Immigration and Labor shall be provided with

office room and suitable furniture in the office of the commissioner of agriculture and labor and stationery at the expense of the state.

Section 6. Duties of the Board.) The duties of said board of immigration and labor so far as practicable shall be to collect and arrange statistics and other information in reference to the lands, general and special resources of the State of North Dakota, and the advantages of this state as a place of residence and the opportunities for persons to engage in agricultural and commercial pursuits; to spread knowledge throughout the civilized world, by correspondence, by maps, by messengers and public lectures and by all forms of legitimate advertising and by exhibits of agricultural, mineral, manufactured products and resources of the state at fairs and expositions; provided, however, that said board shall designate at least one of its members, to personally superintend the state exhibits at all fairs, and expositions, at which such exhibits are made; to facilitate the immigration of such persons of good moral character as may desire a change of domicile and to answer all inquiries from persons residing within or without the state upon the subjects aforesaid. At each session of the Legislative Assembly of North Dakota, the board shall make an itemized report of all its transactions during the biennial period next preceding the first day of such session.

Section 7. Use of Appropriation to Promote Immigration.) The standing appropriation, provided in Section 389 of the Revised Codes of 1905, of the State of North Dakota, shall revert to and be used by the State Board of Immigration and Labor in getting out maps and other printed matter for the purpose of promoting and inducing immigration into the state. The board of immigration and labor and the commissioner of agriculture and labor shall make itemized statement of expenses and disbursements incurred under the provisions of this Section and Act, approve, verify and file the same with the state auditor, who shall thereupon issue his warrant on the state treasurer therefor; *provided*, however, that said board shall keep a separate account of all receipts from private donations for all purposes, and also make a separate, verified itemized statement of the disbursements thereof.

Section 8. Appropriation.) There is hereby appropriated out of the funds of the state treasury, not otherwise appropriated the sum of \$15,000.00 dollars annually for the use of said board for the purpose of carrying into force and effect this Act.

.Section 9. Repeal.) All Acts or parts of Acts in conflict with this Act, and especially Sections 131 and 132 of the Revised Codes of the State of North Dakota for the year 1905, are hereby repealed.

Section 10. Emergency.) Whereas, an emergency exists in that there is now no duly organized state board of immigration and labor for carrying out the provisions provided in this Act, therefore this Act shall take effect and be in force from and after its passage and approval.

J. J. DOYLE,
Chairman.

Also,

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.

Have had the same under consideration and a majority of your committee recommend the same be indefinitely postponed.

J. J. DOYLE,
Chairman.

Also,

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.

Have had the same under consideration and a minority of your committee recommend the same do pass.

J. J. DOYLE,
Chairman.

Also,

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.

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

J. J. DOYLE,
Chairman.

Also,

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 commissioner therefor, and making appropriation for such purpose.

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

Striking out in Section 5 the words "twenty-five" and inserting in lieu thereof the word "ten," and when so amended recommend the same be referred to the committee on appropriations for their favorable consideration.

J. J. DOYLE,
Chairman.

Mr. Doyle moved

That the report be adopted.

Which motion prevailed.

Mr. Martin moved

That the Report on House Bill No. 445 be considered separately.

Which motion prevailed.

Mr. Martin moved

That House Bill No. 445 be referred to the committee of the whole.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Bismarck, North Dakota, Feb. 21, 1913.

Mr. Speaker:

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

Whereas, The Independent Harvester Company, a corporation organized in the State of Maine and operating at Plano, in the State of Illinois, and authorized to do business in the state of North Dakota, is actively engaged through its agents in selling stock in the State of North Dakota, and,

Whereas, It appears that said company has sold in excess of six million dollars of its capital stock at and above par, and,

Whereas, It appears that all of said company's property, real and personal, except machinery at branch houses, throughout the United States, is situated in the county of Kendall and State of Illinois, and,

Whereas, Wallace Farmer, a farm paper of January 3rd, 1913, gives an account of a committee of Iowa stockholders in the Independent Harvester Company of Plano, Illinois, sent to investigate the financial condition of said concern, and report that after several days of useless negotiations had a conference with the Harvester Company's attorney. The committee report, however, that all they were able to draw from the attorney was beads of perspiration to his brow, and,

Whereas, It further appears that the total assessed valuation of all said property situated in said county of Kendall and state of Illinois, for the year 1912, aggregate one hundred and sixty-nine thousand four hundred and eighty-two (\$169,482.00) dollars, and no more, and

Whereas, There are current reports that some of the stockholders of this state have very grave doubts as to the value of said stock now owned and being sold in the state of North Dakota.

Therefore, be it Resolved by the Senate, the House of Representatives concurring, That our committee having what is known as the Blue Sky Law, be asked to incorporate in said law some measure that will debar from this state companies that will not give a full and complete accounting of its financial condition, and,

Be it Resolved Further, That the Secretary of State be asked to make such investigation as he can as to the responsibility of the Independent Harvester Company of Plano, Illinois, forthwith, and to give publicity to the results of his investigation by publication and otherwise, and to take such other actions in regard to said corporations as he deems meet in the premises.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Referred to the committee on state affairs.

Mr. Twitchell moved

That the rules be suspended and that the House return to the ninth order of business for the purpose of introducing a bill.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Mr. Twichell introduced

House Bill No. 500.

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

Was read the first and second time and

Referred to the committee on public printing.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 29.

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 of trustees of incorporated villages.

Was read the first and second time and

Referred to the committee on municipal corporations.

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

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 270.

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.

Was read the first and second time and

Referred to the committee on railways.

Senate Bill No. 271.

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

Was read the first and second time and

Referred to the committee on railways.

Senate Bill No. 213.

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

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 184.

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.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 252.

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 Dunseith.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 117.

A bill for an Act relating to the enforcement of liens for storage of personal property and charges thereon.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 256.

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.

Was read the first and second time and

Referred to the committee on public health.

Senate Bill No. 291.

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."

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

Was read the first and second time and

Referred to the committee on railways.

Senate Bill No. 255.

A bil 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.

Was read the first and second time and
Referred to the committee on agriculture.
Senate Bill No. 286.

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.

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

COURTESIES OF THE FLOOR.

Privileges of the floor were granted to A. A. Lee of Hal-
lon; H. H. Armstrong and wife, Wells Smith, all of Steele;
Mr. and Mrs. C. E. Btachelor., Fingal; Ben E. Combs, Don-
nybrook; Wm. Simpson, Wm. Simpson, Wm. Badger, J. J.
Brady, Judge Johnson, Wm. Elder, Chas. Ery, all of Flash-
er; Dr. C. C. Cregan; Dr. Stearns of Fargo.

Mr. Divet moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FIFTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 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 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 forty-ninth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 9, line 8, change "electorial" to "electoral."

On page 40, line 13, change "forfs" to "forms."

On page 54, change "House Bill No. 444" to "House Bill No. 454."

Strike out lines 10, 11, 12, 13 and 14.

On page 46, Journal of the forty-sixth day, strike out lines 13, 14 and 15.

Senate Bill No. 98 should be in second place on calendar, "Third Reading of Senate Bills."

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.

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

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.

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.

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

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, February 23, 1913.

Mr. Speaker:

I have the honor to return herewith

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. 93.

A bill for an Act to amend Section 1787 of the Revised Codes of the State of North Dakota for 1905.

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. 279.

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.

Also,

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Also,

Senate Bill No. 158.

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.

Also,

Senate Bill No. 193.

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 bookkeeping 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 the 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.

Also,

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Also,

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Also,

Senate Bill No. 72.

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.

Also,

Senate Bill No. 171.

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.

Also,

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording fees; expenses; appropriation; repeal.

Also,

Senate Bill No. 10.

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.

Also,

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Also,

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Also,

Senate Bill No. 247.

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.

Also,

Senate Bill No. 185.

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.

Also,

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state affairs.

Also,

Senate Bill No. 201.

A bill for an Act amending Section 1070 of the Revised Codes of North Dakota for 1905, and making an appropria-

tion to meet the necessary expenses of the State Geological Survey.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, N. D., February 25, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate requests the House to return Senate Bill No. 23.

Very respectfully,

W. D. AUSTIN,
Secretary.

PETITIONS AND COMMUNICATIONS.

Mr. Hedalen introduced a petition relating to good roads, signed by Clarence E. Lommen and 45 others of Fordville, N. D.

Mr. Kylo 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 F. C. Nyc of Inkster, North Dakota, and 19 others.

A similar petition was introduced, signed by J. T. Lange-mo, of Edinburg, N. D., and 15 others.

A similar petition was introduced, signed by W. A. Young of Fordville and 25 others.

A similar petition was introduced, signed by N. C. Olson of Hoople, N. D., and 39 others.

Wilton, N. D., February 12, 1913.

Hon. E. A. Williams, Bismarck, N. D.:

If you make my customers get their snuff by parcel post they will get other things too. My customers say that snuff is not injurious and they know more about it than people who have never used it.

Signed by Wilton Mer. Co., by J. C. Anderson and others.

Mr. Speaker:

Your committee on coal lands and mining have had under consideration the concurrent resolution providing for the amendment of Section 155 of the Constitution of the State of North Dakota, printed on page 21 of the Journal of the House of the forty-fourth day, entitled as follows:

“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.”

And have directed me to report the same back with the recommendation that it do pass.

E. A. WILLIAMS,
Chairman.

Mr. Williams moved

That the concurrent resolution be adopted, and that a roll call on same be had.

Which motion prevailed.

The roll was called and there were ayes 72, nays 17, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Buck	Endreson
Balsdon	Butler of Ramsey	Fox
Bartley	Butler of Ransom	Freitag
Bass	Calnan	Gardiner
Batzer	Carey	Geiger
Bjornson	Curry	Hanson
Bollinger	Dean	Hawkinson
Bope	Divet	Hedalen
Borusky	Dixon	Hendrickson
Bratton	Dosseth	Hickle

Messrs.—	Messrs.—	Messrs.—
Hill of Bottineau	Miller	Small
Hjort	Morrison	Smith of Kidder
Hoge	Norheim	Smith of Ward
Husband	O'Connor	Snyder
Isaak	Odland	Stinger
Jacobson	Olsgard	Streeter
Kellogg	Owens	Tucker
Klein	Pendray	Walsh
Kyllo	Pitkin	Wardrobe
Lambert	Ployhar	Warriner
Lawbaugh	Putnam	Weis
Leu	Raney	Williams
Lindstrom	Roble	Wing
List	Sandbeck	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Gunderson	Moen
Burnett	Hill of Cass	Ryan
Dyole	Huse	Sorlie
Dynes	Johnson	Turner, F. W.
Everson	Kelly	Wiley
France	Lewis	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Homan	Stenehjem
Coltom	Knox	Thompson
Davis	Martin	Taylor
Fritz	Morkrid	Turner, C. C.
Haraldson	Northrup	Twitchell
Hart	Nyhus	Watt
Harty	Pettersen	
Hjelmstad	Schroeder	

So the concurrent resolution 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. 38.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the state university and school of mines of North Dakota.

Also,

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.

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.

Also,

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.

Also,

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.

Also,

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."

Also,

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Also,

House Bill No. 409.

A bill for an Act authorizing the establishment of nur-

series 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.

Also,

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.

Also,

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.

Also,

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Also,

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.

Also,

House Bill No. 459.

A bill for an Act regulating the sweeping of passenger coaches or cars while occupied by passengers and providing a penalty therefor.

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

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.

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

A. G. DIVET,
Chairman.

Also,

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.

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

A. G. DIVET,
Chairman.

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.

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

A. G. DIVET,
Chairman.

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.

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

A. G. DIVET,
Chairman.

Also

Senate Bill No. 239.

A bill for an Act to authorize the state examiner to make examination of state offices.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 402.

A bill for an Act entitled "An Act to recognize common law marriage and to legalize all marriages heretofore had in this state in accordance with the requirements of the common law, legitimatizing children and declaring an emergency to exist.

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

A. G. DIVET,
Chairman.

Also,

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 do pass.

A. G. DIVET,
Chairman.

Also,

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.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 449.

A bill for an Act to amend and re-enact the Subdivision three of Section 4266 of the Revised Codes of 1905.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 463.

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 471.

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to the 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 to the redeptioner.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 490.

A bill for an Act entitled "An Act to prescribe a form for acknowledgment for attorneys in fact."

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 public printing made the following report:

Mr. Speaker:

Your committee on public printing to whom was referred

House Bill No. 487.

A bill for an Act to provide for the publication by the state of an unauthenticated edition of the Session Laws, and its distribution.

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

By striking out all of the printed bill after the words "A bill" and substituting the following:

For an Act to provide for the publication of the state of an unauthenticated, popular edition of the Session Laws, and its distribution.

Whereas, Ignorance of the law excuses no man; and,

Whereas, Under Section 79 of the Revised Codes of 1905, the secretary of state is required to secure a copyright of the Session Laws before they are distributed; and,

Whereas, There are no means provided for the distribution of the laws of this state to the common people at a price within the means of the poorest, as is provided in other states; therefore

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

Section 1. Laws, How Printed.) In addition to the official and authenticated edition of the Session Laws, to be published, the secretary of state shall cause to be printed a popular edition of the Session Laws of each session in the following form: Type to be of eight-point size, set solid, thirteen ems pica wide, two columns to the page of forty-two ems pica in length, with appropriate headings; paper to be of number one grade print paper of the basis of 24x36 inches, thirty-five pounds to the ream; the printed page to be 6x9 inches; binding to be wire stitching and the cover to be of paper of the grade and weight now used and specified for the departmental reports, and there shall be four thousand copies printed.

Section 2. Distribution.) The secretary of state is hereby required to furnish copies of the unauthenticated edition of the Session Laws at the actual cost of the same, plus ten per cent and postage, and it shall be the duty of the county auditor of each county to receive applications for copies

of said popular edition and forward same together with the purchase price to the office of the secretary of state.

Section 3. Authentication, Not Required.) It is hereby expressly provided that the secretary of state shall not be required to procure a copyright nor authenticate this edition, but shall cause the same to be published and distributed with due care and despatch.

Section 4. Emergency.) Inasmuch as there is now no provision for the publication of a popular edition of the Session Laws of this state, an emergency is held to exist and this Act shall take effect and be in full force on and after its passage and approval.

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 drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred

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.

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

W. J. BURNETT,
Chairman.

Also

Senate Bill No. 168.

A bill for an Act permitting farmers and land owners to drain their lands into road ditches and other depressions, when such ditch or depression is wholly upon the owners' land, and providing methods of procedure in case of damage.

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

W. J. BURNETT,
Chairman.

Mr. Burnett moved

That the report be adopted.

Which motion prevailed.

The committee on charitable institutions made the following report:

Mr. Speaker:

Your committee on charitable institutions to whom was referred

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."

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

By inserting after the words "district court" in line 6 of the printed bill the following: "or county court having increased jurisdiction."

And when so amended recommend the same do pass.

J. T. HOGE,
Chairman.

Also,

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.

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

Strike out everything after the enacting clause and insert the following:

Section 1. Until there shall have been established by law in this state an institution for the care, maintenance and instruction of blind children under school age, the board of control of state institutions shall have power to provide for such care, maintenance and instruction of such children residing in this state in a suitable institution without the state, in any case where by reason of lack of means or other cause, the parent or parents of such children may be unable to properly care for, maintain and instruct them until they reach school age.

Section 2. For the purpose of providing such care, main-

tenance and instruction, the said board of control shall have power to contract with any suitable institution for the care, maintenance and instruction of such children and to provide for their transportation to and from the same.

Section 3. Emergency.) Whereas, an emergency exists in that there is now no law in this state covering the matters herein provided for, this Act shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

J. T. HOGE,
Chairman.

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.

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

Strike out the word "eighteen" in line 4 of the printed bill and insert in lieu thereof the word "fifteen."

And when so amended recommend the same do pass.

J. T. HOGE,
Chairman.

Mr. Hoge 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. 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.

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

W. S. DEAN,
Chairman.

Also

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905, relating to reports and officers, departments, boards, commissions 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 give a bond, providing a penalty for failure to make, transmit and print such reports at the required time, and repealing all existing provisions of the law inconsistent herewith.

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

In the engrossed bill, Section 3, line 34, strike out the word "ten" and insert in lieu thereof "five."

And when so amended recommend the same do pass.

W. S. DEAN,
Chairman.

Also

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.

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

W. S. DEAN,
Chairman.

Also,

The minority of your committee on ways and means to whom was referred

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 as-

sessing 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.

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

H. H. FRANCE,
R. J. GARDINER,
J. E. BASS.

Mr. Dean moved

That the report be adopted.

Which motion prevailed.

The committee on banking made the following report:

Mr. Speaker:

Your committee on banking to whom was referred

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.

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

A. P. HANSON,
Chairman.

Also

House Bill No. 431.

A bill for an Act relating to contracts as to rates of interest.

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

A. P. HANSON,
Chairman.

Also,

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.

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

A. P. HANSON,
Chairman.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred
Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the Commissioner of Insurance; 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.

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

T. N. PUTNAM,
Chairman.

Also,

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

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

T. N. PUTNAM,
Chairman.

Also,

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discriminating and twisting.

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

In printed bill, Section 1, line 2, strike out the letter "s" on end of word "agents."

On page 2, Section 1, strike out after the word "insurance" on line 25, all the balance of the line; also all of lines 26, 27, 28, 29, 30, 31, 32, 33 and 34.

And when so amended recommend the same do pass.

T. N. PUTNAM,
Chairman.

Mr. Putnam 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. 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 state 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.

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

Strike out all of the title of the bill after the word "purposes" on line 2, and add "to repeal Section 1737 of the Revised Codes of 1905, as amended by Chapter 1 of the Session Laws of 1911; Chapter 73 of the Session Laws of 1909; Chapter 195 of the Session Laws of 1909; Chapter 284 of the Session Laws of 1911 and Sections 1295, 1297 and 1298 of the Revised Codes of 1905, and Section 1296 of the Revised Codes of 1905, as amended by Chapter 31 of the Session Laws of 1909; Chapter 186 of the Session Laws of 1907; Sections 1287, 1288 and 1289 of the Revised Codes of 1905, as amended by Chapter 148 of the Session Laws of 1909; Chapter 175 of the Session Laws of 1911; and to repeal all Acts insofar as they conflict with the provisions of this Act; 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."

Strike out all of Section 3.

In line 12 of Section 6, on page 3, of the printed bill, strike out all of said line after the word "commissioner." Strike out all of line 13 of said Section.

On page 4 of the printed bill, in line 11 of Section 7, strike out "\$26,000.00" and insert in lieu thereof "\$28,000.00." In line 12 of the same Section, strike out "\$18,000.00" and insert in lieu thereof "\$17,000.00." In line 13 of the same Section, strike out "\$18,000.00" and insert in lieu thereof

"\$17,000.00." In line 14 of the same Section strike out "\$15,000.00" and insert in lieu thereof "\$12,000.00." In line 15 of Section 7 of the printed bill strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$6,000.00." In line 16 of Section 7 of the printed bill strike out the figures "\$21,000.00" and insert in lieu thereof "\$17,000.00." In line 19 of Section 7, on page 5 of the printed bill, strike out the figures "\$13,500.00" and insert in lieu thereof "\$9,000.00." In line 13 of Section 8, on page 5 of the printed bill, strike out the figures "\$6,500.00" and insert in lieu thereof "\$6,000.00." In line 17 of the printed bill, in Section 8 on page 5, strike out the figures "\$2,500.00" and insert in lieu thereof "\$2,000.00." In line 20 of Section 8 on page 6 of the printed bill, strike out the figures "\$7,500.00" and insert in lieu thereof "\$7,000.00." In line 35 of Section 8 on page 6 of the printed bill, strike out the figures "\$450.00" and insert in lieu thereof "\$700.00." Strike out all of line 36 in Section 8, on page 6 of the printed bill. In line 37, Section 8 on page 6 of the printed bill, strike out the figures "\$1,250.00" and insert in lieu thereof "\$1,100.00." In line 38 of Section 8 of the printed bill, on page 6, strike out the figures "\$750.00" and insert in lieu thereof "\$900.00." Strike out all of lines 40 and 41 of Section 8, on page 6 of the printed bill and insert after the figures 40 and 41 the following: "State library commission, for salaries and expenses, \$20,000.00." In line 45 of Section 8 on page 7 of the printed bill, strike out "\$450.00" and insert in lieu thereof "\$400.00." Strike out all of lines 52, 53 and 54 of Section 8, on page 7, of the printed bill. In line 56 of Section 8, on page 7 of the printed bill strike out "\$2,700.00" and insert in lieu thereof "\$2,500.00." Strike out all of lines 57 and 58 of Section 8 on page 7 of the printed bill. In line 69 of Section 8 on page 8 of the printed bill, strike out "\$113,000.00" and insert in lieu thereof "\$100,000.00." In line 74 of Section 8, on page 8 of the printed bill, strike out "\$105,000.00" and insert in lieu thereof "\$90,000.00." Strike out all of lines 75, 76 and 77 of Section 8 on page 8 of the printed bill.

Change Section 4 as the same appears in the original and printed bill so that the same reads "Sec. 3."

Change Section 5 as the same appears in the original and printed bill so that the same reads "Sec. 4."

Change Section 6 as the same appears in the original and printed bill so that the same reads "Sec. 5."

Change Section 7 as the same appears in the original and printed bill so that the same reads "Sec. 6."

Change Section 8 as the same appears in the original and printed bill so that the same reads "Sec. 7."

Change Section 9 as the same appears in the original and printed bill so that the same reads "Sec. 8."

Strike out the letters "R. C." wherever the same occur in the bill, and insert in lieu thereof "Revised Codes of."

Strike out the letters "S. L." wherever the same occur in the bill, and insert in lieu thereof "Session Laws of."

Following Section 9, add:

"Section 9. Repeal.) Section 1737 of the Revised Codes of 1905, as amended by Chapter 1 of the Session Laws of 1911; Chapter 73 of the Session Laws of 1909; Chapter 195 of the Session Laws of 1909; Chapter 284 of the Session Laws of 1911, and Sections 1295, 1297 and 1298 of the Revised Codes of 1905, and Section 1296 of the Revised Codes of 1905, as amended by Chapter 31 of the Session Laws of 1909; Chapter 186 of the Session Laws of 1907; Sections 1287, 1288 and 1289 of the Revised Codes of 1905, as amended by Chapter 148 of the Session Laws of 1909; Chapter 175 of the Session Laws of 1911; and all other Acts insofar as they conflict with the provisions of this Act are hereby repealed."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

Mr. Turner moved

That the committee on investigating be allowed more time in which to make their report.

Mr. Owens moved

That the House extend the time for the report of the investigating committee until Monday, March 3.

Which motion prevailed.

To the House of Representatives of the State of North Dakota and the Honorable Speaker Thereof:

We, the undersigned, members in attendance upon the said House, do hereby lay before you information that on

the 22nd and 23rd days of February, 1913, we were by one Ben Ness solicited and asked to lend our aid and support to the movement for the defeat of Senate Bill No. 98 commonly known and referred to as the "Anti-Snuff Bill."

That the undersigned W. M. Bartley was not offered any specific or definite amount of money for his influence in bringing about the defeat of the said bill, but was assured by the said Ness that if he would lend his influence to the defeat thereof, he would be suitably compensated in money.

That the undersigned L. L. Twichell and A. G. Divet were in direct terms offered by the said Ness the sum of thirty-five hundred (\$3,500) dollars for their influence and effort in bringing about the defeat of the said bill in the House of Representatives, which sum the said Ness stated he would pay in cash or deposit in the hands of a discreet third person for delivery to the said Twichell and the said Divet if they would promise their influence for the bringing about of the defeat of said bill.

That your informants conversed with the said Ness at several different times and occasions, with a view to fully developing his purpose and intention in regard to the defeat of the said bill, and in connection with the offers aforesaid the said Ness did disclose information to the effect that several other persons not connected with the Legislative Assembly were associated with him in the effort to corrupt the members of the Legislature and bring about the defeat of the said bill communicating to your informants the names of the said persons.

That the said Ness also in the said conversations and negotiations, disclosed and stated the names of members, employees and officers of the House of Representatives whom he claimed were concerned in the said movement and effort to defeat the said bill.

That your informants refrain from disclosing at this time the names of the persons so mentioned because they are entirely without information other than the statement of the said Ness as to the fact of their connection with such effort.

Your informants lay this information before this Honorable Body to the end that it may take action thereupon and cause its warrant to be issued by the Speaker of this House for the apprehension of the said Ness and his representation before the bar of the House for contempt thereof, and in this behalf we further respectfully represent and show that the said Ness has been arrested under a warrant duly issued by the Judge of the District Court of Burleigh County, North

Dakota upon the charge of attempted bribery and is now held under five thousand dollars bonds, which bonds may be procured at an early moment and your informants believe that this House should act promptly in the issuance of its warrant to the end that it may be able to apprehend the said Ness immediately should he be released from custody of the said District Court by the procuring of such bonds.

Dated this 25th day of February, A. D. 1913.

Respectfully submitted,

A. G. DIVET,
L. L. TWICHELL,
W. M. BARTLEY.

Mr. Divet moved

That the Speaker of this House issue a warrant for the arrest of one Ness, charged with having attempted to bribe members of this House, and that the same be placed in the hands of the Seargent-at-Arms for service.

Which motion prevailed.

Mr. Owens moved

That the Speaker appoint a committee of 5 for the purpose of investigating and bringing before the House, evidence necessary to establish the facts alleged in the statement just read.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Owens, Buck, Norheim, Wardrope and Haroldson.

Mr. Owens moved

That the committee be excused.

Which motion prevailed.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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.

Also,

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.

Also,

House Bill No. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The Speaker called Mr. Gardiner to the chair.

THIRD READING OF HOUSE BILLS.

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.

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 5, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Davis	Hedalen
Balsdon	Dean	Hendrickson
Bartley	Dosseth	Hickle
Bass	Dyole	Hill of Bottineau
Batzner	Dynes	Hill of Cass
Bjornson	Endreson	Hjelmstad
Blakemore	Everson	Hjort
Bollinger	Fox	Hoge
Borusky	France	Husband
Bratton	Freitag	Huso
Buck	Fritz	Jacobson
Burnett	Gardiner	Kellogg
Putler of Ramsey	Geiger	Kelly
Butler of Ransom	Gunderson	Klein
Calnan	Hanson	Knox
Coltom	Haraldson	Kyllo
Curry	Harty	Lambert

Messrs.—	Messrs.—	Messrs.—
Lawbaugh	Ployhar	Thompson
Leu	Putnam	Taylor
Lewis	Raney	Tucker
List	Roble	Turner, C. C.
Martin	Ryan	Twichell
Moen	Sandbeck	Walsh
Morkrid	Smith of Kidder	Wardrope
Norheim	Smith of Ward	Watt
Nyhus	Snyder	Weis
Odland	Sorlie	Williams
Owens	Stenehjem	Wing
Pendray	Stinger	
Pitkin	Streeter	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dixon	Hawkinson	Warriner
Hart	Olsgard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Johnson	Petterson
Campbell	Lindstrom	Schroeder
Carey	Miller	Small
Divet	Morkrid	Turner, F. W.
Homan	Northrup	Williams
Isaak	O'Connor	Mr. Speaker

So the bill passed and the title was agreed to.

Mr. Hill of Bottineau moved

That the vote by which House Bill No. 201 passed, be reconsidered and the motion to reconsider be laid on the table.

House Bill No. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

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	Bollinger	Butler of Ransom
Balsdon	Bope	Calnan
Bartley	Borusky	Carey
Bass	Bratton	Coltom
Batzer	Burnett	Davis
Bjornson	Butler of Ramsey	Dean

Messrs.—

Divet
Dixon
Dossseth
Dynes
Endreson
Fox
France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson
Hart
Harty
Hawkinson
Hedalen
Hendrickson
Hill of Cass
Hjelmstad
Hjort
Hoge
Husband
Huso
Isaak

Messrs.—

Jacobson
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Martin
Miller
Moen
Morkrid
Morrison
Northrup
Nyhus
O'Connor
Odland
Olsgard
Pendray
Pitkin
Ployhar
Putnam

Messrs.—

Raney
Roble
Ryan
Sandbeck
Small
Smith of Kidder
Smith of Ward
Snyder
Sorlie
Stenehjem
Stinger
Streeter
Taylor
Tucker
Turner, C. C.
Twichell
Walsh
Warriner
Watt
Weis
Wiley
Williams
Wing
Mr. Speaker

Absent and not voting:

Messrs.—

Blakemore
Buck
Campbell
Curry
Dyole
Everson
Haraldson

Messrs.—

Hickle
Hill of Bottineau
Homan
Johnson
Kellogg
Norheim
Owens

Messrs.—

Petterson
Schroeder
Thompson
Turner, F. W.
Wardrope

So the bill passed and the title was agreed to.

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.

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.—

Anderson
Balsdon
Bartley
Bass
Batzer

Messrs.—

Bjornson
Blakemore
Bollinger
Bope
Borusky

Messrs.—

Bratton
Buck
Burnett
Butler of Ramsey
Butler of Ransom

Messrs.—

Calnan
Campbell
Carey
Coltom
Curry
Davis
Dean
Dixon
Dosseth
Dyole
Dynes
Endreson
Everson
Fox
France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson
Hart
Harty
Hedalen
Hendrickson
Hickle

Messrs.—

Hill of Bottineau
Hjelmstad
Hjort
Hoge
Husband
Huso
Isaak
Jacobson
Johnson
Kelly
Klein
Kyllo
Lambert
Leu
Lewis
Lindstrom
List
Martin
Miller
Moen
Morkrid
Morrison
Northrup
Nyhus
O'Connor
Odland

Messrs.—

Olsgard
Pendray
Pitkin
Ployhar
Ranev
Roble
Ryan
Sandbeck
Small
Smith of Kidder
Smith of Ward
Snyder
Sorlie
Stinger
Streeter
Taylor
Tucker
Twichell
Walsh
Warriner
Watt
Weis
Wiley
Williams
Wing
Mr. Speaker

Those voting in the negative were: Mr. Bjornson.

Absent and not voting:

Messrs.—

Divet
Haraldson
Hawkinson
Hill of Cass
Homan
Kellogg

Messrs.—

Knox
Lawbaugh
Norheim
Owens
Pendray
Putnam

Messrs.—

Schroeder
Stenehjem
Thompson
Turner, C. C.
Turner, F. W.
Wardrope

So the bill passed and the title was agreed to.

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."

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	Hanson	Morkrid
Balsdon	Hart	Morrison
Bass	Harty	Northrup
Batzer	Hawkinson	Nyhus
Blakemore	Hedalen	Odland
Bope	Hendrickson	Olsgard
Borusky	Hickle	Pendray
Burnett	Hill of Bottineau	Pitkin
Butler of Ramsey	Hill of Cass	Ployhar
Butler of Ransom	Hjort	Putnam
Calnan	Hoge	Raney
Carey	Homan	Roble
Coltom	Husband	Ryan
Curry	Huso	Sandbeck
Davis	Isaak	Smith of Kidder
Dean	Jacobson	Snyder
Divet	Johnson	Stinger
Dixon	Kellogg	Streeter
Dosseth	Kelly	Taylor
Dyole	Klein	Tucker
Dynes	Kylo	Walsh
Endreson	Lambert	Warriner
Everson	Leu	Watt
Fox	Lewis	Weis
France	Lindstrom	Wiley
Freitag	List	Wing
Gardiner	Martin	Mr. Speaker
Geiger	Miller	
Gunderson	Moен	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Knox	Sorlie
Bjornson	Lawbaugh	Stenhjem
Bollinger	Norheim	Thompson
Bratton	O'Connor	Turner, C. C.
Buck	Owens	Turner, F. W.
Campbell	Petterson	Twichell
Fritz	Schroeder	Wardrope
Haraldson	Small	Williams
Hjelmstad	Smith of Ward	

So the bill passed and the title was agreed to.

Mr. Weis moved

That the vote by which House Bill No. 338 passed, be reconsidered and the motion to reconsider be laid on the table.

House Bill No. 314.

Being a bill for an Act to legalize deeds, judgments and decrees.

Was read the third time.

The roll was called and there were ayes 81, nays 0, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Morkrid
Bartley	Gunderson	Morrison
Bass	Harty	Norheim
Batzer	Hawkinson	Nyhus
Bjornson	Hedalen	Odland
Blakemore	Hendrickson	Pendray
Bollinger	Hickle	Petterson
Borusky	Hill of Bottineau	Pitkin
Bratton	Hill of Cas.	Ployhar
Buck	Hjelmstad	Putnam
Burnett	Hjort	Raney
Butler of Ramsey	Hoge	Roble
Butler of Ransom	Isaak	Sandbeck
Calnan	Jacobson	Schroeder
Campbell	Johnson	Small
Carey	Kelly	Stinger
Dean	Klein	Streeter
Divet	Knox	Taylor
Dixon	Kylo	Tucker
Dosseth	Lambert	Twichell
Dyole	Lawbaugh	Walsh
Dynes	Leu	Warriner
Endreson	Lewis	Watt
Fox	Lindstrom	Weis
France	List	Wiley
Freitag	Miller	Williams
Gardiner	Moen	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Homan	Smith of Kidder
Bope	Husband	Smith of Ward
Coltom	Huso	Snyder
Curry	Kellogg	Sorlie
Davis	Martin	Stenchjem
Everson	Norheim	Thompson
Fritz	O'Connor	Turner, C. C.
Hanson	Olsgard	Turner, F. W.
Haraldson	Odland	Wardrope
Hart	Ryan	Wing

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays 8, absent and not voting 23.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Harty	Morrison
Bartley	Hawkinson	Northrup
Bass	Hedalen	Nyhus
Bollinger	Hendrickson	Odland
Bope	Hickle	Olsgard
Borusky	Hill of Bottineau	Owens
Buck	Hill of Cass	Pendray
Burnett	Hjelmstad	Pitkin
Butler of Ramsey	Hjort	Ployhar
Butler of Ransom	Hoge	Putnam
Calnan	Husband	Raney
Carey	Huso	Roble
Coltom	Isaak	Ryan
Curry	Jacobson	Sandbeck
Davis	Johnson	Small
Dean	Kelly	Smith of Kidder
Divet	Klein	Snyder
Dosseth	Knox	Sorlie
Dyole	Kyllo	Taylor
Dynes	Lambert	Turner, F. W.
Endreson	Lawbaugh	Twichell
Everson	Lewis	Wardrope
France	Lindstrom	Watt
Freitag	List	Weis
Geiger	Miller	Williams
Gunderson	Moen	Mr. Speaker
Hanson	Morkrid	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Fritz	Streeter
Bjornson	Leu	Wiley
Dixon	Martin	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Homan	Stinger
Blakemore	Kellogg	Thompson
Bratton	Norheim	Tucker
Campbell	O'Connor	Turner, C. C.
Fox	Petterson	Walsh
Gardiner	Schroeder	Wardrope
Haraldson	Smith of Ward	Wing
Hart	Stenhjem	

So the bill passed and the title was agreed to.

Mr. Hill of Cass moved

That the vote by which House Bill No. 228 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Knox moved

That House Bill No. 413 be indefinitely postponed.

Which motion prevailed.

Mr. Wiley moved

That the vote by which House Bill No. 413 was indefinitely postponed, be reconsidered and the bill re-referred to the committee on ways and means for further consideration.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 80, nays 2, absent and not voting 29.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Klein
Balsdon	Fritz	Knox
Batzer	Gardiner	Kyllo
Bjornson	Geiger	Lambert
Blakemore	Hanson	Lawbaugh
Bollinger	Hart	Leu
Bope	Harty	Lewis
Buck	Hawkinson	Lindstrom
Burnett	Hendrickson	List
Butler of Ramsey	Hickle	Miller
Butler of Ransom	Hill of Bottineau	Moen
Calnan	Hill of Cass	Morkrid
Coltom	Hjelmstad	Morrison
Davis	Hjort	Northrup
Dean	Hoge	Nyhus
Dixon	Homan	O'Connor
Dosseth	Husband	Odland
Dyole	Huso	Olsgard
Dynes	Isaak	Petterson
Endreson	Jacobson	Pitkin
Fox	Johnson	Ployhar
France	Kelly	Raney

Messrs.—	Messrs.—	Messrs.—
Roble	Turner, C. C.	Wiley
Ryan	Walsh	Williams
Smith of Kidder	Warriner	Wing
Stenchjem	Watt	Mr. Speaker
Tucker	Weis	

Those voting in the negative were: Messrs. Carey and Pendray.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hedalen	Snyder
Bass	Kellogg	Sorlie
Borusky	Martin	Stinger
Bratton	Norheim	Streeter
Campbell	Owens	Thompson
Curry	Putnam	Taylor
Divet	Sandbeck	Turner, F. W.
Everson	Schroeder	Twichell
Gunderson	Small	Wardrope
Haraldson	Smith of Ward	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 5, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Curry	Hawkinson
Balsdon	Davis	Hendrickson
Bartley	Dean	Hickle
Bass	Doyle	Hill of Bottineau
Batz	Dynes	Hill of Cass
Blakemore	Endreson	Hjelmstad
Bollinger	France	Hjort
Borusky	Freitag	Hoge
Burnett	Gardiner	Homan
Butler of Ramsey	Geiger	Husband
Butler of Ransom	Gunderson	Isaak
Calnan	Hanson	Jacobson
Carey	Hart	Johnson

Messrs.—	Messrs.—	Messrs.—
Klein	Pendray	Tucker
Knox	Pitkin	Turner, C. C.
Kylo	Ployhar	Twichell
Lawbaugh	Raney	Walsh
Leu	Roble	Wardrobe
Lewis	Ryan	Warriner
Lindstrom	Sandbeck	Watt
Martin	Small	Weis
Moen	Smith of Kidder	Williams
Morkrid	Stenehjem	Wing
Morrison	Stinger	Mr. Speaker
Nyhus	Streeter	
O'Connor	Thompson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Dosseth	Taylor
Dixon	Fritz	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Hedalen	Olsgard
Bratton	Huso	Owens
Buck	Kellogg	Petterson
Campbell	Kelly	Putnam
Coltom	Lambert	Schroeder
Divet	List	Smith of Ward
Everson	Miller	Snyder
Fox	Norheim	Sorlie
Haraldson	Northrup	Turner, F. W.
Harty	Odland	Wiley

So the bill passed and the title was agreed to.

Mr. Hendrickson moved

That the vote by which House Bill No. 239 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 73, nays 0, absent and not voting 38.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	O'Connor
Bartley	Hendrickson	Olsgard
Bass	Hill of Bottineau	Pitkin
Batzer	Hill of Cass	Ployhar
Bjornson	Hjelmstad	Raney
Blakemore	Hjort	Roble
Bollinger	Hoge	Ryan
Burnett	Husband	Sandbeck
Butler of Ramsey	Huso	Small
Butler of Ransom	Jacobson	Snyder
Calnan	Kelly	Stenehjem
Carey	Klein	Stinger
Coltom	Kyllo	Streeter
Curry	Lambert	Taylor
Dean	Lawbaugh	Thompson
Dixon	Leu	Tucker
Dosseth	Lewis	Turner, C. C.
Dynes	Lindstrom	Twichell
Everson	List	Warriner
France	Martin	Watt
Freitag	Miller	Williams
Fritz	Moen	Wing
Geiger	Morkrid	Mr. Speaker
Gunderson	Northrup	
Hanson	Nyhus	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Pendray
Bope	Harty	Petterson
Borusky	Hedalen	Putnam
Bratton	Hickle	Schroeder
Buck	Homan	Smith of Kidder
Campbell	Isaak	Smith of Ward
Davis	Johnson	Sorlie
Divet	Kellogg	Turner, F. W.
Doyle	Knox	Walsh
Endreson	Morrison	Wardrope
Fox	Northrup	Weis
Gardiner	Odland	Wiley
Haraldson	Owens	

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which House Bill No. 192 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 38.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the state university and school of mines of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays 0, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Nyhus
Balsdon	Hanson	O'Connor
Bartley	Hart	Odland
Bass	Hawkinson	Olsgard
Batzer	Hedalen	Pendray
Bjornson	Hendrickson	Petterson
Blakemore	Hill of Bottineau	Pitkin
Bollinger	Hill of Cass	Ployhar
Bortusky	Hjelmstad	Putnam
Bratton	Hjort	Raney
Burnett	Hoge	Roble
Butler of Ramsey	Homan	Smith of Kidder
Calnan	Huso	Stenehjerm
Carey	Isaak	Stinger
Coltom	Jacobson	Streeter
Curry	Johnson	Thompson
Davis	Kelly	Tucker
Dean	Kyllo	Turner, C. C.
Divet	Lambert	Twichell
Dosseth	Lawbaugh	Wardrope
Doyle	Leu	Warriner
Enderson	Lewis	Watt
Everson	Lindstrom	Weis
Fox	List	Wiley
France	Martin	Williams
Gardiner	Moen	Wing
Geiger	Morkrid	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Hickle	Ryan
Buck	Husband	Sandbeck
Butler of Kansom	Kellogg	Schroeder
Campbell	Klein	Small
Dixon	Knox	Smith of Ward
Dynes	Miller	Snyder
Freitag	Morrison	Sorlie
Fritz	Norheim	Taylor
Haraldson	Northrup	Turner, F. W.
Harty	Owens	Walsh

So the bill passed and the title was agreed to.

Mr. Moen moved

That the vote by which House Bill No. 38 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 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	Hanson	Northrup
Balsdon	Hawkinson	Nyhus
Bartley	Hedalen	O'Connor
Bass	Hendrickson	Odland
Batzer	Hickle	Olsgard
Bjornson	Hill of Bottineau	Pitkin
Blakemore	Hjort	Ployhar
Bollinger	Hoge	Roble
Bope	Homan	Ryan
Borusky	Husband	Sandbeck
Buck	Huso	Smith of Kidder
Burnett	Jacobson	Sorlie
Butler of Ramsey	Johnson	Stenehjem
Calnan	Kellogg	Stinger
Carey	Kelly	Streeter
Curry	Klein	Thompson
Dean	Knox	Tucker
Dixon	Kyllo	Turner, C. C.
Dosseth	Lambert	Twichell
Dynes	Lawbaugh	Warriner
Endreson	Leu	Watt
Everson	Lewis	Weis
Fox	Lindstrom	Wiley
France	List	Williams
Freitag	Martin	Wing
Gardiner	Miller	Mr. Speaker
Geiger	Moen	
Gunderson	Morkrid	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Harty	Raney
Butler of Ransom	Hill of Cass	Schroeder
Campbell	Hjelmstad	Small
Coltom	Isaak	Smith of Ward
Davis	Morrison	Snyder
Divet	Norheim	Taylor
Doyle	Owens	Turner, F. W.
Fritz	Pendray	Walsh
Haraldson	Petterson	Wardrope
Hart	Putnam	

So the bill passed and the title was agreed to.

Mr. Anderson asked for a verification of the vote on House Bill No. 422.

Which was lost.

House Bill No. 422.

Being 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 67, nays 25, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hawkinson	Pendray
Bartley	Hedalen	Pitkin
Bass	Hendrickson	Ployhar
Bjornson	Hill of Bottineau	Putnam
Blakemore	Hill if Cass	Raney
Bope	Hjelmstad	Roble
Borusky	Hjort	Ryan
Bratton	Hoge	Sandbeck
Burnett	Huso	Smith of Kidder
Butler of Ransom	Jacobson	Smith of Ward
Coltom	Johnson	Sorlie
Curry	Klein	Stinger
Davis	Lawbaugh	Streeter
Divet	Lewis	Thompson
Dosseth	Lindstrom	Taylor
Dynes	List	Tucker
Endreson	Martin	Twichell
Everson	Miller	Walsh
Fox	Moen	Warriner
France	Northrup	Watt
Fritz	Nyhus	Wing
Geiger	Odland	
Hanson	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Small
Batzer	Hickle	Snyder
Bollinger	Homan	Turner, C. C.
Butler of Ramsey	Husband	Weis
Carey	Knox	Wiley
Dean	Kyllo	Williams
Dixon	Lambert	Mr. Speaker
France	Leu	
Gunderson	Morrison	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Isaak	Petterson
Calnan	Kellogg	Schroeder
Campbell	Kelly	Stenhjem
Dovle	Morkrid	Turner, F. W.
Gardiner	Norheim	Wardrope
Haraldson	O'Connor	
Harty	Owens	

So the bill passed and the title was agreed to.

Mr. Anderson moved

That House Bill No. 442 be re-referred to the committee on ways and means.

Which motion prevailed.

Mr. Sorlie moved

That House Bill No. 435 be indefinitely postponed.

A roll call being demanded, there were 34 ayes, 55 nays, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjort	Smith of Ward
Bjornson	Homan	Sorlie
Blakemore	Husband	Streeter
Bratton	Johnson	Thompson
Butler of Ransom	Knox	Tucker
Calnan	Lewis	Turner, C. C.
Divet	Lindstrom	Twichell
Dixon	List	Walsh
Fritz	Miller	Williams
Hanson	Morrison	Wing
Hart	Putnam	
Hawkinson	Small	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Klein
Bass	France	Kyllo
Bollinger	Gardiner	Lambert
Burnett	Geiger	Leu
Butler of Ramsey	Gunderson	Martin
Coltom	Hedalen	Moen
Curry	Hickle	Morkrid
Davis	Hill of Bottineau	Northrup
Dean	Hjelmstad	Odland
Dosseth	Hoge	Olgard
Dynes	Huso	Pendray
Endreson	Isaak	Pitkin
Everson	Jacobson	Ployhar
Fox	Kelly	Raney

Messrs.—	Messrs.—	Messrs.—
Roble	Stenehjem	Weis
Ryan	Stinger	Wiley
Sandbeck	Taylor	Mr. Speaker
Smith of Kidder	Warriner	
Snyder	Watt	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Haraldson	O'Connor
Bartley	Harty	Owens
Bope	Hawkinson	Petterson
Borusky	Hill of Cass	Schroeder
Buck	Kellogg	Turner, F. W.
Campbell	Lawbaugh	Wardrope
Carey	Northrup	
Doyle	Nyhus	

So the motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 54, nays 40, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Moen
Balsdon	Geiger	Morkrid
Bass	Gunderson	Northrup
Bollinger	Hedalen	Odland
Borusky	Hickle	Olgard
Burnett	Hill of Bottineau	Pendray
Butler of Ramsey	Hjelmstad	Pitkin
Coltom	Hoge	Ployhar
Curry	Husband	Raney
Davis	Huso	Roble
Dean	Isaak	Sandbeck
Dosseth	Jacobson	Smith of Kidder
Doyle	Kelly	Stenehjem
Dynes	Klein	Stinger
Endreson	Kyllo	Taylor
Everson	Lambert	Warriner
France	Lawbaugh	Watt
Freitag	Martin	Weis

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjort	Snyder
Bjornson	Homan	Sorlie
Blakemore	Johnson	Streeter
Bratton	Knox	Thompson
Butler of Ransom	Leu	Tucker
Calnan	Lewis	Turner, C. C.
Carey	Lindstrom	Twichell
Divet	List	Walsh
Dixon	Miller	Wiley
Fritz	Morrison	Williams
Hanson	O'Connor	Wing
Hawkinson	Putnam	Mr. Speaker
Hendrickson	Ryan	
Hill of Cass	Smith of Ward	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hart	Petterson
Bope	Harty	Schroeder
Buck	Kellogg	Small
Campbell	Norheim	Turner, F. W.
Fox	Nyhus	Wardrope
Haraldson	Owens	

So the bill was lost.

Mr. Sorlie moved

That the vote by which House Bill No. 435 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Lambert asked for a verification of the roll call by which House Bill No. 435 was lost.

Which request was granted.

The roll was verified and found to be correct.

MESSAGE FROM THE SENATE.

Bismarck, N. D., February 25, 1913.

Mr. Speaker:

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

Relating to the education, care, health and maintenance of the Indians within the State of North Dakota.

Whereas, There are many thousand Indian families within the borders of our state, and in district contiguous; and,

Whereas, Most, if not all, of said Indians have been or are now wards of the Nation, for whom the federal government is now and has been through treaty stipulations and otherwise, the custodian since territorial days of millions of acres of lands within our borders, lands that don't now and have not contributed any taxes whatever for the maintenance of our state institutions and government, and which said lands have enhanced in value from insignificance, continually under our statehood, until the present time when they are of great value; and,

Whereas, The federal government by various Acts of Congress has been and is now disposing of these lands and the proceeds from the sale thereof, and is making meager, if any, provisions for the schooling, the education and the physical culture, health and care of the young and old among the so-called wards of the Nation; and,

Whereas, Tuberculosis, trachoma and other infectious diseases prevail in a greater or less degree among those people on the reservation and in their schools, and to such an extent that many of them may come in the near future public charges and disease-speaders; and,

Whereas, There are two non-reservation Indian schools which have been created by Act of Congress within our state, namely, at Bismarck and Wahpeton, the site for the former having been donated by some of the citizens of Bismarck, under an Act of Congress passed in 1904.

Therefore, be it Resolved by the Senate of the State of North Dakota, the House of Representatives concurring:

That we respectfully urge our Senators and Representatives in the Congress of the United States to urge upon the federal government the desirability and necessity of making immediate and proper provision for the future education and care, and of the health and maintenance of all the Indians and their offspring that may be within our state, and looking to that end we respectfully urge that at least 150,000 acres be set aside out of the Indian lands within our borders for the maintenance of each of the hereinbefore mentioned non-reservation Indian schools; and,

Be it Further Resolved, That in the event said lands are deeded to the State of North Dakota for the maintenance of each of said schools, either by disposal of said lands or otherwise, the state will accept from the United States the said schools and will make proper provision for their maintenance, so that in the end said Indians may receive the

benefits enjoyed by the citizens of our state and that they may not become a public charge.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Thompson moved

That the concurrent resolution be referred to a standing committee.

Which motion prevailed.

Referred to the committee on ways and means.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Divet moved

That the judiciary committee be permitted to return Senate Bill No. 23.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., February 25, 1913.

Mr. Speaker:

I have the honor to return House Bill No. 309 as requested by the House.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Leu asked unanimous consent to return to the seventh order of business.

Which consent was given.

Mr. Leu moved

That House Bill No. 378 be re-referred to the committee on public health.

Which motion was lost.

Mr. Watt requested that the committee appointed to investigate the office of agriculture and labor have five more days in which to report.

Which consent was given.

Mr. Calnan asked that the committee appointed to investigate the office of the state treasurer have four more days in which to report.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 10.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 279.

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.

Was read the first and second time and

Referred to the committee on forestry.

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 158.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 193.

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 bookkeeping 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 the 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.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 72.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-

recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; Fees; expenses; appropriation; repeal.

Was read the first and second time and

Referred to the committee on live stock.

Senate Bill No. 171.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Sixty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 247.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 185.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state affairs.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 201.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Mr. Weis moved

That the House take a recess of ten minutes.

Which motion prevailed.

The House reassembled at 4:30 pursuant to recess taken.

Mr. Twichell moved

A call of the House.

Which was had.

Those present were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dynes	Jacobson
Balsdon	Endreson	Johnson
Bartley	Fox	Kelly
Bass	France	Knox
Batzer	Fritz	Lambert
Bjornson	Gardiner	Lawbaugh
Blakemore	Geiger	Leu
Bollinger	Gunderson	Lewis
Borusky	Hanson	Lindstrom
Bratton	Hart	List
Burnett	Harty	Martin
Butler of Ramsey	Hawkinson	Miller
Butler of Ransom	Hedalen	Moen
Calnan	Hendrickson	Morkrid
Carey	Hickle	Morrison
Coltom	Hill of Bottineau	Northrup
Curry	Hjelmstad	Nyhus
Davis	Hjort	O'Connor
Dean	Hoge	Odland
Dixon	Homan	Olsgard
Dosseth	Husband	Pendray
Doyle	Huso	Pitkin

Messrs.—	Messrs.—	Messrs.—
Putnam	Stenchjem	Warriner
Raney	Stinger	Watt
Roble	Streeter	Weis
Sandbeck	Thompson	Wiley
Small	Taylor	Williams
Smith of Kidder	Tucker	Wing
Smith of Ward	Twichell	Mr. Speaker
Snyder	Walsh	
Sorlie	Wardrope	

Those absent were:

Messrs.—	Messrs.—	Messrs.—
Bope	Hill if Cass	Petterson
Buck	Isaak	Ployhar
Cambell	Kellogg	Ryan
Divet	Klein	Schroeder
Everson	Kyllo	Turner, C. C.
Freitag	Norheim	Turner, F. W.
Haraldson	Owens	

Mr. Streeter moved

That further proceedings under the roll call be dispensed with.

Which motion prevailed.

Mr. Martin moved

That the reading of Senate Bill No. 98 be deferred.

Which motion was lost.

Mr. Hoge moved

That Senate Bill No. 152 be re-referred to the committee on ways and means.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 66, nays 1, absent and not voting 44.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Olsgard
Baldson	Hanson	Pendray
Bartley	Hart	Pitkin
Bass	Hendrickson	Putnam
Batzer	Hill of Bottineau	Raney
Bjornson	Hjelmstad	Roble
Borusky	Hjort	Small
Burnett	Hoge	Smith of Kidder
Butler of Ramsey	Jacobson	Smith of Ward
Calnan	Johnson	Snyder
Coltom	Knox	Sorlie
Curry	Lawbaugh	Stenehjem
Davis	Leu	Thompson
Dean	Lewis	Tucker
Dixon	Lindstrom	Twichell
Dosseth	List	Walsh
Doyle	Miller	Wardrope
Dynes	Moen	Warriner
Fox	Morrison	Watt
France	Nyhus	Williams
Freitag	O'Connor	Wing
Gardiner	Odland	Mr. Speaker

Those voting in the negative were: Mr. Bratton.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Blakemore	Hedalen	Northrup
Bollinger	Hickle	Owens
Bope	Hill if Cass	Pettersen
Buck	Homan	Ployhar
Butler of Ransom	Husband	Ryan
Calnan	Huso	Sandbeck
Campbell	Isaak	Schroeder
Carey	Kellogg	Stinger
Divet	Kelly	Streeter
Endreson	Klein	Taylor
Everson	Kyllo	Turner, C. C.
Fritz	Lambert	Turner, F. W.
Geiger	List	Weis
Haraldson	Martin	Wiley
Morkrid	Hawkinson	
Norheim	Harty	

So the bill passed and the title was agreed to.

Mr. Roble moved

That the vote by which Senate Bill No. 90 passed, be reconsidered and the motion to reconsider be laid on the table.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays 14, absent and not voting 12.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Odland
Balsdon	Hanson	Olsgard
Bartley	Haraldson	Owens
Bass	Hart	Pendray
Bjornson	Harty	Pitkin
Blakemore	Hawkinson	Putnam
Borusky	Hedalen	Raney
Bratton	Hendrickson	Roble
Buck	Hickle	Sandbeck
Burnett	Hill of Bottineau	Small
Butler of Ramsey	Hjelmstad	Smith of Kidder
Butler of Ransom	Hjort	Smith of Ward
Calnan	Hoge	Snyder
Carey	Husband	Sorlie
Coltom	Huso	Stenchjem
Curry	Isaak	Stinger
Davis	Jacobson	Thompson
Dean	Knox	Taylor
Divet	Lambert	Tucker
Dixon	Leu	Twichell
Dosseth	Lewis	Walsh
Doyle	List	Wardrope
Dynes	Moen	Warriner
Endreson	Morkrid	Watt
Everson	Morrison	Weis
Fox	Norheim	Williams
France	Northrup	Mr. Speaker
Gardiner	Nyhus	
Geiger	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Kelly	Ryan
Bollinger	Lawbaugh	Streeter
Freitag	Lindstrom	Wiley
Fritz	Martin	Wing
Homan	Miller	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Kellogg	Ployhar
Campbell	Klein	Schroeder
Hill of Cass	Kyllo	Turner, C. C.
Johnson	Petterson	Turner, F. W.

So the bill passed and the title was agreed to.

Mr. Twichell moved

That the vote by which Senate Bill No. 98 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 7, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Olsgard
Balsdon	Hendrickson	Pendray
Bartley	Hickle	Petterson
Bass	Hill of Bottineau	Pitkin
Bjornson	Hill of Cass	Ployhar
Bollinger	Hjelmstad	Putnam
Borusky	Hjort	Raney
Buck	Husband	Roble
Burnett	Huso	Ryan
Butler of Ramsey	Jacobson	Sandbeck
Calnan	Johnson	Schroeder
Carey	Kelly	Small
Coltom	Klein	Smith of Ward
Curry	Knox	Snyder
Davis	Lambert	Sorlie
Dean	Lawbaugh	Stenehjem
Divet	Leu	Stinger
Dixon	Lewis	Taylor
Doyle	Lindstrom	Turner, C. C.
Dynes	List	Twichell
Endreson	Martin	Walsh
France	Miller	Warriner
Gardiner	Moen	Watt
Geiger	Morkrid	Weis
Gunderson	Norheim	Wiley
Hanson	Northrup	Williams
Harty	Nyhus	Wing
Hawkinson	O'Connor	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Owens	Thompson
Bratton	Smith of Kidder	
Dixon	Streeter	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Fritz	Kyllo
Bope	Haraldson	Morrison
Butler of Ransom	Hart	Odland
Campbell	Hoge	Tucker
Everson	Homan	Turner, F. W.
Fox	Isaak	Wardrope
Freitag	Kellogg	

So the bill passed and the title was agreed to.

Mr. France moved

That the vote by which Senate Bill No. 152 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

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	Dynes	Isaak
Balsdon	Endreson	Jacobson
Bartley	Everson	Johnson
Bass	France	Kelly
Batzer	Freitag	Klein
Bjornson	Gardiner	Kyllo
Blakemore	Geiger	Lambert
Borusky	Gunderson	Lawbaugh
Bratton	Hanson	Lewis
Buck	Hart	Lindstrom
Burnett	Harty	List
Butler of Ramsey	Hawkinson	Martin
Butler of Ransom	Hedalen	Miller
Calnan	Hickle	Moen
Carey	Hill of Bottineau	Morkrid
Coltom	Hill of Cass	Morrison
Curry	Hjelmstad	Norheim
Davis	Hjort	Northrup
Dean	Hoge	Nyhus
Divét	Homan	O'Connor
Dixon	Husband	Odland
Dosseth	Huso	Olsgard

Messrs.—	Messrs.—	Messrs.—
Pendray	Smith of Kidder	Turner, C. C.
Petterson	Smith of Ward	Twichell
Pitkin	Snyder	Walsh
Ployhar	Sorlie	Watt
Raney	Stenehjerm	Wiley
Ryan	Streeter	Williams
Sandbeck	Taylor	Mr. Speaker
Schroeder	Tucker	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hendrickson	Small
Bope	Kellogg	Stinger
Campbell	Knox	Turner, F. W.
Doyle	Leu	Wardrope
Fox	Owens	Warriner
Fritz	Putnam	Weis
Haraldson	Raney	Wing

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which Senate Bill No. 94 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 61, nays 28, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Everson	Hjelmstad
Batzer	Fox	Hjort
Bjornson	Freitag	Hoge
Blakemore	Gardiner	Homan
Borusky	Gunderson	Jacobson
Bratton	Hanson	Kelly
Buck	Hart	Knox
Patler of Ransom	Harty	Lambert
Calnan	Hedalen	Lawbaugh
Curry	Hendrickson	Leu
Divet	Hill of Bottineau	Lewis
Dosseth	Hill of Cass	List

Messrs.—
 Miller
 Moen
 Morkrid
 Northrup
 O'Connor
 Odland
 Olsgard
 Pendray
 Petterson

Messrs.—
 Pitkin
 Putnam
 Rancy
 Roble
 Ryan
 Sandbeck
 Smith of Kidder
 Stinger
 Streeter

Messrs.—
 Thompson
 Taylor
 Twichell
 Warriner
 Williams
 Wing
 Mr. Speaker

Those voting in the negative were:

Messrs.—
 Anderson
 Bass
 Burnett
 Carey
 Coltom
 Davis
 Dean
 Dixon
 Dynes
 Endreson

Messrs.—
 Geiger
 Hawkinson
 Hickle
 Husc
 Isaak
 Johnson
 Klein
 Kylo
 Lindstrom
 Morrison

Messrs.—
 Nyhus
 Small
 Smith of Ward
 Sorlie
 Tucker
 Turner, C. C.
 Watt
 Wiley

Absent and not voting:

Messrs.—
 Balsdon
 Bollinger
 Bope
 Butler of Ramsey
 Campbell
 Doyle
 France
 Fritz

Messrs.—
 Haraldson
 Husband
 Kellogg
 Martin
 Norheim
 Owens
 Ployhar
 Schroeder

Messrs.—
 Snyder
 Stenhjem
 Turner, F. W.
 Walsh
 Wardrope
 Weis

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 233 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 151.

A bill for an Act to legalize the execution and acknowledgement of certain deeds, mortgages and other instruments in writing, and the record thereof, and making the same or certified copies thereof, admissible in evidence.

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 0, absent and not voting 23.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Odland
Balsdon	Hedalen	Oisgard
Bartley	Hendrickson	Owens
Bass	Hickle	Pendray
Batzer	Hill of Bottineau	Petterson
Bjornson	Hill of Cass	Pitkin
Borusky	Hjelmstad	Putnam
Buck	Hjort	Raney
Burnett	Homan	Roble
Butler of Ramsey	Husband	Ryan
Butler of Ransom	Huso	Sandbeck
Calnan	Isaak	Small
Carey	Johnson	Smith of Kidder
Curry	Kelly	Snyder
Dean	Klein	Stenehjem
Divet	Knox	Stinger
Dixon	Kyllo	Streeter
Dosseth	Lambert	Thompson
Doyle	Lawbaugh	Taylor
Dynes	Leu	Tucker
Endreson	Lewis	Turner, C. C.
Everson	Lindstrom	Twichell
Fox	List	Walsh
France	Martin	Warriner
Gardiner	Miller	Watt
Geiger	Moen	Wiley
Gunderson	Morkrid	Wing
Haraldson	Norheim	Mr. Speaker
Hart	Northrup	
Harty	Nyhus	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Elakemore	Fritz	Schroeder
Bollinger	Hanson	Smith of Ward
Bope	Hoge	Sorlie
Bratton	Jacobson	Turner, F. W.
Campbell	Kellogg	Wardrope
Coltom	Morrison	Weis
Davis	O'Connor	Williams
Freitag	Putnam	

So the bill passed and the title was agreed to.

Mr. Owen moved

That as the Sergeant-at-Arms had Mr. Ness in custody that he bring the prisoner before the bar of the House and that some speedy action be brought.

Which motion prevailed.

The Sergeant-at-Arms brought the prisoner at bar before the House.

Mr. Speaker: Mr. Ness, this afternoon 3 members of this House, Messrs. Divet, Twichell and Bartley, laid before this House information that you had in direct terms solicited and worked for a certain bill, to-wit, Senate Bill No. 98, commonly known as the Anti-snuff Bill; and that you had made offers of money; in other words that you had been guilty of bribery. Thereupon the House directed the Speaker to issue his warrant, and thereafter a committee was appointed to investigate this case. In conformity therewith you have been brought here. You are entitled to counsel, do you desire counsel?

Mr. Ness: Yes, sir.

Mr. Speaker: To what time will the House give the accused to procure counsel?

Mr. Lambert moved

That he be given until 10 o'clock Thursday morning.

Which motion prevailed.

Mr. Owens moved

As an amendment that he be given until tomorrow afternoon at 2 P. M.

Which motion was lost.

Mr. Speaker: Mr. Ness you will retire in custody of the Sergeant-at-Arms, and you will appear at this bar at 10 o'clock on Thursday morning, with such counsel as you may desire for further examination.

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.

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 22, absent and not voting 35.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Burnett	Dixon
Bjornson	Butler of Ransom	Dosseth
Blakemore	Calnan	Doyle
Bollinger	Curry	Dynes
Bope	Dean	Endreson
Buck	Divet	Fox

Messrs.—

France
Freitag
Geiger
Harty
Hawkinson
Hedalen
Hickle
Hill of Bottineau
Hill of Cass
Hjelmstad
Isaak
Jacobson

Messrs.—

Johnson
Kelly
Klein
Knox
Lambert
Lawbaugh
Lewis
List
Owens
Owens
Pendray
Pitkin

Messrs.—

Putnam
Raney
Ryan
Taylor
Turner, C. C.
Twichell
Walsh
Wardrope
Warriner
Watt
Wiley
Mr. Speaker

Those voting in the negative were:

Messrs.—

Anderson
Baldson
Butler of Ramsey
Carey
Gunderson
Hjort
Homan
Huso

Messrs.—

Leu
Martin
Moen
Morrison
Norheim
Nyhus
Sandbeck
Small

Messrs.—

Stenehjem
Stinger
Thompson
Tucker
Williams
Wing

Absent and not voting:

Messrs.—

Bartley
Bass
Borusky
Bratton
Campbell
Coltom
Davis
Everson
Fritz
Gardiner
Hanson
Haraldson

Messrs.—

Hart
Hendrickson
Hoge
Husband
Kellogg
Kyllo
Lindstrom
Miller
Morkrid
Northrup
O'Connor
Odland

Messrs.—

Pettersen
Ployhar
Roble
Schroeder
Smith of Kidder
Smith of Ward
Snyder
Sorlie
Streeter
Turner, F. W.
Weis

So the bill was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 84, nays 2, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Olsgard
Balsdon	Hickle	Owens
Bartley	Hill of Bottineau	Pendray
Bass	Hill of Cass	Petterson
Batzer	Hjelmstad	Pitkin
Bjornson	Hoge	Ployhar
Borusky	Husband	Putnam
Bratton	Jacobson	Roble
Buck	Johnson	Ryan
Burnett	Kelly	Sandbeck
Butler of Ramsey	Klein	Schroeder
Butler of Ransom	Knox	Small
Calnan	Kylie	Smith of Ward
Coltom	Lambert	Snyder
Curry	Lawbaugh	Stenehjem
Dean	Leu	Streeter
Divet	Lewis	Thompson
Dixon	Lindstrom	Taylor
Dosseth	List	Tucker
Dynes	Miller	Turner, C. C.
Endreson	Moen	Twichell
Everson	Morkrid	Wardrope
Freitag	Morrison	Warriner
Fritz	Norheim	Watt
Gardiner	Northrup	Wiley
Geiger	Nyhus	Williams
Gunderson	O'Connor	Wing
Harty	Odland	Mr. Speaker

Those voting in the negative were: Messrs. Blakemore and Hjort.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Haraldson	Raney
Bope	Hart	Smith of Kidder
Campbell	Hawkinson	Sorlie
Carey	Hendrickson	Stinger
Davis	Homan	Turner, F. W.
Doyle	Huso	Walsh
Fox	Isaak	Weis
France	Kellogg	
Hanson	Martin	

So the bill passed and the title was agreed to.

Mr. Anderson moved

That the vote by which Senate Bill No. 225 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 1, absent and not voting 34.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Nyhus
Balsdon	Hawkinson	Olsgard
Bartley	Hickle	Pendray
Bass	Hill of Bottineau	Petterson
Batzer	Hill of Cass	Pitkin
Bjornson	Hjelmstad	Putnam
Blakemore	Hjort	Raney
Borusky	Hoge	Roble
Burnett	Husband	Ryan
Butler of Ransom	Hiso	Sandbeck
Butler of Ramsey	Jacobson	Smith of Ward
Calnan	Johnson	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Streeter
Dean	Kvillo	Thompson
Divet	Lambert	Tucker
Dixon	Leu	Turner, C. C.
Dosseth	Lewis	Twichell
Doyle	Lindstrom	Walsh
Dynes	List	Wardrope
Endreson	Martin	Warriner
France	Miller	Williams
Freitag	Moen	Wing
Fritz	Morkrid	Mr. Speaker
Geiger	Morrison	
Gunderson	Norheim	

Those voting in the negative were: Mr. Taylor.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hart	Ployhar
Bope	Hedalen	Schroeder
Bratton	Hendrickson	Small
Buck	Homan	Smith of Kidder
Campbell	Isaak	Snyder
Carey	Kellogg	Stinger
Davis	Knox	Turner, F. W.
Everson	Lawbaugh	Watt
Fox	Northrup	Weis
Gardiner	O'Connor	Wiley
Hanson	Odland	
Haraldson	Olsgard	

So the bill passed and the title was agreed to.

Mr. C. C. Turner moved

That the vote by which Senate Bill No. 207 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 52, nays 27, absent and not voting 32.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Ployhar
Bartley	Hickle	Putnam
Bass	Hill of Cass	Raney
Bjornson	Hjelmstad	Roble
Blakemore	Hjort	Smith of Ward
Borusky	Hoge	Sorlie
Butler of Ransom	Husband	Stenchjem
Calnan	Huso	Streeter
Dean	Isaak	Thompson
Divet	Jacobson	Tucker
Dynes	Kelly	Twichell
Endreson	Kyilo	Walsh
Fox	Lambert	Warriner
Freitag	Lewis	Williams
Fritz	Moen	Wing
Geiger	Olsgard	Mr. Speaker
Hart	Owens	
Harty	Pitkin	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baldson	Johnson	Morrison
Batzer	Klein	Nyhus
Burnett	Knox	Olsgard
Coltom	Lawbaugh	Ryan
Davis	Leu	Sandbeck
Dixon	List	Taylor
Dosseth	Martin	Turner, C. C.
Gardiner	Miller	Wardrope
Hawkinson	Morkrid	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Gunderson	Pendray
Bope	Hanson	Petterson
Bratton	Haraldson	Schroeder
Buck	Hendrickson	Small
Butler of Ramsey	Hill of Bottineau	Smith of Kidder
Campbell	Homan	Snyder
Carey	Kellogg	Stinger
Curry	Lindstrom	Turner, F. W.
Doyle	Norheim	Watt
Everson	Northrup	Weis
France	O'Connor	

So the bill was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 63, nays 6, absent and not voting 42.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Nyhus
Bartley	Gunderson	Odland
Bass	Hart	Olsgard
Bjornson	Hedalen	Owens
Blakemore	Hickle	Pendray
Borusky	Hill of Cass	Pitkin
Buck	Hjelmstad	Ployhar
Burnett	Hjort	Putnam
Butler of Ramsey	Hoge	Raney
Calnan	Husband	Roble
Carey	Huso	Ryan
Coltom	Jacobson	Smith of Ward
Curry	Klein	Stenehjem
Dean	Kyllo	Streeter
Divet	Lambert	Tucker
Doyle	Lawbaugh	Turner, C. C.
Dynes	Leu	Twichell
France	Lewis	Walsh
Freitag	List	Warriner
Fritz	Moen	Williams
Gardiner	Norheim	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hawkinson	Taylor
Dosseth	Martin	Wardrope

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hendrickson	Petterson
Bollinger	Hill of Bottineau	Sandbeck
Bope	Homan	Schroeder
Bratton	Isaak	Small
Butler of Ramsey	Jacobson	Smith of Kidder
Campbell	Kellogg	Snyder
Davis	Kelly	Sorlie
Dixon	Knox	Stinger
Endreson	Lindstrom	Thompson
Everson	Miller	Turner, F. W.
Fox	Morkrid	Watt
Hanson	Morrison	Weis
Haraldson	Northrup	Wiley
Harty	O'Connor	Wing

So the bill passed and the title was agreed to.

Mr. Stenehjem moved

That the vote by which Senate Bill No. 45 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 29, nays 51, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dosseth	Owens
Balsdon	Geiger	Putnam
Bartley	Hart	Raney
Batzer	Hedalen	Sandbeck
Bjornson	Hoge	Snyder
Blakemore	Husband	Stenehjem
Borusky	Lambert	Streeter
Butler of Ramsey	List	Messrs.—
Carey	Odland	
Divet	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bratton	Hill of Bottineau	Morkrid
Burnett	Hill of Cass	Morrison
Butler of Ransom	Hjelmstad	Northrup
Calnan	Hjort	Nyhus
Coltom	Huso	Pitkin
Davis	Jacobson	Ploybar
Dixon	Johnson	Roble
Dynes	Klein	Ryan
Endreson	Knox	Smith of Ward
Everson	Kylo	Sorlie
Fox	Lawbaugh	Taylor
Freitag	Leu	Tucker
Fritz	Lewis	Turner, C. C.
Gardiner	Lindstrom	Warriner
Gunderson	Martin	Watt
Hawkinson	Miller	Williams
Hickle	Moen	Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Hendrickson	Smith of Kidder
Bollinger	Homan	Stinger
Bope	Isaak	Thompson
Campbell	Kellogg	Turner, F. W.
Curry	Kelly	Twichell
Dean	Norheim	Walsh
Doyle	O'Connor	Wardrobe
France	Pendray	Weis
Hanson	Petterson	Wiley
Haraldson	Schroeder	
Harty	Small	

So the bill was lost.

Mr. Sorlie moved

That the vote by which Senate Bill No. 114 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Lambert moved

That further consideration of Senate Bill No. 160 be indefinitely postponed.

Which motion was lost.

COURTESIES OF THE FLOOR.

Privileges of the floor were granted to G. N. Kenniston, G. M. Lynn, Linton; J. W. Scott, Gilly, N. D.; Sten Miller, Balfour, N. D.

Mr. Streeter moved

That the House take a recess until tomorrow morning at 10 o'clock A. M.

Which motion prevailed.

M. J. GEORGE,
Chief Clerk.

FIFTIETH DAY AFTER RECESS.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 26, 1913.

The House reassembled at 10 o'clock A. M. pursuant to recess taken.

The Speaker presiding.

THIRD READING OF SENATE BILLS.

Senate Bill No. 197.

A bill for an Act relating to 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 and fire escapes, and prescribing a penalty for the violation of 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 66, nays 6, absent and not voting 38.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	O'Connor
Baldson	Harty	Odland
Bass	Hickle	Olsgard
Bjornson	Hill of Bottineau	Petterson
Bope	Hill of Cass	Pitkin
Borusky	Hjelmstad	Ployhar
Buck	Hjort	Putnam
Burnett	Hoge	Raney
Butler of Ramsey	Homan	Roble
Carey	Husband	Ryan
Coltom	Jacobson	Sandbeck
Curry	Kyllo	Schroeder
Dean	Lambert	Small
Divet	Lawbaugh	Stinger
Dosseth	Leu	Tucker
Dynes	Lewis	Turner, C. C.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Miller	Watt
Fritz	Moen	Weis
Geiger	Morkrid	Williams
Hanson	Nyhus	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Dixon	Hawkinson
Butler of Ransom	Doyle	Warriner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hendrickson	Smith of Kidder
Blakemore	Huso	Smith of Ward
Bollinger	Isaak	Snyder
Bratton	Johnson	Sorlie
Calnan	Kellogg	Stenehjem
Campbell	Kelly	Streeter
Davis	Knox	Thompson
France	Martin	Taylor
Freitag	Morrison	Turner, F. W.
Gardiner	Norheim	Wardrope
Gunderson	Northrup	Wiley
Haraldson	Owens	Wing
Hedalen	Pendray	

So the bill passed and the title was agreed to.

Mr. Dosseth moved

That the vote by which Senate Bill No. 197 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 51, nays 19, absent and not voting 40.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Morrison
Bass	Hedalen	Nyhus
Batzer	Hill of Bottineau	O'Connor
Bjornson	Hill of Cass	Odland
Bope	Hjelmstad	Pendray
Buck	Hjort	Petterson
Butler of Ramsey	Homan	Pitkin
Butler of Ransom	Huso	Ployhar
Carey	Jacobson	Putnam
Dean	Kelly	Raney
Divet	Klein	Roble
Dosseth	Kylo	Ryan
Dynes	Lambert	Small
Endreson	Leu	Turner, C. C.
France	Lewis	Warriner
Fritz	List	Weis
Hanson	Morkrid	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fox	Schroeder
Borusky	Geiger	Twichell
Burnett	Hart	Walsh
Coltom	Hawkinson	Watt
Dixon	Hickle	Wiley
Doyle	Johnson	
Everson	Norheim	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Husband	Smith of Ward
Blakemore	Isaak	Snyder
Bollinger	Kellogg	Sorlie
Bratton	Knox	Stenehjem
Calnan	Lawbaugh	Stinger
Campbell	Lindstrom	Streeter
Curry	Martin	Thompson
Davis	Miller	Taylor
Freitag	Moen	Tucker
Gardiner	Northrup	Turner, F. W.
Gunderson	Odland	Wardrobe
Haraldson	Owens	Williams
Hendrickson	Sandbeck	Wing
Hoge	Smith of Kidder	

So the bill was lost.

Mr. Leu moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Leu moved

That House Bill No. 378 be re-referred to the committee on public health.

Which motion prevailed.

Mr. Hoge moved

That the vote by which the report of the committee on Senate Bill No. 188 was adopted, be reconsidered and the bill referred to the committee on charitable institutions.

Mr. Anderson moved

As an amendment that further consideration of Senate Bill No. 188 be indefinitely postponed.

Which motion prevailed.

GENERAL ORDERS.

Mr. Hoge 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. Hoge 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. 106.

A bill for an Act creating a state text book commission and defining its duties and powers.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same do pass as amended.

Also,

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.

Have adopted the following amendments: In line 8, strike out "10 per cent" and insert "20 per cent."

And recommend that the same do pass as amended.

Also,

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.

Have adopted the following amendments:

In the printed bill strike out the words "twenty-five" at end of line 8 of Section 1 and at beginning of line 9 on page 2, and insert the word "thirty" in lieu thereof.

Also in line 8 of Section 2, on page 4, strike out the words "twenty-five" and insert the word "fifteen" in lieu thereof.

Also in line 9 of Section 3, on page 6, strike out the words "twenty-five" and amend the word "thirty" in the report as recommended by the committee to the word "ten" in lieu thereof.

And recommend that the same do pass as amended.

Also,

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Have adopted the following amendments to report:

At the end of "Section 1" of the proposed amendment, change the period (".") to a semi-colon (";") and add the following words: "provided, however, it shall be allowed any such candidate to state, or have stated, in all such petitions, after his name, in not more than twenty words, any particular principle or principles of local administrative policy or policies he stands for and seeks election to promote."

Also, in line 6 of Section 2 of the proposed amendment, on page 22 of said Journal, strike out the word "word" and insert in lieu thereof the word "ward."

Also, on line 16 of said Section, after the word "ballot" which first occurs in said line, insert the following: "with the statement, after or opposite the name of the candidate, of the principle or principles which he seeks to promote, in not more than twenty words and as stated in the petition or petitions filed by or on behalf of such candidate, and in such manner as to readily inform the voter of the policy or policies upon which such candidate seeks election."

Also, add the following Section, to-wit:

"Section 4. Emergency.) In that there is no method provided by law for the non-partisan nomination of candidates for election to public office in incorporated cities, towns and villages in this state, and that the date for electing such officials will occur before this Act will otherwise take effect, an emergency is declared to exist, therefore this Act shall take effect after the date of its passage and approval."

And recommend that the same do pass as amended.

Also,

House Bill No. 352.

A bill for an act to bar attorneys at law from conspiring together to elect or defeat any person who may be a candidate for a judicial office at any election.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 123.

A bill for an Act to provide for the annual publication of by-laws by domestic corporations.

And recommend that further consideration of the same be indefinitely postponed.

Also,

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.

And recommend that the same be transferred to general orders for tomorrow.

Also,

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.

And recommend that the same do pass as amended.

Also,

A concurrent resolution relating to literacy being applied to immigration.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 482.

A bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 472.

A bill for an Act entitled "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursements of appropriations therefor and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905."

And recommend that the same be referred to committee on appropriations.

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.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same be indefinitely postponed.

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.

And recommend that the same do pass as amended.

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.

Have adopted the following amendment:

Strike out in emergency clause word "action" and insert the word "Act."

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same do pass as amended.

J. T. HOGE,
Chairman.

Mr. Johnson moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

Mr. Johnson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FIFTY-FIRST DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 26th, 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. Northrup and 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 fiftieth day, have carefully examined the same and recommend that the same be corrected as follows:

On page 22, line 25, change the figures "\$2,000.00" to "\$20,000."

On page 41, in roll call on final passage of House Bill No. 435, affirmative vote, strike out "Batzler," and insert in lieu thereof "Balsdon."

And when so amended recommend that the same be approved.

W. V. O'CONNOR,
Chairman.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, February 26, 1913.

Mr. Speaker:

I have the honor to return herewith
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. 49.

A bill for an Act making an appropriation for the current and contingent expenses of the State Penitentiary and for making permanent improvements and additions thereto.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House concurrent resolution pertaining to the Norway Centennial Celebration to be held in 1914.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House concurrent resolution pertaining to the addresses delivered before the Legislative Assembly on February 22, 1913, in honor of the memory of the late Chief Justice David E. Morgan and the late Judge Charles F. Templeton.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 292.

A bill for an Act to amend Section 1, Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

Also,

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also,

Senate Bill No. 44.

A bill for an Act to amend and re-enact 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 appropriating money therefor.

Also,

Senate Bill No. 51.

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.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

PETITIONS AND COMMUNICATIONS.

The following petition was introduced:

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 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. C. Kinder of Guelph, North Dakota and 20 others.

REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

House Bill No. 261.

A bill for an Act to amend Section 7459 of the Revised Codes of 1905, relating to publication of notice of foreclosure and publisher's affidavit of publication.

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. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

Also,

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.

Also

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.

Also

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."

Also

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.

Also

House Bill No. 463.

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

Also,

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.

Also,

House Bill No. 471.

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to the 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 to the redemptioner.

N. T. HEDALEN,
Chairman.

Mr. Hedalen 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. 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.

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

H. GEIGER,
Chairman.

Also,

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.

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

H. GEIGER,
Chairman.

Also,

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.

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

H. GEIGER,
Chairman.

Also,

House Bill No. 489.

A bill for an Act requiring the county treasurer to make an annual statement to the township treasurer.

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

H. GEIGER,
Chairman.

Mr. Geiger moved

That the report be adopted.

Which motion prevailed.

The committee on temperance made the following report:

Mr. Speaker:

A minority of your committee on temperance to whom was referred

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.

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

S. HENDRICKSON,
Chairman.

M. D. BUTLER,
G. A. TUCKER,
LOUIS A. LEU,
J. J. RYAN,
ARTHUR DIXON.

Also,

A majority of your committee on temperance to whom was referred

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.

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

At the end of line 12, Section 2, page 2, change the period

to a comma and add "and no other fund shall be drawn upon for the payment of any part of such salaries or expenses."

On line 8, of Section 7, on page 5, of the printed bill after the word "shall," insert "unless the container thereof already bears the liquor inspector's label or certificate as provided for in Section 11 of this Act."

On first line 10, on page 6 of the printed bill, being part of Section 8, strike out the words "which fee."

In Section 14, on page 8 of the printed bill, beginning on line 2, strike out the following words: "amount appropriated by law and from the."

On line 8, of Section 16, on page 9 of the printed bill, strike out the word "bottle" and on said line 8 after the word "container" change the period to a comma and insert the following "not already bearing the liquor inspector's label or certificate provided for in Section 11 of this Act."

On line 2 of Section 20 on page 10 of the printed bill after the word "inspected," insert the following: "when the liquor inspector deems it necessary."

On line 2, Section 20, on page 11 of the printed bill after the word "excess" strike out the comma and insert the word "and" and after the word "ingress" on said line strike out the words "and egress."

And when so amended recommend the same do pass.

S. HENDRICKSON,
Chairman.

F. B. LAMBERT,
THOMAS PENDRAY,
D. L. WARRINER,
E. W. EVERSON,
ED. COLTOM,
PEDER L. HJELMSTAD,
S. F. SMITH.

Mr. Hendrickson 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. 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.

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

Strike out everything after the words "A bill" and insert in lieu thereof the following: "For an Act to amend and re-enact Section 3 of Chapter 264 of the Session Laws of 1911, relating to a thorough system of instruction in schools.

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

"Section 1. Amendment.) That Section 3 of Chapter 264 of the Session Laws of 1911 be amended and re-enacted so as to read as follows: Section 3. Review by Senior Class. Duty of Superintendent.) The superintendent shall, and it is hereby made his duty to cause to be reviewed by each senior class during the senior year, the full and complete course of study pursued by said class in the grammar grades."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

Also,

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.

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

Strike out all of said bill after "Section 70" on line 1 of the printed bill and insert in lieu thereof the following:

"Furniture, Maps, Register, School Library.) The district school board shall, with the approval of the county superintendent of schools, furnish to each school all necessary and suitable furniture, maps, charts, globes, blackboards and other school apparatus, including any dictionary which is recognized as a standard authority the school register and all school blanks used shall be those furnished by the state department of public instruction. It shall appropriate and

expend each year not less than ten dollars (\$10.00) or more than twenty-five dollars (\$25.00) for each school of the district for the purpose of school library, to be selected by the school board, and the teacher, from any list of books authorized by the superintendent of public instruction, and furnished by him to the county superintendent for that purpose."

And when so amended recommend 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. 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.

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 corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

House Bill No. 165.

A bill for an Act to define co-operative associations to authorize their incorporation, and to declare an emergency.

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

H. C. HARTY,
Chairman.

Also,

Senate Bill No. 291.

A bill for an Act to amend and re-enact Section 4610 of the Revised Codes of 1905, as amended by Chapter 56 of the Session Laws of 1907, relating to building and loan associations.

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 tax and tax laws made the following report:

Mr. Speaker:

A minority of your committee on tax and tax laws to whom was referred

House Bill No. 441.

A concurrent resolution amending the state Constitution of the State of North Dakota.

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

B. W. TAYLOR,
J. P. SCHROEDER.

Also,

A majority of your committee on tax and tax laws to whom was referred

House Bill No. 441.

A concurrent resolution amending the state Constitution of the State of North Dakota.

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

ROBERT NORHEIM,
Chairman.

Also,

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.

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

ROBERT NORHEIM,
Chairman.

Also,

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.

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

ROBERT NORHEIM,
Chairman.

Also,

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

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

ROBERT NORHEIM,
Chairman.

Also,

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 taxation of grain and repealing Sections 2, 3 and 4 of said Chapter.

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

ROBERT NORHEIM,
Chairman.

Also,

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.

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.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

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.

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 amendment hereto attached:

Section 7176. Costs on Foreclosure of Liens and Attorney's Affidavits.) In all actions or proceedings for the foreclosure of a mortgage or other lien upon personal property, and in all proceedings by advertisement for the foreclosure of a mortgage or other lien upon real estate, the plaintiff, or person commencing such action or proceeding, shall be entitled to tax, as a part of his costs, the following sums by way of attorney's fees, to-wit: When the amount of the debt secured by such lien does not exceed the sum of two hundred dollars, the sum of ten dollars; when the amount of the debt secured is above two hundred dollars and does not exceed three hundred dollars, the sum of fifteen dollars; when the amount of the debt so secured exceeds three hundred dollars but does not exceed five hundred dollars, the sum of twenty-five dollars; when the amount of the debt

so secured exceeds five hundred, but does not exceed one thousand dollars, the sum of thirty-five dollars; when the amount of the debt so secured exceeds one thousand dollars and does not exceed two thousand dollars, the sum of fifty dollars; when the amount of the debt so secured exceeds two thousand dollars, the sum of fifty dollars and two per cent of the amount so secured in excess of two thousand dollars.

Provided, however, none of the above fees shall be allowed unless the foreclosure proceedings or action shall be conducted under the supervision of an attorney duly authorized to practice in the courts of this state; and, provided, further, that before any attorney's fee provided for herein shall be allowed, paid or received, claimed or charged against the property, or allowed or taxed in such action or proceeding, the attorneys, or one of them, bringing the action or proceeding shall, at or prior to the time of the sale of the property, or prior to the time of entering judgment in such action, file and record with the register of deeds of the county in which such action is commenced or proceeding had, if the foreclosure is of real property, or file with the clerk of the court in which the action is pending, if the foreclosure is of personal property, an affidavit to the effect that such attorney, or attorneys, have been in good faith employed to bring said action or proceeding to foreclose such mortgage or other lien, and that the full amount of the fees provided by law inures solely to his or their benefit, and that no agreement or understanding has been made directly or indirectly to repay or return any part to the party foreclosing said mortgage, or any agent or attorney of his, or any forwarder of the business, or any other person whomsoever.

In all foreclosures by action of mortgages or other liens upon real property, the party foreclosing may tax, in addition to the statutory costs and disbursements allowed by law to be taxed in actions for the recovery of money only, such amount as attorney's fees as the court shall deem reasonable for the conduct of the action, which amount shall not be less than the amount provided herein for the foreclosure of such mortgages or other lien by advertisement; provided, such action must be prosecuted by an attorney duly licensed to practice in the courts of this state, and before the entry of judgment for such attorney's fees such attorney must file with the clerk of court in which such action is pending his certificate that the fees so claimed are for the sole benefit of such attorney, or attorneys, of this state, and that the same will not be rebated or divided to or with the holder of such lien, any forwarder of the business or any other person.

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

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.

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

A. G. DIVET,
Chairman.

Also,

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.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 478.

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

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

A. G. DIVET,
Chairman.

Also,

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."

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 354.

A bill for an Act to prevent oppression and fraud by the foreclosure of mortgages on real estate.

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

A. G. DIVET,
Chairman.

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, and penalty.

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 temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred

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, attorney general or his assistants in the enforcement of the prohibition law.

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.

The committee on state affairs made the following report:

Mr. Speaker:

Your committee on state affairs to whom was referred

Senate Bill No. 132.

A bill for an Act to amend Section 2596 of the 1905 Re-

vised 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.

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

FRANK E. PLOYHAR,
Chairman.

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. .

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

FRANK E. PLOYHAR,
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:

By striking out Section 2 of the engrossed bill, same being the emergency clause.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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.

REPORT OF SELECT COMMITTEE.

State of North Dakota, County of Burleigh—ss.

In the matter of contempt proceedings before the House of Representatives of the Thirteenth Legislative Assembly, State of North Dakota, against Ben Ness.

Mr. Speaker and Members of the Said House of Representatives:

We, the undersigned members of your special committee having made investigation with reference to the above proceedings, beg leave to charge before you one Ben Ness with violating the privileges of the House of Representatives and its members as follows:

1. That A. G. Divet, L. L. Twichell and W. M. Bartley at all times herein mentioned are duly qualified and sitting members of this House of Representatives.
2. That on and prior to the 24th day of February, 1913, there was pending before this House for its consideration a proposed bill which is designated as Senate Bill No. 98, and commonly known and referred to as the "anti-snuff bill," which bill at the time herinafter referred to had not been finally acted upon by a vote of the House.
3. That one Ben Ness, being a person of mature age and discretion and being opposed to the passage of said Senate Bill No. 98, and having full knowledge of the proceedings of the House of Representatives with reference thereto and not being a member of the said Legislative Assembly in conversation and talks with the above mentioned W. M. Bartley, stated and represented to the said Bartley that if he "the said Bartley, would lend his influence to the defeat of said Senate Bill No. 98, that said Bartley would be compensated in money for said influence." That the said Ness on or about February 23, 1913, solicited A. G. Divet and L. L. Twichell and asked them to lend their aid and support to the defeat of Senate Bill No. 98 in the House of Representatives and in direct terms offered the said Twichell and Divet the sum of \$3,500.00 for their influence and effort in bringing about the defeat of the said Senate Bill in the House of Representatives. That the said Ness stated and represented to the said Twichell and Divet that he would pay such sum in cash or deposit the same in the hands of the third person for delivery to said Twichell and Divet if they would

promise their influence toward the defeat of said Senate Bill No. 98.

4. That the solicitation of the said members of the House of Representatives by the said Ness and the promising to the said members of payment of money above referred to was an attempt on the part of the said Ness to influence the said members with the view of securing their vote and support towards the defeat of Senate Bill No. 98, which was then pending before the House of Representatives for consideration and final vote.

5. That the said actions of the said Ness constituted a breach of the privileges of the House of Representatives and its members, and a contempt of the said House.

Dated this 25th day of February, 1913.

WM. G. OWENS,
Chairman.

C. S. BUCK,
E. O. HARALDSON,
ROBERT NORHEIM,
VICTOR WARDROPE.

The special committee on investigation of contempt charges made the following report and recommendations:

Mr. Speaker:

Your special committee on investigation of contempt proceedings to whom was referred

The matter of the charges against Ben Ness, beg leave to recommend the adoption of the following rules:

Rule No. 63. In all hearings and proceedings for contempt before the House of Representatives the same shall be conducted on behalf of the House by a special committee appointed by the Speaker.

Rule No. 64. The Speaker shall preside at all hearings, proceedings and trials in contempt charges and shall rule on all questions arising during the course of such hearings; provided, however, an appeal may be taken to the House from any such rulings.

WM. G. OWENS,
Chairman.

Mr. Owens moved

That the report be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., February 26, 1913.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 102.

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.

Also,

Senate Bill No. 147.

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.

Also,

Senate Bill No. 162.

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.

Also,

Senate Bill No. 125.

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.

Also,

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvement at the Ellendale State Normal and Industrial School.

Also,

Senate Bill No. 70.

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 an appropriation therefor.

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 transmit herewith

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.

Mr. Butler of Ramsey moved

That the vote by which Senate Bill No. 104 was lost be reconsidered.

Which motion prevailed.

Mr. Butler of Ramsey moved

That Senate Bill No. 104 be re-referred to the committee on state affairs.

Which motion prevailed.

Mr. Johnson moved

That the vote by which Senate Bill No. 33 was lost be reconsidered.

Which motion prevailed.

Mr. Smith of Ward County, introduced the following concurrent resolution and moved its adoption:

A concurrent resolution for amendment to the Constitution of the State of North Dakota, relating to the voting privilege of members of co-operative corporations.

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

The following proposed amendment to Article 7, Section 135, of the Constitution of the State of North Dakota, is hereby agreed, to be referred to the Legislative Assembly to be chosen at the next general election of the State of North Dakota, and to be by said last mentioned Legislative Assembly submitted to the qualified electors of this state

for their approval or rejection, in accordance with the provisions of Section 202, of the Constitution of the State of North Dakota.

Amendment.) That Article 7, of Section 135, of the Constitution of the State of North Dakota be amended to read as follows: In all elections for directors or managers of a corporation, each member or share holder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer, *provided*, the provisions of this Section shall not be so construed as to apply to co-operative associations, corporations or companies the by-laws of which provide for each member or shareholder the privilege of one vote regardless of the number of certificates of stock held.

Mr. Thompson moved

That the concurrent resolution be referred to the committee on corporations other than municipal.

Which motion prevailed.

Mr. Anderson moved

That House Bill No. 418 be re-referred to the committee on ways and means.

Which motion prevailed.

Mr. C. C. Turner moved

That Senate Bill No. 165 be returned to the insurance committee for further consideration.

Which motion was lost.

Mr. Haroldson asked unanimous consent, that the committee appointed to investigate bonds, be excused from the session this afternoon.

Which consent was given.

THIRD READING OF HOUSE BILLS.

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 64, nays 22, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	O'Connor
Balsdon	Hedalen	Odland
Bartley	Hendrickson	Owens
Bass	Hill of Bottineau	Pendray
Batzer	Hill of Cass	Petterson
Bjornson	Hjort	Pitkin
Blakemore	Hoge	Putnam
Bollinger	Homan	Raney
Bope	Husband	Roble
Borusky	Jacobson	Ryan
Buck	Johnson	Small
Butler of Ramsey	Kellogg	Smith of Kidder
Butler of Ransom	Kelly	Snyder
Calnan	Klein	Thompson
Curry	Kyllo	Twichell
Dean	Lambert	Walsh
Divet	Lewis	Wardrobe
Dynes	Martin	Warriner
Freitag	Miller	Williams
Geiger	Moen	Mr. Speaker
Hart	Morrison	
Harty	Norheim	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bratton	Hanson	Stenchjem
Burnett	Hickle	Stinger
Carey	Leu	Taylor
Coltom	Olsgard	Turner, C. C.
Dosseth	Sandbeck	Wiley
Doyle	Schroeder	Wing
Everson	Smith of Ward	
Gardiner	Sorlie	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hjelmstad	Nyhus
Davis	Huso	Ployhar
Dixon	Isaak	Streeter
Endreson	Knox	Tucker
Fox	Lawbaugh	Turner, F. W.
France	Lindstrom	Watt
Fritz	List	Weis
Gunderson	Morkrid	
Haraldson	Norheim	

So the bill passed and the title was agreed to.

Mr. Wardrobe moved

That the vote by which House Bill No. 309 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Thompson moved

That House Bill No. 261 be re-referred to the committee on judiciary for amendment.

Which motion was lost.

Mr. Sorlie moved

As an amendment that further consideration of House Bill No. 261 be indefinitely postponed.

Which motion was lost.

Mr. Butler of Ramsey moved

That further consideration of House Bill No. 467 be indefinitely postponed.

Which motion was lost.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 45, nays 49, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Pitkin
Bass	Hendrickson	Raney
Batzler	Hjelmstad	Roble
Bollinger	Hjort	Ryan
Bope	Hoge	Sandbeck
Buck	Homan	Smith of Kidder
Butler of Ramsey	Husband	Stenehjem
Butler of Ransom	Jacobson	Stinger
Calnan	Knox	Streeter
Divet	Kyllo	Tucker
Doyle	Lindstrom	Wardrope
Endreson	Martin	Warriner
Fox	Moen	Weis
Geiger	Odland	Williams
Hart	Olsgard	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Gunderson	List
Bartley	Hanson	Miller
Bjornson	Harty	Morrison
Blakemore	Hawkinson	Norheim
Bratton	Hickle	Nyhus
Burnett	Hill of Bottineau	O'Connor
Carey	Hill of Cass	Putnam
Coltom	Huso	Schroeder
Curry	Isaak	Smith of Ward
Dean	Johnson	Snyder
Dosseth	Kellogg	Sorlie
Dynes	Kelly	Thompson
Everson	Klein	Taylor
France	Lambert	Turner, C. C.
Freitag	Lawbaugh	Walsh
Fritz	Leu	
Gardiner	Lewis	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Borusky	Northrup	Turner, F. W.
Campbell	Owens	Twichell
Davis	Pendray	Watt
Dixon	Petterson	Wiley
Haraldson	Ployhar	Wing
Morkrid	Small	

So the bill was lost.

Mr. Thompson moved

That the vote by which House Bill No. 261 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 63, nays 26, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Norheim
Balsdon	Harty	Nyhus
Bartley	Hedalen	O'Connor
Bass	Hill of Bottineau	Olsgard
Bjornson	Hjelmstad	Pendray
Bratton	Hjort	Raney
Burnett	Hoge	Roble
Butler of Ransom	Husband	Ryan
Calnan	Huso	Sandbeck
Carey	Isaak	Smith of Kidder
Curry	Jacobson	Smith of Ward
Dean	Kelly	Snyder
Divet	Klein	Sorlie
Dosseth	Knox	Stinger
Foyle	Kyllo	Turner, C. C.
Dynes	Lambert	Turner, F. W.
Endreson	Lawbaugh	Twichell
Everson	Lewis	Walsh
Fox	List	Wardrobe
Freitag	Martin	Warriner
Gunderson	Moen	Wiley

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hill of Cass	Schroeder
Blakemore	Homan	Thompson
Butler of Ramsey	Kellogg	Taylor
Coltom	Leu	Tucker
Fritz	Lindstrom	Weis
Gardiner	Miller	Williams
Hart	Morrison	Wing
Hawkinson	Pitkin	Mr. Speaker
Hendrickson	Putnam	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Geiger	Petterson
Bope	Haraldson	Poyhar
Borusky	Hickle	Small
Buck	Johnson	Stenehjem
Campbell	Morkrid	Streeter
Davis	Northrup	Watt
Dixon	Odland	
France	Owens	

So the bill passed and the title was agreed to.

Mr. Lambert moved

That the vote by which House Bill No. 467 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Polyhar moved

That House Bill No. 254, being a special order for 3 o'clock P. M., today, be made a special order for Saturday at 3 o'clock P. M.

Which motion prevailed.

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

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 20, absent and not voting 31.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Pendray
Balsdon	Hickle	Pitkin
Bartley	Hill of Bottineau	Putnam
Bass	Hjort	Raney
Butler of Ramsey	Husband	Roble
Butler of Ransom	Jacobson	Ryan
Calnan	Johnson	Schroeder
Carey	Kelly	Smith of Ward
Curry	Klein	Stenhjem
Dean	Knox	Stinger
Dosseth	Kyllo	Thompson
Doyle	Lambert	Taylor
Dynes	Leu	Tucker
Endreson	List	Twichell
Freitag	Martin	Walsh
Gardiner	Miller	Wardrobe
Geiger	Moen	Warriner
Gunderson	Norheim	Weis
Harty	Nyhus	Wing
Hawkinson	O'Connor	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	France	Ployhar
Bjornson	Fritz	Sandbeck
Blakemore	Hanson	Smith of Kidder
Bope	Hart	Sorlie
Burnett	Hill of Cass	Wiley
Coltom	Isaak	Williams
Divet	Lawbaugh	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hjelmstad	Olsgard
Borusky	Hoge	Owens
Bratton	Homan	Petterson
Buck	Huso	Small
Campbell	Kellogg	Snyder
Davis	Lewis	Streeter
Dixon	Lindstrom	Turner, C. C.
Everson	Morkrid	Turner, F. W.
Fox	Morrison	Watt
Haraldson	Northrup	
Hedalen	Odland	

So the bill passed and the title was agreed to.

Mr. Calnan moved

That the vote by which House Bill No. 296 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Lindstrom moved

That further consideration of House Bill No. 402 be indefinitely postponed.

Which motion was lost.

House Bill No. 402.

A bill for an Act entitled "An Act to recognize common law marriage and to legalize all marriages heretofore had in this state in accordance with the requirements of the common law, legitimatizing children and declaring an emergency to exist.

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 46, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Endreson	Lewis
Batzer	Everson	Martin
Bjornson	Geiger	Nyhus
Blakemore	Hanson	O'Connor
Bratton	Hawkinson	Ployhar
Burnett	Hjort	Raney
Butler of Ramsey	Husband	Sandbeck
Butler of Ransom	Huso	Smith of Kidder
Carey	Klein	Snyder
Curry	Knox	Sorlie
Dean	Kyllo	Stinger
Divet	Lambert	Turner, C. C.
Doyle	Lawbaugh	Warriner
Dynes	Leu	

Those voting in the negative were:

Messrs.—
 Balsdon
 Bass
 Bollinger
 Borusky
 Buck
 Calnan
 Coltom
 Dosseth
 France
 Freitag
 Gardiner
 Hart
 Harty
 Hedalen
 Hendrickson
 Hickle

Messrs.—
 Hill of Bottineau
 Hill of Cass
 Hjelmstad
 Hoge
 Homan
 Jacobson
 Johnson
 Kelly
 Lindstrom
 List
 Miller
 Moen
 Morrison
 Norheim
 Olgard
 Owens

Messrs.—
 Pendray
 Pitkin
 Roble
 Schroeder
 Small
 Smith of Ward
 Stenhjem
 Thompson
 Taylor
 Twichell
 Walsh
 Weis
 Williams
 Mr. Speaker

Absent and not voting:

Messrs.—
 Bartley
 Bope
 Campbell
 Davis
 Dixon
 Fox
 Fritz
 Gunderson

Messrs.—
 Haraldson
 Isaak
 Kellogg
 Morkrid
 Northrup
 Odland
 Petterson
 Putnam

Messrs.—
 Raney
 Streeter
 Tucker
 Turner, F. W.
 Wardrope
 Watt
 Wiley
 Wing

So the bill was lost.

Mr. Lindstrom moved

That the vote by which House Bill No. 402 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 8, absent and not voting 33.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	O'Connor
Bartley	Hill of Bottineau	Pendray
Bass	Hill of Cass	Pitkin
Batzer	Hjelmstad	Ployhar
Bjornson	Hjort	Raney
Blakemore	Hoge	Roble
Bollinger	Homan	Ryan
Butler of Ramsey	Husband	Schroeder
Butler of Ransom	Isaak	Smith of Kidder
Calnan	Jacobson	Stenchjem
Campbell	Johnson	Stinger
Carey	Kelly	Thompson
Divet	Klein	Tucker
Dixon	Knox	Turner, C. C.
Endreson	Lambert	Walsh
Freitag	Lawbaugh	Wardrobe
Fritz	Leu	Warriner
Gardiner	Lewis	Weis
Geiger	Lindstrom	Wiley
Gunderson	List	Williams
Haraldson	Martin	Wing
Hart	Morrison	Mr. Speaker
Hawkinson	Norheim	
Hedalen	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bratton	Dosseth	Sandbeck
Burnett	Hickle	Taylor
Coltom	Huso	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	France	Owens
Bope	Hanson	Petterson
Borusky	Harty	Putnam
Buck	Kellogg	Small
Curry	Kyllo	Smith of Ward
Davis	Miller	Snyder
Dean	Moen	Sorlie
Doyle	Morkrid	Streeter
Dynes	Northrup	Turner, F. W.
Everson	Odland	Twicheli
Fox	Olsgard	Watt

So the bill passed and the title was agreed to.

Mr. Hendrickson moved

That the vote by which House Bill No. 434 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Butler of Ransom asked unanimous consent to adopt the amendment on House Bill No. 463.

Which consent was given.

Mr. Butler moved

That House Bill No. 463 be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

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 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.—

Anderson
Balsdon
Bartley
Bass
Batzer
Bjornson
Blakemore
Bollinger
Borusky
Bratton
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Carey
Curry
Dean
Divet
Dosseth
Doyle
Dynes
Endreson
Everson
Fox
France
Freitag

Messrs.—

Fritz
Gardiner
Geiger
Gunderson
Hanson
Hart
Harty
Hawkinson
Hedalen
Hendrickson
Hill of Bottineau
Hill of Cass
Hjort
Hoge
Homan
Husband
Huso
Jacobson
Kellogg
Klein
Knox
Lawbaugh
Leu
Lewis
Lindstrom
List

Messrs.—

Martin
Moen
O'Connor
Pitkin
Ployhar
Putnam
Raney
Roble
Ryan
Schroeder
Small
Smith of Kidder
Smith of Ward
Stenehjem
Stinger
Tucker
Turner, C. C.
Twichell
Warriner
Weis
Wiley
Williams
Wing
Mr. Speaker

Absent and not voting:**Messrs.—**

Bope
Buck
Campbell
Coltom
Davis
Dixon
Haraldson
Hickle
Hjelmstad
Isaak
Johnson
Kelly

Messrs.—

Kyllo
Lambert
Miller
Morkrid
Morrison
Norheim
Northrup
Nyhus
Odland
Olsgard
Owens
Pendray

Messrs.—

Petterson
Sandbeck
Snyder
Sorlie
Streeter
Thompson
Taylor
Turner, F. W.
Walsh
Wardrope
Watt

So the bill passed and the title was agreed to.

Mr. Butler of Ramsey moved

That the vote by which House Bill No. 463 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Wardrope moved

That action on House Bill No. 387 be deferred and that it be put on the foot of the the calendar for Friday, February 28th.

Which motion prevailed.

House Bill No. 471.

A bill for an Act to amend Sections 7140 and 7144 of the Revised Codes of 1905, relating to the 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 to the redemptioner.

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 0, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bartley
Bass
Batzer
Bjornson
Blakemore

Messrs.—

Bollinger
Bratton
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell

Messrs.—

Carey
Coltom
Curry
Dean
Divet
Dossseth
Dynes

Messrs.—

Endreson
 Everson
 Freitag
 Gardiner
 Geiger
 Gunderson
 Hanson
 Hart
 Harty
 Hawkinson
 Hedalen
 Hendrickson
 Hickie
 Hill of Bottineau
 Hill of Cass
 Hjelmstad
 Hjort
 Hoge
 Homan
 Husband
 Huso

Messrs.—

Isaak
 Jacobson
 Johnson
 Kelly
 Klein
 Kylo
 Leu
 Lewis
 Lindstrom
 List
 Martin
 Moen
 Morrison
 O'Connor
 Odland
 Olsgard
 Owens
 Pendray
 Petterson
 Pitkin
 Ployhar

Messrs.—

Putnam
 Raney
 Roble
 Ryan
 Sandbeck
 Schroeder
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stinger
 Taylor
 Tucker
 Turner, C. C.
 Wardrope
 Warriner
 Weis
 Wiley
 Wing
 Mr. Speaker

Absent and not voting:

Messrs.—

Bope
 Borusky
 Buck
 Davis
 Dixon
 Doyle
 Fox
 France
 Fritz
 Haraldson

Messrs.—

Kellogg
 Knox
 Lambert
 Lawbaugh
 Miller
 Morkrid
 Norheim
 Northrup
 Nyhus
 Small

Messrs.—

Hjelmstad
 Streeter
 Thompson
 Turner, F. W.
 Twichell
 Walsh
 Watt
 Williams

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvement at the Ellendale State Normal and Industrial School.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 162.

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.

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

Senate Bill No. 147.

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.

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

Senate Bill No. 102.

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.

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

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 tax and tax laws.

Senate Bill No. 89.

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 judiciary.

Senate Bill No. 292.

A bill for an Act to amend Section 1, Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

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

Senate Bill No. 44.

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

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 125.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 51.

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.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 70.

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 an appropriation therefor.

Was read the first and second time and

Referred to the committee on appropriations.

The Chief Clerk announced that the Speaker was about to sign:

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

Mr. Butler of Ramsey moved

That the House take a recess of ten minutes.

Which motion prevailed.

The House reassembled at 4 o'clock P. M. pursuant to a recess taken.

THIRD READING OF SENATE BILLS.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 4, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	Olsgard
Bass	Hill of Cass	Pendray
Bjornson	Hjelmstad	Petterson
Blakemore	Hjort	Pitkin
Bollinger	Hoge	Ployhar
Bratton	Homan	Roble
Buck	Husband	Ryan
Burnett	Huso	Sandbeck
Butler of Ransom	Jacobson	Schroeder
Campbell	Johnson	Small
Carey	Kelly	Smith of Kidder
Coltom	Klein	Snyder
Curry	Knox	Sorlie
Divet	Kyllo	Stenehjem
Dosseth	Lambert	Stinger
Dynes	Leu	Thompson
Everson	Lewis	Tucker
France	Lindstrom	Turner, C. C.
Geiger	List	Walsh
Gunderson	Martin	Wardrobe
Hanson	Miller	Warriner
Hart	Moen	Weis
Harty	Norheim	Williams
Hawkinson	Northrup	Wing
Hedalen	Nyhus	Mr. Speaker
Hendrickson	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Borusky	Morrison
Batzer		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Owens
Bope	Fritz	Putnam
Butler of Ramsey	Gardiner	Raney
Calnan	Haraldson	Smith of Ward
Davis	Hickle	Streeter
Dean	Isaak	Taylor
Dixon	Kellogg	Turner, F. W.
Doyle	Lawbaugh	Twichell
Endreson	Morkrid	Watt
Fox	Odland	Wiley

So the bill passed and the title was agreed to.

Mr. Moen moved

That the vote by which Senate Bill No. 33 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of Chapter 3 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 such summons, and fees to be paid therefor. Also to amend Section 2887, of Article 7 of Chapter 31 of the Political Code of 1905 of North Dakota, relating to the powers of village marshals in the service of summons.

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 0, absent and not voting 34.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Buck	Divet
Bartley	Burnett	Dosseth
Bass	Butler of Ramsey	Doyle
Batzer	Butler of Ransom	Dynes
Bjornson	Campbell	Everson
Blakemore	Curry	Fox
Bollinger	Davis	France
Bratton	Dean	Fritz

Messrs.—

Gardiner
Geiger
Gunderson
Hanson
Hart
Harty
Hedalen
Hendrickson
Hill of Bottineau
Hjelmstad
Hjort
Hoge
Husband
Huso
Jacobson
Kelly
Klein
Knox

Messrs.—

Kylo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Moen
Morrison
Norheim
Nyhus
O'Connor
Pendray
Petterson
Pitkin
Ployhar
Putnam
Raney

Messrs.—

Roble
Ryan
Sandbeck
Schroeder
Small
Smith of Kidder
Snyder
Sorlie
Stenehjem
Streeter
Thompson
Tucker
Turner, C. C.
Walsh
Wardrope
Warriner
Mr. Speaker

Absent and not voting:

Messrs.—

Anderson
Bope
Borusky
Calnan
Carey
Coltom
Dixon
Endreson
Freitag
Haraldson
Hawkinson
Hickle

Messrs.—

Hill of Cass
Homan
Isaak
Johnson
Kellogg
Martin
Miller
Morkrid
Northrup
Odland
Olgard
Owens

Messrs.—

Smith of Ward
Stinger
Taylor
Turner, F. W.
Twichell
Watt
Weis
Wiley
Williams
Wing

So the bill passed and the title was agreed to.

Mr. Bass moved

That the vote by which Senate Bill No. 82 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 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.—
Baldson	Gunderson	Morrison
Bartley	Hanson	Norheim
Bass	Hart	Nyhus
Batzer	Harty	Odland
Bjornson	Hawkinson	Olsgard
Blakemore	Hedalen	Pitkin
Bope	Hendrickson	Ployhar
Borusky	Hickle	Putnam
Bratton	Hill of Bottineau	Raney
Buck	Hill of Cass	Roble
Burnett	Hjelmstad	Ryan
Butler of Ramsey	Hjort	Sandbeck
Butler of Ransom	Hoge	Small
Campbell	Husband	Smith of Kidder
Carey	Huso	Smith of Ward
Curry	Jacobson	Snyder
Dean	Johnson	Sorlie
Divet	Kelly	Stenehjem
Dixon	Klein	Streeter
Doyle	Knox	Thompson
Dynes	Kyllo	Taylor
Endreson	Lambert	Tucker
Everson	Lawbaugh	Turner, C. C.
Fox	Lewis	Wardrope
France	Lindstrom	Warriner
Freitag	List	Williams
Fritz	Martin	Wing
Gardiner	Moen	Mr. Speaker
Geiger	Morkrid	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Kellogg	Stinger
Bollinger	Leu	Turner, F. W.
Calnan	Miller	Twichell
Coltom	Northrup	Walsh
Davis	O'Connor	Watt
Dosseth	Owens	Weis
Haraldson	Pendray	Wiley
Homan	Petterson	
Isaak	Schroeder	

So the bill passed and the title was agreed to.

Mr. Baldson moved

That the vote by which Senate Bill No. 182 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 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.—
Anderson	Hendrickson	Putnam
Balsdon	Hill of Bottineau	Raney
Bartley	Hill of Cass	Roble
Bass	Hjort	Ryan
Batzer	Hoge	Sandbeck
Bjornson	Husband	Small
Blakemore	Huso	Smith of Kidder
Bollinger	Jacobson	Snyder
Butler of Ramsey	Kelly	Sorlie
Calnan	Klein	Stenehjem
Carey	Knox	Stinger
Curry	Lawbaugh	Thompson
Divet	Leu	Taylor
Dosseth	Lewis	Tucker
Doyle	Lindstrom	Turner, C. C.
Dynes	List	Twichell
Everson	Miller	Walsh
France	Moen	Wardrope
Freitag	Norheim	Warriner
Gardiner	Nyhus	Watt
Geiger	O'Connor	Weis
Gunderson	Odland	Wiley
Hanson	Olsgard	Williams
Hart	Pendray	Wing
Harty	Pitkin	Mr. Speaker
Hedalen	Ployhar	

Those voting in the negative were: Messrs. Coltom and Schroeder.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Fox	Lambert
Borusky	Fritz	Martin
Bratton	Haraldson	Morkrid
Buck	Hawkinson	Morrison
Burnett	Hickle	Northrup
Butler of Ransom	Hjelmstad	Owens
Campbell	Homan	Petterson
Davis	Isaak	Smith of Ward
Dean	Johnson	Streeter
Dixon	Kellogg	Turner, F. W.
Endreson	Kyllo	

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 227 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 0, absent and not voting 37.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Olsgard
Balsdon	Harty	Owens
Bartley	Hawkinson	Pendray
Bass	Hedalen	Petterson
Batzer	Hendrickson	Pitkin
Bjornson	Hill of Bottineau	Ployhar
Blakemore	Hill of Cass	Putnam
Bollinger	Hjelmstad	Raney
Borusky	Hjort	Roble
Bratton	Homan	Sandbeck
Burnett	Husband	Schroeder
Butler of Ramsey	Jacobson	Smith of Kidder
Butler of Ransom	Johnson	Snyder
Carey	Kelly	Sorlie
Coltom	Klein	Stenchjem
Curry	Kyllo	Streeter
Divet	Lambert	Thompson
Dosseth	Lawbaugh	Taylor
Dynes	Leu	Tucker
Endreson	Lewis	Turner, C. C.
Everson	Lindstrom	Twichell
Fox	List	Walsh
France	Miller	Wardrope
Freitag	Moen	Warriner
Fritz	Morrison	Weis
Gardiner	Norheim	Wiley
Geiger	Nyhus	Williams
Gunderson	O'Connor	Wing
Hanson	Odland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Haraldson	Morkrid
Buck	Hickle	Northrup
Calnan	Hoge	Ryan
Campbell	Huso	Small
Davis	Isaak	Smith of Ward
Dean	Kellogg	Stinger
Dixon	Knox	Turner, F. W.
Doyle	Martin	Watt

So the bill passed and the title was agreed to.

Mr. Hawkinson moved

That the vote by which Senate Bill No. 228 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, February 26, 1913

Mr. Speaker:

I have the honor to inform you that the senate declines to concur in the House amendments to Senate Bill No. 98 and asks for a committee or conference, and the President has named as such conferees on the part of the Senate, Messrs, Mudgett, Overson and Elken.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Speaker appointed as such committee, Messrs. Twichell, Hill of Bottineau and Warriner.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 90 and asks for a comimtee or conference, and the President has named as such conferees on the part of the Senate, Messrs. Wartner, Davis and Duncan.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Speaker appointed as such committee, Mrs. Hanson, Hart and Putnam.

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

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	Hart	Olsgard
Balsdon	Hawkinson	Pendray
Bass	Hedalen	Pitkin
Batzer	Hendrickson	Ployhar
Bjornson	Hickle	Putnam
Blakemore	Hill of Bottineau	Raney
Bollinger	Hill of Cass	Roble
Borusky	Hjelmstad	Schroeder
Bratton	Hjort	Small
Burnett	Hoge	Smith of Kidder
Butler of Ramsey	Husband	Snyder
Butler of Ransom	Isaak	Stenehjem
Calnan	Jacobson	Stinger
Carey	Johnson	Thompson
Coltom	Kelly	Taylor
Davis	Klein	Tucker
Divet	Knox	Turner, C. C.
Dixon	Kyllo	Twichell
Dosseth	Lawbaugh	Walsh
Dynes	Leu	Wardrope
Endreson	Lewis	Warriner
Fox	Lindstrom	Weis
France	List	Wiley
Freitag	Moen	Wing
Geiger	Norheim	Mr. Speaker
Gunderson	Nyhus	
Hanson	O'Connor	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Owens
Bope	Homan	Peterson
Buck	Huso	Ryan
Campbell	Kellogg	Sandbeck
Curry	Lambert	Smith of Ward
Dean	Martin	Sorlie
Doyle	Miller	Streeter
Everson	Morkrid	Turner, F. W.
Fritz	Morrison	Watt
Gardiner	Northrup	Williams
Haraldson	Odland	

So the bill passed and the title was agreed to.

Mr. Wardrope moved

That the vote by which Senate Bill No. 239 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 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	Hart	Olsgard
Balsdon	Harty	Owens
Bartley	Hawkinson	Pendray
Bass	Hedalen	Petterson
Batzer	Hendrickson	Pitkin
Bjornson	Hill of Bottineau	Ployhar
Blakemore	Hill of Cass	Putnam
Bollinger	Hjelmstad	Raney
Borusky	Hjort	Roble
Bratton	Homan	Sandbeck
Burnett	Husband	Schroeder
Butler of Ramsey	Jacobson	Smith of Kidder
Butler of Ransom	Johnson	Snyder
Carey	Kelly	Sorlie
Coltom	Klein	Stenehjem
Curry	Kyllo	Streeter
Divet	Lambert	Taylor
Dosseth	Lawbaugh	Thompson
Dynes	Leu	Tucker
Endreson	Lewis	Turner, C. C.
Everson	Lindstrom	Twichell
Fox	List	Waish
France	Miller	Wardrope
Freitag	Moen	Warriner
Fritz	Morrison	Weis
Gardiner	Norheim	Wiley
Geiger	Nyhus	Williams
Gunderson	O'Connor	Wing
Hanson	Odland	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Haraldson	Morkrid
Buck	Hickle	Northrup
Calnan	Hoge	Ryan
Campbell	Huso	Small
Davis	Isaak	Smith of Ward
Dean	Kellogg	Stinger
Dixon	Knox	Turner, F. W.
Doyle	Martin	Watt

So the bill passed and the title was agreed to.

Mr. Bjornson moved

That the vote by which Senate Bill No. 133 passed, be re-

considered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 156.

A bill for an Act establishing a state bonding department in the office of the Commissioner of Insurance; 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 86, nays 13, absent and not voting 12.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Olsgard
Balsdon	Harty	Owens
Bartley	Hawkinson	Pendray
Bass	Hedalen	Petterson
Bjornson	Hendrickson	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Borusky	Hill of Cass	Putnam
Bratton	Hjelmstad	Raney
Buck	Hjort	Roble
Burnett	Hoge	Sandbeck
Butler of Ramsey	Husband	Schroeder
Calnan	Huso	Small
Campbell	Isaak	Snyder
Carey	Jacobson	Sorlie
Coltom	Kelly	Stenehjem
Curry	Knox	Stinger
Dean	Kyllo	Thompson
Divet	Lambert	Taylor
Doyle	Lawbaugh	Tucker
Dynes	Leu	Turner, F. W.
Endreson	Lewis	Twitchell
Everson	Lindstrom	Walsh
Fox	Miller	Wardrope
France	Moen	Warriner
Fritz	Morrison	Weis
Gardiner	Norheim	Wiley
Geiger	Nyhus	Williams
Gunderson	O'Connor	Wing
Hanson	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hickle	Smith of Kidder
Bollinger	Homan	Turner, C. C.
Butler of Ransom	Johnson	Mr. Speaker
Dosseth	Klein	
Freitag	List	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Kellogg	Ryan
Davis	Martin	Smita of Ward
Dixon	Morkrid	Streeter
Haraldson	Northrup	Watt

So the bill passed and the title was agreed to.

Mr. Anderson moved

That the vote by which Senate Bill No. 156 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity 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 87, nays 0, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Norheim
Balsdon	Hanson	Nyhus
Bartley	Hart	O'Connor
Bass	Harty	Odland
Batzer	Hedalen	Owens
Bjornson	Hendrickson	Pendray
Blakemore	Hickle	Pitkin
Borusky	Hill of Bottineau	Ployhar
Bratton	Hjelmstad	Putnam
Buck	Hjort	Raney
Burnett	Hoge	Roble
Butler of Ramsey	Homan	Sandbeck
Butler of Ransom	Husband	Schroeder
Campbell	Huso	Smith of Kidder
Carey	Isaak	Snyder
Coltom	Jacobson	Stenehjem
Dean	Johnson	Stinger
Divet	Kelly	Taylor
Dosseth	Klein	Tucker
Doyle	Kyilo	Turner, C. C.
Dynes	Lambert	Twitchell
Endreson	Lawbaugh	Walsh
Everson	Leu	Wardrobe
Fox	Lewis	Warriner
France	Lindstrom	Weis
Freitag	List	Wiley
Fritz	Miller	Williams
Gardiner	Moen	Wing
Geiger	Morrison	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hill of Cass	Ryan
Bope	Kellogg	Small
Calnan	Knox	Smith of Ward
Curry	Martin	Sorlie
Davis	Morkrid	Streeter
Dixon	Northrup	Thompson
Haraldson	Olsgard	Turner, F. W.
Hawkinson	Petterson	Watt

So the bill passed and the title was agreed to.

Mr. C. C. Turner moved

That the vote by which Senate Bill No. 105 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Hendrickson moved that the House return to the seventh order of business.

Which motion prevailed.

Mr. Hendrickson moved

That the vote by which Senate Bill No. 188 was indefinitely postponed be reconsidered.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

February 26, 1913.

House of Representatives, Bismarck, N. D.

Gentlemen: I have the honor to inform you that I have this day approved and filed with the secretary of state:

House Bill No. 73.

A bill for an Act to amend and re-enact Section 1372 of the Revised Codes of North Dakota for 1905, relating to county road funds.

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. 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. 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. 80.

A bill for an Act 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.

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. 155.

A bill for an Act permitting counties to appropriate money to prevent the spread of tuberculosis in this state.

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. 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. 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.

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.

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,

I have this day filed with the secretary of state 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 corporations, being House Bill No. 116.

I have the honor to be,

Respectfully,

L. B. HANNA,
Governor.

GENERAL ORDERS.

Mr. Butler of Ramsey moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed, and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Butler of Ramsey to the chair.

When the committee arose it submitted the following report:

The committee of the whole have had under consideration:

House Bill No. 487.

A bill for an Act to provide for the publication by the state of an unauthenticated edition of the Session Laws, and its distribution.

And recommend that the same do pass as amended.

Also,

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."

And recommend that the same do pass as amended.

Also;

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discriminating and twisting.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same be indefinitely postponed.

Also,

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 state following; specifying the amount and time for which such appropria-

tions shall be available, and providing the manner in which the appropriations herein made shall be paid.

Have adopted the following amendments:

At the end of line 7 of the amendments offered by the committee strike out the “;” and insert “so far as the same relates to appropriations.”

Strike out all of line 16 of Section 5 on page 3 of the printed bill.

In the printed bill on page 6 at the bottom thereof following line 43, insert as line 43½ “State law library, \$5,000.00.”

In Section 9, as the same appears in the amendments offered by the House committee, after the words “Chapter 31 of the Session Laws of 1909,” strike out the semi-colon and insert “so far as the same relates to appropriations.”

And recommend the same do pass as amended.

Also,

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, commissions 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 give 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.

And recommend that the same do pass as amended.

M. D. BUTLER,
Chairman.

Mr. Butler 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 Hon. L. A. Simpson, H. F. Schroeder, James Soules, Mr. H. W. Reed, J. C. F. Parker, Chas. Bakke, Prof. P. S. Berg, M. L. Ayers, T. H. Pugh, George Senour, A. D. Heaton, E. A. Lillibridge,

J. F. Brodie, R. H. Kennedy, E. H. Knapp, Herman Rabe, T. D. Casey, Chas. Ward, all of Dickinson; Mrs. S. F. Smith, Wells Smith, of Steele; A. M. Christianson, Towner, N. D.; A. S. Sigurdson, P. McCullough, Rev. Dr. J. G. Moore, Grnad Forks.

Mr. Hoge moved

That the House do now take a recess until 10 o'clock A. M.

Which motion prevailed.

M. J. GEORGE,
Chief Clerk.

FIFTY-FIRST DAY AFTER RECESS AND FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

February 27, 1913.

The House assembled at 10 o'clock A. M. pursuant to recess taken.

The Speaker presiding.

Mr. Owens: Mr. Speaker, your special committee appointed to investigate the charges against Mr. Ness are now ready to bring to the House the evidence to substantiate the charges.

The sergeant-at-arms was instructed to bring the defendant to the bar.

The sergeant-at-arms not having the defendant present, Mr. Owens moved

That the House take a recess for fifteen minutes.

The Speaker called the House to order at 10:20 A. M.

Committee on House Management: Mr. Owens, chairman; Messrs. Buck, Norheim, Wardrope and Haraldson.

Attorneys for Mr. Ness: Messrs. Bangs and Koppel.

STATE OF NORTH DAKOTA, COUNTY OF BURLEIGH.

—ss.

In the Matter of Contempt Proceedings Before the House of Representatives of the Thirteenth Legislative Assembly against One Ben Ness.

The State of North Dakota, to the Sergeant-at-Arms of the House of Representatives of the Thirteenth Legislative Assembly in and for the State of North Dakota:

Whereas, On the twenty-fifth day of February, 1913, A. G. Divet, L. L. Twichell and W. M. Bartley, qualified and sitting as members of the House of Representatives of the said Legislative Assembly laid before the said House of Representatives in regular session, information and charges affecting the said Ben Ness; and

Whereas, Such information charges the said Ben Ness with soliciting the said named members of the House of Representatives to lend their aid and support for the defeat of Senate Bill No. 98, commonly known and referred to as the Anti-snuff Bill, which bill is pending before the said House of Representatives for consideration; and

Whereas, The said information charges the said Ben Ness with attempting to bribe the said members of the House of Representatives for the purpose of securing their individual influence and support in the defeat of said Senate Bill No. 98 in the House of Representatives; and

Whereas, Such resolutions charge the said Ben Ness with doing and attempting to do other acts which, in themselves would be a breach of the privileges of the House of Representatives and of the members thereof; and

Whereas, The said information was made a part of the records of the said House of Representatives and upon such information the said House of Representatives duly acted and by motion regularly and duly adopted ordered that the Speaker of the said House of Representatives issue a warrant for the arrest of the said Ben Ness;

Now Therefore, You are hereby commanded to forthwith apprehend and arrest the said Ben Ness and take him into your custody and to bring him before this House of Representatives of the Thirteenth Legislative Assembly in and for the State of North Dakota, there to answer charges preferred against him by said information, a copy of such charges is hereto attached.

Dated at the House of Representatives of the Thirteenth Legislative Assembly at Bismarck, N. D., this 25th day of February, A. D. 1913.

J. H. FRAINE,
As Speaker of the House of Representatives.

STATE OF NORTH DAKOTA, COUNTY OF BURLEIGH.

Chamber of House of Representatives.

I hereby certify that by virtue of within warrant, I arrested Ben Ness and now have him in custody before the House of Representatives.

Dated February 25th, 1913.

B. D. ASH,
As Sergeant-at-Arms.

C. C. Wattam was duly sworn as stenographic reporter.

Mr. Owens: The committee is ready to present to this House at this time the evidence to support the charges against the defendant. I presume that it is necessary to have the defendant say to this House whether he is guilty or not guilty of the charges presented against him as such a plea has not been entered or any statement made by the defendant.

Mr. Bangs: Mr. Speaker, the question raised by the suggestion of the chairman of the committee appointed to conduct these proceedings raises a question that I had intended to propose myself. I was brought into this case late and have not had an opportunity to examine the journal of proceedings since this matter came up. So that I do not know just what steps have been taken with respect to the rules under which the House is to proceed. I found by the newspaper this morning that two additional rules—63 and 64—were proposed but whether they were adopted the paper doesn't state.

Mr. Speaker: They were adopted.

Mr. Bangs: But these rules, it seems to me, do not prescribe sufficiently clear the method of procedure. Now, the question has arisen upon the suggestion of the chairman of the committee what is the proper procedure to take at this time.

Mr. Speaker: The chair will rule that the proper method of procedure will be to ask the accused what, if anything, he has to say in answer to the charge.

Mr. Bangs: I would ask, is it the sense of the Speaker that there will be rules adopted to prescribe the method of procedure or let the rules be adopted as we proceed?

Mr. Speaker: The thought of the Speaker is that the method used in the House of Representatives of our National Congress of like nature be followed. In the early days,

before stenographic notes were taken of testimony, the procedure was for all questions to be propounded by the speaker, they having been formulated in writing and presented to him. In this day of stenographic reporters it is proposed to take all testimony by a court reporter who is present. If the accused pleads not guilty it will be the duty of the committee to present the evidence in its possession for the consideration of the House. The accused could then answer and the House decide as to the facts.

Mr. Bangs: Now, Mr. Speaker, I don't want to be captious; I am simply making this suggestion. I understand somewhat the proceedings that were in vogue in times gone by, but the people of this state in their Constitution provided that the House should adopt the rules. That does not mean that we should go back to any rules or that we should simply take up rules as they occur to us. It says, the House shall adopt rules for this procedure. Should not they be adopted before we enter upon the trial so that the defendant may know just exactly what he may expect as we proceed with the trial?

Mr. Speaker: The only rules that have been formulated are the ones adopted yesterday.

Mr. Owens: Mr. Speaker, I don't understand that this matter is in the nature of an impeachment or in the nature of a trial. It is summary in its nature and informal as to proceedings. The question solely arises here to determine in this House whether or not this defendant has violated any of the privileges, and it seems to me that when any member lays an information before the House and the House determines to investigate and determine whether or not that information is true, that all that is necessary is to bring in evidence such as may be necessary; simply to lay before the House facts sufficient to show circumstances surrounding the case, and there are no particular set of rules any more than the rule for the trial of contempt proceedings.

Mr. Bangs: If your honor please, I am not trying to be captious at all in this matter, but I want to be sure about it and I know that is what the Speaker wants to do and also the House. The Constitution provides: "Each House shall have the power to determine the rules of proceeding and punish its members or other persons for contempt or disorderly behaviour." That means that they shall provide rules of proceedings, in matters of punishment for contempt. That is Section 48 of the Constitution. Now, there are different kinds of contempt, if the Speaker please. For instance, under the Constitution, turning back to Section 40

of the Constitution, it is provided: "If any person elected to any House of the Legislative Assembly shall offer or promise to give his vote or influence in favor of, or against, any measures or propositions pending or proposed to be introduced into the Legislative Assembly, in consideration, or upon condition, that any other person elected to the same Legislative Assembly, will give, or will promise, or assent to give, his vote or influence in favor of or against any other measure or proposition, pending or proposed to be introduced into such Legislative Assembly, the person making such offer or promise shall be deemed guilty of solicitation of bribery." And he can be proceeded against for contempt. Then there is another proposition that when any person does anything in sight of the House, then that proceeding is summary just the same as it is in court. If some man performs some act in the presence of the court and if the judge sees him there is no necessity for any regular proceedings. But in this case the charge is that these proceedings were had outside of the House, that persons of the House saw it, and it comes up here for trial and not as a summary proceeding. Now, I submit, Mr. Speaker, turn the proposition right around and say, if you could imagine such a thing, that some member had agreed to vote for a certain measure in consideration of some other member voting for his measure. Evidently it was thought by the people, when they framed that Constitution, that such a thing as that might happen, and if such a thing did happen down at one of the hotels and the man was brought up here for contempt proceedings there ought to be rules prescribed. We are here as perfect strangers and it seems to use we ought to have some privileges and rules made so plain that when we get into this court we know just what we are called upon to do. The Constitution has said that the Legislative Assembly shall prescribe these rules. It said that, because they believed that the safety and the liberty of the citizens who might be brought before the Legislative Assembly charged with contempt demanded that rules should be prescribed. Why? We know of the bitterness of feeling that occasionally arises when legislative questions are before the people. We know of the intense bitterness that comes up almost every session of the legislature and we know that when these political and legislative questions come up, or rather legislative, political matters come up, that the feeling becomes so intense that unless the people prescribe some rules to prevent it the majority for the moment or time being might do things that they would not, in their calmer moments do, because of this bitterness. And so it is said that this Legislative Assembly shall not act hit or miss, but must prescribe rules. In other words, where is the protection

that a man has who is brought before this court for trial? We have another provision that no man shall be deprived of his life, or liberty, without due process of law. That means not that you shall simply serve a summons on him but that he shall be proceeded against in an orderly, legal manner, under certain rules that protect his rights. Under that, should not we have, Mr. Speaker, rules of procedure so that we may know what our rights are, what we can do and what we cannot do?

Mr. Speaker: The chair is of the opinion there are just two questions involved in this case; one is the question of the jurisdiction of the House and the other is the question of fact as to whether the accused made the statements as charged. Those are the two questions for this House to determine, and it seems to me that very few rules are necessary. The only rules proposed were the two adopted yesterday. The House will rule, unless the House decides otherwise, that we will proceed under the rules adopted.

Mr. Bangs: I don't know whether I have the right to appeal from the ruling of the chair or whether somebody else has.

Mr. Owens: Mr. Speaker, I take it that under Section 23 of the statute, which is the statutory law adopted by both branches of the legislature, and under Rule 64, with reference to this appeal, I believe that it is the sense of the House that either side, either the committee or the defendant, being dissatisfied with the ruling of the Speaker, on any question as to procedure, may appeal to the House. That was the idea and evidently the intent of the committee of the House in adopting Rule 64.

Mr. Bangs: Then, Mr. Speaker, with the interpretation as put upon the rules by the chairman of the committee for the prosecution, I will submit respectfully an appeal from the decision of the chair.

Mr. Speaker: An appeal is taken from the decision of the chair on the ruling that we proceed upon the rules adopted yesterday. The question is shall the chair be sustained.

Mr. Thompson: I don't know just what the rules adopted by the committee and by the House include, but should think rules of evidence in an ordinary court would prevail in the decisions of the Speaker and the rulings made by him.

Mr. Speaker: It was the intention of the Speaker to follow the ordinary rules of evidence so far as his ability permits him to follow them.

Mr. Bangs: Mr. Speaker and gentlemen of the House of Representatives: I trust you will pardon me for taking a few moments of your time in discussing the question as to the adoption of rules for procedure in this case. I want to call your attention in the first instance to the fact that you are engaged in a most important undertaking. The question as to the extent of punishment that may be inflicted is not the one that defines the importance of the proceeding. You are here to determine whether or not a man has been guilty of contempt of one of the branches, one of the coordinate, supreme branches of the government of this state. You are here to determine whether that man shall be branded as one who has attempted to corruptly influence a member of this body, and without regard to whether you have the power to inflict punishment or not. The brand which you are asked to put on him is of such importance that you should proceed with utmost caution before you take any steps. Now, you can see from the proceedings thus far—and they have been almost of the same nature as certain lodge proceedings in orders that I have joined, where there is an attempt made by the proceedings, up to a certain point, to illustrate certain phases of life. In the first place the chairman of the committee that has been appointed to prosecute this case had to ask whether or not it would not be proper to ask this accused to plead. Why? Because this House had not adopted any rule to guide that committee in their proceedings. Then we come to the question, if you please, gentlemen, as to whether or not either party to these proceedings, the committee that has been appointed to prosecute, or the accused himself, has the right to appeal from the Speaker on any ruling made. I don't know. Your rules don't provide. There is not a word in any document ever adopted by this House that says whether the accused may appeal. The chairman of the committee on prosecution so construed the rule, that such an appeal could be taken by the accused or by the committee itself, and the Speaker has acceded to that interpretation. But it is not a rule. Any time this House sees fit they can refuse it, and any time the Speaker sees fit, should he see fit—but I don't expect any such action from the Speaker. He is a man learned in the law and will undoubtedly follow the law of the courts. This is a question of what is the proper thing to do. There is nothing to prevent the Speaker from changing his mind and refusing to grant the accused any appeal. So I say this entire matter should be laid down by rule so that when we come before this House we will know just what we are entitled to, we will know what obligations we have assumed, we will know what we are liable for. Now, gentlemen, put yourselves in this man's place. Put your-

selves in this man's place and tell me is there any one in this House of Representatives, is there a man here, who, since he came to the city of Bismarck, has by some accidental slip suggested to his neighbor or to some other member of this House, that I am interested in bill a hundred and something and you are interested in bill a hundred and something else. Now, you help me on my bill and I will help you on yours. Have any of you thought of doing such a thing; has any member of this House suggested anything of that nature to another member of this House? If you have you are guilty of contempt. Suppose that by some accident, some day in conversation, some suggestion of that kind was made and you were brought before this House to answer for contempt, would you want to be brought in and tried without any proceeding laid down by which you were to be tried? Would you simply want to be brought in and have them say, we will make the rules as we proceed? Possibly. Possibly, if this House was divided by a strong line of demarcation and you knew there was a majority on one side and a minority on the other side and you were with the majority—but you can't tell what day the majority will turn into the minority. And so the only safe way to proceed is to have these rules and regulations laid down that each man may be protected. We must protect ourselves against ourselves. We must protect ourselves against the rapidity with which we move at times when we become stirred up by political animosity, and to do that requires that these rules may be made in advance. Now, gentlemen, I am not asking for delay. I am simply here defending or attempting to defend a man that I have known for many years; a man whose business I have attended to before this matter came up—business of a civil nature. I have had law suits for him. Have known him for years. And I am simply here to try and offer, in my weak way, if you please, a little defense for him. And I ask that you prescribe some rules by which I am to know how to proceed. I started to practice in court years ago—in justice court. I found rules in justice court laying down the method of procedure. I graduated after a while from justice court and got into district court, scared to death. But I found rules laying down the manner in which I should proceed, and by studying these rules and reading them I knew what my rights were and what the rights of my clients were, and I followed those rules; and after while, by good luck, I got into the Supreme Court and I found they had rules of procedure there, a book of rules of procedure, and they laid down just what our rights are and just what we must do and what we must not do. And now, gentlemen, I come to the highest court of all. I come to the Legislative

Assembly of the State of North Dakota, and I find you have no rules. Now, it seems to me when you come into the highest body of all, and when that body attempts to try a man for his liberty, attempts to hear testimony and determine whether they shall deprive a man of his liberty, that you surely ought to have as much consideration for his rights as they have for a dog stealer in the justice court. And there they have rules. Won't you make rules, so that I may know what I can do and how I can do it? We are in the dark. Give us something to act upon and we will be glad to try this case promptly and speedily before you.

Mr. Owens: At first blush, gentlemen, your committee is struck with the force of the language of counsel for defense in the small matter brought before this House, and the first idea of your committee was to place before you in the interpretation of this law, to place before this defendant a fair method of proceeding in this hearing, so we suggested Rule 64. "That the Speaker shall preside at all hearings, proceedings and trials, in contempt charges, and shall rule on all questions arising during the course of such hearing; provided, however, that an appeal may be taken to the House from any such ruling." Now, Mr. Speaker and members, this matter is solely within the discretion of this body. Whatever proceeding we see fit to take, the defendant will be bound by it. I call your attention to Rule 49 of the General Rules of the House, which provides that in all cases where this House has not adopted specific rules of parliamentary practice that the rules of parliamentary practice adopted by the House of Representatives of the United States shall apply. The Speaker has announced that it shall be his policy to follow the precedent adopted by the highest legislative body of the land. As announced to you, there are only two questions to be determined by this body. First is the question of the jurisdiction of this House to bring any person before it; and the second question, do the facts substantiate the charge. The section of the Constitution, Section 48, suggested and referred to by counsel for the defense, defines what the privileges are of the members of this body. Then Section 23 of your Code has been adopted by both branches of this legislature, and in that section, provides on what grounds any one may be punished, or brought before the members of this House and punished for certain acts. This defendant is accused of misusing or violating the privileges of one or two or three of the members of this House. Has this defendant violated any such privileges? If he did, what privilege did he violate and what were the facts surrounding it? Now, then, this defendant comes before us and throws up his hands in horror, being hailed into the

highest court of the land, and asks an appeal from our presiding officer that you formulate and act upon rules, when, on the face of it, gentlemen, any minute one of you might arise in your chair and move that such a rule may be suspended and we proceed on such hearing. We would abrogate the rule by suspension of it and the defendant would be bound by that act. Why, then, should we take the trouble, the time, to provide details, to adopt a code of rules or procedure which may be suitable to the defendant and at any time may be suspended by you. I really felt, Mr. Speaker, and members, that I had made a mistake when I suggested that it was the intent of the House and this committee that the defense might appeal from the decision of the Speaker when they saw fit to do so, when it was evident to us that such a construction might result in keeping us here the rest of the session trying a little contempt proceeding. Now, I say "little" for this reason. It is not a criminal trial. It is not a trial abrogating the rights of any particular person. It is a hearing to determine whether or not any of the privileges of this House have been violated. If this defendant, if this stranger, was placed upon trial before the members of this House for any particular act or omission it would be a different proposition, but it is in the nature of a summary proceeding to determine whether or not he, as an outsider, has violated the privileges of any member of this House, and for that reason, gentlemen, it seems to me absolutely unnecessary and folly to stop and ask the committee to draft a code of procedure by which to determine whether or not such a thing was done. Therefore, I believe it would be good policy for this body to adopt right now to sustain the Speaker in his rulings, excepting in particular cases where a gross violation may be apparent to you. Now, I realize this, gentlemen, that this proceeding is being conducted before you, not referring to the Legislative Assembly, by attorneys who are used to proceeding according to the statutes which you have placed upon the books, referring to court procedure, and it will evidently take a turn of possibly legal procedure with reference to such rules. But now you, as laymen, you as representatives of the people of this state, are here, and don't forget, during any period of these proceedings that you are the ones who not only making these rules, who not only conduct these proceedings, but determine the facts before you, and at all times any one of you who is not satisfied with the ruling of your Speaker may appeal from such ruling just as well as the defendant or just as well as your committee. And you want to understand in the beginning that you have a say in this matter; if there is anything you are not satisfied with you have a right to address the Speaker and to ap-

peal to your own body with reference to it, so what would be the use under these circumstances, under these conditions, which are surely the intent of the Constitution and of the statutes and the policies of this House, of overruling the Speaker in the first ruling he has made when he has initiated such a clear policy relative to the proceedings surrounding this case.

Mr. Speaker: The question is on the appeal, shall the chair be sustained?

The chair was sustained.

Mr. Owens: At this time, Mr. Speaker, we would ask that Mr. Divet, a member of this House, be called and sworn. I beg your pardon; I overlooked the fact that we have been taking most of the time ourselves. If the Speaker will now ask the defendant to make a statement.

Mr. Speaker: Mr. Ness, you are charged with the violation of the privileges of certain members of this House in that you did offer certain moneys to them in consideration of their efforts to advance or defeat a certain bill. There has been handed you a copy of the charges. To those charges, I ask you, what have you to say?

Mr. Bangs: Mr. Speaker, in answer to those charges the accused enters a general denial and a plea of not guilty to any of the charges made.

Mr. Owens: I move you, Mr. Speaker, that the statements of Mr. Ness in answer to the charges preferred against him be incorporated in the Journals of this House and made a part of the permanent record.

Mr. Speaker: It is the understanding of the chair that all proceedings and all that is said will go into the Journal of this House in this hearing.

Mr. Owens: If such is the ruling, then I withdraw the motion. At this time we will call Mr. Divet.

Mr. Bangs: Before proceeding further in this trial, and simply for the purpose of making a record of it for future proceedings, we desire to object to any further proceedings on the part of this House under the charges filed on the ground and for the reason that this House has no jurisdiction of the matters involved or of the defendant, for the reason that there is no method of procedure provided by statute or the Constitution of the state and that the whole proceeding thus far has been without warrant of law.

Mr. Speaker: Objection overruled.

Mr. Lambert: This is my first jury duty and I would like to get the facts in this case from what both sides say. If the chair would request that both attorneys speak up as loud as they can, and the witnesses, too, so we can get it, it would be appreciated by every one in the House.

Mr. Speaker: The House will be quiet, the sergeat-at-arms will maintain order, that the House may hear the testimony. It is absolutely necessary that the utmost quiet prevail.

Mr. Bangs: I have had some experience in trying, or attempting to try, a case in this House or in the chamber, and I would suggest that if the witnesses sit up on the platform, next to the Speaker, they would be heard by more people and more distinctly than from any other spot in the House.

Mr. Speaker: The case is with the committee.

A. G. Divet, having been called as a witness on behalf of the prosecution, was duly sworn and testified as follows:

DIRECT EXAMINATION.

By Mr. Buck:

Q. Mr. Divet, you may state your full name, age, and your residence.

A. A. G. Divet, 43 years old; reside at Wahpeton, North Dakota.

Q. What, if any, official position do you hold at this time in the State of North Dakota?

A. Member of this Legislative Assembly from the Twelfth District.

Q. You have been a member of this Legislative Assembly since what time?

A. Since the beginning of this session.

Q. You were a member on the 21st, 22nd, 23rd and 24th days of February, 1913?

A. I was.

Q. Where were you located at that time, where were you living and staying?

A. Grand Pacific Hotel of this city.

Q. You have stayed at the Grand Pacific Hotel during your term in Bismarck?

A. During all of the time.

Q. Are you acquainted with the accused, one Ben Ness?

A. I met him last Saturday for the first time to remember him.

Q. On Saturday, the 22nd day of February?

A. Last Saturday, whatever day that was.

Q. Where did you meet him?

A. In the Grand Pacific Hotel, in room 231, Mr. Twichell's room.

Q. Who was present at the time you met him besides yourself and Mr. Ness, if any person?

A. Mr. Twichell.

Q. You may state to the House what was said by Mr. Ness in your presence and in the presence of Mr. Twichell with reference to Senate Bill No. 98, otherwise known as the anti-snuff bill.

A. I will say in answer to that that I had four conversations with Mr. Ness in the course of two days and am not absolutely sure of the exact order in which each statement came up, but substantially so.

Q. I am referring in this question to the first conversation that took place in Mr. Twichell's room.

A. That was Saturday evening. Mr. Ness was introduced to me by Mr. Twichell and Mr. Ness remarked that he remembered meeting me two years ago in connection with the Cowan case; that he had been here in regard to that. That was the opening of the conversation.

Q. Go on with the narrative, if you please.

A. After the introduction we sat around for a little while and there was some general talk and then Mr. Ness said to Mr. Twichell, "I have been talking with Dr. Bartley about the snuff proposition," and Mr. Twichell made some indefinite answer—I don't know the exact words of it, but something to the effect, "yes, I understand so." Something of that kind. We talked a little about the Cowan trial; then Mr. Ness produced some papers and he said, in connection with those papers, "I have here the dope on the

snuff." I went over at that time and lay down on Mr. Twichell's bed, propped myself up on the pillows and grunted a time or two without saying anything. Mr. Ness then started in to talk about the proposition, saying that the snuff was not a harmful thing, and he said, "I have the papers and letters and things here showing the ingredients of it, and there is nothing harmful about it." Mr. Twichell said, "It has cocaine in it, hasn't it?" No, he says, that is all a bluff about this cocaine. There are only 120,000 ounces of cocaine produced in the United States in a year and there are 30,000,000 pounds of snuff made; and the legitimate use of cocaine for medical purposes is well known to exhaust practically the whole 120,000 ounces; and, therefore, there is not any available to be used in the snuff; and there is not anything to that." He then went on and told us several of the chemical and medical ingredients of snuff, using terms that I did not understand and that I don't understand now, being terms that I am entirely unfamiliar with in a medical or scientific way. This general talk occupied perhaps, ten or fifteen minutes. Then Mr. Twichell said, "who else is mixed up in this snuff proposition?" And Mr. Ness said, "Mr. Pettibone," I said, "who is Mr. Pettibone?" And he says, "he lives down at Steele and is the chief Northern Pacific lobbyist." I said then, "who else is mixed up in it?" "And he says, "Mr. Sullivan of Mandan, and Mr. C. J. Murphy of Grand Forks are here as the attorneys representing the snuff people." He says, "I told Mr. Rice there was no use of fooling away his time with Mr. Murphy, because he had been here and exhausted himself in getting his railroad legislation killed and there was not anything further that he could do. He could not be going to committees and members of the Legislature every day asking to have something put over. And I told Mr. Rice that there was no use of fooling around with anyone that way, but that I could put the deal across for him."

Q. Did he say who Mr. Rice was?

A. I asked him who Mr. Rice was and he says, "he is one of the vice-presidents of the American Tobacco Company of the Snuff Company, I don't know which;" that was his language; "I don't know which company he is vice-president of." "He was up here for three or four days but he went away and is now in Fargo and he only comes up once in a while, on the train that gets in at about 11 o'clock and goes back on the train that goes out about 3." Mr. Twichell said to him, "well, what is the proposition in regard to this snuff matter?" "Well," says he, "Mr. Bradley, the chairman of the Public Health committee, can be dealt with." Then

he says, "Mr. Bradley says to me, 'anything you can fix up with Divet and Twichell will be all right with me,' and I am here to see what I can do with you."

Q. Is it not Bartley instead of Bradley?

A. Dr. Bartley, that is right. Mr. Twichell said, "What do you propose to do?" "Well," he says, "They have got three thousand dollars and they would be willing to give that to you two gentlemen if you can kill the bill." Either Mr. Twichell or myself said: "Well, who has got any such amount of money connected with this?" He says: "Mr. Rice brought it up and Mr. Pettibone has it, and I saw the roll myself. It is in good old greenbacks, and I want to tell you it just made me sick to look at it." I said to him: "Then you are representing Mr. Pettibone, first hand?" And he says, "Yes sir." And I says: "I don't deal with anybody except the man that has the roll. I want to get to the first-hand men. Now, if Mr. Pettibone has any business he wants to do with me, tell him to come here and see Mr. Twichell and I together." And he says: "That will be satisfactory. I will go and tell Mr. Pettibone. And when do you want to see him?" We said we would seem him at 11 o'clock that evening. This was in the evening about 9 o'clock; although possibly not that late. Shortly before 11 o'clock Mr. Ness came back and he said: "Pettibone won't come over tonight, but he will see you tomorrow. But you must understand that he is not going to talk anything to you personally about the money. He is going to leave that all to me." I said, "Mr. Pettibone knows about how old we are, doesn't he?" And he said: "I guess so; he ought to." "Well," I says, "There can't anybody deal with me unless I see the actual money. Now what assurance would be have that we would get the money if we made a deal with you?" He says: "We don't want to be double crossed any more than you do, and we would not want to give you fellows the money unless we knew you were going to do the job, any more than you would want to do the job unless you knew that you were going to get the money." "Now," he says, "It would be perfectly satisfactory for us to put it up in the hands of some discreet person that will hold the money until the thing is over." Then Mr. Twichell says: "Who would you suggest?" And he says: "Jim Shea is here and he has been around with Mr. Pettibone and it would be perfectly satisfactory to us to put it up with Mr. Shea." Twichell spoke up, and says: "Not on your life. Jim Shea would double cross me quicker than you would." Mr. Ness then got up to go away, with an arrangement to see about getting Mr. Pettibone to come and see us the next morning

and the matter was left that way. As he was going out, I said, "Now, don't get any understanding that I have agreed to take your \$3,000. I understand there was a good deal more money than that used two years ago and I don't see any reason why prices should be cheaper now than then if we are going to do business with you." He said something to the effect that there was not as much money used two years ago as the people figured there was but we did not talk at that time very much about the amount of money that had been used. He then started to go away, and I said: Now the \$3,000.00 was what was talked about at that time. He then said: "I think they would be willing to put it up to \$3,500." I said: "Now, don't understand me as accepting your \$3,500; even if I want to deal with you, I don't believe that is money enough." He said: "Well, God bless you, boys, I want you to get all that you can, and I believe if you stick for \$5,000.00 you can get it, but I have not any authority to give you over \$3,500.00." Then he went away. He came back again the next morning in response to the agreement that had been made, and said that Mr. Pettibone was a little leary about coming to see us together himself. And Mr. Twichell spoke up and said: "You won't talk to us unless we are together and you won't talk to us any place except right in this room; that is the only talking that will be done at all in regard to this matter." We had the same general talk over that conversation in the morning, and Mr. Ness said that after leaving us the night before he had telegraphed or telephoned—I think he said telegraphed—to Mr. Rice at Fargo. He said he had telegraphed—

Mr. Bangs: That was the next day?

A. That was the next day. The conversation all took place in the two days. There were four separate conversations and I cannot be positive as to the exact details of just each occasion and particular statement. He said he telegraphed and he signed the telegram "Second floor" and that Mr. Rice would undoubtedly be out. The talk at that time was about the same as we had the night before. Reiterations of previous statements, going into details somewhat more fully. And he then said: "I put the \$3,500.00 proposition up to Pettibone last night and he said he would stand for that but would not go further." I says: "Don't you think if we put our stakes at \$5,000.00 and stick there we can get it?" And he says: "No, I don't believe you can. They want to keep the expense of this thing down to \$10,000.00 and there are a lot of other people that have got to be attended to besides you, and I don't think they will give you that; but get all you can." He then brought up the matter of how much had been paid out at the last legisla-

tive session, and he said that the report that \$10,000.00 was spent on the last legislature was not true; that there had only been \$6,000.00 spent; and he gave us the names of at least two different members who had received the money in the session two years ago. We then put up the proposition to him, inasmuch as he had talked about turning the money over to Mr. Shea, whether or not he would not be willing to turn it over to Mr. Berndt Anderson, the representative from Devils Lake, and he said, if we thought Berndt was safe it would be just as satisfactory to him. And we told him that if Berndt went into the game at all we were sure he would be perfectly safe. And he went away saying it would be all right with him if we could arrange it with Berndt to take the money and hold it on the understanding that it was to be delivered to us if the bill was killed, but if the bill was not killed we were not to get anything. I said that was not the right way to hire lawyers; "you expect to pay Mr. Murphy and Mr. Sullivan, whether they get any results or not. Mr. Twichell and myself are here as lawyers and representatives, and not only that, but we are on the inside; and you put the proposition up to us that we are not to get any money unless we succeed in the undertaking." He said: "What kind of a plan can you propose that would be safe to everybody?" I said: "How would it strike you if you would give us half of the money down and the other half to be paid in case we succeed, and if we don't succeed, then we should have only the half, and not get the other half." He said he did not know whether that would be satisfactory or not, but would talk it over with Mr. Pettibone and Mr. Rice. And he went away. We then called in Mr. Anderson and told him—Mr. Berndt Anderson—and told him what was on, and he said he would go in on the deal and hold the money and deliver it over to the House in case we got hold of it. I also called in the assistant attorney general, Mr. Zuger, and made arrangements if anybody appeared with the money that an arrest should be made right there in the room and the parties taken. We had two other meetings with Mr. Ness in which the matters were reiterated back and forth, we attempting to get Mr. Pettibone or Mr. Rice to appear with the money, but it never materialized in their appearance. Mr. Ness came back finally and said they would not meet us face to face; that we would have to deal with him. We asked him if he could get the actual money so as to show it to us so that we would know that he had it, and he said that he could. We said we didn't see how we could trust him unless the fellows he was working for trusted him far enough to put the money in his hands. He said he could get the money actually himself and either have it paid to us or make ar-

rangements satisfactory to us so that we would know we would get it if we did not double cross them. The proceeding from that time was nothing new. There was nothing new in the conversation but what had already been dragged out. But we thought Mr. Pettibone or Mr. Rice could be finally induced to appear and that they could be actually taken into custody. Mr. Ness told us also that he had to take care of Dr. Bartley. We said, of course Dr. Bartley would have to be taken care of and we would not go into any deal that would leave Bartley out and whatever he did to protect us he would have to protect Bartley. And he said he would make the same arrangements to protect Dr. Bartley in the same way. The last of these conversations was on Sunday night about 11 o'clock, as near as I can remember the date. During one of the conversations when Mr. Ness was in Mr. Twichell's room, Representative Stenehem and Mr. Stenvik came to the door of Mr. Twichell's room and looked in and saw Mr. Twichell was engaged with Mr. Ness and myself, and they retired. In keeping up the negotiations in the hope of getting either Mr. Rice or Mr. Pettibone, the snuff bill was, by parliamentary procedure, carried over the session upon Monday. The whole matter of the negotiations had at that time been reported to the Speaker and to a number of members of the House. There were no qualifications or quibblings on the part of Mr. Ness at all as to the fact that we were to receive the \$3,500.00 if we were willing to take that. I all the time kept the position that whatever was offered was not big enough. And the last words I said to Mr. Ness were: "You had better have those fellows think it all over before they make up their minds that the job is not worth an even \$5,000.00., because we are the key to the situation." He says: "I know you are and I have told them that."

Mr. Streeter: Has any member of the House a right to ask a question?

Mr. Speaker: Yes.

Mr. Streeter: I would like to ask the witness to give the names of those members of the legislature who, Mr. Ness said, got the \$6,000.00 last session.

Mr. Speaker: It would be immaterial in this inquiry.

Mr. Streeter: I would like to know who it was.

Mr. Speaker: Does counsel for the defense object?

Mr. Bangs: I do.

Mr. Speaker: Sustained.

Q. In the course of the conversation with Dr. Bartley, did Mr. Ness state any specific sum that Dr. Bartley was to receive?

A. \$1,000.00 was what he said was to be used in taking care of Bartley. That made \$4,500.00, and that they were going to keep the expenses down to \$10,000.00, so that it did not leave a very liberal apportionment to the other fellows. We were getting the cream of it. That was the way he expressed it.

Q. Mr. Divet, in your conversation with Mr. Ness, there was no reservation nor any hold-back to the payment of this money, except that the condition was that the bill should be killed?

A. That was the situation. He says: "You can have your \$3,500.00 and you can trust me because I never did a crooked thing in my life." And I said: "Well that is probably true. I think you are probably straight, but you know this is a ticklish kind of business and we had not ought to be asked to trust even a straight man."

Q. And the whole conversation had refers to the killing of this particular bill?

A. The killing of Senate Bill No. 98.

Q. Otherwise known as the anti-snuff bill?

A. Yes, sir. And he left with Mr. Twichell a number of documents and papers containing arguments to be used in favor of the snuff, and as an argument among the members of the legislature as to why the bill ought to be killed; and putting forth the good points of snuff and the harmlessness of it, among others an analysis by Dr. Frankfurter of the University of Minnesota, some correspondence between Ball, Watson, Young & Lawrence and the professor of chemistry at the University of Minnesota—I am not identifying that as original correspondence, but what purports to be copies of that; correspondence from a man by the name of Burrows, said to be one of the general counsel of the company. Some of it, as I remember it, was upon the letterhead of the American Tobacco Company, and the Copenhagen Snuff Company.

Q. At any time during your conversation with Mr. Ness did he produce any money?

A. No, he did not.

Q. Did he pay you any money?

A. No, he did not.

Q. But he repeatedly assured you he had the money where he could produce it?

A. He did; said he had seen the roll and it almost made him sick to look at it.

CROSS EXAMINATION.

Mr. Bangs: Q. The first conversation you had with Mr. Ness was on Saturday?

A. Saturday.

Q. What time on Saturday was the first conversation?

A. Well, I am not sure of the time, but I think it was just a little before nine o'clock, because I was in the room of Mr. Ellsworth talking with Mr. Green, when Mr. Twichell came and called me out of the room, and I know that was shortly after nine o'clock or shortly after supper time.

Q. I was going to ask you whether that was nine o'clock in the morning or at night.

A. In the evening.

Q. And that was the first conversation that you had with Ness, of course?

A. The first time I had ever met him.

Q. When this conversation came up with respect to this matter with Mr. Ness, was it a new matter to you or had you heard of it before?

A. I had heard of it just a few minutes before when Mr. Twichell told me what was on.

Q. Mr. Twichell had told you there was something of that kind on?

A. Just a minute or so before. When I say it was a new matter with me, the matter of talk of bribery of members of the legislature was not a new matter, but it was new matter that I was to be approached in regard to it.

Q. You had heard talk of bribery of the legislature prior to that time?

A. I had—a great deal of it.

Q. You do not blame all of that to this session or this bill?

A. No, I was not referring particularly to either this bill or this session in that answer.

Q. And this thing on Saturday night was the first time that you understood that there was a deal on to capture Pettibone and Rice?

A. Well, I did not know about the Pettibone and Rice matter until after I had been in conversation with Mr. Ness.

Q. When you first went into that room with the expectation that Ness was to approach you, you went there at that time for the purpose of having him approach you in order that he might be reported to the House?

A. I did.

Q. And when you went there in order that he could approach you, that it might be reported to the House, the purpose was to secure some one else besides Mr. Ness, wasn't it?

A. I did not have any purpose developed at that time. I had heard this talk about bribery and when I got a chance to learn about it first-hand I thought it was probably a good time to see what I could learn about it. I thought that perhaps I could make use of any information I could get although at that time I did not know anything about who was involved. Didn't know who Mr. Ness was. He says he met me before, but I have no recollection of it. Never heard of Mr. Pettibone in connection with it, and never heard of Mr. Rice in connection with it.

Q. You had not heard of Mr. Pettibone in connection with the snuff bill until Mr. Ness brought it up?

A. No, sir.

Q. And you never heard of Mr. Rice, and I don't suppose you had heard anything of Mr. Murphy?

A. I would not say that I had not heard anything of Mr. Murphy in connection with it. I had, but not on any such proposition as this.

Q. This Saturday night that you went to Mr. Twichell's room, was there anything there to drink? Was there anything drunk by Mr. Ness while you were there? Do you know at this time, or can you remember, whether Mr. Ness showed any evidence of intoxication at that time?

A. He did not. He was very keen in his reasoning and made a very good argument.

Q. He and Mr. Twichell were both sober?

A. Very sober. No indication of anything but soberness at all.

Q. And the conversation was carried on that in a particularly sober manner?

A. Absolutely. I had not the remotest reason to think that either of them had been drinking at all, and as I say, Mr. Ness' argument and conversation was very keen and clear cut; the arguments that he advanced showed him to be in possession of all his reasoning faculties and to have plenty of them.

Q. That is the highest compliment I have ever heard paid Mr. Ness. Did you see any evidence there of there having been any whiskey? Was there any whiskey bottles or glasses in the room?

Mr. Buck: Objected to as immaterial and not proper cross examination.

Mr. Speaker: Overruled.

A. In Mr. Twichell's room?

Q. Yes.

A. No, the only drinking I saw in Mr. Twichell's room was when Mr. Berndt Anderson was in there. He and Mr. Twichell drank a bottle of beer. That is all the liquor that I saw in Mr. Twichell's room. (Laughter.)

Mr. Speaker: The House will be in order and the sergeant at arms will maintain order.

Q. During any of this conversation that you had with Mr. Ness did he show any indications of being intoxicated?

A. He did not; nothing to indicate that he was intoxicated in any way.

Q. When he first spoke to you of Mr. Pettibone, did that matter come to you with surprise—the information that Pettibone was interested in the snuff bill, or had there been some lurking suspicion in your mind before that?

A. It did not come to me with surprise or otherwise because, while everybody else seems to know Mr. Pettibone, I did not know him, never saw him, and don't remember having heard of him until this matter came up. Everybody else seems to know him. Had not the remotest idea of who Mr. Pettibone was to start with. An entire stranger to my memory.

Q. The first conversation with respect to the snuff bill, as I understand it, was brought up by Mr. Twichell?

A. No, I think you misunderstood me. Ness said: "I am here to talk about the snuff proposition; for the snuff bill." There was a little awkward pause after we were introduced, and my recollection is that he said he wanted to talk about the snuff bill, and then started in on the legitimate features of the snuff bill and telling us why this bill ought to be killed, in a general way, and so on. And he discussed the chemical ingredients of the product itself; told me how much cocaine was used in the United States and all about that proposition, and used a number of chemical terms which I do not remember and did not understand at the time.

Q. But the first conversation in regard to the payment of any money was at the suggestion of Mr. Twichell, was it not?

A. No, I do not think so; it kind of wove right in together. He began to talk about fixing it, and about getting the bill killed, and it came up in that way; the conversation back and forth between him and Mr. Twichell, leading right up through the chemical matter to the matter of killing it, and that they were willing to invest \$10,000.00 to kill it.

Q. I understand that the first mention of \$10,000.00 was after you and Twichell had talked about raising your fee to \$5,000.00?

A. I would not be positive at just what stage of the questioning that matter came up, but I think the matter of the amount being limited to \$10,000.00 was after the question came up about raising ours to \$5,000.00.

Q. Now, as I recollect your statement—I may be mistaken—but the suggestion came from Mr. Twichell that there was something in the deal—in that conversation that was had with you and in your presence. Can you tell us again just how the matter came up to the point where Mr. Ness mentioned the fact that there was any opportunity for any one to get any money out of it?

.. It is very hard to draw a line on just where that came up. The conversation drifted so naturally into it, he being anxious to get to it and not being discouraged at all by not getting to it upon our part, and in the first conversation—I have that distinctly in mind—he came to the matter of the \$3,000.00 that they were willing to pay, in the first conversation; the \$500.00 raise came afterwards.

Q. Then his talk with you was that there was someone

somewhere that had \$3,000.00 that they were willing to pay if the snuff bill could be killed?

A. Yes, he mentioned it as "they" and "he" two or three times and then finally Mr. Pettibone's name was mentioned, and I wanted to know who he was.

Q. In the first place it was simply some person unnamed?

A. Yes, sir.

Q. His talk about bringing \$3,000.00 to you and Mr. Twichell was in answer to suggestions made by either you or Mr. Twichell, was it not?

A. The matter of bringing it was in answer to the suggestion that a man ought to see the money and know that he had it before he was expected to do anything.

Q. And he was going to bring that roll that he had seen and see what effect it would have on you and Mr. Twichell?

A. Yes, or rather have Mr. Pettibone bring it.

Q. You never had any conversation with Mr. Pettibone?

A. Never had; don't know who he is.

Q. Mr. Ness never did bring any of the money?

A. Never did.

Q. Was there any arrangement between you that he should bring it at any particular time?

A. Not at any particular time but he was to see Mr. Pettibone and get it, and bring it to us and show it to use. That was about the extent of the money at that time. He was to bring it to us and show it to us to convince us of his good faith and that he was trustworthy. That is what we wanted. That is why we had the arrangement with Attorney General Zuger; if anybody had appeared with the money the door was going to be locked, the key thrown over the transom and the telephone used.

Q. Now after the arrangement was made by which Mr. Ness was to get the money and appear with it and to go through all of these details, locking the door and throwing the key over the transom, did you see Mr. Ness again?

A. Yes, saw him again. He made some excuses for not producing the money. On Sunday he made the excuse that Pettibone had placed the money in the vault or some place; that he could not get it upon Sunday and it would be absolutely impossible to produce the money until Monday.

That escaped me in telling the story before. And it was utterly impossible to get the money on Sunday night.

Q. Now on Monday did you see him?

A. No, he did not show up on Monday at all.

Q. You did not see him again after Sunday?

A. Not to talk to him; saw him on the street.

Q. There was no opportunity for him to present the money?

A. No.

Q. When was this complaint made, Mr. Divet, on Monday?

A. No, I think it was on Tuesday morning. Monday we jockeyed the bill over by certain parliamentary proceedings here in the House.

Q. It was referred back to the committee?

A. Forgot what was done with it. We got into general orders or something—

Q. You say jockeyed it?

A. That was the term I used. We raised a certain parliamentary situation here that prevented the final vote coming on that bill on Monday; that is the way I wish to express it.

Q. Was the purpose of that jockeying that the bill could not be brought to vote until you had an opportunity to make a complaint?

A. No, the purpose was to set off final action upon the bill in the hope that in the meantime, in response to the proposition to present the money that we would succeed in getting the man with the money before Tuesday morning, that was the absolute purpose of it, and in explanation of that Mr. Twichell told me that he had a telephone message from Mr. Ness saying to hold off because they could not get around during the forenoon of Monday.

Q. From the conversation you had with Mr. Twichell, did it occur to you that he was carrying on the negotiations before you were brought in?

Mr. Buck: Objected to as a conclusion and not proper cross examination.

Mr. Speaker: I would think it would be proper cross-examination. The witness has testified to having gone in there in response to an invitation by Mr. Twichell.

A. Not that he was carrying on negotiations but that he had been approached with the proposition to enter upon negotiations and that he would not do it alone.

Q. And there was nothing said by him to you as to whom he was after, as to who it was that he wanted to trap in these negotiations that were being carried on?

A. Nothing at all, but in answer to your question as to the negotiations that Mr. Twichell had had, I want to explain that fully. Mr. Twichell told me at that time that Mr. Ness had jumped him in the first place in regard to one of the liquor inspection of druggist permit bills, and started the matter by referring to that, and he told him to go to hell, that the bill was no good and that he was against it, and departed from him. And then he said Mr. Ness came to him and said, "You don't understand me right in regard to that. It is the snuff bill I am really after." And then Twichell says, "I am not going to talk with any son of a bitch alone."

Q. So you insisted on there always being three of you together. (Laughter.)

A. We insisted upon talking to nobody about it unless we were together.

Q. Always insisted that you and Mr. Twichell should be present whenever you talked to Mr. Ness?

A. Yes.

Q. How soon was it that you and Twichell started in with your negotiations with the intention of trapping Pettibone?

A. We did not start our negotiations with the intention of entrapping Pettibone because I had never heard of him at that time. But we started in on the proposition three-quarters or perhaps an hour after this talk I had with Twichell. I don't mean to be understood as measuring hours and minutes accurately, but it was that same evening.

Q. There came a time when you and Twichell had it in your minds that you were going to catch Pettibone?

A. We were going to catch somebody, and the Pettibone matter was disclosed by Mr. Ness' statement. That was the first time I ever remember hearing of Pettibone.

Q. What I am trying to get at is, it was some time during this first evening's conversation with Ness, a fairly well

devised plan to catch Pettibone, that is, his name had been spoken?

A. Yes, sir.

Q. And from that time on he was the man that you expected to catch?

A. He and Mr. Rice; primarily Rice. Mr. Rice first, Mr. Pettibone second, and Mr. Ness last.

Q. In all of your conversation with Mr. Ness, that talk, as I gather it from your testimony, was that Ness was simply a go-between; he was simply coming to you and then going back and talking with some one else?

A. Yes, sir; representing himself as having authority to talk for some one else.

Q. He was not representing himself as a representative of the American Tobacco or the Copenhagen Snuff Company, but simply as a mouthpiece for Mr. Rice and Mr. Pettibone?

A. No, that he was one of the representatives of the snuff company.

Q. Absolutely as being one of the representatives of the snuff company?

A. Really thought he was the main spoke in the wheel for the last couple of days before that, telling us how he had convinced Mr. Rice that he was the proper man to do business with, and that Mr. Rice had told him, in response to his questions that he guessed he was right; that he was getting further along on the men than any of the fellows that had been at the head of the hing before, and that he was in direct communication with Mr. Rice; and he had telegraphed Mr. Rice. And the next day told us that in response to the telegram Mr. Rice came in from Fargo on the train that got in at about 11 o'clock and went out on the train that goes out about 3 o'clock, and that he had had a conversation with him in regard to the matter in addition to a conversation with Mr. Pettibone.

Q. Did he tell you what his conversation with Rice was?

A. Yes, sir.

Q. What was that?

A. It was to the effect that he had told Mr. Rice that he was going to be able to get Twichell and I and that the other fellows had not been able to get up even within talk-

ing distance of us. That was the effect of it; and that he went over the matter with Mr. Rice and told him he was going to be able to approach us and also Dr. Bartley, and Mr. Rice had said, "Yes, you are doing us more good than either Murphy or Sullivan has." And that Mr. Rice, in effect, could rely a great deal upon him, although Pettibone was the actual custodian of this roll.

Q. I was just going to ask you if it didn't occur to you that there was some mistake when Mr. Ness himself was not able to handle the money, if he was in active charge and representing the company; did it not occur to you somewhat queer that he himself did not have the money?

A. I do not know exactly what would constitute queerness in this kind of a deal. I was looking for information rather than speculating upon queerness.

Q. You have been practicing law for a good many years, Mr. Divet?

A. Yes, sir.

Q. You do not deal entirely with saints and angels in the practice of law?

A. Only so far as I deal with my brother lawyers. (Laughter.)

Q. So that you use your mind, of course, in determining these different things, and it would be natural to your mind, would it not, that if Mr. Ness was the direct representative of the tobacco company that he would have been able to produce the money that he claimed he could produce?

A. Yes, and I really thought he was going to produce it and I was prepared to have it produced.

Q. And what was it he said they wanted you to do for the money?

A. To kill the bill. And he insisted that we should not expect any money unless we really killed it; that effort was not enough; we had to do business.

Q. This was not for you to try to do something. It was really to do it?

A. It was really to do it, although, mind you, I was disputing upon that point all the time. As I stated to you before, I was arguing that that was not the proper basis upon which to retain a legislative attorney.

Q. It is hardly a proper basis to retain any attorney.

Can you remember any conversation you had with Mr. Ness regarding this snuff bill, No. 98, other than that which you have recounted?

A. I told you it was four separate occasions and I have recounted generally all occurrences and talk as it went along. Now, to go back in this narrative, I cannot pick out, without staring at the beginning and keeping in mind the sequences of the thing, what occurred in this conversation or that conversation.

Q. No. Was anything said further looking toward the bribery of Mr. Twichell or you or any other member of the legislature? Was there any other offer made?

A. Yes, there was much.

Q. That you can tell at this time?

A. If it is proper to be told. Mr. Ness told us the names of the members of the legislature of both houses that he claimed were involved in the matter, which I don't propose to tell unless it is a rule of the House that it should be told.

Mr. Streeter: I would ask that the witness be requested to name the members of the House mentioned by Mr. Ness in this conversation.

Mr. Speaker: It is moved and seconded that the witness be requested to name the members of the House mentioned by Mr. Ness in his conversation.

Which motion prevailed.

A. He also named Senator Hookway, and he said he was to get \$1,000.00 whether the bill went through or not, because he had been right from the beginning; that Mr. Thompson got \$500.00. He mentioned Hans Miller, but did not give any definite amount as to him. He mentioned Mr. Ryan, and said he was to get some money. He mentioned Mr. Taylor; all of these being mentioned in the connection that they were to get money. He then mentioned as being right on the proposition, Mr. Norheim, Mr. Stenehjem; and there were two or three others, but their names don't occur to me now.

Mr. Streeter: I would like to ask the witness whether Mr. Ness mentioned at that time why he picked out these two particular members of the House to approach; whether it was because he thought they were the most influential members or whether he thought they were the most easily approached.

A. He said that we were generally recognized as being

engaged in the pushing of the snuff bill; that we were the key to the situation; that the bill could not be defeated over our opposition; and that we had been so active in support of the bill that if it was to be defeated at all it required our co-operation. Does that answer your question, Mr. Streeter?

Mr. Streeter: Yes, sir.

Mr. O'Connor, of Grand Forks County: I will ask the witness to name the parties that received this \$6,000.00 two years ago. If these members are on the floor of this House at this time they are not fit to act as jurymen in this case and we might as well dismiss the case as a farce.

Mr. Speaker: The propriety of the question has been overruled once.

Mr. Streeter: I move that it be the sense of the House that these names be stated.

Mr. Bangs: I won't take but a minute. I want to say just a word in this regard. We are trying this man for contempt of this House. We are not trying any member of this House or any other house or any other previous legislature. At any time it is desired to try any member of the House for anything it is very easy to get the names from Mr. Divet and Mr. Twichell because they were present. Now, so far as the statement made by the gentleman from Grand Forks that the men are unfit to sit upon the floor of this House, it seems to me that is going too far. Are you going to say that because Ben Ness said that some man two years ago received \$6,000.00, that that man is unfit to sit in the legislature? You have heard now some of the names of the men, who, it is claimed, were mentioned by Ben Ness. Does the mention of these names by Ness brand them as men unfit to sit with you on the floor of this House? Are you going to decide by your vote that the crazy ramblings and talk of Ben Ness with L. L. Twichell and Guy Divet is to decide whether a man is entitled to a seat in this legislature? If so, then any drunken, idiotic fool can enter into a conspiracy with some member of this House and go to his room and furnish names of members of this House as men who accepted bribes and who are unfit to sit in this House. Leave this question out of it now, and then if you want to call the members of this House before you who have received money from Mr. Ness, do so, but don't throw out a drag net and try all of these questions in this one contempt case.

Mr. Thompson: I rise to a point of order. It appears

from the cross examination of the witness, Mr. Divet, that my name has been injected into the testimony as one of those who has received money from Mr. Ness for my vote, to kill Senate Bill No. 98—the snuff bill. I wish to make a statement and I demand that the committee clear my name from any taint that may be reflected upon my character by reason of my name being mentioned in the testimony. I wish to say that I have had but one conversation with the gentleman, Ben Ness, during the past ten days and in that conversation there was absolutely no statement made in regard to this snuff bill, either directly or indirectly. I wish to say further that no man has ever approached me in regard to this snuff bill, nor have I been offered one dollar during all my legislative experience to affect my vote upon any question that has ever come before me as a member of the legislature or a member of this assembly, or two years ago. And I believe it is only fair to myself, and to the other members whose names have been injected into this proceeding by hearsay testimony, to have an opportunity to clear ourselves from any statements made by Ben Ness, and to clear our names and our characters from any feeling against us, because our names will go out in the testimony in newspapers, and just because our names are mentioned there is bound to be a taint which will stigmatize us because of that fact, and I believe we should have an opportunity to clear our names of that taint.

Mr. Streeter: I voted against the snuff bill because I did not believe it was a good bill. I would vote against it tomorrow for the same reason, and for that reason we who voted against it are under suspicion more than any one else, and if any of us accepted money, I want to see it come out; the power of this House is unquestioned and if we see fit to ask for the names of those who accepted this \$6,000.00 two years ago; if any rumor attaches to me I want it to come out right now.

Mr. Speaker: The chair wishes to make a statement. In the Chair's opinion it is altogether improper that the names of the members mentioned by the accused be brought out, but they have been brought out by the will of the House, and now there is a motion to bring out the other names. It doesn't at all follow that because this accused mentioned these names to these parties that he is telling the truth; that is another matter entirely. Incidentally I might say to you that, from information I have, no other member of the House was mentioned, of two years ago, not a member of the House at all. However,

The motion is that the witness be required to give the

names of those mentioned by Ness in the conversation with him as having accepted money two years ago.

Which motion prevailed.

Mr. Ryan: I demand the same privilege as Mr. Thompson. My name has been brought before the House and I feel it an honor to be one of the pushers. I believe this is the first time that I have been before this House on any bill and having no motive at heart, I want to say that Mr. Ness has never come to me on this proposition. I have met Mr. Ness and I know him personally, and I have known him in land deals; and I believe he has wild motives of high finance, and when I heard of this proposition that is before the House I thought it was one of the same fanatic streaks that he generally took in talking to me about these deals. And I want this investigated. I want to say here, now, that I am perhaps the youngest man in this House and I never have had my name brought up in any such a deal as this. My name has never been tainted and I never have been mixed up in a proceeding of this kind or any kind that reflected upon my good name. I want it understood before this Assembly. And in behalf of the rest of the members whose names have been mentioned I wish that every name connected with this shall be disclosed the same as ours and that we will have the same privilege of investigation.

Mr. Doyle, of McIntosh: I ask for a division.

Upon the division the motion prevailed.

Mr. Owens: It is now past the noon hour and before a motion to adjourn is put I wish to make a motion. It appears that this hearing is going to be lengthy and in order to get the proceedings in the Journal tomorrow it will be necessary to work more than one shift of stenographers. Therefore, I move you, Mr. Speaker—

Mr. Streeter: I rise to a point of order.

Mr. Speaker: The chairman of the committee of management of this proceeding is about to make a motion for something concerning the procedure, which is very proper.

Mr. Owens: I move you, Mr. Speaker, that two stenographers be appointed by this House, the court stenographer of this district, Mr. Wattam, who is now taking the testimony and one of the court stenographers of the Supreme Court, Mr. I. M. Oseth—he is stenographer for Judge Bruce—that these two be employed for this House to work in two shifts in taking this testimony. The reason why I

make this motion at this time is that the stenographers may transcribe this record and get it in the hands of the printers so that it may be printed in the journal of tomorrow, so that you may have the records before you as we proceed.

Which motion prevailed.

Mr. Buck: I move you that we take a recess until 1 o'clock.

Mr. Speaker: The question has not yet been answered by the witness.

A. The two members of the Legislature that were mentioned to us as having received money at the last session are Senator Hookway, said to have received \$1,000.00, and Senator LaMoure, said to have received \$1,200.00. No other members of the Legislature were mentioned to us as having participated in the division of the fund two years ago.

Mr. Streeter: I move we adjourn.

Mr. Sorlie: I believe the motion of the gentleman from Emmons was to adjourn. I move we take a recess and we can get to work on this before two o'clock.

Mr. Streeter: I will withdraw the motion.

Mr. Sorlie: I move we take a recess until 1 o'clock.

Mr. Thompson: We will only have fifty minutes and this restaurant down here cannot accommodate all of us in that time; I move an amendment that we take a recess until 1:30.

Which motion prevailed.

The question being on the original motion as amended, that the recess be taken until 1:30 P. M.

The motion prevailed.

The House being called to order at 1:30 P. M.

Speaker Fraine in the chair.

A. G. Divet on the stand.

I. Marcus Oseth, of Bismarck, N. D., sworn as the official reporter.

Representative A. M. Thompson: Mr. Speaker.

Mr. Speaker: The gentleman from Ward.

Mr. Thompson: I rise to a question of personal privilege.

Mr. Speaker: State your question.

Mr. Thompson: I have prepared an affidavit in regard to the statement made by the witness on the stand this morning, and which, as I understand, was copied into the record. On the question of personal privilege I would like to have Mr. Speaker take my oath on this affidavit. (Mr. Thompson hands paper to Speaker.)

Mr. Thompson was then sworn by the Speaker as to the truth of the matters stated in the affidavit.

Mr. Thompson: I would like to have the affidavit read into the record.

Mr. Speaker: It will be read; it will be made a part of the record. (Speaker reads affidavit.)

Affidavit of Mr. A. M. Thompson:

“To the Honorable Speaker and Members of the Thirteenth Legislative Assembly:

“On the question of personal privilege, I wish to submit the following sworn statement:

“State of North Dakota, County of Burleigh—ss.

“A. M. Thompson, being first duly sworn on his oath, deposes and says, that he is a member of the Thirteenth Legislative Assembly from the Twenty-ninth District, and that he makes this affidavit on the question of personal privilege by reason of the hearsay statement injected into the record in the case of House of Representatives vs. Ben Ness.

“This affidavit says: That he has at no time had any conversation with the defendant, Ben Ness, relating to Senate Bill No. 98, otherwise known as the Snuff Bill; that he has not received any money or things of value or had any inducements made to him while a member of this Legislative Assembly or the Twelfth Legislative Assembly for his influence toward the support of any measure or for his vote upon any bill or question coming before either of said Assemblies.

“Affiant further says: That he is in favor of a full investigation of all the facts surrounding the bribery charges on Senate Bill No. 98, for the purpose of vindicating the members of this House whose names have been injected into the record on hearsay statements made by the defendant, Ben Ness.

“A. M. THOMPSON.

"Subscribed and sworn to before me this 27th day of February, 1913.

"J. H. FRAINE,
"Speaker House of Representatives."

Member: I move that the affidavit be made a part of the record in this case.

The Speaker: It will be made a part of the record. The chair will make this statement at this time: Unfortunately the examination by the action of the House, not by the ruling of the Speaker, has taken the shape where the names of others have been introduced into this hearing. These matters were irrelevant and immaterial; they in no way affected the merits of this case; the reflection upon various members mentioned, upon the testimony of statements made by Ben Ness, were unjust in the extreme to the members mentioned. There is one question in this case at this time, and one only. And that is, did this accused make the offer to the members of this Legislative Assembly as he is charged. No other matters have anything to do with this case. It is on this assumption that the chair will rule at all times. Proceed, gentlemen.

Examination by Mr. Tracy R. Bangs:

Q. I ask you, then, Mr. Divet, after the statement as just made by the Speaker—I will ask you to relate to this House at this time just every word and statement that was made to you without any of the extrinsic, but just the proposition that was made by Mr. Ness to you or to you and Mr. Twichell, in his own language, as near as you can do so, relative to this proposition.

A. It probably was repeated three or four different times with slight and ordinary variations. One was, you can have \$3,000.00 in cash the minute the bill is killed, to be delivered either to you or Mr. Twichell, when he was speaking to me, or to yourself and Mr. Divet, when he was speaking to Mr. Twichell, as you folks may determine. The offer to be of \$3,000.00 to the two of us together. Then afterwards the same proposition was to pay us jointly, to be turned over to either one of us, that we should agree upon, the sum of \$3,500.00. That if a satisfactory arrangement could be made to deposit that amount with some discrete person, that that would be a better way to handle it, and asked if we suggest any other way in which it could be handled.

Q. Now, in respect to these names. I will take, for instance, the name of Mr. Thompson. Do you remember who first mentioned Mr. Thompson's name?

A. Yes.

Q. Was it Mr. Ness?

A. It was.

Q. Did Mr. Ness first mention Mr. Miller's name?

A. He did.

Q. Was there not a conversation had at that time between you and Mr. Twichell and Mr. Ness, in which you and Mr. Twichell, or both of you, in talking with Mr. Ness, mentioned the name of Mr. Thompson, Mr. Miller and Mr. Taylor, as men who had been interested in killing this snuff bill?

A. It is not a fact; it did not come up in that way.

Q. Were not the names of Senator Hookway and Senator LaMoure suggested to Mr. Ness by either you or Mr. Twichell before the mention of their names?

A. No, sir.

Mr. Bangs: That is all.

RE-DIRECT EXAMINATION.

By Mr. Buck:

Q. Mr. Divet, was the name of C. R. Waddle ever mentioned in connection with the matter?

A. I do not recognize that name; I do not recollect ever having heard it. It was not mentioned in my hearing, or if it was, I do not recollect it. I have no recollection of ever hearing that name.

Q. This so-called snuff bill, Senate Bill No. 98, was still pending in the House of Representatives at the time these negotiations were going on?

A. It was.

Q. There had been no final action on it?

A. There had not.

Mr. Buck: That is all.

Mr. Speaker: The witness may step down. Call your next witness.

Mr. L. L. Twichell was called as a witness on behalf of the prosecution, duly sworn and testified as follows:

Direct examination by Mr. Buck:

Q. Mr. Twichell, you may state your full name, your age and your residence.

A. My name is L. Lathrop Twichell. My residence is Fargo. I am forty years of age.

Q. What, if any official position in the State of North Dakota do you now hold at the present time?

A. I am a member of the House of Representatives of the Thirteenth Legislative Assembly, State of North Dakota.

Q. From what district do you come?

A. From the Ninth District.

Q. Have you been in the City of Bismarck attending the Session of the House of Representatives since its opening in January, 1913?

A. I have, with the exception of one adjournment.

Q. Where do you reside in the City of Bismarck?

A. At the Grand Pacific Hotel, Room 231.

Q. Have you resided there all the time during your attendance here?

A. I have.

Q. Are you acquainted with the accused, Ben Ness?

A. I am.

Q. When did you first become acquainted with him?

A. I first saw him probably ten days ago.

Q. Where did you first meet him?

A. In the McKenzie Hotel. I don't think that I ever was introduced to him. He came up and spoke to me and shook hands.

Q. Call you by name?

A. He did not. I will say that I met him several times and that he always called me Mr. Streeter; and the night that I met him, when he made this proposition to me, he spoke to me as Mr. Streeter. I told him I didn't object to being called Mr. Streeter, but I would not like to have anyone think that I had been up here four sessions of the Legislature.

Q. Have you had any other conversations with Mr. Ness relative to Senate Bill No. 98?

A. I have.

Q. When was the first conversation that you had with him?

A. Last Saturday.

Q. The 22nd day of February?

A. Yes, sir, if that is the date.

Q. Where did you have this conversation?

A. In the McKenzie Hotel.

Q. What were the circumstances under which this conversation took place?

A. I went up to Mr. Miller and Mr. Taylor's room, or room number 400. There were quite a few of us that would drop in there once in a while. I went up and Mr. Miller was not there, but Mr. Taylor was there.

Q. Was Mr. Ness there?

A. Mr. Ness—I went into the room and I think Mr. Ness came out of the bath room.

Q. Just as you went in there?

A. Just as I went in. That is, he was in the bath room when I came in, and walked out into the main room.

Q. When was that?

A. Last Saturday night, a little after seven o'clock, I should say, between seven and eight.

Q. Did you have any conversation with him with reference to this so-called snuff bill at that time?

A. Not at that time. We sat down there and talked with Mr. Taylor, and Mr. Taylor went out and I would not be positive as to how the subject came up. Anyway, the druggist permit question came up and Ness wanted to know how I was on that. I said, I am against it. I said it was just an excuse of the druggists to work against prohibition; I said: all you fellows want is a chance to prejudice the prohibition law and sell a little whiskey in this state. I thought no man who has a permit in this state is benefitted by it if he lives up to the law. We talked a little over that. There were a couple of bottles of beer standing on the table. I drank two glasses of beer; he appeared a little incensed at what I

had said about the prohibition proposition, and I went down stairs. I had probably been down stairs three or four minutes when he came and suggested that he wanted to see me. He took me up stairs again. He took me in the room. I don't know whether it was his room or not. It was on the second or third floor. He started talking about the snuff proposition, that he was interested in that and was lobbying on it. I had amended the bill in the House here by putting in a definition that we thought would reach the snuff. He talked to me first about the snuff being all right and not being injurious or anything of that kind, and I laughed at that and told him what Professor Ladd had said to me about it. He said, well now, you know, there has been somebody up here working on that snuff proposition. He said, do you know there has been a man up here named D. E. Rice, and another named Peterson, and a fellow by the name of Burrows. He said, do you know what other attorneys they have? I said no. He said Charlie Murphy of Grand Forks and Mr. Sullivan of Mandan. He said, there's some money in this, and if there is you have been active in this and it looks as if you are the only fellow that can kill the bill, as you made the amendment and suggested the definition. I said, what do they propose to do? He said, they propose to do it, and they have the money to do it with. I said, where is Mr. Rice? He said, in Fargo, he left here about two o'clock; I wired him this afternoon and he will be up on the night train. Well, I said, now if you are going to take me in on a proposition of that kind you will have to take Mr. Divet in on it; and any conversation on the proposition will have to be held over in the Grand Pacific Hotel. I said, I will go and see Divet. He assured us that Mr. Rice was going to be up that night. I went over to the hotel and looked for Mr. Divet. I found out that Mr. Divet was in Judge Ellsworth's room. I went to him and called him out and told him what was up; that these fellows were showing their hands in the lobby against the snuff bill, and wanted to come across with some money to himself and me. I could not say whether he called me up. I think he called me up, and he came over to my room and Mr. Divet and I were there together. He came in and I introduced them, and I said, tell Mr. Divet what the proposition is, and he kind of hesitated and I said, what are you here for. He had talked in the meantime about what snuff was made out of, and all that, and had a piece of paper in his pocket that he took out and read us a chemical analysis of snuff, and some more statements. I said something to him or asked whether snuff had any cocaine in it, and he said that it did not. Then I told

him what Professor Ladd had told me, and how Professor Ladd had told me that the snuff was made, and he ridiculed the idea. He finally got around to the proposition of making a deal with us. I don't remember just the words that he used, but he said that they had this money and they wanted to kill the bill; that Mr. Divet and I were the only two that could kill the bill, because we had been active for it and they would not suspect us. There was some talk as to what money he thought we ought to get. He suggested that he thought we could get \$3,000.00; he would see Mr. Rice. He knew they were willing to spend \$10,000.00. He left there that night and was to see us in the morning. We gave him to understand that the only place to see us was in my room or Mr. Divet's, with both of us present. He came over in the morning. He said Rice had been there and he had sent this telegram, signing it 'second floor, McKenzie Hotel.' That he had sent this telegram, but that when he came he went into the hotel and he shot up stairs and went to Pettibone's room. I think he said Pettibone's room was on the second floor. Within two or three minutes after that Rice called him up on the telephone and they went to Pettibone's or Rice's room and talked for an hour and a half on the proposition of how they should handle the matter. Rice told him or stated that Mr. Pettibone was the man that would have the money; that he had the money, and that if he could go and fix it with Divet and I the money would be forthcoming. Mr. Ness said that Mr. Rice got in here five minutes of twelve and that he left on the morning train. It leaves here some time around three o'clock. He went back to Fargo. He said he thought it was safer to stay in Fargo. When Ness came over the next morning he told us, as I have said, that Rice had left and the money was with Pettibone. He immediately started talking about the proposition and whether Mr. Pettibone would come over and show us the matter was in good faith. There was some other conversation with respect to how much we were to get. We never made any figures, and Ness finally raised the figures, or he said, there would not be any question but what they would give \$3,500.00. That was the first conversation we had Sunday. He gave me—I don't know whether Mr. Divet was there at the time or not,—he gave me a bunch of papers to be used with the members to dispute the claims that were made that snuff was injurious. He left those with me and he came back in the afternoon and talked to us early in the afternoon, along the same line, and he then raised the definite proposition to \$3,500.00 and stated that it was a question of good faith

on his part with us. We asked if Mr. Pettibone would come over there, and he said that he would go over—that they had talked for probably an hour and a half and he would go over and have Mr. Pettibone over there about four o'clock. He left us and went out of the hotel anyway. In a short time he came back—just a little before four o'clock—and said he had been unable to find Mr. Pettibone, but he could get hold of Mr. Pettibone later in the evening. We made another appointment. He talked a little then. We made another appointment with him in the evening, for him to get Mr. Pettibone there, I think, at seven o'clock. In the meantime Mr. Divet and myself started or tried to rig up some scheme by which we could get some third party in on it. We figured over a good many schemes. Mr. Divet went into the closet and I remained in the room, and he went in the bath room and I stayed in the room, and I spoke aloud. He could not hear anything. He went out in the hall and had me talk, to see if anybody could hear any conversation that we carried on. We tried to figure out some scheme. Mr. Divet's room is directly above mine. We tried to figure out some scheme to have somebody up in Mr. Divet's room to hear our conversation. We figured that the only way was to bore a hole through his floor. We figured, however, that it would be noticeable. Divet went up and came back with a piece of cloth. We pasted that on the wall and it went very nicely with the plaster. A man would not see it unless he were looking for it particularly. We had it figured out that it would be possible to make this hole through the floor and have three or four other persons up stairs listening to the conversation, if we got Mr. Pettibone over there, or Mr. Rice. We talked on the question of the amount of money that we were to get. I brought up the question as to whether there had been some money paid two years ago. He did not say much about that. When he came back, after he said he had gone over to see Mr. Pettibone, he said they did not pay any \$10,000.00 two years ago, they only paid \$6,000.00. And we were not to expect any more than we were to get. He named the parties that Mr. Divet has named here as having received money from him two years ago, and that one of them, Mr. LaMoure, has received \$1,200.00, and Senator Hookway \$1,000.00. I said, if they have \$10,000 it looks to me as if we ought to get more than \$3,500.00. He said, there are some other members that we have to fix. He said he was going to fix—

The Speaker: Now, you need not mention the name.

Witness, continuing: I want to mention the others—with

respect to certain other members—the other members which were mentioned. I differ a little with Mr. Divet in my recollection. My recollection is that he did not say that Mr. Miller or Mr. Taylor or Mr. Norheim, or any of the other gentlemen got any money, but that they would be right. I did not take his statement as being strictly true, for the reason that I thought the statement was to show us that he had some others besides ourselves that could help us put it through if we went in on the deal. He came over in the evening, at the time that Mr. Pettibone was to come over. Oh, in the evening when he was there, after he had said he had seen Mr. Pettibone, he said: Mr. Pettibone does not want to talk about the money proposition; he has got the money but does not want to talk to you about the money. Mr. Divet asked him if he knew they had the money. He said, yes, they had it, it was all in greenbacks and it made him almost sick when he saw it. Then the proposition came up as to what surety we would have that we would get the money. He said they would put it in the hands of some third person who could deliver it to us. He suggested that it would be all right to leave it with him. We suggested to him that we did not feel sure that they would give it to him. He suggested that Mr. Shea hold the money. I said, not for me, I would just as soon trust you to hold the money as Mr. Shea, so far as I am concerned. In the meantime, in the afternoon, Mr. Anderson was up in the room talking to me about another matter. I said to Mr. Anderson, there is going to be something doing around here. He wanted to know what it was. I said, I cannot tell you. He kind of insisted on knowing. Finally I said, they are trying to get Divet and me on the snuff proposition; and I said, now you want to get out of here because this fellow is just in there telephoning. Mr. Anderson did not get out of there quick enough, and when he went out of the door Mr. Ness came in. At the meeting we had with him that night while we were in there I was lying on the bed and Mr. Divet was at that time doing most of the talking. Somebody rapped on the door and opened it, and Mr. Stenehjem and Mr. Stenevick came part way into the room, and when they saw that we were busy they left. Mr. Stenehjem afterwards told me they had something they wanted to see me about. They saw Mr. Ness in the room at that time. After the conversation—at the conversation Mr. Divet and I had with Mr. Ness that night he stated that they didn't have all of the \$3,500.00, that they would have to get some money out of the bank the next day to make it all up, and for that reason he could not do anything that night; that Mr. Pettibone did not want to come over and that the business would have

to be done with him entirely. I asked him what he was to get out of it. He said he was to get a job with the American Tobacco Company looking after the advertising in either twelve or fifteen states, at a salary of \$200.00 a year. At a conversation with me one of the times he intimated to me that he was to get some money, and he said, I want you to look after it and I will see that you get your share. I said, now Mr. Ness, if we go into this deal what guaranty will we have that Dr. Bartley is to be taken care of?

Mr. Owens: Mr. Speaker.

The Speaker: The gentleman from Williams.

Mr. Owens: It is now approaching the close of the legislative day and I therefor move that we adjourn.

The Speaker: The gentleman from Williams moves that as we are now approaching the close of the legislative day we do now adjourn.

Which motion prevailed.

The Speaker: The House is now adjourned.

FIFTY-SECOND DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 27, 1913.

The House assembled at 2:00 o'clock P. M. pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll call.

All members present.

Present the committee.

Present the accused with his counsel.

Mr. Owens: Mr. Speaker.

The Speaker: The gentleman from Williams.

Mr. Owens: I move you, Mr. Speaker, that the rules be suspended and the regular order of business be dispensed

with and that we proceed with the special order before the House.

Which motion prevailed.

Mr. Twichell on the stand.

Mr. Hendrickson: Mr. Speaker.

The Speaker: The gentleman from Burke.

Mr. Hendrickson: I would suggest that the witness be placed on this side of the stenographer; we can't hear very well on this side.

The Speaker: The convenience of the stenographer requires that he be where he is; this is a hard room in which to be heard; the stenographer this morning complained that he could not hear the members when they made remarks. If the witness will speak as distinctly and as loudly as practicable I think all will be able to hear.

Witness (continuing.) I asked Mr. Ness what guaranty have we that Mr. Martley will be taken care of. He said that Mr. Bartley would be take ncare of. Mr. Bartley would be given one thousand dollars. He said to leave him to take care of that. I went to see Dr. Bartley that same night, and put the matter upto him, and told him that I was going to get Mr. Divet in on it, and for him to stand pat on the proposition. That is, that he was to go on with the deal with the understanding that he was in favor of the killing of the snuff bill. Dr. Bartley and I before this had had several conversations with reference to the snuff bill, by reason of the fact that I had offered the amendment, and that he was chairman of the committee that had it before them for consideration. I had several conversations with Dr. Bartley, some in the presence of Mr. Divet, and some alone. I think I talked to him over in his own room. He was in on the matter, and understood fully what we proposed to do. The question mainly considered by Mr. Ness was how to satisfy us that we were going to get the money, and that the money ought to be paid—put up and put into somebody's hands.

Q. When was the last conversation that you had with Mr. Ness?

A. The last conversation that we had with Mr. Ness was held at five minutes of two, on Monday, over the telephone that reaches this building. I was out in the next room dictating some bill or something of the kind to Miss Pimby. She sat at the table, and within her reach was a tele-

phone. The telephone rang, and she reached over and took up the telephone, and she turned around and said that someone wants to talk to you on the telephone. It was Mr. Ness. He said, that deal is going through all right, you go on and you will get your money.

Q. You recognized Mr. Ness' voice, did you?

A. I recognized his voice. That is the last conversation I had with him.

Q. Have you the papers with you turned over by Mr. Ness?

A. I have. (Witness produces papers.)

Mr. Buck: I ask, Mr. Speaker, that they be marked as an exhibit. (Papers marked Exhibit A by the stenographer for identification.)

Mr. Buck: The witness is shown state's Exhibit A and asked to state what is contained in this package?

A. That package contains the papers that were received from Mr. Ness by me as testified to. It contains a printed manuscript covering the analysis and certain correspondence with respect to snuff, largely from Dr. Abbott of the University of Grand Forks. It also contains some copies of correspondence. The papers are all of and are all the papers I received at that time.

Q. This package contains all the papers you received from Mr. Ness?

A. Yes, sir.

Q. The package has been in your possession ever since?

A. Yes, sir.

Q. You identify this as being the identical package?

A. I do.

Mr. Buck: Exhibit A is offered in evidence.

The Speaker: Submit it to counsel. (Papers handed to counsel for the defense.)

Mr. Buck: Q. Mr. Twichell, was Dr. Bartley present at any of these conversations?

A. I don't think he was. I think that Ness came down and told me in the lobby of the hotel. He said, Dr. Bartley is alright on this proposition. Immediately after he told me that, I saw Dr. Bartley and went up to Dr. Bartley's

room with him and we talked the matter over. I told him that I was going over to get Mr. Divet and get Ness to make this statement before us jointly. The purpose I had in mind at that time was to get this man D. E. Rice.

Q. At any time during your conversation with Mr. Ness was the name of one C. R. Waddles mentioned?

A. It was not.

Q. During all the time that you have recited was Senate Bill No. 98, known as the snuff bill, pending for passage in the House of Representatives?

A. It was.

Q. And had not reached its final reading and passage?

A. No, it was still in this House.

Mr. Bangs: The accused objects to the exhibit as irrelevant and immaterial.

The Speaker: I will overrule the objection.

Mr. Bangs: It seems to me, Mr. Speaker, that if the exhibit is proper that it certainly ought to be presented to the House.

Mr. Speaker: As I understand it this is merely corroborative. I don't understand that the purpose of this exhibit is to incriminate in any way Mr. Ness. I do not know what is in them but I assume, nothing having been said, that it is nothing tending to incriminate in any way this accused, but is offered merely for the purpose of corroborating the statement that the papers were given to them.

Mr. Bangs: Yes, Mr. Speaker, but unless the papers are read so that the House knows what they are the corroboration amounts to nothing. It is like the fellow that killed a snake and offered to prove it by taking me out and showing me the stick that he killed it with.

Mr. Speaker: Rather than take the time to read these papers to the House I will sustain the objection that they are irrelevant and incompetent, and rule them out.

Mr. Owen: It is absolutely unnecessary and uncalled for and has no reference whatever to the merits of this case, and to have all of that matter incorporated in the various instrumnets, printed in the Journal of this House, is unnecessary. The package itself is offered as an exhibit, not the contents of each and every document that might be contained in it. It is offered as corroborative evidence of the statements made before this House.

The Speaker: That is the only purpose that I thought you had in offering them. If counsel insists that they shall be read, rather than have them read and incorporated in the Journal, I shall rule that they are incompetent and irrelevant and rule them out.

Mr. Bangs: It would be necessary for me to read all of these documents before going on with the trial. I could not let them go in without objection and not know what the contents of them are.

The Speaker: This chair will rule that the objection of the counsel for the defendant, that Exhibit A is incompetent and irrelevant, is sustained.

Mr. Buck: You may cross examine.

CROSS EXAMINATION.

By Tracy R. Bangs:

Q. Mr. Twichell, you have known Mr. Ness for some three or four weeks, haven't you?

A. Why, I wouldn't say; I should say it was ten days ago that I first knew who he was; I may have seen him before that.

Q. You have seen him around since the legislature convened, since you have been a member of the House?

A. I have.

Q. Ever play any game with him?

A. No, sir, I have not.

Q. Or been at any game of cards that he was in, some three weeks ago?

A. I don't think so; I don't remember him being in any game I was in.

Q. You had met him, however, so that you knew who he was prior to the time you met him in room No. 400?

A. I had; I knew his name was Ness, and that he had formerly been in the drug business at Devils Lake.

Q. Your conversation was directed to some kind of a druggist's permit bill that was up here?

A. No, that is not the fact. I had met him—usually when I had seen him was in room No. 400, except in the lobby.

Q. You had seen him in room No. 400 previous to this?

A. Oh, yes; probably three or four times.

Q. Had you talked with him about the druggist's permit bill before Saturday evening?

A. Never had.

Q. At the meeting Saturday night, the 22nd of February, you had a conversation with him about the druggist's permit law?

A. I did.

Q. Did he become indignant, or did you?

A. He became indignant because of the way I talked about their purpose in trying to get this law through.

Q. And did you and he have some whiskey there at that time?

A. We did not; that I recollect. I think there was two bottles of beer on the table, one opened and one unopened.

Q. Ins't it a fact that you and he both drank considerable whiskey there that night?

A. It is not.

Q. You think the only thing that either of you drank was beer?

A. I think so; I drank a couple glasses of beer. Mr. Ness may have drunk some whiskey; I don't recollect seeing any whiskey at all. When I came in there was one bottle of beer standing on the table opened, and another one part opened, or partly empty.

Q. As I recollect, your statements to him with respect to the druggist's permit bill were rather caustic, and soon after that you went down into the lobby?

A. That is my statement.

Q. He followed you very soon?

A. Within two or three minutes.

Q. Did you return to this same room No. 400?

A. We returned to his room, some room on the second or third floors, as I recollect it.

Q. You did not go back to room No. 400?

A. No, it was another room. I had an idea it was Mr. Ness' room.

Q. And there you talked about the snuff bill?

A. Yes. My recollection is that the room was back toward the rear end of the hall on the second floor.

Q. That was the first time that you and he had ever spoken to each other about the snuff bill?

A. Absolutely.

Q. That was somewhere between seven and eight o'clock on the evening of February 22nd?

A. Yes, along in the evening.

Q. After you had the talk with him about the snuff bill you talked with Dr. Bartley about what Ness had said to you?

A. Yes, sir.

Q. Was that the same evening as your talk with Ness?

A. Yes, sir.

Q. Did you talk with Dr. Bartley before you did with Mr. Divet?

A. I did.

Q. Had you and Mr. Ness come to any understanding as to the amount of money that he was to pay, before you talked to Dr. Bartley and Mr. Divet?

A. No.

Q. Had there been any mention of any sum?

A. There had not been any mention of any sum except that he was authorized to do business for them.

Q. Did you mention any sum that was to be spent by any company or by any group of persons in the defeat of that bill before you had talked to Divet and Bartley?

A. He may have said that he thought there was \$10,000.00.

Q. You would not be sure as to that?

A. Not as to whether he said that that night or not.

Q. Did he say anything to you on that occasion prior to the time when you and Mr. Divet were together what he wanted you to do?

A. Yes, sir; he wanted me to kill the bill.

Q. Is that the language that he used, that he wanted you to kill the bill?

A. That he wanted me to kill the bill.

Q. Did he suggest to you that he thought you were the proper man to kill the bill—that you were the key to the situation?

A. He said to me that he understood that I was the one that had been pushing the bill through and changed it, and put in the definition, and that if anybody could kill the bill it would be myself.

Q. Did you tell him that you had put in the amendment to the bill in question?

A. As a matter of fact I had put in the original amendment, I do not remember whether I told him or not.

Q. Didn't you tell him so that night?

A. I would not say whether I did or not.

Q. Just go back in your memory and think and see if it is not a fact that before anything was said to you by Mr. Ness you did not yourself say to him that you had offered an amendment to that bill and that you were in a position to be the key to the situation.

A. I did not. The first mention of the key to the situation was by Mr. Divet, the first or second meeting we had.

Q. You remember, however, that you did say something about proposing the amendment to that bill?

A. I do not know that I made such a statement; my impression is that he made it.

Q. You have as fairly clear a recollection, haven't you, as to the statement you made yourself, as you have of those he made?

A. I have.

Q. The question of the amendment came up, didn't it?

A. I think it came up from him; I will swear that it came up from him; that the question came up, I would not say in just what words. He made the statement that I was in a position to kill the bill, if anybody was; that Murphy and Sullivan had been up here and had not been able to do anything; they had exhausted their efforts in trying to kill the full crew bill—that Mr. Murphy had.

Q. So that he had gone home tired out?

A. Not that he had gone home tired out, he did not say that. He said that their efforts were of no avail.

Q. Then you went out and talked to Divet and Bartley?

A. I did.

Q. Bartley was chairman of the committee on public health?

A. He was.

Q. I believe you were asked some questions by Mr. Buck as to some man by the name of Waddles?

A. I was.

Q. You never heard of the name before that was mentioned here this afternoon?

A. No, sir.

Q. You don't know what significance that had in this hearing?

A. I have no idea.

Q. Where did you find Bartley?

A. I first saw Dr. Bartley down in the lobby. My impression is that when Mr. Ness came down Dr. Bartley was there. He did not hear the conversation Ness and I had. When he went down, my recollection is that Bartley was in the lobby. I went to him, and we went up to his room. Bartley had told me before that somebody had been around to him and suggested that he had the name of trying to kill the bill because it was held up in the committee, and told him that he might as well have the game as have the name, so that I knew that Bartley was right on the deal.

Q. When you approached Dr. Bartley, did he say whether or not he knew Ness?

A. He said he knew Ness. In fact, Ness spoke to him just before speaking to me in the lobby.

Q. Did you and Mr. Bartley go to Mr. Divet together, or did you go alone?

A. Alone.

Q. In any of the interviews that you had with Mr. Ness, was Dr. Bartley present?

A. No, he was not.

Q. Well, after you had met Mr. Divet and you and he had made arrangements to meet Mr. Ness later, how was that matter communicated to Mr. Ness?

A. I think I telephoned to Ness, or he called me up. I have forgotten. I have forgotten whether he telephoned me or I him. I went over and told Mr. Divet, and I think Divet came into my room almost immediately, and we waited for Ness.

Q. You are at the Grand Pacific?

A. Yes, sir.

Q. And Mr. Ness was at the McKenzie Hotel?

A. At the McKenzie Hotel.

Q. How soon after you left Mr. Ness was it that you and Mr. Divet and he were over in the Grand Pacific?

A. Less than an hour.

Q. Was it before that interview or in preparation of the Ness interview that you and Mr. Divet made these experiments?

A. That was Sunday, the next day. That was in preparation to get somebody besides Mr. Ness.

Q. Now, when you and Mr. Divet had the interview with Mr. Ness, this matter was again gone into with respect to the money?

A. Again gone into fully.

Q. In fact, that was the first time that a specific sum was mentioned?

A. I do not think that there was any specific sum mentioned that night. That was Sunday morning.

Q. Your recollection is that Saturday evening there was no specific sum mentioned?

A. That was my recollection.

Q. Mr. Divet, you will remember, said that he could not just fix the exact rotation of these conversations.

A. My recollection is that the amount of money was not mentioned until after Mr. Ness said he had seen Mr. Rice, and he saw Mr. Rice that night.

Q. Do you remember the talk in regard to the three thousand dollars, before the thirty-five hundred was mentioned?

A. Yes, sir; I do.

Q. There was talk of that first?

A. There was.

Q. Now, at that or at any time that Mr. Ness was talking with you or Mr. Divet, what did he say? Give as near as you can his conversation, that included his offer to you of any money or other thing of value for your support in killing the bill.

A. He said, they have the money, and I will see that you get it, and the conversation mostly, or a good share of the time, was principally in an effort to convince us that it would be all right to wait for the money until after we did the business.

Q. Now, his first talk with you was to convince you that the snuff, itself, was harmless?

A. That was the first talk.

Q. That was the first talk?

A. Yes, sir.

Q. Then, after you were unconvinced as to its being harmless, did he or you first propose that there might be something in it?

A. He did.

Q. How did he make that proposition?

A. He said he was representing them.

Q. Did he come out coarse that way and say I am representing the American Tobacco Company?

A. He came out about as coarse as he could in respect to this. He did not say anything about money, but he was representing them, and he was here lobbying for them, and that he was supposed to use his efforts to kill the bill. Then he talked about the money, and he thought I might just as well get it.

Q. Who proposed the money matter?

A. He did.

Q. Now, isn't it a matter of fact, Mr. Twichell, that in the conversation that you said to him, I understand there was fifteen thousand dollars spent two years ago to kill this bill; and if they have that much money to spend I would like to get in on it?

A. It is not. I never heard that there was fifteen thousand dollars spent. The most I had heard was ten.

Q. I am not particular about the amount. What I am getting at was that in laying this trap—because that is what it was, wasn't it?

A. The trap was laid when I saw Divet.

Q. What I am getting at is that in laying this trap, didn't you first spring the question of money, yourself?

A. I did not.

Q. Didn't you and Mr. Divet lead Mr. Ness on to a proposition that there might be something in it?

A. He had made the proposition that there was money in it to me, before he had seen Mr. Divet.

Q. He made that proposition when he was talking to you alone?

A. He made that proposition when he was talking to me alone.

Q. Now, you and Divet got together and talked the matter over, and you doubted the fact that he was a representative of the tobacco company, didn't you?

A. Doubt the fact that he represented the tobacco company?

Q. Yes.

A. No, sir; I did not.

Q. There was something said about Mr. Pettibone and Rice not being there?

A. Mr. Pettibone was the man behind the gun. Mr. Ness represented himself as the agent, and we took him to be an agent for the tobacco company, that in this lobbying he was appearing and Mr. Pettibone was keeping under cover?

Q. And Mr. Rice was down near the border?

A. Mr. Rice was carefully staying in Fargo.

Q. Do you remember the conversation that you had in an effort to get Mr. Pettibone to appear, detailed by Mr. Divet?

A. I do.

Q. Now, I would ask you, Mr. Twichell, if it is not a

fact that when Mr. Ness was unable to secure an audience between you and Mr. Divet and Mr. Pettibone, didn't it occur to you that there was something wrong in the matter, and that Mr. Ness had no such position as he claimed to have?

A. When we did not see him Tuesday morning or Monday morning, it occurred to me that—or I thought somebody had told him that Mr. Divet and me were not good fellows to fool with.

Q. Had you been telling people of the play that was going on?

A. We had not. One or two. I told Mr. Anderson something about it. I told Mr. Zuger, and when the matter came where it was in such shape that it appeared that it was ready to be brought before the House, we advised the Speaker.

Q. Now, Ness was drunk, wasn't he, that night?

A. He was not—not at any time that I saw him. He was not drunk that night, or any time that he was over at my room.

Q. Have you ever seen him drunk?

A. I do not think I ever did. I did, too. I saw him drunk one night he came into Mr. Miller's and Mr. Taylor's room and went out, and I thought he was under the influence of liquor.

Q. You don't think at this time of anything else that was said to you by Mr. Ness other than you have related, do you, tending directly towards the question of bribery?

A. I do remember that I went into the bathroom and Mr. Divet was lying on the bed, and he was trying to convince Mr. Divet that it was absolutely safe for him to hold the money for us, and that as a part of his argument he said to Mr. Divet: Nobody ever heard of my doing anything crooked. Didn't I come down here and stand pat all through the Cowan trial?

Q. He said that, did he?

A. He did. And another thing—

Q. This really is not an echo of the Cowan trial, is it?

A. I didn't know it was. I am just telling what occurred. He came to me Sunday afternoon. Mr. Divet was not there. I went out to find Mr. Divet, but he insisted on

talking to me a lot before Mr. Divet came. He said, I have this thing all fixed up. I have convinced these people that you and Mr. Divet can come back here next time, and if they can get you they have a pretty good force to start work with, and that I have today either telephoned or telegraphed some liquor house in St. Paul in respect to this druggist's permit bill, and that with you two fellows we can put a druggist's permit bill through and we can put a joker in it that will provide that they shall not sell anything but bonded liquor. Now, the wholesale houses that do not sell anything but bonded liquor will work for that. We can kill House Bill No. 284 with it. We can use that for killing House Bill No. 284. His reasoning was pretty good.

Q. Mr. Twichell, on this Saturday evening, isn't this a fact, that after you had been drinking there, and leaving out the question of whether it was beer or whiskey, that whatever it was the supply had become exhausted, and you were looking for more, and that you looked in some of the bureau drawers there, and presently Mr. Ness went out and got another bottle and brought it back, and you and he drank some more together?

A. No, not when I was in there.

Q. And that it was after you had drank more out of this second bottle that the suggestion was made by you to him that there was a good deal of money floating around on the snuff proposition?

A. The first time we drank nothing but beer. I drank part of a bottle and a half of beer, two glasses. Afterwards when Mr. Ness took me up to his room, he had a bottle of whiskey. I think I took one small drink of whiskey.

Mr. Bangs: That is all.

RE-DIRECT EXAMINATION.

By Mr. Buck.

Q. Mr. Twichell, in your direct examination you made mention of the sum of two hundred dollars per year that Mr. Ness was to receive.

A. Two hundred dollars a month.

Member: Mr. Speaker.

The Speaker: The gentleman from Ward.

Member: I would like to ask, under the laws of this

state, if a man is intoxicated is responsible for what he does.

The Speaker: He is.

Mr. Buck: That is all, Mr. Twichell.

W. M. Bartley, called as a witness on behalf of the prosecution, was duly sworn and testified as follows:

DIRECT EXAMINATION.

By Mr. Buck.

Q. You may state your full name, age and residence.

A. My name is W. M. Bartley; my age is forty-five years; residence, Sheyenne.

Q. What, if any, official position do you hold in the State of North Dakota?

A. Representative from the Thirty-second District.

Q. Have you been in attendance on the House of Representatives during the Thirteenth Legislative Assembly?

A. I have.

Q. At all of the sessions?

A. All the sessions.

Q. Where do you reside in the city of Bismarck?

A. At the McKenzie Hotel.

Q. What is the number of your room?

A. 306.

Q. Have you resided there during all the time you have been here?

A. Yes, sir.

Q. What, if any, committee position do you hold in the House of Representatives?

A. Chairman of the public health committee.

Q. Was Senate Bill No. 98, otherwise known as the anti-snuff bill, at any time referred to your committee?

A. It was; yes, sir.

Q. You had that bill in your possession and for the consideration of your committee?

- A. I had.
- Q. Are you acquainted with the accused, Ben Ness?
- A. I am; yes, sir.
- Q. When did you first meet him?
- A. Perhaps seven or eight years ago.
- Q. You have known him off and on since that time?
- A. Yes, sir.
- Q. State whether or not you have had any conversation during the past few days with Ben Ness with reference to Senate Bill No. 98.
- A. I have; yes, sir.
- Q. State where the first conversation took place.
- A. Well, in reality I cannot recall just where it took place. Some place in the hotel.
- Q. McKenzie?
- A. Yes, sir.
- Q. State the circumstances, if you recall them?
- A. At some place or other, in the hotel there, the corridor or lobby, he spoke to me about it. He said I might as well get a piece of money out of it.
- Q. He came up and said that to you?
- A. Yes, sir.
- Q. Did he mention any sum?
- A. No.
- Q. How long ago was this?
- A. More than a week ago, perhaps.
- Q. What was your answer?
- A. I told him there was nothing doing. That the committee would report the bill out and that was all there was to it. I cannot recollect the words used.
- Q. It was before Mr. Twichell spoke to you about it?
- A. Yes, sir.
- Q. When did Mr. Twichell first speak to you about it?
- A. I think it was last Saturday. Ten or eleven o'clock. Just before going to bed.

Q. Where?

A. In the lobby of the Hotel McKenzie.

Q. Had Mr. Ness spoken with you at any time during Saturday with reference to this bill?

A. I cannot recollect whether he did or not. Perhaps he did. There was two or three times that he spoke to me about it. I did not pay any attention to it.

Q. Do you know one Rice?

A. Yes, sir; I met him.

Q. Where did you meet him?

A. I met him in my room the first time.

Q. When was that?

A. I cannot remember the day. Some time ago. Shortly after this bill was introduced.

Q. Did you have any conversation with him about this snuff bill?

A. Yes, sir; I did.

Q. State the conversation.

A. Well, he wanted me to be fair, and wanted to have a hearing before the committee when it came up. That is all he spoke to me about.

Q. Did he afterwards appear before your committee?

A. No, he did not.

Q. Did you ever have any more than one conversation with Mr. Rice?

A. I think I talked with him once in the lobby a few minutes before he went away.

Q. How long ago?

A. I cannot recall exactly. About a week. Shortly after we had action on it in my committee.

Q. You do not remember the date?

A. I do not remember the date.

Q. Did you have more than one conversation with Mr. Ness in which Mr. Ness made mention of money?

A. I had, yes, sir.

Q. When was another conversation?

A. Now, there was so many of them that I cannot recall when they were. He mentioned it several times.

Q. What were you saying?

A. It is a hard matter for me to say. Something about getting a piece of monew out of it. I told him there was nothing doing, and I didn't want to talk to him about it.

Q. Did he suggest what you were to do to get this money?

A. I told him I had my mind fixed on the bill, and recommended it to pass, and that is all I was going to do.

Q. Did he suggest that you might hold up the bill?

A. Perhaps he did say that, or mention it.

Q. And he repeated his suggestion with reference to a piece of money?

A. Yes, sir.

Q. Any specific sum?

A. No; no specific sum.

Q. You were one of the three members of the House of Representatives that signed the statement filed with the Speaker on Tuesday of this week?

A. Yes, sir; I was.

Q. You heard the testimony of Mr. Twichell about having a conversation with you with reference to what took place?

A. Yes, sir.

Q. Were you present at any of the meetings between Mr. Twichell and Mr. Ness?

A. I was not.

Q. You had been approached independently?

A. I had been approached independently entirely.

Q. At any time since you signed this statement that was submitted to the Speaker of this House, has any request or representation been made to you with reference to your signature thereto?

A. Yes, sir.

Q. State what it was.

A. There was a gentlemen told me I had to get my name off there.

Q. Did he say what would happen to you if you didn't?

Mr. Bangs: That is objected to as irrelevant and immaterial, unless it refers directly to Mr. Ness.

The Speaker: Unless it is Mr. Ness, the objection is sustained.

Q. Was Mr. Ness' name mentioned in connection with it?

A. It was not.

Q. Was any actual offer of money made to you in money?

A. Yes, sir; there was an actual offer. I was supposed to get a piece of money, that was all there was to it.

Q. Was any money showed to you?

A. No, sir.

Q. Was any money paid to you?

A. No, sir.

Q. The offers were all made by the accused, Mr. Ness?

A. Yes, sir.

Mr. Buck: You may cross examine.

CROSS EXAMINATION.

By Mr. Bangs.

Q. When was it that you first had your conversation with Mr. Ness?

A. I cannot recollect the date; sometime last week; I do not recall the date or time really.

Q. Saturday was the 22nd?

A. Yes, sir.

Q. About how long prior to that was it?

A. It was two or three days anyway.

Q. Two or three days?

A. A couple of days anyway; it must have been Thursday at the farthest.

Q. On Thursday or Friday, that was the first?

A. Yes, sir.

Q. At that time did he represent to you that he had anything to do with the snuff bill?

A. No; he did not represent it at all in that way to me, but he said he was next to where he could get the money and I may as well have a part of it.

Q. Did he say what he wanted you to do?

A. Yes, sir; I told him there was nothing doing.

Q. What did he say?

A. He merely said that he wanted me to help kill that bill. I said there was nothing doing; that is all; I didn't pay any more attention to it.

Q. There was nothing said between him and you as to the amount of money?

A. There was nothing said between him and me as to the amount of money; no, sir.

Q. And you think possibly that was Thursday or Friday?

A. I would say it was Thursday or Friday anyway. Maybe before that, sometime before that. I didn't pay any attention to it and could not tell what day or what date it was in fact.

Q. Mr. Buck inquired from Mr. Twichell about knowing a man by the name of Waddles; do you know any such man?

A. I do; yes, sir.

Q. What is his business?

A. Used to be a butcher; in the real estate business now.

Q. At Fargo?

A. No, sir.

Q. Where is he?

A. At Sheyenne.

Q. Has he any connection with the snuff bill?

A. No, sir.

Q. None whatever?

A. Not a bit.

Q. Did you sent a telegram to C. R. Waddles, at Fargo, on February 15th?

A. Yes, sir; I did.

Mr. Buck: Objected to as incompetent, irrelevant and immaterial.

The Speaker: It is answered; let it stand.

Mr. Buck. I move to strike it out.

The Speaker: Overruled.

Q. Was the Waddles that you sent the telegram to the man who was the agent for the American Tobacco Company?

A. No, sir.

Q. Entirely different man?

A. Entirely different man; yes, sir.

Mr. Bangs: That's all.

Mr. Buck: That's all.

Mr. Speaker: You may step down. Call your next.

Mr. Owens: We will call Mrs. McKenzie.

The Speaker: Has a subpoena been issued for her?

Mr. Lambert: Mr. Speaker.

The Speaker: The gentleman from Ward.

Mr. Lambert: There seems to be a lull here and I move that we have a recess for ten minutes while we hear from the band of the boys from Mandan.

The Speaker: I would suggest that we are on such serious business that music from the band would not cheer our spirits any. However, the motion is that we take a recess for ten minutes.

Mr. Streeter: I second the motion. (Which motion being put to a viva voce vote was declared lost. A division was then called for and the motion against declared lost.)

The Speaker: Mrs. McKenzie is called for.

Mrs. Emma U. McKenzie, called as a witness on behalf of the prosecution, was duly sworn and testified as follows:

DIRECT EXAMINATION.

By Mr. Owens:

Q. Will you please state your full name?

A. Emma Uella McKenzie.

Mr. Streeter: I would suggest that the answers be repeated.

Mr. Speaker: I will repeat the answers.

Mr. Owens: (Resuming examination.)

Q. At the present time are you holding any position in the House of Representatives?

A. I am.

Q. And what position?

A. I am a stenographer for the House of Representatives, Thirteenth Legislative Session.

Q. Are you acquainted with Mr. Ness?

A. I am.

Q. The accused before the House at the present time?

A. I am.

Q. Do you remember within a week or ten days having a conversation with one Rice of Fargo?

A. Yes, sir.

Q. Will you state under what circumstances such conversation was had, that is, how did you come to talk with Mr. Rice?

A. By Mr. Ness' request.

Q. Was Mr. Ness present at the time of such conversation?

A. Mr. Ness put in the call.

Q. Was he present at the time that you were talking?

A. He was not.

Q. He was not?

A. He was not.

Q. Did he in any way tell you what to say in this conversation?

A. He told me to ask Mr. Rice to come to Bismarck.

Q. And you complied with his request?

A. Yes, sir.

Q. Was that all the conversation you had with Mr. Rice?

A. Yes, sir, that was all.

Q. Did he tell you who Mr. Rice was?

A. I knew.

Q. You knew?

A. Yes, sir.

Q. Who was he?

A. Vice president of the American Tobacco Company and the Copenhagen Snus Company—Snuff Company. (Laughter.)

Q. Did you ever have a talk with Mr. Ness prior to having this conversation with Mr. Rice?

A. I did.

Q. Was that talk with reference to any legislation pending before the House?

A. Yes, sir.

Q. Will you state what that conversation was?

A. Merely— I would have to go back before that, Mr. Owens.

Q. All right, give us the conversation, your conversation and what led up to it and all the surrounding circumstances.

A. Well, I wish you would question me as to my meeting Mr. Rice, so that I may know just what you want me to say.

Q. At this time we want to get at the conversation that you had with Mr. Ness with reference to his connection with Mr. Rice and with reference to any legislation pending before the House. Now you stated that you had a conversation with Mr. Rice at the request of the defendant.

A. No, you have it wrong.

Q. Clear us up on that.

A. I had a conversation with Mr. Ness upon the request of Mr. Rice.

Q. What was that conversation you had with Mr. Ness?

A. I was asked to find out who Mr. Ness was, and I did.

Q. Yes?

A. Mr. Rice wanted to know what was doing here as to the position of the Legislators on the snuff bill. I told him I knew nothing at all about it except that Mr. Twichell was one of the men who was very much in favor of it; and Mr. Rice asked me if I knew of any men who had influence enough to change Mr. Twichell's views, and I said that I didn't know of any man who had any influence here except Mr. Ness—Mr. Ben Ness, putting it in my words to Mr. Rice. I told Mr. Rice where he could get him. I did not introduce Mr. Ness to Mr. Rice, and I did not see them together.

Q. Then shortly after that conversation with Mr. Rice you had a conversation with Mr. Ness, did you?

A. Yes, sir, I did.

Q. Where was that?

A. I don't remember.

Q. Do you remember what that conversation was?

A. I merely asked if he had met Mr. Rice.

Q. Do you remember of having any conversation with Mr. Ness in which anything was said about his having enough representatives lined up to defeat the snuff bill?

A. He told me that he had thirteen or fifteen representatives back of him that would stick to him.

Q. Was that before or after Mr. Rice had been to Bismarck, this conversation?

A. I don't know of Mr. Rice returning to Bismarck but once.

Q. Where was this talk that you had with Mr. Rice, was that in Bismarck?

A. It was.

Q. This talk that you refer to having with Mr. Ness, was that before or after you had the talk with Mr. Rice?

A. After.

Q. Did Mr. Ness in his conversation with you at any time say anything about Pettibone being in the deal?

Mr. Bangs: Just one moment. I object to any testimony

with regard to the statements of Mr. Pettibone, he not being bound in this action and not being bound by any conversation between Mr. Ness and the witness.

Mr. Speaker: The objection is overruled.

A. I had one conversation with Mr. Pettibone.

Q. You had a conversation with Mr. Pettibone?

A. Yes, sir.

Q. Did that in any way relate to Mr. Ness?

A. Only in a personal way.

Q. Only in a personal way?

A. Yes, sir.

Q. Did it in any way relate to Mr. Ness' actions or authority before the Legislature or any member of it?

A. It did not.

Q. Did you have any talk with Mr. Ness with reference to his sending a telegram to Mr. Rice?

A. Mr. Ness told me that he had sent a telegram to Mr. Rice, signing it "Second Floor," asking him to come to Bismarck.

Q. Did you ever have any talk with Mr. Ness about the members of the Legislature, or the use of any money among the members?

A. Yes, I did.

Q. Will you state what that conversation was; state when it was?

A. It was in Mr. Ness' room; I cannot remember the evening because at the time I did not take a note-book along with me to keep account of anything that came up; I didn't know that I would have to tell this on the stand.

Q. Was it a week or two ago?

A. Just the other evening; possibly Friday or Saturday evening. I was sitting on the arm of the big chair in Mr. Ness' room, the door was open and anybody coming through the hall could have heard the conversation that was going on. It was a personal matter that Mr. Ness and I were talking about—a case that he has pending of his own,—personal affair. It came up about the snuff bill. He told me that he had thirteen or fifteen men lined up; and he also told me

that he had Mr. Twichell and Mr. Divet lined up, or that he was going after Mr. Divet, and that he had also Mr. Twichell. I asked what was he going to have to give Mr. Twichell. He told me \$3,500.00. I said what are you going to give Mr. Divet? I said, what about the \$1,000.00. I said, what are you going to do with Mr. Divet? He said he had not seen him yet. He said he had to have the other Representatives. I asked, if he was going to give the other representatives two hundred dollars apiece. That was the only way I figured he could get away with the other \$2,500.00. I asked if he was going to give the Representatives \$200.00 apiece, that it would take ten or fifteen thousand dollars to secure the other representatives, and the other \$2,500.00 was to be divided among two or three other men; there were four men, from what I understood, that the \$3,500.00 was to be divided between.

Q. Did he say anything to you about where he was going to get this money, or whether or not he had it?

A. He said he had to go out and get the money. I saw him later on in the evening in his own room, I think that was Sunday evening, if I am not mistaken, because I had a caller and I went down to number 506 where the conversation took place. He said that with these people their bond was as good as their money, and their face will have to be good until the goods were produced, that is, until the bill was killed, I suppose. Those were not the exact words used, but it was along that line.

Q. Was there anything about the appearance or actions of Mr. Ness, at the time he had this conversation with you, that would indicate that he was under the influence of liquor?

A. He had been drinking but he was not under the influence of liquor.

Q. He talked in a rational, business manner?

A. He did.

Q. Did he state to you any reason why he did not himself call up Mr. Rice and do this talking?

A. I don't know why he didn't, and he did not state to me the reason why.

Q. Just simply asked you to do the talking?

A. Just asked me to do the talking.

Q. Did he afterwards say anything to you whether or not Mr. Rice had come to Bismarck?

A. He told me Sunday morning, I believe it was Sunday, but he told me Mr. Rice came in on No. 5 the night before and went out the next morning.

Q. Did you see Mr. Rice?

A. Just a minute.

Q. Was that before or after the time that you saw Mr. Rice here in Bismarck, that you did the 'phoning?

A. Yes, it has been two weeks since I have seen Mr. Rice.

Q. Then you did not see him that day after you did the 'phoning for Mr. Ness?

A. No, I didn't see him after I did the 'phoning for Mr. Ness.

Q. Did Mr. Ness say anything about whether or not he had come in response to that message?

A. Mr. Ness told me last Friday evening, I believe it was, I don't remember the date; he asked if I would come to his room a minute. He said, just a minute, there is a man telephoning in my room. Mr. Tom Tharalson was telephoning to Mr. Rice from his room. He asked me to wait until Mr. Tharalson got through telephoning, the deputy state treasurer, I think, he was in the treasurer's office anyway.

Q. Was it at that time or soon after that you did the talking?

A. It was before that that I did the talking. Mr. Tharalson did the talking with Mr. Rice this time evidently.

Q. Did you see Mr. Tharalson at the telephone?

A. No, I did not.

Q. Ness told you that?

A. Yes, and he told me to wait ten minutes until Mr. Tharalson got through telephoning.

Q. Did he say anything about why he was so anxious to have Mr. Rice come to Bismarck? Anything about money?

A. He did.

Q. What was that?

A. He just merely stated that the boys had to know where their money was coming from before they acted.

Mr. Owens: That is all.

Mr. Bangs: No cross examination.

Mr. Speaker: Witness is excused.

A. A. Stenehjem, called as a witness on behalf of the prosecution, was duly sworn and testified as follows:

Mr. C. H. Olsen was sworn as stenographer.

A. A. Stenehjen, being called as a witness on behalf of the prosecution was first duly sworn and testified as follows:

By Mr. Owens:

Q. Will you please state your name and age?

A. A. A. Stenehjem, 38 years old.

Q. Where do you reside?

A. McKenzie county.

Q. Do you hold any official position in the State of North Dakota?

A. Yes, sir, I am Representative from the Forty-first District, Thirteenth Legislative Assembly.

Q. Are you acquainted with Mr. Divet and Mr. Twichell, members of the House?

A. Yes, sir.

Q. Are you acquainted with Mr. Ness, the accused before the House?

A. I have just seen him.

Q. Do you remember of seeing Mr. Ness at any time at the room of Mr. Twichell in the Grand Pacific Hotel?

A. Yes, sir.

Q. State when that was and under what circumstances?

A. I called on Mr. Twichell and on entering the room, I noticed Mr. Twichell had company, and I seen Mr. Divet and Mr. Ness and Mr. Twichell lying on the bed, I just simply excused myself and I stepped back into the hall.

Q. When was that?

A. On Saturday night.

Q. You say that Mr. Divet and Mr. Twichell and Mr. Ness were all lying on the bed?

A. No, Mr. Twichell was lying on the bed.

Q. Where was Mr. Divet?

A. Mr. Divet, I think was at the foot of the bed standing up.

Q. Where was Mr. Ness?

A. Sitting just in front of the bed.

Q. Did you hear any part of the conversation if any between these parties?

A. Not a word.

Q. How many times were you to the room?

A. I came back possibly 15 minutes later.

Q. Was Mr. Ness there then?

A. Yes, sir.

Q. Was anyone else there besides the parties you have named?

A. Not that I saw.

Q. Did you ever see him at any other time in their room?

A. No, sir.

Q. Have you ever had any talk with Mr. Ness with reference to any pending legislation?

A. Never.

Q. That is the only time you saw these three men in conversation?

A. The only time.

Q. Did you see Mr. Ness at any time talking to any member of the legislature?

A. I did see Mr. Ness in the hall there talking to Mr. Bartley the same evening.

Q. That is the only time you have seen him?

A. Yes, sir.

Mr. Speaker:

Q. Was anyone with you when you went to Mr. Twichell's room that time?

A. Not that I remember.

Mr. Owens:

Q. Was Mr. Stenvick around there?

A. He was with me, but I don't remember whether he went with me to the room or not.

Witness excused.

Mr. Owens: Mr. Speaker, that is the case, the extent of the investigation of your committee at this time. I wish to suggest that if any member of this House has in his possession or within his knowledge any information with reference to the matter under investigation that at this time he be allowed to bring it before the House.

Mr. Speaker: Any member having any knowledge touching the matter under investigation will be permitted to present it.

None appearing, the case is with you, Mr. Bangs.

Mr. Owens moved

That the House take a recess for ten minutes.

Which motion prevailed.

The House reconvened at 3:15 P. M., pursuant to recess taken.

The Speaker presiding.

Mr. Streeter: Has this testimony been taken down so that we can know something about it?

Mr. Speaker: Yes, sir.

Mr. Streeter: I understand that we are the jury, and at least a third of this House has not heard a third of it.

Mr. Speaker: The testimony has all been taken down in shorthand and is now being transcribed by the stenographers.

The case is with the accused.

Mr. Bangs: We have no testimony to offer.

Mr. Speaker: Have you anything further, Mr. Owens?

Mr. Owens: Mr. Speaker, we have not at this time unless it be coming from the members of the House, something the members have no knowledge of.

B. W. Taylor: My name has been used in connection with this matter, and before the trial closes I wish to go on the stand and make a sworn statement.

Mr. Speaker: The gentleman may be hear at once. So far as the testimony is concerned the trial is closed.

Mr. B. W. Taylor, being first duly sworn made the following statement:

I wish to say that my name has been used in connection with this case, and I want to say to the House of Representatives at this time that Mr. Ness nor no other person have ever made any advances to me or made any request of as to how I should vote on the anti-snuff bill, bill number 98. There has been absolutely no request of me to vote in any way on the snuff bill, and I am open for any question that may be asked me by the attorneys on either side.

By. Mr. Bangs:

Q. Your name was mentioned, Mr. Taylor, I believe by Mr. Divet?

A. Yes, sir.

Q. As one of the men who has been mentioned by Mr. Ness as one that had to be fixed, or something like that?

A. I understood Mr. Divet to say that I was one of the men to be taken care of.

Q. If I understand you correctly in relation to this matter you never have had any conversation with Mr. Ness in regard to Senate Bill No. 98 of any kind, and there has never been any suggestion by him to you as to how you should vote on that bill, or any intimation or suggestion that there was any money or other thing of value coming to you in anyway?

A. That is true.

Q. Nothing of the kind?

A. Nothing of the kind. I will say further that I heard Mr. Ness speaking about snuff, giving the composition of snuff but that has been as far as he went, and at the time he was doing that he was not talking about how any member should vote.

Mr. Hans C. Mill: I would like to have the privilege of testifying.

Mr. Speaker: You may have that opportunity.

Mr. Hans C. Miller, being first duly sworn made the following statement:

The House of Representatives: Inasmuch as my name has been mentioned in regard to this matter, and especially room 400 and the name of Miller and Taylor, and inasmuch as I have been occupying that room I presume it will be interesting to you to know what I know about the matter. Mr. Ness has never approached me with any money, and never talked to me in regard to my vote on this Senate bill or any other bill. Mr. Ness has been a frequent visitor to my room, and has been there when I was not there. However, the last week I was not there, I was occupying other rooms. I will say, however, that last Saturday evening Mr. Ness came into our room in somewhat intoxicated condition, at least I thought he was; I was writing a letter and as I noticed him come in, he was rumbling about different matters, and I asked him if he wouldn't kindly leave, or it was time to go to bed, Mr. Taylor was already in bed, and he asked if he couldn't stay in the room, and I said no, this room is occupied and we couldn't have anybody else in the room, and he talked more in a rambling manner and finally left the room, and I think Dr. Bartley was present at the time, I think, I am not sure. There was three parties present, and he was talking in a rambling manner, I was writing a letter and wasn't paying any attention, and he came up and slapped me on the back and said, you are a good fellow, Miller, and someday I will have some money, and some day I will remember you, and I made the remark, you don't owe me anything, and he said you have always used me right and given me the privilege of coming in here and in fact I have taken advantage of your good hospitality and I will surely remember you. That is about all the conversation I had with Mr. Ness.

Mr. Bangs:

Q. This was not in connection in any manner with the snuff bill?

A. No, sir.

Q. Mr. Ness has been taking of the hospitality of your room and the contents of the room?

A. Yes, sir.

Q. And was making an offer to someday repay you for it?

A. Yes, sir.

Mr. Streeter: I move that a committee be appointed to draw up something to present to this House so we may express our opinion in regard to the guilt or innocence of

these men whose names have been brought before the House of Representatives of the State of North Dakota. I do not think it ought to go out to the newspapers as it will be taken up by their enemies and scattered all over the state, and thing it ought to go out to the newspapers as it will be taken gate as to whether there has anything transpired here that would reflect upon any of the parties named.

Mr. Speaker: I will say to the gentleman from Emmons that it is the intention of the legislative committee to incorporate such matters in their resolution which will be presented to the House for its adoption.

Mr. Owens: In reply to the remarks of the gentleman from Emmons, and on behalf of your special committee which was appointed to look into this matter, I will say that we called up the matter of investigating hearsay statements with reference to the members of the House, not only the members whose names have been mentioned here today, but others, and so far as our investigation goes we have been unable to in any way trace up any connection or any suspicion on any member of this legislature, and it is the intention of our committee to present to this House a report of this investigation, which the House can adopt or reject, or can appoint a special committee to make further investigation, and I believe at this time it would be irregular to inject a resolution until the House had an opportunity to pass upon the resolution that will be presented.

Mr. Robert Norheim: I would like to be sworn.

Mr. Robert Norheim, being first duly sworn, made the following statement:

In as much as my name has been mentioned in the proceeding now before the House, and in a way as might indicate that I had been subject to improper influence, although I do not so regard the testimony, yet I wish to make the statement that I have not at any time during this session, or any other session, so far as that is concerned, been approached or talked to by Mr. Ness or any other representative on part of the snuff company, and I have not received any offer in any manner whatsoever. I have been in favor of the snuff bill ever since its first inception from the time it was introduced in the Senate, and I voted for it as the records will show. Any question that the attorneys may want to ask I will be willing to answer.

Mr. J. J. Ryan: I would like to be sworn.

Mr. J. J. Ryan being first duly sworn made the following statement:

Members of the Legislature: So long as my name has been coupled with this proceeding, I wish to say under oath that I have never been approached by Mr. Ness. I have been acquainted with the gentleman for perhaps six weeks. I became acquainted with him through a Mr. Neider, a banker at New Leipzig. Mr. Neider introduced Mr. Ness to me as an agent for an insurance company. Mr. Ness gave me a wild idea of the amount of money he would make me by selling me insurance. I also met another party who was connected with this insurance company, and they stated they would make loans on land at 7 per cent. I was to take \$1,000 worth of stock in their company in order to secure this money. All the time that Mr. Ness was talking to me I believed at that time, and I believe yet, that he was under the influence of intoxicating liquors. He has come to my room a number of times in that shape. He has told me of his family troubles a number of times, and he has come to my room when he didn't have money enough to buy himself whiskey, which I furnished in a few cases, but he has never approached me in any way as to Senate Bill No. 98. He has told me that I was a good fellow. I want to prove my innocence, and I would suggest that this House appoint a committee to investigate the different matters that have been brought up in connection with the names of the members of this legislature.

Mr. Owens: Mr. Speaker: If there are no other statements to be made by members of this House, in order to conclude the hearing which we have now had, your special committee offers the following resolution:

Mr. Speaker: As I understand the procedure, the case is now concluded, and the decision of the House will be the decision as to the guilt or innocence of the accused, and such decision may be reached either in public as we are now or in executive session, as the House may see fit. As I understand the procedure, we are now up to the matter of decision.

Mr. Owens: It is the understanding of your committee in order to get the matter before the House it is necessary to offer a resolution, and out of courtesy to the defendant as Mr. Bangs wishes to be excused for a few moments, I will delay the reading of the resolution until his return, when it will be open to argument.

Mr. Bangs: I have been called to the telephone and wish to be excused for a moment.

Mr. Speaker: We will delay the reading until your return.

Mr. Bangs: Before the resolution is presented we will call Mr. Tharalson, whose name has been mentioned, as telephoning to Mr. Rice. He is deputy state treasurer of this state, and he says if it is permissible he would like to make a statement.

Mr. Thomas Tharalson being first duly sworn testified as follows:

Mr. Bangs:

Q. You spoke to me about having heard that Miss McKenzie testified that Mr. Owens told her you were telephoning to Mr. Rice from his room; are you acquainted with Mr. Rice?

A. I never saw him and never heard his name until this thing came up.

Q. Did you ever telephone to him or have any communication with him of any kind?

A. No, sir.

Q. That is the statement you want to make?

A. Yes, sir; I was in Minneapolis; I left here last Tuesday night and came back to the city of Bismarck on number 3 Sunday.

Mr. Owens: Your committee introduces the following resolution:

Whereas, Information was laid before this House of Representatives on the 25th day of February, 1913, charging one Ben Ness of violating the privileges of this House and its members; and,

Whereas, Upon such information and action of the House the Speaker issued his warrant for the apprehension and arrest of said Ben Ness to answer to such charges; and,

Whereas, The said Ness appeared before the bar of this House on the 27th day of February, 1913, and entered a full and complete denial of all such charges; and,

Whereas, Evidence was produced before the House tending to corroborate and prove the statements made and laid before the House in such information; and,

Whereas, A full and complete hearing thereon has been had and the accused has been heard thereon.

Now, Therefore, be it Resolved, That it appears to this House of Representatives that said Ben Ness has been guilty

of a contempt of and breach of the privileges of this House and its members by attempting to corrupt the integrity of its members in the manner laid to his charge; and be it further resolved that the said Ben Ness is guilty thereof and that he be brought to the bar of this House, reprimanded by the Speaker and a punishment meted to him in accordance with the Constitution and the laws of the State of North Dakota.

Mr. Bangs: Does the question then come up on the punishment?

Mr. Speaker: I presume likely later.

Mr. Bangs: Is there any time when the arguments are to be heard?

Mr. Speaker: I do not so understand.

Mr. Bangs: You understand that.

Mr. Speaker: That would be my understanding of the law.

Mr. Bangs: That there is no argument.

Mr. Speaker: There is no argument.

Mr. Owens, as chairman, moved that said resolution be adopted.

Which motion prevailed.

Mr. Speaker: Have you another resolution?

Mr. Owens: No, sir; the other resolution is not ready at this time to be introduced; it is being prepared.

Mr. Speaker: What do you say about the time when the matter of voting on the punishment.

Mr. Owens: I must confess that so far as the adoption of this resolution is concerned, I was rather under the impression that the House should vote on it by roll call, but in view of the fact that no such action was taken, I move the action of the House thereon be immediately put in execution, that this House resolve itself into executive session and that the purpose of this resolution by this House be carried out.

Mr. Streeter: What is the reason for clearing the House?

Mr. Speaker: Do I understand that this is for the purpose of fixing punishment?

Mr. Owens: Yes, sir.

Mr. Sorlie: In so much as this has been a public affair up to this time I do not believe it best to go into executive session. I think the people have had everything we have had before us, so let us go through with it in this way.

Mr. Williams: I feel just as the gentleman from Traill does on this proposition. I am opposed to an executive session.

Mr. Streeter: The executive session is what I object to.

The motion by Mr. Owens that the House do now go into executive session was put to a vote of the House.

Which motion was lost.

Mr. Speaker: What is the further pleasure of the House?

Mr. Owens: I move that sentence be imposed upon the accused.

Mr. Speaker: There is no sentence adopted by the House. I suggest to the gentleman from Williams that the Speaker cannot impose sentence.

Mr. France: It seems to me as though the defendant ought to be heard in this matter some way or other. We have voted that the defendant was guilty. I thought it should be by roll call of the members. I think the defense should be allowed a hearing.

Mr. Speaker: The gentleman from Logan is informed that it was put to a viva voce vote and the vote was against him. It seems to me that argument will simply take up time and achieve no good results. I am now waiting for the further pleasure of the House in the matter of punishment, if any.

Mr. Streeter: I move that since the defendant has been clearly proven to be guilty that he be put in jail until the end of the session.

Mr. Campbell: I move an amendment to the motion that this defendant be declared guilty as charged.

Mr. Speaker: He has already been declared guilty; it is now up to the matter of punishment.

Mr. O'Connor: I understand there is a charge against this defendant in the district court of this county, what interference would our sentence be to that charge?

Mr. Speaker: None whatever. This House cannot consider any other proceeding; this House is merely protecting its own dignity. We have nothing to do with any charge presented to that court or any other court of the state.

The limit that can be imposed is censure and imprisonment up to the end of this session of the legislature.

Mr. Sorlie: I second the motion of the gentleman from Emmons, Mr. Streeter.

Mr. Wardrobe: The defendant is here represented by counsel and I believe it is only fair to the defendant that his counsel should be heard. I therefore move that counsel for defendant be heard.

Mr. Speaker: If it is the wish of the House he will be heard. It has been moved and seconded that counsel for the accused be heard in the matter of punishment.

Which motion prevailed.

Mr. Bangs: I will be very brief in any argument I make upon the question of punishment. So far as any other questions are concerned they have been determined by your body. Mr. Ness stands before you at this time convicted by this body of a breach of the rights and privileges of this body and convicted of contempt of the House of Representatives of the Thirteenth Legislative Session. The only question that remains is what the punishment will be. I do not know that it has been brought out in the evidence in this case, whether it is a matter of common knowledge and the members of the House know that Mr. Ness is at present held awaiting preliminary examination before the district judge of the court of this district, charged with the offense of bribery or attempt at bribery. His hearing has not yet been held, but is to be held on Saturday morning, and you have heard probably the same testimony that will be introduced at that preliminary examination. The only question then for you to determine is what the punishment this House will inflict. I do not anticipate that you are looking for any revenge. I am talking to you as a court about to pass judgment; I do not anticipate that you are looking for revenge, the idea of the House under this proceeding has been to make a precedent to protect this House and its members in the future, and show to this accused and all the world that no man can trifle with any of the members of this House of Representatives. Taking then the assumption that he is guilty, because that is what you have found, proven by reason of the investigation, the sentence can be until the end of this session. It has been determined by this hearing today that there is no one member of this House that needs protection so that imprisonment will in no way protect the members of this House. It is not necessary for that purpose. He has been subjected to a public trial and found guilty and the time now arrives when

the members of this great legislative body composed of picked men of the State of North Dakota, men who have been selected as men of mind and breadth of view, intellect and of intelligence to represent the people of this state in making the laws for this state, will exercise their good judgment when meting out this punishment. Is not the publicity of this trial, is not the conviction of this crime, is not his censure at the bar of this House sufficient punishment to meet all the requirements of this case. It seems to me that it is. It strikes me that it will be on the part of this House a display of most magnanimous spirit at this time to say that in view of the fact that we have heard this testimony, that we have found this man guilty, that we have shown to the state and to the world the fact that there is no member of this House who can be approached in any improper manner, that now we will go down to the depths of our hearts and dig up a little of the milk of human kindness that reclines there and hand it out to this man by relieving him from a jail sentence, which I assure you, gentlemen, is just as effective a punishment and will meet all the requirements. Now, I ask you, I ask you, in all kindness of heart, breadth of mind to show to the world and show to these boys who are sitting up here that it is not revenge that always actuates man in his movements, that there is in this life something that is better than revenge, that it is demonstrated by your act that you have in your heart and mind charity, that you have in your heart and mind a sense of right and wrong that does not require the infliction of extreme punishment under the law to always protect yourselves. It has been shown before you by these men who have been here on the stand that this man has not done and said the things that has been testified he did say and do because your own members have told you that he did not talk to them.

Mr. Owens: I wish to call the attention of the members of the House to the statute and Constitution which governs this action and it seems to me that it is the intent of this statute or laws of this state that whenever any one is found guilty of violating the privileges of this House or its members that they must be punished by imprisonment, but it is limited by the Constitution and by the statute that you cannot imprison him beyond the end of your term. I refer, Mr. Speaker, and gentlemen, to Section 48 of your Constitution, and Section 23 of your statute so that you may look it up and determine your vote accordingly.

Mr. O'Connor: I would like to offer an amendment to the motion made by Mr. Streeter, that this man be imprisoned until Saturday night until 6 o'clock.

Mr. Streeter: I accept the amendment.

Mr. Speaker: Has the second accepted the amendment as substitute for the original motion? Mr. Sorlie, you seconded the motion of the gentleman from Emmons that the defendant be imprisoned until the end of this session, the gentleman from Emmons has accepted the substitute of the time to Saturday night next at 6 o'clock, do you accept the amendment?

Mr. Sorlie: In view of the charges that have been made against the defendant, and in view of the fact that the charges have been fully established before this House, I would say that the time stated in the last motion made for his imprisonment is very short. I think we should in justice to ourselves and in justice to the people of the state give the defendant imprisonment for the balance of this term. It is a good lesson to others and it should be demonstrated at this time so that in the future it might never be repeated, and I refuse to accept the substituted motion.

Mr. Speaker: The question then is on the original motion.

Mr. Lambert: I understand this motion as it is now about to be put is to take the defendant before the House for censure.

Mr. Speaker: The resolution adopted made that a part of the sentence, the motion as put did not include that. A motion to suspend Rule 30 would allow the amendment to be put first in the ordinary way, otherwise the motion of the gentleman from Emmons will be put first.

Mr. Streeter: Moved that Rule 30 be suspended.

Which motion prevailed.

Mr. Speaker: The question now is upon the amendment which is that the accused be sentenced to imprisonment to Saturday night next.

Mr. Wardrop: I do not believe that motion is sufficiently broad, it does not say where he shall be imprisoned.

Mr. Speaker: That will be for the sergeant-at-arms.

Which motion prevailed.

Mr. Speaker: The question now is upon the original motion as amended that the accused be sentenced to imprisonment in the custody of the sergeant-at-arms until Saturday night next.

Which motion prevailed.

Mr. Owens moved

That the House revert to the regular order of business.

Which motion prevailed.

REFERENCE OF THE JOURNAL.

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

Mr. Speaker:

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

On page 7, line 2, Journal of the fiftieth day change "Hon. A. Wilson" to "Hon. E. A. Williams," and in the same Journal on page 7 and immediately following line 7, insert "and others."

In the Journal of February 26th, page 22, and following line 24, insert the following amendment to House Bill No. 405:

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

Section 7176. Costs on Foreclosure of Liens and Attorney's Affidavits.) In all actions or proceedings for the foreclosure of a mortgage or other lien upon personal property, and in all proceedings by advertisement for the foreclosure of a mortgage or other lien upon real estate, the plaintiff, or person commencing such action or proceeding, shall be entitled to tax, as a part of his costs, the following sums by way of attorney's fees, to-wit: When the amount of the debt secured by such lien does not exceed the sum of two hundred dollars, the sum of ten dollars; when the amount of the debt secured is above two hundred dollars and does not exceed three hundred dollars, the sum of fifteen dollars; when the amount of the debt so secured exceeds three hundred dollars but does not exceed five hundred dollars, the sum of twenty-five dollars; when the amount of the debt so secured exceeds five hundred, but does not exceed one thousand dollars, the sum of thirty-five dollars; when the amount of the debt so secured exceeds one thousand dollars and does not exceed two thousand dollars, the sum of fifty dollars; when the amount of the debt so secured exceeds two thousand dollars, the sum of fifty dollars and two per cent of the amount so secured in excess of two thousand dollars.

Provided, however, none of the above fees shall be allowed unless the foreclosure proceedings or action shall be conducted under the supervision of an attorney duly authorized to practice in the courts of this state; and, provided, further, that before any attorney's fee provided for herein shall be allowed, paid or received, claimed or charged against the property, or allowed or taxed in such action or proceeding, the attorneys, or one of them, bringing the action or proceeding shall, at or prior to the time of the sale of the property, or prior to the time of entering judgment in such action, file and record with the register of deeds of the county in which such action is commenced or proceeding had, if the foreclosure is of real property, or file with the clerk of the court in which the action is pending, if the foreclosure is of personal property, an affidavit to the effect that such attorney, or attorneys, have been in good faith employed to bring said action or proceeding to foreclose such mortgage or other lien, and that the full amount of the fees provided by law inures solely to his or their benefit, and that no agreement or understanding has been made directly or indirectly to repay or return any part to the party foreclosing said mortgage, or any agent or attorney of his, or any forwarder of the business, or any other person whomsoever.

In all foreclosures by action of mortgages or other liens upon real property, the party foreclosing may tax, in addition to the statutory costs and disbursements allowed by law to be taxed in actions for the recovery of money only, such amount as attorney's fees as the court shall deem reasonable for the conduct of the action, which amount shall not be less than the amount provided herein for the foreclosure of such mortgages or other lien by advertisement; provided, such action must be prosecuted by an attorney duly licensed to practice in the courts of this state, and before the entry of judgment for such attorney's fees such attorney must file with the clerk of court in which such action is pending his certificate that the fees so claimed are for the sole benefit of such attorney, or attorneys, of this state, and that the same will not be rebated or divided to or with the holder of such lien, any forwarder of the business or any other person.

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. Gardiner presented the following petition:

Mapes, North Dakota, February 24th, 1913.

We, the undersigned, citizens of the County of Nelson, and State of North Dakota, do hereby petition the honorable members of the Senate and House of Representatives of the State of North Dakota for an amendment to Senate Bill No. 209 to allow dancing in a part of school buildings which is not required for school purposes, and where there are no school furnishings.

Signed by D. C. Pline and 25 others.

Also, Mr. Gardiner presented a similar petition signed by L. G. Pennington and 50 others of Mapes, N. D.

Mr. Everson introduced the following petition:

We, the undersigned, qualified electors, of the Ball Hill-Sverdrup Farmers' Club, do hereby petition our representation at Bismarck to oppose the proposed road bill which would compel farmers to pay their road taxes in cash. We are in favor of the system which lets each farmer work out his own road tax.

Signed by Tobias Thime and 20 others.

To the Honorable Speaker and Members of the House of Representatives of the Legislative Assembly of the State of North Dakota:

Gentlemen: This is to advise you that I have retained Messrs. Theo. Koffel and Tracy R. Bangs to represent me as attorneys and counselors in the contempt proceedings now pending in your Honorable Body against me, and respectfully pray your Honorable Body that my said attorneys be recognized by you, and that they be allowed to represent me in all future proceedings in the matter of the said contempt.

Bismarck, North Dakota, February 27, 1913.

Signed by B. J. Ness.

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. 456.

A bill for an Act to provide for the manner of letting and making all contracts by or on behalf of cities for work and improvements.

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

In the printed bill, Section 1, line 6, after the word "lowest" insert the word "responsible."

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 state affairs made the following report:

Mr. Sneaker:

Your committee on state affairs to whom was referred
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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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

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 for capitol park and site purposes and making an appropriation therefor.

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

In line 2 of Section 2 of the printed bill, strike out the words and figures "twelve thousand dollars" and insert in lieu thereof the words and figures "five thousand dollars."

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Also,

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

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.

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

O. J. SORLIE,
N. O. JOHNSON,
C. W. CAREY,
J. J. DOYLE.

Mr. Ployhar moved

That the report be adopted.

Which motion prevailed.

Mr. Williams moved

That the report of the committee on state affairs be divided, and that House Bills Nos. 251 and 299 be put at the foot of the calendar for Saturday in general orders.

Which motion prevailed.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discriminating and twisting.

Also,

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.

Also,

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

Also,

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Also,

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.

Also,

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.

Also,

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."

Also,

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.

Also,

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.

Also,

House Bill No. 466.

A bill for an Act to amend Section 6752 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.

Also,

House Bill No. 478.

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Also,

House Bill No. 482.

A bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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.

Also,

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.

Also,

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.

And find the same correctly engrossed.

N. T. HEDALEN,
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on federal relations made the following report:

Mr. Speaker:

Your committee on federal relations to whom was referred

House Bill No. 468.

A bill for an Act changing and defining the boundaries of Morton County.

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

W. E. MARTIN,
Chairman.

Also,

A concurrent resolution in regard to wheat in bond.

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

In the third line from the bottom of the first page of the original resolution after the word "hereby" strike out the word "instructed" and insert in lieu thereof the word "requested."

And when so amended recommend the same do pass.

W. E. MARTIN,
Chairman.

Mr. Martin moved

That the report be adopted.

Which motion prevailed.

The committee on supplies and expenditures made the following report:

Mr. Speaker:

Your committee on supplies and expenditures to whom was referred

House Bill No. 495.

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.

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

P. J. MOEN,
Chairman.

Mr. Moen moved

That the report be adopted.

Which motion prevailed.

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. 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.

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.

The committee on railroads made the following report:

Mr. Speaker:

Your committee on railroads to whom was referred

Senate Bill No. 88.

A bill for an Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in transportation of passengers or property in this state to equip locomotives with headlights of not less than twelve hundred candle power and to provide a penalty for violation of the same.

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

In the engrossed bill after the last word in Section 1, add the following: "Provided, however, that in passing through or working within the yard limits of any station or terminal a light of lesser candlepower may be used."

And when so amended recommend the same do pass.

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year of 1905, relating to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 271.

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

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

A. M. THOMPSON,
Chairman.

Also,

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.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers of flour and flour mill products, or to reimburse shippers therefore.

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.

Mr. Knox moved

That Senate Bill No. 161 be re-referred to the committee on warehouses and grain grading.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

Bismarck, N. D., February 27, 1913.

To the Speaker of the House of Representatives, Thirteenth Legislative Assembly:

Your conference committee appointed to confer with Senate conference committee relative to House amendments to Senate Bill No. 90, beg leave to report that conference has been held with the Senate committee, and that said committee has agreed to report to the Senate recommending the adoption of the House amendments.

A. P. HANSON,
Chairman.
J. W. HART,
T. N. PUTNAM.

Mr. Hanson moved

That the report be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., February 27th, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Also,

Senate Bill No. 142.

A bill for an Act to incorporate and establish the Des Laes and Mouse River Valley agricultural and fair association and making an appropriation therefor.

Also,

Senate Bill No. 217.

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.

Also,

Senate Bill No. 148.

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.

Also,

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a state board 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.

Also,

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates of charges and amendments thereto, prohibiting excessive charges, and providing a penalty for violation thereof.

Also,

Senate Bill No. 305.

A bill for an Act providing for the appointment of shorthand reporters by referees, coroners, and committing magistrates, and approving for their compensation.

Also,

Senate Bill No. 41.

• 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,

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Speaker:

I have the honor to request the return of Senate Bill No. 279.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Also,

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Also,

Senate Bill No. 43.

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.

Also,

Senate Bill No. 40.

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.

Also,

Senate Bill No. 113.

A bill for an Act making an appropriation for the experimental station of the school of mines and the mining sub-station at Hebron, Morton County.

Also,

Senate Bill No. 140.

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.

Also,

Senate Bill No. 107.

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.

Also,

Senate Bill No. 154.

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.

Also,

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Also,

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of 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."

Also,

Senate Bill No. 263.

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 mechanics' liens.

Also,

Senate Bill No. 278.

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.

Also,

Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Also,

Senate Bill No. 309.

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.

Also,

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payments extended on tax list.

Also,

Senate Bill No. 249.

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.

Also,

Senate Bill No. 178.

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.

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. 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 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.—

Anderson
Balsdon
Bass
Batzler
Bjornson
Blakemore

Messrs.—

Bollinger
Bope
Borusky
Buck
Burnett
Butler of Ramsey

Messrs.—

Butler of Ransom
Carey
Curry
Dean
Divet
Dosseth

Messrs.—	Messrs.—	Messrs.—
Doyle	Johnson	Raney
Dynes	Kelly	Roble
Endreson	Klein	Ryan
Fox	Knox	Sandbeck
France	Lawbaugh	Schroeder
Fritz	Leu	Smith of Kidder
Geiger	Lewis	Smith of Ward
Gunderson	Martin	Sorlie
Hanson	Miller	Stenhjem
Haraldson	Moen	Stinger
Hart	Morkrid	Streeter
Harty	Norheim	Taylor
Hedalen	Nyhus	Tucker
Hendrickson	O'Connor	Turner, C. C.
Hickle	Odland	Turner, F. W.
Hill of Cass	Olsgard	Twichell
Hjort	Pendray	Wardrope
Hoge	Petterson	Warriner
Husband	Pitkin	Watt
Huso	Ployhar	Williams
Jacobson	Putnam	Wing

Those voting in the negative were: Mr. Gardiner.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	Northrup
Bratton	Hjelmstad	Owens
Calnan	Homan	Small
Campbell	Isaak	Snyder
Coltom	Kellogg	Thompson
Davis	Kylle	Walsh
Dixon	Lambert	Weis
Endreson	Lindstrom	Wiley
Freitag	List	Mr. Speaker
Hawkinson	Morrison	

So the bill passed and the title was agreed to.

Mr. Fritz moved

That the vote by which House Bill No. 432 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 7, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Owens
Balsdon	Haraldson	Pendray
Bartley	Harty	Pitkin
Bass	Hawkinson	Roble
Bollinger	Hedalen	Sandbeck
Bope	Hendrickson	Schroeder.
Borusky	Hill of Bottineau	Small
Bratton	Hjelmstad	Smith of Kidder
Buck	Hjort	Smith of Ward
Burnett	Hoge	Stenchjem
Butler of Ramsey	Husband	Stinger
Butler of Ransom	Johnson	Streeter
Campbell	Kellogg	Thompson
Carey	Kelly	Taylor
Coltom	Klein	Tucker
Curry	Lambert	Turner, C. C.
Davis	Lawbaugh	Twichell
Dean	Lewis	Wardrope
Divet	Lindstrom	Warriner
Dixon	List	Watt
Dosseth	Martin	Weis
Doyle	Miller	Wiley
Dynes	Morrison	Williams
Endreson	Nyhus	Wing
Fritz	O'Connor	
Gunderson	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hickle	Morkrid
Geiger	Isaak	Putnam
Hart		

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Huso	Ployhar
Blakemore	Jacobson	Raney
Calnan	Knox	Ryan
Endreson	Kyllo	Snyder
Fox	Leu	Sorlie
France	Moen	Turner, F. W.
Freitag	Norheim	Walsh
Gardiner	Northrup	Mr. Speaker
Hill of Cass	Olsgard	
Husband	Petterson	

So the bill passed and the title was agreed to.

Mr. Stenchjem moved

That the vote by which House Bill No. 415 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

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 3, absent and not voting 32.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	Olsgard
Balsdon	Hendrickson	Pendray
Bass	Hickle	Petterson
Batzer	Hill of Bottineau	Pitkin
Bjornson	Hill of Cass	Ployhar
Blakemore	Hjelmstad	Putnam
Bollinger	Hjort	Raney
Bope	Hoge	Roble
Borusky	Husband	Sandbeck
Buck	Huso	Small
Burnett	Jacobson	Smith of Kidder
Butler of Ransom	Johnson	Smith of Ward
Campbell	Kelly	Snyder
Carey	Klein	Sorlie
Curry	Knox	Stinger
Dean	Kyllo	Streeter
Divet	Lawbaugh	Taylor
Dosseth	Leu	Turner, C. C.
Endreson	Lewis	Twichell
Everson	Lindstrom	Wardrope
Fiance	List	Warriner
Gardiner	Martin	Watt
Geiger	Miller	Weis
Hart	Moen	Williams
Harty	Nyhus	
Hawkinson	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Lambert	Schroeder

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Gunderson	Owens
Bratton	Hanson	Raney
Butler of Ramsey	Haraldson	Stenhjem
Calnan	Homan	Thompson
Davis	Isaak	Tucker
Dixon	Kellogg	Turner, F. W.
Doyle	Morkrid	Walsh
Dynes	Morrison	Wiley
Fox	Norheim	Wing
Freitag	Northrup	Mr. Speaker
Fritz	O'Connor	

So the bill passed and the title was agreed to.

Mr. Dean moved

That the vote by which House Bill No. 355 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 89, nays 1, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Moen
Balsdon	Hart	Morkrid
Bartley	Harty	Morrison
Bass	Hawkinson	Norheim
Batzer	Hedalen	Nyhus
Bjornson	Hendrickson	Odland
Blakemore	Hickle	Pitkin
Bollinger	Hill of Bottineau	Ployhar
Bope	Hill of Cass	Putnam
Borusky	Hjelmstad	Raney
Bratton	Hjort	Roble
Buck	Hoge	Sandbeck
Burnett	Husband	Small
Butler of Ramsey	Huso	Smith of Ward
Butler of Ransom	Isaak	Stenhjem
Calnan	Jacobson	Stinger
Campbell	Johnson	Streeter
Carey	Kellogg	Taylor
Coltom	Kelly	Tucker
Davis	Klein	Turner, C. C.
Divet	Knox	Turner, F. W.
Dixon	Kyllo	Twichell
Dosseth	Lambert	Waish
Doyle	Lawbaugh	Wardrope
Dynes	Leu	Warriner
Endreson	Lewis	Watt
Everson	Lindstrom	Weis
Fox	List	Wing
Geiger	Martin	Mr. Speaker
Gunderson	Miller	

Those voting in the negative were: Mr. Schroeder.

Absent and not voting:

Messrs.—

Curry
Dean
France
Freitag
Fritz
Gardiner
Hanson

Messrs.—

Homan
Northrup
O'Connor
Olsgard
Owens
Pendray
Petterson

Messrs.—

Ryan
Smith of Kidder
Snyder
Sorlie
Thompson
Wiley
Williams

So the bill passed and the title was agreed to.

Mr. Norheim moved

That the vote by which House Bill No. 258 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 482.

Being a bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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 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 32.

Those voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bartley
Bass
Batzer
Bjornson
Blakemore
Bollinger
Bope
Borusky
Bratton
Burnett
Butler of Ramsey
Butler of Ransom
Curry
Divet
Doyle
Endreson

Messrs.—

Everson
Freitag
Gardiner
Geiger
Gunderson
Harty
Hawkinson
Hedalen
Hendrickson
Hickle
Hill of Bottineau
Hill of Cass
Hjelmstad
Hjort
Hoge
Homan
Husband
Huso

Messrs.—

Jacobson
Johnson
Kellogg
Kelly
Klein
Knox
Kyllo
Lawbaugh
Leu
Lindstrom
List
Martin
Moen
Norheim
Nyhus
Odland
Olsgard
Pendray

Messrs.—	Messrs.—	Messrs.—
Pitkin	Smith of Ward	Turner, C. C.
Putnam	Snyder	Twichell
Raney	Sorlie	Wardrope
Roble	Stenebjem	Warriner
Ryan	Streeter	Weis
Sandbeck	Thompson	Williams
Schroeder	Taylor	Wing
Smith of Kidder	Tucker	Mr. Speaker

Those voting in the negative were: Mr. Coltom.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Fritz	O'Connor
Calnan	Hanson	Owens
Campbell	Haraldson	Pettersen
Carey	Hart	Ployhar
Davis	Isaak	Small
Dean	Lambert	Stinger
Dixon	Lewis	Turner, F. W.
Dosseth	Miller	Vvaish
Dynes	Morkrid	Watt
Fox	Morrison	Wiley
France	Northrup	

So the bill passed and the title was agreed to.

The Chief Clerk announced that the Speaker was about to sign

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.

Senate Bill No. 225.

A bill for an Act to amend and re-enacting 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. 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.

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. 197.

A bill for an Act relating to exits in all school houses having more than one school room, and requiring stationary fire escapes and railing to be attached to the outside of all school houses above the first story of every school house having more than one story, and designating whose duty it shall be to provide such exits and fire escapes, and prescribing a penalty for the violation of the provisions of this Act.

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 for the feeble minded.

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

House Bill No. 448.

Being 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 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.—
Anderson	Everson	Kellogg
Balsdon	Fiance	Kelly
Bass	Freitag	Klein
Batzer	Fritz	Knox
Bjornson	Gardiner	Lawbaugh
Blakemore	Geiger	Leu
Bollinger	Gunderson	Lewis
Bope	Hart	Lindstrom
Borusky	Harty	List
Buck	Hawkinson	Martin
Burnett	Hedalen	Moen
Butler of Ramsey	Hendrickson	Morkrid
Butler of Ransom	Hickle	Morrison
Campbell	Hill of Bottineau	Norheim
Carey	Hill of Cass	Nyhus
Curry	Hjelmstad	O'Connor
Dean	Hjort	Odland
Divet	Hoge	Olsgard
Dixon	Husband	Pendray
Dosseth	Isaak	Petterson
Doyle	Jacobson	Pitkin
Dynes	Johnson	Putnam

Messrs.—	Messrs.—	Messrs.—
Raney	Stenehjem	Wardrope
Roble	Stinger	Warriner
Sandbeck	Taylor	Wiley
Small	Tucker	Williams
Smith of Ward	Turner, C. C.	Wing
Snyder	Twichell	Mr. Speaker
Sorlie	Wash	

Those voting in the negative were: Mr. Coltom.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Homan	Ryan
Bratton	Huso	Schroeder
Calnan	Kyllo	Smith of Kidder
Davis	Lambert	Streeter
Endreson	Miller	Thompson
Fox	Northrup	Turner, F. W.
Hanson	Owens	Watt
Haraldson	Ployhar	Weis

So the bill passed and the title was agreed to.

House Bill No. 453.

Being 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 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	Curry	Hill of Cass
Baldon	Dean	Hjelmstad
Bartley	Divet	Hjort
Bass	Dixon	Hoge
Batzer	Dosseth	Homan
Bjornson	Doyle	Husband
Blakemore	Endreson	Huso
Bollinger	Everson	Isaak
Bope	France	Jacobson
Borusky	Fritz	Johnson
Buck	Gardiner	Kellogg
Burnett	Geiger	Kelly
Butler of Ramsey	Harty	Klein
Butler of Ransom	Hawkinson	Knox
Calnan	Hedalen	Lambert
Campbell	Hendrickson	Lawbaugh
Carey	Hickle	Lindstrom
Coltom	Hill of Bottineau	List

Messrs.—	Messrs.—	Messrs.—
Martin	Roble	Twichell
Miller	Schroeder	Walsh
Moen	Smith of Kidder	Wardrope
Morkrid	Smith of Ward	Warriner
Norheim	Sorlie	Wiley
Nyhus	Stinger	Williams
Odland	Streeter	Wing
Olgard	Taylor	Mr. Speaker
Pitkin	Tucker	
Putnam	Turner, C. C.	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Leu	Ryan
Davis	Lewis	Sandbeck
Dynes	Morrison	Small
Fox	Northrup	Snyder
Freitag	O'Connor	Stenhjem
Gunderson	Owens	Thompson
Hanson	Pendray	Turner, F. W.
Haraldson	Petterson	Watt
Hart	Ployhar	Weis
Kyllo	Raney	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 88, nays 0, absent and not voting 23.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Moen
Balsdon	Harty	Morkrid
Bartley	Hawkinson	Morrison
Bass	Hedalen	Northrup
Batzer	Hendrickson	Odland
Bjornson	Hickle	Olgard
Blakemore	Hill of Bottineau	Petterson
Bope	Hill of Cass	Pitkin
Borusky	Hjelmstad	Ployhar
Bratton	Hjort	Putnam
Burnett	Hoge	Raney
Butler of Ramsey	Homan	Roble
Butler of Ransom	Husband	Sandbeck
Calnan	Huso	Schroeder
Campbell	Isaak	Small
Carey	Jacobson	Smith of Kidder
Coltom	Johnson	Smith of Ward
Curry	Kellogg	Streeter
Dean	Kelly	Taylor
Divet	Klein	Tucker
Dosseth	Knox	Turner, C. C.

Messrs.—
Doyle
Dynes
Endreson
Everson
Fox
France
Fritz
Gardiner
Geiger

Messrs.—
Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Martin
Miller

Messrs.—
Walsh
Wardrope
Warriner
Watt
Wiley
Williams
Mr. Speaker

Absent and not voting:

Messrs.—
Bollinger
Buck
Davis
Dixon
Freitag
Hanson
Haraldson
Hart

Messrs.—
Northrup
Nyhus
O'Connor
Owens
Pendray
Ryan
Snyder
Sorlie

Messrs.—
Stenhjem
Stinger
Thompson
Turner, F. W.
Twichell
Weis
Wing

So the bill passed and the title was agreed to.

Mr. Wardrope moved

That the vote by which House Bill No. 428 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 373.

A bill for an Act to provide for the care, maintenance and instruction of blind babies and children under school age.

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.—
Anderson
Baldson
Bartley
Bass
Batzer
Bjornson
Bollinger
Bope
Borusky
Buck
Burnett
Butler of Ramsey
Butler of Ransom

Messrs.—
Campbell
Carey
Coltom
Curry
Dean
Divet
Dynes
Everson
Fox
France
Freitag
Fritz
Gardiner

Messrs.—
Geiger
Gunderson
Harty
Hawkinson
Hedalen
Hendrickson
Hickle
Hill of Bottineau
Hill of Cass
Hjort
Husband
Huso
Isaak

Messrs.—

Johnson
Kellogg
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Martin
Miller

Messrs.—

Morkrid
Moen
Morrison
Norheim
Nyhus
Pettersen
Pitkin
Putnam
Raney
Roble
Sandbeck
Schroeder
Smith of Ward
Sorlie

Messrs.—

Stenehjem
Stinger
Streeter
Taylor
Turner, C. C.
Twichell
Wardrope
Warriner
Watt
Wiley
Williams
Mr. Speaker

Absent and not voting:

Messrs.—

Blakemore
Bratton
Calnan
Davis
Dixon
Dosseth
Doyle
Endreson
Hanson
Haraldson
Hart

Messrs.—

Hjelmstad
Hoge
Homan
Johnson
Northrup
O'Connor
Odland
Olsgard
Owens
Pendray
Ployhar

Messrs.—

Ryan
Small
Smith of Kidder
Snyder
Thompson
Tucker
Turner, F. W.
Walsh
Weis
Wing

So the bill passed and the title was agreed to.

Mr. Putnam moved

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

Which motion prevailed.

Mr. Martin moved

That House Bill No. 27 be indefinitely postponed.

Which motion was lost.

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

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 22, absent and not voting 27.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Pitkin
Bass	Hedalen	Putnam
Batzer	Hendrickson	Raney
Bjornson	Hickle	Small
Blakemore	Hill of Bottineau	Smith of Kidder
Borusky	Hill of Cass	Smith of Ward
Buck	Hjelmstad	Snyder
Burnett	Hjort	Sorlie
Butler of Ramsey	Isaak	Stenhjem
Butler of Ransom	Jacobson	Stinger
Calnan	Kellogg	Streeter
Curry	Kelly	Taylor
Divet	Klein	Tucker
Dosseth	Knox	Turner, C. C.
Doyle	Lambert	Twichell
Dynes	Lawbaugh	Warriner
Endreson	Lewis	Watt
Fox	List	Williams
France	Miller	Wing
Haraldson	Norheim	Mr. Speaker
Hart	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Husband	Nyhus
Campbell	Huso	Olsgard
Coltom	Johnson	Pendray
Dean	Leu	Sandbeck
Gardiner	Lindstrom	Wardrobe
Geiger	Martin	Wiley
Gunderson	Moen	
Hawkinson	Morkrid	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fritz	Petterson
Bollinger	Hanson	Ployhar
Bope	Hoge	Roble
Bratton	Homan	Ryan
Carey	Kyilo	Schroeder
Davis	Morrison	Thompson
Dixon	Northrup	Turner, F. W.
Everson	O'Connor	Walsh
Freitag	Owens	Weis

So the bill passed and the title was agreed to.

Mr. Twichell moved

That the vote by which House Bill No. 27 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

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 21, absent and not voting 36.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Nyhus
Balsdon	Hawkinson	Odland
Bartley	Hedalen	Petterson
Bass	Hendrickson	Pitkin
Bjornson	Hill of Cass	Raney
Blakemore	Hjort	Roble
Bope	Hoge	Sandbeck
Borusky	Husband	Smith of Kidder
Butler of Ramsey	Johnson	Snyder
Butler of Ransom	Kelly	Stenehjelm
Campbell	Klein	Streeter
Carey	Knox	Turner, C. C.
Curry	Kyllo	Twitchell
Dean	Leu	Warriner
Dixon	Lewis	Watt
Dosseth	List	Williams
Fritz	Miller	Wing
Geiger	Morkrid	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Fox	Lawbaugh
Buck	Harty	Pendray
Burnett	Hickle	Putnam
Calnan	Hill of Bottineau	Schroeder
Coltom	Isaak	Taylor
Divet	Jacobson	Tucker
Endreson	Kellogg	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hjelmstad	Owens
Bratton	Husband	Ployhar
Davis	Huso	Ryan
Doyle	Lambert	Small
Dynes	Lindstrom	Smith of Ward
Everson	Martin	Sorlie
France	Moen	Stinger
Freitag	Morrison	Thompson
Gardiner	Norheim	Turner, F. W.
Gunderson	Northrup	Walsh
Hanson	O'Connor	Wardrobe
Haraldson	Cisgard	Weis

So the bill was lost.

Mr. Sorlie moved

That the House proceed to the thirteenth order of business.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 217.

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.

Was read the first and second time and

Referred to the committee on highways.

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a state board 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.

Was read the first and second time and

Referred to the committee on public health.

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates of charges and amendments thereto, prohibiting excessive charges, and providing a penalty for violation thereof.

Was read the first and second time and

Referred to the committee on railways.

Senate Bill No. 41.

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.

Senate Bill No. 305.

A bill for an Act providing for the appointment of shorthand reporters by referees, coroners, and committing magistrates, and providing for their compensation.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 278.

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.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of 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."

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 309.

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.

Was read the first and second time and

Referred to the committee on election and election privileges.

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 154.

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.

Senate Bill No. 107.

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.

Senate Bill No. 140.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 148.

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.

Was read the first and second time and

Referred to the committee on game and fish.

Senate Bill No. 43.

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.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 178.

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.

Senate Bill No. 263.

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 mechanics' liens.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 249.

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.

Was read the first and second time and

Referred to the committee on public health.

Senate Bill No. 113.

A bill for an Act making an appropriation for the experimental station of the school of mines and the mining sub-station at Hebron, Morton County.

Was read the first and second times and

Referred to the committee on appropriations.

COURTESIES OF THE FLOOR.

Privileges of the floor were extended to Jas. H. Olson, Washburn; Louis Bergquist, Underwood; Ray Mattson, Mandan; A. U. Carlblom, Sargent County; W. M. Morton,

Steele, N. D.; Mrs. S. H. Pitkin, Velva, N. D.; Mr. J. F. Shea, Wahpeton, N. D.; Walter H. Murfin, Edgeley; F. J. Provau, Marion, N. D.; Mr. Hartwell; Mrs. S. Hendrickson, Mrs. L. Pouse, Coteau; Mrs. Oscar Lindstrom, Noonan, N. D.; H. Harmon, Mr. Royer, Mandan.

Mr. Gardiner moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FIFTY-THIRD DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
February 28th, 1913.

The House assembled at 2 o'clock P. M., pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll call.

A members present except Mr. Streeter, who was excused

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, February 28, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 221.

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.

Also,

Senate Bill No. 208.

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.

Also,

Senate Bill No. 284.

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.

Also,

Senate Bill No. 288.

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

Also,

Senate Bill No. 314.

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.

Also

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Also,

Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of farm machinery and repairs or parts for farm machinery and prescribing a penalty for the violation thereof.

Also,

Senate Bill No. 337.

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 statement of number of schools with county auditor.

Also,

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Also,

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporation.

Also,

Senate Bill No. 340.

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.

Also,

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Also,

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries.

Also,

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Also,

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Also,

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Also,

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

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

Also,

Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institutes and training schools.

Very respectfully,

W. D. AUSTIN,
Secretary.

PETITIONS AND COMMUNICATIONS.

Mr. Smith of Kidder 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 W. H. Haly of Dawson, N. D., and 35 others.

REPORT OF STANDING COMMITTEE.

The committee on temperance made the following report:

Mr. Speaker:

Your committee on temperance to whom was referred 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.

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

S. HENDRICKSON,
Chairman.

Also,

A minority of your committee on temperance to whom was referred

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 of the Session Laws of 1909, and any Acts mandatory thereof.

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

In Section 2, page 4, line 21, after the word "if" strike out "satisfied that the statements." On line 22, after the word "petition," strike out "are true." In line 21, Section 2, page 4, after the word "if" add the following: "the evidence offered by the applicant is competent and clearly establishes the truth of all the statements contained." On line 24 after the word "only" strike out all the balance of the line, also strike out line 25 and up to and including the word "permit" on line 26.

And when so amended recommend the same do pass.

S. HENDRICKSON,
Chairman.

M. D. BUTLER,
A. DIXON,
G. A. TUCKER,
J. J. RYAN,
LOUIS A. LEU,
J. A. T. BJORNSON.

Also,

A minority of your committee on temperance to whom was referred

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 of the Session Laws of 1909, and any Acts mandatory thereof.

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

S. HENDRICKSON,
Chairman.

C. L. MORKRID,
E. W. EVERSON
ED. COLTOM,
THOMAS PENDRAY,
F. H. LAMBERT,
D. L. WARRINER,
PEDER L. HJELMSTAD.

Mr. Hendrickson moved

That the report be adopted.

Which motion prevailed.

Mr. Butler moved

That House Bill No. 464 be re-referred to the committee on temperance for amendment.

Which motion was lost.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 171.

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.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Professor E. F. Ladd for disbursements and expenses incurred in the enforcement of the pure food law.

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

On page 1 and in line 7 of Section 2 of the engrossed bill, after the word "Dakota," strike out the "period" and insert in lieu thereof a "colon" and "such payment to be made only upon the filing of sworn vouchers therefor."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the state tuberculosis sanitarium at Dunseith.

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

On page 1 of the engrossed bill, strike out all of Section 2, Emergency.

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 25.

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

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 158.

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 appropriation.

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

BERNT ANDERSON,
Chairman.

Also,

House Bill No. 191.

A bill for an Act making an appropriation to purchase additional land for the state penitentiary at Bismarck.

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.

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. 481.

A bill for an Act to amend Section 16 of Chapter 77 of the Laws of 1911, entitled "Commission system of government."

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

VICTOR WARDROPE,
Chairman.

Also,

House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their 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.

Have had the same under consideration and recommend that the same be referred to the committee of the whole House in general orders.

VICTOR WARDROPE,
Chairman.

Mr. Wardrope 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. 139.

A bill for an Act providing for properly expending public money on highways.

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

NORMAN MORRISON,
Chairman.

Also,

House Bill No. 98.

A bill for an Act providing for the repair and maintenance of highways by organized townships, and authorizing the expenditure of money therefor.

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

NORMAN MORRISON,
Chairman.

Also,

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.

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

On page 1, line 3 of printed bill, after the word "amended," insert the word "and re-enacted."

And when so amended recommend the same do pass.

NORMAN MORRISON,
Chairman.

Also,

A majority of your committee on highways to whom was referred

House Bill No. 440.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the issuance of state road bonds.

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

NORMAN MORRISON,
Chairman.

Also,

A minority of your committee on highways to whom was referred

House Bill No. 440.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the issuance of state road bonds.

Have had the same under consideration and a minority of such committee recommend that the bill be indefinitely postponed.

NORMAN MORRISON,
Chairman.

A. DIXON,
T. O. ROBLE,
JOHN DYNES,
N. W. HAWKINSON,

Mr. Morrison 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. 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.

Also,

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.

Also,

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.

Also,

House Bill No. 487.

A bill for an Act to provide for the publication by the state of an unauthenticated edition of the Session Laws, and its distribution.

Also,

House Bill No. 495.

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.

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:

The majority of your committee on railroads to whom was referred

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.

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

C. S. BUCK,
N. MORRISON,
N. O. JOHNSON,
H. R. FREITAG,
J. E. HILL,
R. K. BATZER,
W. A. SMALL.

Also,

The minority of your committee on railroads to whom was referred

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.

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

After the last word in Section 2 of the engrossed bill, insert the following: "Provided, however, this shall not apply to rolling stock now in service."

After the last word in Section 3 of the engrossed bill, insert the following: "And provided, further, that this Act shall not apply to loading platforms erected at sidings or stations between terminals now in use."

In Section 5, on line 3 of the engrossed bill, strike out after the word "construct" the words "or maintain."

And when so amended recommend the same do pass.

A. M. THOMPSON,
STAALÉ HENDRICKSON,
ALBERT WEIS,
D. L. WARRINER,
OLE NYHUS,
J. W. HART.

Mr. Thompson moved

That the minority report of the committee be adopted.

Mr. Hendrickson moved

That Senate Bill No. 52 be referred to general orders.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

Conference committee report on Senate Bill No. 98:

The conference committee appointed by the House of Representatives and the Senate to confer on Senate Bill No. 98, after having such bill under consideration, do recommend that the House recede from its amendment and that it be amended as follows:

In the second line of the title of the printed bill, after the word "transportation" strike out the comma and insert the word "or." In the same line strike out the words "or use." In the same line after the word "snuff" insert the word "or any substitute therefore." After the word "therefore" as the same occurs at the end of the title, strike out the period and add, "and to repeal Chapter 277 of the Session Laws of North Dakota of 1911."

In Section 1, line 1, of the printed bill after the word and number "Section 1" insert the words "Sale of Snuff Prohibited.)"

In Section 1, line 3 of the printed bill after the word "snuff" insert the words "or any substitute therefore."

Strike out all of Section 2 of the printed bill and insert in lieu thereof, the following: "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, or any substitute therefor or imitation thereof, intended to be taken or used by the mouth or nose. *Provided*, however; that ordinary plug, fine cut, or long cut chewing tobacco as now commonly known to the trade of this state, shall not be included in such definition."

In Section 3, line 1 of the printed bill strike out the word "Sec." and insert in lieu thereof the word "Section." After the numeral "3" in the same line insert the words "Officers to Enforce.)"

After and immediately following Section 3, add:

"Section 4. Repeal.) Chapter 277 of the Session Laws of North Dakota of 1911 is hereby expressly repealed."

C. F. MUDGETT,
G. L. ELKEN,
W. B. OVERSON,
L. L. TWICHELL,
JAMES HILL,
D. L. WARRINER,
Conference Committee.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed.

Report of special committee, in the matter of charges of the House of Representatives against Ben Ness.

Mr. Speaker:

Your special committee beg leave to report:

That it has fully investigated all the circumstances attending on and surrounding the charges of contempt against Ben Ness, and particularly certain statements effecting the honesty and integrity of certain members of this House and of the Senate, to-wit: Mr. Thompson and Mr. Milier of Ward, Mr. Taylor of Mountrail; Mr. Ryan of Morton; Messrs. Norheim and Stenehjem of McKenzie and Senators LaMoure and Hookway; which statements were brought about solely through false and unreliable representations made by said Ness to Mr. Divet and Mr. Twichell of this House in connection with an attempt of said Ness to corruptly defeat Senate Bill No. 98, known as the Snuff Bill, pending before this House; that such statements and insinuations are wholly false and without foundation and your committee is wholly unable to find any circumstances or conditions tending to in any way to connect the members above named or any members of the Senate with any deal or transaction, agreement or understanding whatever, with Ness or any person or firm whom he claimed to represent and any reference he made to any of the members of this House or the Senate was wholly unwarranted and unsupported by any facts whatsoever.

We firmly believe it was an injustice to the members of this House and to the Senate above named to connect their names with Ness, as it might tend to an unjust reflection upon any and all of the members named, as to their honesty, integrity and good name, and we therefore recommend that the House take action by resolution upholding the honesty, integrity and good name of its members above named and that this report be communicated to the Senate, that the Senate may act with reference to this report and the House Journal before it containing the record of the proceedings of this House in the matter of contempt of said Ness.

WM. G. OWENS, Chairman.
C. S. BUCK,
E. O. HARALDSON,
VICTOR WARDROPE.

Mr. Owens moved

That the above report be adopted and the committee discharged.

Which motion prevailed.

Mr. Williams asked unanimous consent to offer a resolution.

Which consent was given.

Mr. Williams offered the following resolution:

Whereas, The names of members of this House of Representatives, to-wit:

Mr. Thompson and Mr. Miller of Ward; Mr. Taylor of Mountrail; Mr. Ryan of Morton; Mr. Norheim and Mr. Stenhjem of McKenzie, were unjustly drawn into publicity by action of this House in the hearing in contempt charges against Ben Ness had before this House on the 27th day of February, 1913; and

Whereas, said publicity may tend to throw reflection upon the honesty, integrity and good name of the above members by the statements made by said Ness and

Whereas, Such statements purporting to connect the said members above named with said Ness in a corrupt transaction to bring about the defeat of Senate Bill No. 98, known as the "Snuff Bill" has been found to be and is entirely false and without any foundation of truth and

Whereas, Such statements may tend to unduly reflect upon the honesty, integrity and good name of the said members and to give undue publicity to the same effect throughout the press of the state, and we the members of the House of Representatives believing an injustice was done to all of said members by reason thereof therefore, be it

Resolved, By the House of Representatives of the Thirteenth Legislative Assembly that any and all such statements so made by said Ness to Messrs. Divet and Twichell are believed to be wholly false and untrue and unwarranted reflections upon the good name, honesty and integrity of the said members and no reason or foundation therefore and be it further

Resolved, That we express our confidence and belief in the honesty, integrity and good name of said named members of this House all of whom we firmly believe to be honorable, honest and upright representatives of the people of their respective districts and the State of North Dakota.

Mr. Williams moved

That the report be adopted.

Mr. Twichell moved

That the resolution be adopted by roll call.

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	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
Borusky	Hill of Cass	Putnam
Bratton	Hjelmstad	Raney
Buck	Hjort	Roble
Burnett	Hoge	Sandbeck
Butler of Ramsey	Homan	Schroeder
Butler of Ransom	Husband	Small
Calnan	Huso	Smith of Kidder
Carey	Isaak	Smith of Ward
Coltom	Jacobson	Snyder
Curry	Johnson	Sorlie
Davis	Kelly	Stenehjem
Dean	Klein	Stinger
Divet	Knox	Streeter
Dixon	Kyllo	Tucker
Dosseth	Lambert	Turner, C. C.
Doyle	Lawbaugh	Twichell
Dynes	Leu	Walsh
Endreson	Lewis	Wardrobe
Everson	Lindstrom	Warriner
Fox	List	Watt
France	Martin	Weis
Freitag	Moen	Wiley
Fritz	Morkrid	Williams
Gardiner	Morrison	Wing
Geiger	Northrup	Mr. Speaker
Hanson	Nyhus	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Miller	Taylor
Campbell	Norheim	Turner, F. W.
Gunderson	Ryan	
Kellogg	Thompson	

Messrs. Ryan, Thompson, Taylor, Miller and Norheim being excused, as their names were in the resolution.

And so the resolution was adopted.

Mr. Lambert moved

To amend the resolution by inserting therein the names of Senator Hookway and Senator LaMoure.

Which motion was lost.

MOTIONS AND RESOLUTIONS.

Mr. Wardrope moved

That Senate Bill No. 8 be recalled from the committee on ways and means.

Which motion prevailed.

Mr. Schroeder moved

That the vote by which House Bill No. 349 was lost be reconsidered.

Which motion prevailed.

Mr. Norheim offered the following concurrent resolution:

Whereas, The State of North Dakota lost a distinguished and beloved citizen by the death of John Flittie, of Williston, on January 23, 1913; and,

Whereas, The deceased was one of the pioneer statesmen of the Dakotas who served in the territorial council at Yankton, and was selected the first secretary of state when North Dakota was admitted to statehood, and when he had laid down the duties of that office, served as land commissioner, first at Mayville, then at Bottineau, and later at Williston and at Arnegard; and,

Whereas, John Flittie was one of that sturdy, intrepid, and courageous band of pioneers who have lived their useful lives on the frontier and to whom the present generation owes so much of the prosperity and greatness of this state; therefore,

Be it Resolved by the House of Representatives and the Senate of the Thirteenth Legislative Assembly, That the State of North Dakota has by the death of John Flittie lost a noble, true and useful citizen; and,

Be it Further Resolved, That a copy of these resolutions be sent to the family of the deceased.

Mr. Norheim moved

That the concurrent resolution be adopted.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays 6, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Harty	Olsgard
Bartley	Hawkinson	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Petterson
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Raney
Borusky	Hjort	Ryan
Bratton	Husband	Sandbeck
Buck	Isaak	Schroeder
Burnett	Jacobson	Small
Butler of Ramsey	Johnson	Smith of Kidder
Calnan	Kellogg	Smith of Ward
Campbell	Kelly	Snyder
Carey	Klein	Stenehjem
Curry	Kyllo	Stinger
Dean	Lawbaugh	Taylor
Divet	Leu	Tucker
Dixon	Lewis	Turner, C. C.
Dosseth	Lindstrom	Twichell
Doyle	List	Warriner
Dvnes	Martin	Warriner
Endreson	Miller	Weis
Fox	Moen	Wiley
Fritz	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hanson	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Freitag	Hoge
France	Gardiner	Lambert

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Huso	Streeter
Butler of Ransom	Knox	Thompson
Davis	Morkrid	Turner, F. W.
Everson	Morrison	Walsh
Hart	Putnam	Watt
Hjelmstad	Roble	Williams
Homan	Sorlie	

So the bill passed and the title was agreed to.

House Bill No. 487.

A bill for an Act to provide for the publication by the state of an unauthenticated edition of the Session Laws, and its distribution.

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 15, absent and not voting 14.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	O'Connor
Balsdon	Hanson	Petterson
Bartley	Harty	Pitkin
Bass	Hawkinson	Putnam
Batzer	Hedalen	Raney
Bjornson	Hendrickson	Roble
Blakemore	Hickle	Ryan
Bollinger	Hjort	Sandbeck
Borusky	Hoge	Schroeder
Bratton	Husband	Smith of Kidder
Buck	Huso	Smith of Ward
Butler of Ramsey	Isaak	Snyder
Butler of Ransom	Jacobson	Sorlie
Campbell	Johnson	Stenehjem
Carey	Kelly	Stinger
Curry	Klein	Streeter
Davis	Knox	Thompson
Dean	Lambert	Tucker
Divet	Lawbaugh	Turner, C. C.
Dixon	Leu	Walsh
Dosseth	Lewis	Warriner
Dynes	List	Warriner
Endreson	Martin	Watt
Everson	Moen	Wiley
Fox	Morrison	Williams
Freitag	Norheim	Wing
Fritz	Northrup	
Gardiner	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Hart	Pendray
Calnan	Hill of Cass	Taylor
Coltom	Hjelmstad	Twichell
Doyle	Odland	Weis
France	Owens	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Kellogg	Olsgard
Gunderson	Kyllo	Ployhar
Haraldson	Lindstrom	Small
Hill of Bottineau	Miller	Turner, F. W.
Homan	Morkrid	

So the bill passed and the title was agreed to.

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

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

Messrs.—
 Roble
 Ryan
 Sandbeck
 Schroeder
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stenehjem
 Stinger
 Streeter
 Thompson
 Taylor

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

Absent and not voting:

Messrs.—
 Bope
 Doyle
 Everson
 Gunderson

Messrs.—
 Haraldson
 Hawkinson
 Hjelmstad
 Kellogg

Messrs.—
 Kylo
 Morkrid
 Watt

So the bill passed and the title was agreed to.

House Bill No. 466.

A bill for an Act to amend Section 6752 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 28, nays 59, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—
 Bjornson
 Blakemore
 Borusky
 Buck
 Burnett
 Butler of Ransom
 Carey
 Divet
 Dosseth
 Dynes

Messrs.—
 Endreson
 Fritz
 Hanson
 Hart
 Hendrickson
 Hoge
 Kylo
 Lewis
 Lindstrom
 Miller

Messrs.—
 Nyhus
 O'Connor
 Ployhar
 Thompson
 Twichell
 Warriner
 Williams
 Mr. Speaker

Those voting in the negative were:

Messrs.—
 Anderson
 Balsdon
 Bass
 Batzer
 Bollinger

Messrs.—
 Bratton
 Butler of Ramsey
 Calnan
 Campbell
 Coltom

Messrs.—
 Curry
 Davis
 Dean
 Dixon
 Doyle

Messrs.—

Everson
Fox
France
Freitag
Gardiner
Geiger
Gunderson
Hedalen
Hjelmstad
Hjort
Husband
Huso
Isaak
Jacobson
Johnson

Messrs.—

Kelly
Klein
Lambert
Lawbaugh
Leu
Martin
Moen
Morrison
Odland
Olgard
Pendray
Pettersen
Pitkin
Putnam
Raney

Messrs.—

Roble
Ryan
Sandbeck
Schroeder
Small
Smith of Kidder
Smith of Ward
Sorlie
Stinger
Walsh
Warriner
Weis
Wiley
Wing

Absent and not voting:

Messrs.—

Bartley
Bope
Haraldson
Harty
Hawkinson
Hickle
Hill of Bottineau
Hill of Cass

Messrs.—

Homan
Kellogg
Knox
List
Morkrid
Norheim
Northrup
Owens

Messrs.—

Snyder
Stenhjem
Streeter
Taylor
Tucker
Turner, C. C.
Turner, F. W.
Watt

So the bill was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 69, nays 13, absent and not voting 29.

Those voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bartley
Bjornson
Blakemore
Bollinger
Buck
Burnett
Butler of Ransom
Calnan
Campbell
Carey
Curry
Divet
Doyle
Dynes

Messrs.—

Endreson
Everson
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson
Hart
Harty
Hedalen
Hendrickson
Hill of Bottineau
Hill of Cass
Hjelmstad
Hjort

Messrs.—

Hoge
Isaak
Jacobson
Johnson
Kellogg
Kelly
Knox
Lambert
Lawbaugh
Lewis
Martin
Miller
Moen
Norheim
Nyhus
O'Connor

Messrs.—	Messrs.—	Messrs.—
Odland	Ryan	Stenehjem
Pendray	Sandbeck	Thompson
Petterson	Schroeder	Twichell
Pitkin	Small	Walsh
Ployhar	Smith of Kidder	Weis
Putnam	Snyder	Williams
Raney	Sorlie	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Borusky	Huso	Taylor
Coltom	Klein	Warriner
Dean	Kyllo	Wiley
Dosseth	Morrison	
Husband	Olsgard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bass	Hawkinson	Smith of Ward
Batzer	Hickle	Stinger
Bope	Homan	Streeter
Bratton	Leu	Tucker
Butler of Ramsey	Lindstrom	Turner, C. C.
Davis	List	Turner, F. W.
Dixon	Morkrid	Warriner
Fox	Northrup	Watt
France	Owens	Wing
Haraldson	Roble	

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That further action on House Bill No. 387 be deferred until tomorrow and that the bill be placed at the foot of the calendar.

Which motion prevailed.

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 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	Gunderson	Nyhus
Balsdon	Hanson	O'Connor
Bartley	Hart	Odland
Bass	Harty	Owens
Batzer	Hedalen	Fendray
Bjornson	Hendrickson	Petterson
Blakemore	Hickle	Pitkin
Bollinger	Hill of Bottineau	Ployhar
Borusky	Hjort	Ryan
Bratton	Hoge	Schroeder
Buck	Homan	Small
Burnett	Husband	Smith of Kidder
Butler of Ramsey	Huso	Smith of Ward
Butler of Ransom	Isaak	Snyder
Campbell	Jacobson	Sorlie
Carey	Johnson	Stenehjem
Coltom	Kelly	Thompson
Curry	Knox	Taylor
Davis	Kyilo	Tucker
Dean	Lambert	Turner, C. C.
Divet	Lawbaugh	Twihell
Dixon	Leu	Wardrobe
Dosseth	Lewis	Warriner
Dynes	Lindstrom	Watt
Endreson	List	Weis
Everson	Martin	Wiley
Freitag	Miller	Williams
Gardiner	Moen	Wing
Geiger	Norheim	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Hill of Cass	Putnam
Calnan	Hjelmstad	Raney
Doyle	Kellogg	Roble
Fox	Klein	Sandbeck
France	Morkrid	Stinger
Fritz	Morrison	Streeter
Haraldson	Northrup	Turner, F. W.
Hawkinson	Olsgard	Walsh

So the bill passed and the title was agreed to.

House Bill No. 495.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 93, nays 0, absent and not voting 18.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Fritz	Ployhar
Burnett	Isaak	Snyder
Divet	Kellogg	Sorlie
Doyle	Miller	Streeter
Dynes	Morkrid	Turner, F. W.
France	Petterson	Watt

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 91, nays 2, absent and not voting 18.

Those voting in the affirmative were:

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

Those voting in the negative were: Messrs. Anderson and Morrison.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Haraldson	Northrup
Borusky	Kellogg	Smith of Ward
Bratton	Leu	Snyder
Buck	Moen	Sorlie
Endreson	Morkrid	Streeter
France	Norheim	Turner, F. W.

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM SENATE.

Mr. Divet moved

That Senate Bill No. 279 be recalled from the committee on forestry and returned to the Senate.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institute and training schools.

Was read the first and second time and
Referred to the committee on education.

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Was read the first and second time and
Referred to the committee on education.

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

Was read the first and second time and
Referred to the committee on education.

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Was read the first and second time, and
Referred to the committee on education.

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Was read the first and second time and
Referred to the committee on education.

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries.

Was read the first and second time and
Referred to the committee on education.

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporation.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 337.

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 statement of number of schools with county auditor.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of farm machinery and repairs or parts for farm machinery and prescribing a penalty for the violation thereof.

Was read the first and second time and

Referred to the committee on railways.

Senate Bill No. 340.

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.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

Was read the first and second time and

Referred to the committee on penal institutions.

Senate Bill No. 314.

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.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 288.

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

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 208.

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.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 284.

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.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 221.

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.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Mr. Knox moved

That the House take a recess of ten minutes.

Which motion prevailed.

The House reassembled at 4 o'clock P. M. pursuant to recess taken.

THIRD READING OF SENATE BILLS.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 64, nays 25, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Nyhus
Balsdon	Fritz	Odland
Bartley	Hanson	Olgard
Bass	Harty	Pitkin
Batzer	Hedalen	Putnam
Bjornson	Hendrickson	Raney
Blakemore	Hill of Bottineau	Roble
Bollinger	Hill of Cass	Smith of Kidder
Buck	Hoge	Snyder
Butler of Ramsey	Jacobson	Sorlie
Butler of Ransom	Kelly	Taylor
Calnan	Klein	Tucker
Carey	Knox	Turner, C. C.
Curry	Lambert	Twitchell
Davis	Lawbaugh	Walsh
Divet	Lewis	Wardrope
Dixon	List	Weis
Dosseth	Miller	Wiley
Doyle	Moen	Williams
Dynes	Morkrid	Mr. Speaker
Endreson	Norheim	
Fox	Northrup	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Borusky	Hawkinson	Morrison
Coltom	Hickle	Pendray
Dean	Hjelmstad	Petterson
Everson	Hjort	Sandbeck
Freitag	Isaak	Stinger
Gardiner	Johnson	Warriner
Geiger	Kyllo	Wing
Gunderson	Lindstrom	
Hart	Martin	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Kellogg	Smith of Ward
Bratton	Leu	Stenhjem
Burnett	O'Connor	Streeter
Campbell	Owens	Thompson
Haraldson	Ployhar	Turner, F. W.
Homan	Ryan	Watt
Husband	Schroeder	
Huso	Small	

So the bill passed and the title was agreed to.

Mr. Butler of Ransom moved

That the vote by which Senate Bill No. 200 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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.

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 43, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Calman	Geiger
Batzer	Campbell	Gunderson
Bjornson	Coltom	Haraldson
Blakemore	Curry	Hawkinson
Bope	Dean	Hedalen
Bratton	Doyle	Hill of Cass
Butler of Ramsey	Freitag	Husc
Butler of Ransom	Fritz	Kelly

Messrs.—

Klein
Knox
Lawbaugh
Lewis
List
Miller
Odland
Pitkin

Messrs.—

Ployhar
Putnam
Ryan
Small
Smith of Kidder
Snyder
Taylor
Tucker

Messrs.—

Turner, C. C.
Twichell
Walsh
Wiley
Wing
Mr. Speaker

Those voting in the negative were:

Messrs.—

Anderson
Balsdon
Bollinger
Borusky
Buck
Burnett
Davis
Divet
Dixon
Dossseth
Dynes
Endreson
France
Gardiner
Hanson

Messrs.—

Hart
Hendrickson
Hickle
Hjelmstad
Hjort
Hoge
Husband
Isaak
Jacobson
Johnson
Kyllo
Lambert
Leu
Lindstrom
Martin

Messrs.—

Nyhus
Odland
Pendray
Raney
Roble
Sandbeck
Schroeder
Smith of Ward
Stenhjem
Stinger
Warriner
Weis
Williams

Absent and not voting:

Messrs.—

Bartley
Carey
Endreson
Fox
Harty
Hill of Bottineau
Homan
Kellogg

Messrs.—

Moen
Morkrid
Morrison
Norheim
Northrup
O'Connor
Owens
Pettersen

Messrs.—

Sorlie
Streeter
Thompson
Turner, F. W.
Wardrope
Watt

So the bill was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 74, nays 10, absent and not voting 27.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Pendray
Balsdon	Harty	Pitkin
Bass	Hedalen	Ployhar
Batzer	Hendrickson	Raney
Blakemore	Hickle	Roble
Bollinger	Hill of Bottineau	Ryan
Bratton	Hill of Cass	Sandbeck
Buck	Hjelmstad	Schroeder
Burnett	Hjort	Small
Butler of Ramsey	Hoge	Smith of Kidder
Butler of Ransom	Husband	Smith of Ward
Calnan	Huso	Snyder
Carey	Isaak	Stenehjem
Curry	Jacobson	Taylor
Divet	Johnson	Tucker
Dixon	Kelly	Turner, C. C.
Dosseth	Klein	Twichell
Dynes	Knox	Walsh
Endreson	Kyllo	Wardrope
Everson	Lambert	Warriner
Freitag	Lawbaugh	Weis
Gardiner	Lewis	Williams
Geiger	List	Wing
Gunderson	O'Connor	Mr. Speaker
Hanson	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Fritz	Nyhus
Borusky	Hart	Stinger
Campbell	Hawkinson	
Coltom	Martin	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Leu	Owens
Bope	Lindstrom	Petterson
Davis	Miller	Putnam
Dean	Moen	Sorlie
Doyle	Morkrid	Streeter
Fox	Morrison	Thompson
France	Norheim	Turner, F. W.
Husband	Northrup	Watt
Kellogg	Olsgard	Wiley

So the bill passed and the title was agreed to.

Mr. Twichell moved

That Senate Bill No. 175 be referred to the committee on public printing.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 9, absent and not voting 32.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Odland
Bjornson	Hedalen	Pendray
Blakemore	Hill of Bottineau	Pitkin
Bollinger	Hill of Cass	Putnam
Buck	Hjelmstad	Roble
Burnett	Hjort	Ryan
Butler of Ramsey	Homan	Sandbeck
Butler of Ransom	Husband	Small
Calnan	Huso	Smith of Ward
Carey	Isaak	Snyder
Curry	Jacobson	Sorlie
Dean	Klein	Stinger
Divet	Knox	Streeter
Dixon	Kylo	Taylor
Dosseth	Lambert	Tucker
Dynes	Lawbaugh	Turner, C. C.
Endreson	Leu	Twichell
France	Lewis	Walsh
Freitag	Lindstrom	Wardrope
Gardiner	List	Wiley
Geiger	Martin	Wing
Gunderson	Miller	Mr. Speaker
Hanson	Nyhus	
Hart	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Campbell	Hendrickson
Batzer	Coltom	Smith of Kidder
Borusky	Fritz	Williams

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hoge	Petterson
Bartley	Johnson	Ployhar
Bope	Kellogg	Raney
Bratton	Kelly	Schroeder
Davis	Moen	Stenehjem
Doyle	Morkrid	Thompson
Everson	Morrison	Turner, F. W.
Fox	Norheim	Warriner
Haraldson	Northrup	Watt
Hawkinson	Olgard	Weis
Hickle	Owens	

So the bill passed and the title was agreed to.

Senate Bill No. 291.

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."

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 2, absent and not voting 33.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Moen
Baldson	Geiger	Nyhus
Bass	Gunderson	Odland
Batzer	Hanson	Pettersen
Bjornson	Hart	Pitkin
Blakemore	Harty	Sandbeck
Bollinger	Hawkinson	Schroeder
Bope	Hedalen	Small
Borusky	Hendrickson	Smith of Kidder
Buck	Hickle	Snyder
Butler of Ransom	Hill of Cass	Stenhjem
Calnan	Hjelmstad	Stinger
Campbell	Hjort	Thompson
Carey	Hoge	Taylor
Curry	Husband	Tucker
Davis	Huso	Turner, C. C.
Dean	Jacobson	Turner, F. W.
Divet	Johnson	Twichell
Dixon	Kelly	Wardrobe
Dosseth	Klein	Weis
Doyle	Knox	Wiley
Dynes	Kyllo	Williams
Everson	Lambert	Wing
Fox	Lewis	Mr. Speaker
France	List	
Fritz	Miller	

Those voting in the negative were: Messrs. Martin and Walsh.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Kellogg	Pendray
Bratton	Lawbaugh	Ployhar
Burnett	Leu	Putnam
Butler of Ramsey	Lindstrom	Raney
Coltom	Morkrid	Roble
Endreson	Morrison	Ryan
Freitag	Norheim	Smith of Ward
Haraldson	Northrup	Sorlie
Hill of Bottineau	O'Connor	Streeter
Homan	Olsgard	Warriner
Isaak	Owens	Watt

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 16, absent and not voting 27.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hedalen	Roble
Bjornson	Hendrickson	Ryan
Blakemore	Hill of Cass	Sandbeck
Bollinger	Hjort	Schroeder
Bope	Hoge	Small
Buck	Husband	Smith of Ward
Butler of Ransom	Huso	Snyder
Calnan	Johnson	Sorlie
Carey	Kelly	Stinger
Curry	Klein	Streeter
Dixon	Leu	Thompson
Dosseth	Lewis	Taylor
Doyle	List	Tucker
Dynes	Miller	Turner, C. C.
Endreson	Moen	Twichell
Fox	Norheim	Walsh
France	O'Connor	Wardrobe
Freitag	Odland	Warriner
Fritz	Pendray	Weis
Geiger	Pitkin	Wiley
Hanson	Ployhar.	Wing
Hart	Putnam	Mr. Speaker
Hawkinson	Raney	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Davis	Martin
Balsdon	Dean	Nyhus
Bass	Divet	Petterson
Borusky	Gardiner	Smith of Kidder
Butler of Ramsey	Gunderson	
Coltom	Knox	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hjelmstad	Morkrid
Bratton	Homan	Morrison
Burnett	Isaak	Northrup
Campbell	Jacobson	Olsgard
Everson	Kellogg	Owens
Haraldson	Kyllo	Stenehjem
Harty	Lambert	Turner, F. W.
Hickle	Lawbaugh	Watt
Hill of Bottineau	Lindstrom	Williams

So the bill passed and the title was agreed to.

Mr. Turner of Stark moved

That further consideration of Senate Bill No. 181 be indefinitely postponed.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 33.

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

Senate Bill No. 82.

A bill for an Act to amend Section 8363 of Chapter 3 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 such summons, and fees to be paid therefor.

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.

Senate Bill No. 105.

A bill for an Act relating to the responsibility of fidelity insurance companies.

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. 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.

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. 182.

A bill for an Act to amend Section 2623, Revised Codes of 1905, relating to the examination of records of certain public officers.

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.

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.

Senate Bill No. 239.

A bill for an Act to authorize the public examiner to make examination of state offices.

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

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 65, nays 25, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Nyhus
Bass	Hanson	O'Connor
Batzer	Harty	Pendray
Bjornson	Hedalen	Pitkin
Blakemore	Hendrickson	Ployhar
Bollinger	Hill of Bottineat	Putnam
Burnett	Hjelmstad	Raney
Butler of Ramsey	Hjort	Ryan
Butler of Ransom	Hoge	Small
Calnan	Homan	Smith of Kidder
Carey	Husband	Snyder
Coltom	Jacobson	Sorlie
Davis	Kelly	Stenehjem
Dixon	Knox	Thompson
Dosseth	Lambert	Taylor
Doyle	Leu	Walsh
Dynes	Lewis	Wardrope
Endreson	Lindstrom	Williams
Fox	Miller	Wing
Freitag	Moen	Mr. Speaker
Gardiner	Norheim	
Geiger	Northrup	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buck	Johnson	Roble
Curry	Klein	Sandbeck
Dean	Kyllo	Tucker
Divet	Lawbaugh	Turner, C. C.
France	List	Warriner
Hart	Martin	Weis
Hawkinson	Morrison	Wiley
Hickle	Odland	
Huso	Petterson	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fritz	Schroeder
Bartley	Haraldson	Smith of Ward
Bope	Hill of Cass	Stinger
Borusky	Isaak	Streeter
Bratton	Kellogg	Turner, F. W.
Campbell	Morkrid	Twichell
Everson	Owens	Watt

So the bill passed and the title was agreed to.

Mr. Lambert moved

That the vote by which Senate Bill No. 132 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 95, nays 1, absent and not voting 15.

Those voting in the affirmative were:

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

Those voting in the negative were: Mr. Leu.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bartley	Fox	Lawbaugh
Bollinger	Haraldson	Northrup
Butler of Ransom	Hoge	Owens
Davis	Jacobson	Schroeder
Dean	Kellogg	Twichell

So the bill passed and the title was agreed to.

GENERAL ORDERS.

Mr. Hjort 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. Hjort 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. 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.

And recommend that the same be indefinitely postponed.

J. L. HJORT,
Chairman.

Mr. Hjort moved

That the report of the committee be adopted.

Roll call demanded.

The roll was called and there were ayes 49, nays 49, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dixon	Hendrickson
Batzer	Dosseth	Hjort
Bjornson	Doyle	Homan
Bollinger	Endreson	Isaak
Bratton	France	Kelly
Butler of Ramsay	Freitag	Klein
Butler of Ransom	Fritz	Leu
Calnan	Gardiner	Lindstrom
Campbell	Gunderson	List

Messrs.—

Miller
Moen
Morrison
Norheim
Pettersen
Raney
Roble
Ryan

Messrs.—

Schroeder
Small
Smith of Ward
Stenehjelm
Stinger
Thompson
Tucker
Turner, C. C.

Messrs.—

Walsh
Weis
Wiley
Williams
Wing
Mr. Speaker

Those voting in the negative were:

Messrs.—

Balsdon
Bass
Blakemore
Borusky
Buck
Burnett
Carey
Coltom
Curry
Davis
Divet
Dynes
Everson
Fox
Geiger
Hart
Harty

Messrs.—

Hawkinson
Hedalen
Hickle
Hill of Bottineau
Hill of Cass
Hjelmstad
Hoge
Husband
Huso
Jacobson
Johnson
Kyllo
Lambert
Lawbaugh
Lewis
Morkrid
Northrup

Messrs.—

Nyhus
Odland
Olsgard
Pendray
Pitkin
Ployhar
Putnam
Sandbeck
Smith of Kidder
Snyder
Sorlie
Twichell
Wardrope
Warriner
Watt

Absent and not voting:

Messrs.—

Bartley
Bope
Dean
Hanson
Haraldson

Messrs.—

Kellogg
Knox
Martin
O'Connor
Owens

Messrs.—

Streeter
Taylor
Turner, F. W.

So the motion was lost.

Mr. Miller moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Miller moved

That the concurrent resolution providing for an amendment to the Constitution effecting the votes on corporative associations be withdrawn from the committee on corporations other than municipal and referred to the judiciary committee.

Which motion prevailed.

COURTESIES OF THE FLOOR.

Privileges of the floor were granted to John Einerson, Milton, N. D.; P. J. Murphy, Grafton, N. D.; Geo. T. Richmond, Jamestown; Clarence Kemp, Velva; T. B. Streeter, Linton, N. D.; Mr. and Mrs. H. N. Turner, Linton; S. F. Wright, Hazelton, N. D.; Hon. Andrew Hansen, Hazelton; M. Belden, Shields; W. D. Dopking, Flasher; N. A. McAiliff, Chas. McDonald, Mandan; Robt. Neely, S. S. Kleve, Flasher; Mr. P. M. Casey.

Mr. Twichell moved

That the House take a recess until 1 o'clock, P. M.

Which motion prevailed.

M. J. GEORGE,
Chief Clerk.

FIFTY-THIRD DAY AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 1, 1913.

The House re-assembled at 1 o'clock P. M. pursuant to recess taken.

The Speaker presiding.

Mr. Sorlie moved

That the vote by which the report of the committee of the whole on House Bill No. 284 was lost be reconsidered.

Which motion prevailed.

Mr. Doyle moved

That the rules be suspended and that House Bill No. 284 be considered properly engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Wardrope moved

A call of the House.

Which motion prevailed.

Mr. Sorne moved

That the House dispense with the call of the House.

Which motion was lost.

Mr. Connor moved

That further business under the call of the House be dispensed with.

Which motion prevailed.

CALL OF THE HOUSE.

Those present were

Messrs.—	Messrs.—	Messrs.—
Baldson	Hawkinson	Nyhus
Bass	Hedalen	O'Connor
Batzer	Hendrickson	Olgard
Bjornson	Hickle	Owens
Bratton	Hill of Bottineau	Pendray
Burnett	Hill of Cass	Petterson
Butler of Ramsey	Hjelmstad	Pitkin
Butler of Ransom	Hjort	Putnam
Calnan	Hoge	Roble
Campbell	Husband	Sandbeck
Coltom	Huso	Small
Curry	Isaak	Smith of Kidder
Davis	Jacobson	Smith of Ward
Dean	Kelly	Sorlie
Divet	Klein	Stenehjem
Dosseth	Knox	Stinger
Dynes	Kyllo	Thompson
Everson	Lambert	Taylor
France	Leu	Tucker
Freitag	Lewis	Twichell
Fritz	Lindstrom	Walsh
Gardiner	List	Wardrope
Geiger	Miller	Warriner
Gunderson	Moert	Watt
Hanson	Morkrid	Wiley
Haraldson	Morrison	Williams
Hart	Norheim	Mr. Speaker
Harty	Northrup	

Those being absent were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Endreson	Ryan
Bartley	Fox	Schroeder
Blakemore	Homan	Snyder
Bollinger	Johnson	Streeter
Bope	Kellogg	Turner, C. C.
Borusky	Lawbaugh	Turner, F. W.
Buck	Martin	Weis
Carey	Odland	Wing
Dixon	Ployhar	
Doyle	Raney	

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 48, nays 59, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—

Bass
Blakemore
Buck
Carey
Coltom
Curry
Davis
Dean
Divet
Dynes
Everson
Fox
Geiger
Hanson
Haraldson
Hart

Messrs.—

Harty
Hawkinson
Hedalen
Hickle
Hill of Cass
Hjelmstad
Hoge
Husband
Huso
Jacobson
Johnson
Kyllo
Lambert
Lewis
Martin
Morkrid

Messrs.—

Northrup
O'Connor
Odland
Olsgard
Pendray
Pitkin
Ployhar
Putnam
Sandbeck
Smith of Kidder
Snyder
Twichell
Wardrope
Warriner
Watt
Mr. Speaker

Those voting in the negative were:

Messrs.—

Anderson
Balsdon
Bartley
Batzler
Bjornson
Bollinger
Borusky
Brattorf
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Dixon
Dosseth
Doyle
Endreson
France
Freitag
Fritz

Messrs.—

Gardiner
Gunderson
Hendrickson
Hill of Bottineau
Hjort
Homan
Isaak
Kellogg
Klein
Knox
Leu
Lindstrom
List
Miller
Moen
Morrison
Norheim
Nyhus
Owens
Petterson

Messrs.—

Raney
Roble
Ryan
Schroeder
Small
Smith of Ward
Sorlie
Stenhjem
Stinger
Streeter
Thompson
Taylor
Tucker
Turner, C. C.
Walsh
Weis
Wiley
Williams
Wing

Absent and not voting.

Messrs.—

Bope
Kelly

Messrs.—

Lawbaugh

Messrs.—

Turner, F. W.

So the bill was lost.

Mr. Streeter moved

That the vote by which House Bill No. 284 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Johnson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FIFTY-FOURTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 1, 1913.

The House assembled at 3 o'clock P. M. pursuant to adjournment.

The Speaker presiding.

Prayer by the chaplain.

Roll call.

All members present except Messrs. Davis and Pitkin, 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 fifty-second day after recess and fifty-third day have carefully examined the same and recommend that the same be corrected as follows:

In the Journal of fifty-second day, on page 90, line 13, strike out the words "amended as follows" and insert in lieu thereof the words "indefinitely postponed."

On page 35, line 40, change "definite" to "discrete."

On page 42, line 15, change "Dive" to "Divet."

On page 99, roll call on House Bill No. 432, change Fritz from "absent and not voting" to "aye."

On page 113, transpose lines 32 and 33.

In the Journal of the fifty-third day, on page 43, line 2, change "Emerson" to "Einerson."

On page 37, strike out "Knox" from roll call on House Bill No. 170 and insert in lieu thereof "Kyllo."

On page 38, line 27, change "Senate" to "House."

On page 39, roll call on House Bill No. 132, change "Odland" from "aye" to "nay."

On page 41, line 25, change "J. S. Hjort" to "J. L. Hjort."

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. Ployhar moved

That the Journal of the fifty-third day be corrected by striking out on page 39 "which motion was lost," and inserting therein "which motion prevailed," and changing the name "Lambert" to "Thompson."

Which motion prevailed.

PETITIONS AND COMMUNICATIONS.

Mr. Lambert moved

That House Bill No. 460 be considered separately.

Which motion prevailed.

Mr. Lambert moved

That the report of the committee on public health on House Bill No. 460 be referred to the committee of the whole.

Which motion prevailed.

Mr. Watt presented 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 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. T. Loblaw and 42 others.

Mr. Williams introduced a similar petition, signed by Mrs. May H. Fish and 17 others of the Twenty-seventh Legislative District.

REPORTS OF STANDING COMMITTEES.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred 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.

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

W. M. BARTLEY,
Chairman.

Also,

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.

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

W. M. BARTLEY,
Chairman.

Also,

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.

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

W. M. BARTLEY,
Chairman.

Also,

Senate Bill No. 256.

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.

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

W. M. BARTLEY,
Chairman.

Also,

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.

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.

Mr. Bartley 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. 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.

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

On line 22, page 2, of the printed bill after the word "under," insert "its by-laws or" followed by a comma.

And when so amended recommend the same do pass.

T. N. PUTNAM,
Chairman.

Also,

House Bill No. 399.

A bill for an Act to amend Chapter 147 of the Laws of 1907.

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

T. N. PUTNAM,
Chairman.

Also,

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

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

T. N. PUTNAM,
Chairman.

Also,

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

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

T. N. PUTNAM,
Chairman.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed.

The committee on irrigation made the following report:

Mr. Speaker:

Your committee on irrigation to whom was referred

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.

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

C. C. TURNER,
Chairman.

Mr. Turner 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. 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.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

Have had the same under consideration and recommend that the same be referred to the committee of the whole House.

W. S. DEAN,
Chairman.

Also,

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.

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 be indefinitely postponed.

W. S. DEAN,
Chairman.

Also,

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

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

Strike out all of Section 3.

And when so amended recommend the same do pass.

W. S. DEAN,
Chairman.

Also,

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.

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

W. S. DEAN,
Chairman.

Also,

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.

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.

Mr. Hoge moved

That House Bill No. 418 be considered separately, and that House Bill No. 418 be considered in general orders.

Which motion was lost.

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. 309.

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.

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

VICTOR WARDROPE,
Chairman.

Also,

House Bill No. 498.

A bill for an Act to amend Section 2 of Chapter 109 of the Laws of North Dakota for 1907, relating to the selection of candidates for election by popular vote, and the time of holding said popular primaries.

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

VICTOR WARDROPE,
Chairman.

Also,

House Bill No. 497.

A bill for an Act to amend Chapter 208 of the Laws of North Dakota for 1911, "To provide for the expression by the qualified voters of the several political parties of their choice for nomination by their party for president and vice president of the United States; to provide for and regulate direct primary election for the election of said political party's delegates to their respective national conventions, fixing a time of said election and harmonizing therewith the time of city elections every presidential year, and for the pay-

ment of delegates' necessary expenses, not exceeding \$200 each, for the election of party candidates for the office of presidential elector, and for the election of national committeeman."

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.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate Bill No. 147.

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.

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

On page 1 and line 7 of Section 1 of the engrossed bill, strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$4,000.00." On page 1 and in line 10 of Section 1 of the engrossed bill after the word "plant" insert "and equipment." On page 1 and in line 12 of Section 1 of the engrossed bill strike out the figures "\$3,000.00" and insert in lieu thereof the figures "\$2,500.00." On page 1 and in line 14 of Section 1 of the engrossed bill, strike out the figures "\$700.00" and insert in lieu thereof the figures "\$27,200.00."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building at the mining experiment sub-station at Hebron, Morton County.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 125.

A bill for an Act making an appropriation for the state normal school located at Mayville, North Dakota, for a demonstration rural school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horse 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.

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

On page 1 of the engrossed bill, strike out all of Section 2, (Emergency.)

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 247.

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.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 201.

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.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 178.

A bill for an Act making an appropriation for carrying out provisions of law relating to the duties of the commissioner of agriculture and labor in connection with the publication of the advantages offered by the State of North Dakota to settlers and investors.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale state normal and industrial school.

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

On page 1 of the engrossed bill, after the words "for teachers' salaries for the biennial period" strike out the figures "\$10,000.00" and insert in lieu thereof the figures "\$20,000.00." On page 1 of the engrossed bill, after the word "total" strike out the figures "\$29,300.00" and insert in lieu thereof the figures "\$39,300.00."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Fish Lake in Rolette County, and making appropriation therefor.

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

On page 1 of the engrossed bill, strike out all of Section 3, Emergency.)

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 agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred

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.

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

A. A. STENEHJEM,
Chairman.

Also,

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.

Have had the same under consideration and the majority of your committee recommend that the same do pass.

A. A. STENEHJEM,
Chairman.

Also,

A minority of your committee on agriculture to whom was referred

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.

Have had the same under consideration and the minority of your committee recommend that the same be indefinitely postponed.

AUGUST ISAAK,

Mr. Stenehjem 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 resolution introduced by Mr. Smith of Ward County, for an amendment to the Constitution of the State of North Dakota, relating to the voting privileges of members of co-operative corporations.

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

In the original resolution, strike out all after the word "provided," in line 15 thereof, and insert in lieu of the words stricken out the following: "that co-operative corporations may, in their articles of incorporation, limit the number of shares which each stockholder may own or vote."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

House Bill No. 44.

A bill for a concurrent resolution for an amendment to the Constitution of the State of North Dakota, relating to the right of trial by jury.

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

A. G. DIVET,
Chairman.

Mr. Hedalen moved

That House Bill No. 44 be acted on separately, and that House Bill No. 44 be referred to the committee of the whole.

Which motion was lost.

Also,

House Bill No. 165.

A bill for an Act to define co-operative associations, to authorize their incorporation and to declare an emergency.

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

That the following words be inserted after Section 6 and ahead of Section 7 of the bill and be numbered "Section 7. Each share of stock of any co-operative company shall have printed thereon the words 'co-operative company' and in addition a statement of the terms upon which the profits of the company are to be distributed."

And that Section 7 of the bill be numbered "Section 8."

"And that Section 8 of the bill be numbered Section 9."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

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.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 263.

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 mechanics' liens.

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

In the engrossed bill, strike out all of line 9 after the word "service" and all of line 10 and all of line 11 up to and including the word "made" and insert in lieu thereof the word "or."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 272.

A bill for an Act to provide that public records and files shall be open to inspection and examination.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 292.

A bill for an Act to amend and re-enact Chapter 168 of the Session Laws of 1911, relating to the Tenth Judicial District.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 305.

A bill for an Act providing for the appointment of shorthand reporters for referees, coroners and committing magistrates, and providing for their compensation.

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 engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined:

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."

And find the same correctly engrossed.

N. T. HEDALEN,
Chairman.

Mr. Hedalen 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

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, commissions 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.

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

In Section 1 on line 3, page 1 of the printed bill, after the figures "73" insert "reports of governor and Legislative Assembly to be made, how, when."

In Section 1, on line 7, page 1 of the printed bill, strike out the word "manuscript" and insert the word "typewritten," and in the same line after the word "copies" insert the words "in triplicate."

In Section 1 on line 12, page 2 of the printed bill, strike out the words "to be printed" and add after the word "printing" a period.

In Section 1, line 14, same page, after the word "same" insert "revised and condensed as hereinafter provided."

In line 19, same Section, strike out the words "have authority to" and in the same line after the word "revise" strike out the word "and" and insert "and condense all such reports so as to."

In line 20, same Section, strike out the words "such matter" and before the word "report" insert the word "such." In the same line strike out the comma and the word "as" following, and insert "when published, any and all matter the elimination of which." In the same line strike out the words "in their judgment." In line 21 of same Section strike out the word "may" and insert the word "shall."

In line 22, same Section, after the word "also" insert "in the interest of strict economy." Strike out in lines 22 and 23 the phrase "when deemed advisable in the interest of economy."

After the word "notwithstanding" in line 25 of same Section, add "the governor shall retain one copy of each report filed with him, shall deliver one copy to the commissioners of printing for their files, and one copy shall be filed by him with the secretary of state."

And when so amended recommend the same do pass.

L. H. BRATTON,
Acting Chairman.

Also,

House Bill No. 500.

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

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

In line 1 of the title of the printed bill, strike out the comma after the figures "44" and insert the word "and." Strike out "and 73" where the same occurs in line 1 of the title in the printed bill. In the third line of the title, in the printed bill, strike out the words "and public documents" and insert "and calendar."

Strike out all of Section 3.

And when so amended recommend the same do pass.

L. H. BRATTON,
Acting Chairman.

Mr. Bratton 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

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Have had the same under consideration and recommend that the same be referred to committee on appropriations with a favorable report.

A. J. Huso,
Chairman.

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.

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

A. J. Huso,
Chairman.

Also,

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.

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

Strike out everything after "a bill" and insert the following:

"For an Act extending the powers and duties of the state live stock sanitary board and providing for the testing of animals exposed to the infection of a disease known as glanders.

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

"Section 1. In addition to the powers now conferred by law the state live stock sanitary board is authorized and empowered to test or cause to be tested any and all horses, mules and asses, which may have been exposed to glanders and when requested to do so by the board of supervisors of any organized township or by the board of county commissioners, it shall then be the duty of the state live stock sanitary board to test or cause to be tested any of the horses, mules and asses is said organized township or any such county, as shall be exposed to glanders or which such board of supervisors or county commissioners shall by resolution request.

"Section 2. When any horses, mules and asses shall be tested as provided for in Section 1 of this Act, the agent of the state live stock sanitary board shall be paid for his services in connection therewith such fees as may be determined by the state live stock sanitary board, provided that such fees shall not exceed five (\$5.00) dollars per day and expenses actually incurred. Provided, also, in the event of the fund appropriated for live stock sanitary board becoming depleted the owner of any exposed animals may have said animals tested under the direction of the live stock sanitary board, and the expense of said test be borne by the owner. Said fees not to exceed those prescribed in this Section.

"Section 3. The itemized accounts for said testing shall be submitted by sworn vouchers and detailed report of said testimony, same to be audited and approved by the state live stock sanitary board and forwarded to the board of county commissioners in the county where said testing was performed, whereupon the board of county commissioners shall order warrant drawn by the county auditor for one-half the amount of said account and one-half of said account shall be paid out of the state live stock sanitary board fund as provided for by law.

"Section 4. Whereas, the non-elimination of horses, mules and asses invisibly infected with glanders after exposure tends to perpetuate the disease and cause a severe drain upon the resources of the state, and whereas the total elimination of glanders without the elimination of infected contact cases is impossible, therefore an emergency is declared to exist and this Act shall take effect and be in force from and after its passage and approval by the governor."

And when so amended recommend the same do pass.

A. J. Huso,
Chairman.

Mr. Huso moved

That the report be adopted.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

Report of special committee appointed to investigate the office of state treasurer.

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

Your committee appointed to investigate the office of state treasurer under the terms of a resolution adopted by the House and found in the House Journal of the thirty-fifth day on page 17, beg leave to submit the following report:

Your committee has inquired into the charge that the state treasurer, Mr. Gunder Olson, does not reside in Bismarck, and also examined records as to any irregularities which might exist.

Regarding the question of residence, we find from a statement made to us by Mr. Olson that he spends considerable time in Bismarck, that he attends practically all the meetings of the various boards of which he is ex-officio a member and that he attends to the work of the office in a general supervisory way.

His family, however, does not reside in Bismarck owing to family reasons and the sickness of his mother. We are of the opinion that he does not reside in Bismarck to the letter and intent of the law as set forth in Section 4, Chapter 210, Session Laws of 1909.

This law provides for an increase in salary for certain state officials. In the case of state treasurer, the salary is increased from \$2,000.00 to \$3,000.00 a year and the law specifically states that he shall reside at the capitol of the state.

We are of the opinion that the increase of salary was made for the purpose of compensating the officials named for whatever inconvenience was incurred by change of residence and undoubtedly residence was required at the capitol of the state in order that the office should receive the personal attention of such official and also to enhance the dignity and importance of the office and of the capitol of the state as far as possible by having state officials make their residence at the capitol of the state, actually and in fact, during their terms of office.

Further investigation has been along the lines and recommendations suggested by former committees and we find that the committee appointed by the Eleventh Legislative Assembly with Mr. Norheim as chairman went very thoroughly into the question of carrying deposits of state money in banks in excess of the amount for which said banks are designated and recommended that this practice cease.

Your committee find that at certain times of the year large excess deposits are carried in certain banks, some of this is unavoidable and some even desirable for business reasons, but we recommend that strict attention should be paid to reducing excess deposits as rapidly as possible and equalizing the amounts among the various depositories according to the bonds furnished, especially as there is some question as to the security of deposit carried in banks in excess of the bonds furnished by such banks.

We find that the recommendation of the special committee with Mr. Ployhar as chairman, with regard to keeping records of various securities placed in the hands of the state treasurer by trust companies as security, has been complied with and a record is now kept showing just what securities are deposited at all times.

Further investigation into this question of security deposits, however, convinces us that some system should be adopted of inquiring into the validity of the security offered for deposit.

Section 4679 of the Revised Codes of 1905 require various trust companies to deposit \$50,000.00 of securities, which may be first mortgages or deeds of trust upon unincumbered real estate, situated within the State of North Dakota and worth three times the amount of the obligation so secured, with the state treasurer as collateral security for the depositors and creditors of said corporation.

We find that several companies have deposited first mortgages and notes as security as provided above but we find that no abstract or opinion as to title or prior liens or valuation of the real estate or validity of the mortgage or notes accompany such securities.

We feel that a trust company getting into difficulties such as would require the use of the deposit made with the state treasurer would also have a large amount of shaky securities and no place would they be able to negotiate the same so readily as by deposit in the state treasurer's office under the present system and that in such event what is intended as a measure of security would in reality be a

menace as the public would rely on the \$50,000.00 deposited with the state as absolutely good protection when it might easily be the most worthless of the company's assets.

We would suggest that in the future before accepting such securities as deposit for trust companies, an abstract of title or an opinion by a reputable attorney as to the title and as to the lien of the mortgage should accompany each mortgage offered as deposit.

In regard to keeping record of the various investments of the permanent school funds and the crediting of the interest received from these investments, we find that two former committees have recommended that some system be installed to provide a check for same but no such provision has yet been made. We suggest that some effort be made along this line.

Your committee did not make a complete examination of the treasurer's office for the reason that we did not consider our instructions were to that effect and we also found that a fairly complete examination had been made a few weeks previously and any other examination we made would have to be conducted by the same officials and would cover the same ground.

We studied several of the reports of the officials who had examined the treasurer's office at various times and from such reports we are convinced that the state funds are well and intelligently handled.

We find that the cash carried, on hand and not earning interest, is kept extremely low in amount and that the average rate of interest earned by the state money on deposit is steadily on the increase, ranging in different months from 2.75 per cent to as high as 3.14 per cent, with an average for the year of about 2.97 per cent on daily balances.

Your committee would say that we find the clerical work in the office in extremely good shape and the officials are courteous and obliging and every facility was offered for the purpose of this investigation.

In conclusion, your committee would summarize this report as follows:

Although the work in the state treasurer's office is well and efficiently taken care of, in the opinion of your committee, Mr. Gunder Olson does not reside at the capitol of the state strictly in compliance with the law as laid down in Section 4, Chapter 216, Session Laws of 1909. •

We find that some large excess deposits are carried in banks at certain times and recommend that the practice be discouraged as far as possible.

We find that no examination is made of the securities offered as deposit by trust companies and suggest that some proof of validity be required with each such deposit.

We recommend that some better system be adopted to check up the interest coupons of the investment of the school lands and other funds.

We would suggest that after an examination has been made of a state office and a report filed that the attention of the officer should be called to such report so that he may act on any recommendation therein contained.

We would suggest that in the opinion of your committee it might be advisable at certain times to call in an outside examiner to conduct examination of state officials.

With this summary of our investigation, your committee concludes and begs to submit their report herewith.

Bismarck, N. D., March 1, 1913.

J. W. CALNAN,
Chairman.
N. E. DAVIS,
ARTHUR DIXON,
Committee.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Thompson introduced the following concurrent resolution:

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring:

Whereas, The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing Company, the state printer, until long after the time prescribed by law; and,

Whereas, A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and,

Whereas, On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorized and directed them to rush said reports even though extra expense be incurred; and,

Whereas, Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

Now, Therefore be it Resolved, That the commissioners of public printing and the officers having charge of the printing of the reports above referred to and of the allowance and payment of the compensation for the same, is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense, actually incurred, in compliance with the order and direction of the chairman of the select committee appointed by the House of Representatives.

Provided, however, that the total amount to be paid for extra work and expenses incurred as hereinbefore stated shall not exceed the sum of \$2,000.00.

Mr. Sorlie moved

That this resolution be referred to the committee on supplies and expenditures.

Which motion prevailed.

Mr. Hendrickson moved

That further consideration of the concurrent resolution be indefinitely postponed.

Which motion prevailed.

Mr. Buck moved

That the vote by which Senate Bill No. 62 was lost be reconsidered.

Which motion prevailed.

Mr. Twichell moved

That the vote by which Senate Bill No. 181 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Wiley moved

That the motion to reconsider be laid on the table.

Which motion was lost.

Mr. Divet moved

That Senate Bill No. 8, which was returned from the committee by order of the House, be placed on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Owens moved

That Senate Bill No. 8 be referred to the committee of the whole.

Which motion was lost.

Mr. Sorlie moved

That Senate Bill No. 181 be placed on third reading and final passage.

Which motion prevailed.

Mr. Thompson moved

That the rules be suspended and that House Bill No. 261 be reconsidered.

Which motion prevailed.

Mr. Thompson moved

That the vote by which House Bill No. 261 was lost be reconsidered and that House Bill No. 261 be placed on third reading and final passage.

Which motion prevailed.

Mr. Lambert moved

That the vote by which House Bill No. 466 was lost be reconsidered, and that it be referred to the judiciary committee for amendment.

Which motion was lost.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 1, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House concurrent resolution pertaining to the death of the Hon. John Flittie.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 183.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905, relating to State Board of Equalization, how constituted, its meetings, rules for equalizing.

Also,

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific 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.

Also,

Senate Bill No. 268.

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.

Also,

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Also,

Senate Bill No. 296.

A bill for an Act to enlarge the powers of state's attorneys.

Also,

Senate Bill No. 289.

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.

Also,

Senate Bill No. 319.

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.

Also,

Senate Bill No. 259.

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.

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. 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. 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. 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. 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.

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.

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.

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. 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. 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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

UNFINISHED BUSINESS.

REPORT OF SELECT COMMITTEE.

Conference committee report on Senate Bill No. 98:

The conference committee appointed by the House of Representatives and the Senate to confer on Senate Bill No. 98, after having such bill under consideration, do recommend that the House recede from its amendment and that it be amended as follows:

In the second line of the title of the printed bill, after the word "transportation" strike out the comma and insert the word "or." In the same line strike out the words "or use." In the same line after the word "snuff" insert the word "or any substitute therefor." After the word "therefore" as the same occurs at the end of the title, strike out the period and add, "and to repeal Chapter 277 of the Session Laws of North Dakota of 1911."

In Section 1, line 1, of the printed bill after the word and number "Section 1" insert the words "sale of Snuff Prohibited.)"

In Section 1, line 3 of the printed bill after the word "snuff" insert the words "or any substitute therefore."

Strike out all of Section 2 of the printed bill and insert in lieu thereof the following: "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, or any substitute therefor or imitation thereof, intended to be taken or used by the mouth or nose. *Provided*, however, that ordinary plug, fine cut, or long cut chewing tobacco as now commonly known to the trade of this state, shall not be included in such definition."

In Section 3, line 1 of the printed bill strike out the word "Sec." and insert in lieu thereof the word "Section." After the numeral "3" in the same line insert the words "Officers to Enforce.)"

After and immediately following Section 3, add:

"Section 4. Repeal.) Chapter 277 of the Session Laws of North Dakota of 1911 is hereby expressly repealed."

C. F. MUDGETT,
G. L. ELKEN,
W. B. OVERSON,
L. L. TWICHELL,
JAMES HILL,
D. L. WARRINER,
Conference Committee.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 81, nays 10, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hanson	Norheim
Bass	Harty	Nyhus
Batzer	Hawkinson	O'Connor
Bjornson	Hedalen	Odland
Blakemore	Hendrickson	Olsgard
Bollinger	Hill of Bottineau	Owens
Borusky	Hill of Cass	Pendray
Bratton	Hjort	Pettersen
Burnett	Hoge	Pitkin
Butler of Ramsey	Homan	Putnam
Butler of Ransom	Husband	Raney
Calnan	Jacobson	Roble
Campbell	Johnson	Sandbeck
Carey	Kelly	Smith of Ward
Curry	Klein	Sorlie
Dean	Knox	Stenehjem
Divet	Kyllo	Stinger
Dosseth	Lambert	Taylor
Dynes	Lawbaugh	Turner, C. C.
Endreson	Leu	Turner, F. W.
Everson	Lewis	Twichell
Fox	Lindstrom	Walsh
France	List	Wardrope
Freitag	Martin	Warriner
Fritz	Miller	Weis
Gardiner	Morkrid	Williams
Geiger	Morrison	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Schroeder
Bartley	Hickle	Smith of Ward
Buck	Isaak	
Coltom	Moen	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Huso	Streeter
Davis	Kellogg	Thompson
Dixon	Northrup	Tucker
Doyle	Ployhar	Watt
Haraldson	Ryan	Wiley
Harty	Small	Wing
Hjelmstad	Snyder	

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 1, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 30.

A bill for an Act making appropriation for the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto.

Also,

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Also,

Senate Bill No. 336.

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 district.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

SPECIAL ORDERS.

House Bill No. 254.

Mr. Klein moved

That further consideration of House Bill No. 254 be indefinitely postponed.

Mr. Hawkinson demanded a roll call.

The roll being called there were ayes 52, nays 35, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Harty	Odland
Bass	Hedalen	Pettersen
Batzer	Hill of Bottineau	Ployhar
Bjornson	Hjort	Raney
Blakemore	Homan	Ryan
Bollinger	Isaak	Smith of Kidder
Borusky	Kelly	Snyder
Buck	Klein	Stenehjem
Calnan	Kyllo	Stinger
Campbell	Lambert	Tucker
Curry	Leu	Turner, C. C.
Dean	Lewis	Twichell
Divet	List	Warriner
Doyle	Martin	Wiley
Freitag	Miller	Williams
Fritz	Morrison	Wing
Gardiner	Nyhus	
Hanson	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Hendrickson	Pendray
Butler of Ramsey	Hickle	Pitkin
Earler of Ransom	Hill of Cass	Putnam
Carey	Hjelmstad	Roble
Davis	Husband	Sandbeck
Dixon	Huso	Schroeder
Dosseth	Jacobson	Sorlie
Dynes	Johnson	Taylor
Everson	Knox	Walsh
France	Lawbaugh	Weis
Gunderson	Morkrid	Mr. Speaker
Hawkinson	Owens	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Olsgard
Baldson	Hart	Small
Bope	Hoge	Smith of Ward
Bratton	Kellogg	Streeter
Colton	Lindstrom	Thompson
Endreson	Moen	Turner, F. W.
Fox	Norheim	Wardrope
Geiger	Northrup	Watt

And so the bill was indefinitely postponed.

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

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 19, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Hendrickson	Owens
Blakemore	Hjort	Pendray
Bollinger	Hoge	Petterson
Buck	Homan	Pitkin
Butler of Ramsey	Huso	Plyhar
Carey	Johnson	Roble
Curry	Kelly	Sandbeck
Dean	Klein	Schröder
Divet	Knox	Small
Dixon	Kyllo	Smith of Kidder
Dosseth	Lambert	Smith of Ward
Doyle	Lawbaugh	Sorlie
Dynes	Leu	Stenehjem
Fox	Lewis	Stinger
France	Lindstrom	Taylor
Freitag	List	Turner, C. C.
Fritz	Martin	Twichell
Gardiner	Miller	Walsh
Gunderson	Morkrid	Warriner
Hanson	Nyhus	Williams
Hedalen	O'Connor	Mr. Speaker
Hendrickson	Odland	
Hill of Cass	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Davis	Morrison
Batzer	Hart	Putnam
Bjornson	Harty	Raney
Burnett	Hickle	Ryan
Calnan	Hill of Bottineau	Tucker
Campbell	Husband	
Coltom	Isaak	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Thompson
Balsdon	Hawkinson	Turner, F. W.
Bope	Jacobson	Wardrobe
Borusky	Kellogg	Watt
Bratton	Moen	Weis
Butler of Ransom	Norheim	Wiley
Endreson	Northrup	Wing
Everson	Snyder	
Geiger	Streeter	

So the bill passed and the title was agreed to.

Mr. Curry moved

That further consideration of House Bill No. 387 be indefinitely postponed.

Which motion prevailed.

Mr. Owens demanded a roll call.

Roll call denied.

Bismarck, N. D., March 1, 1913.

MESSAGE FROM THE SENATE.

Mr. Speaker:

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

Whereas, An Act passed by the Sixty-second Congress of the United States at its second session, H. R. 21477, making appropriations for the construction, repair and preservation of certain public works on rivers and harbors, and for other purposes, directs the secretary of war of the United States to cause a preliminary examination to be made of the Red River of the North from Wahpeton, North Dakota, and Breckenridge, Minnesota, to the International Boundary Line with a view to its improvement by the construction of locks and dams or otherwise, and authorizes him to order complete detailed surveys and estimates to be made if the improvement be deemed advisable, and

Whereas, The secretary of war has not as yet made allotment for the expense of such a complete survey, and

Whereas, If navigation on said Red River of the North could be assured by the maintenance of a uniform stage of water during the open season, it would enable the farmers resident in the country tributary to the river to market their produce with a shorter haul by wagon and less expense, thereby increasing the value of all the tributary territory, and

Whereas, In the fall of the year the farmers need every possible means for marketing their grain with the least delay and expense, and

Whereas, The transportation facilities of the Red River, instead of increasing with the development of the region, have been practically destroyed by the uncertainty as to an assured navigable stage of water that has followed upon the agricultural development of the surrounding region, and

Whereas, The Canadian Government has during the past year finished a detail survey of the entire length of the Red River from the International Boundary to Lake Winnipeg, and have already built the first of the contemplated improvements, namely, the St. Andrews lock and dam, which gives a permanent stage of water along thirty miles of the valley, and has determined to build the next lock and dam immediately, and

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.

Which the Senate has amended as follows:

Strike out the emergency clause.

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.

Which the Senate has amended as follows:

After the last word in Section 1 of the bill add the following:

"Provided, however, that this Act shall not apply to highways in any city or town without the consent of the proper authorities therein."

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.

Which the Senate has amended as follows:

In line 3, Section 1, of the printed bill, strike out all printed matter after the word "dollars." Also strike out lines 4, 5, 6 and 7 and up to and including the word "same" in line 8.

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.

Which the Senate has amended as follows:

In the title of the bill strike out "For an Act to repeal

Section 3187" and insert in lieu thereof "For an Act to amend and re-enact Section 3187, and to repeal Sections."

Strike out all after the enacting clause and insert the following: "Section 3187. Townships shall erect and maintain guide posts on the highways and other ways within the township, at such places as are necessary or convenient for the direction of travelers. Sections 3188, 3189, 3190 and 3191 are hereby repealed."

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.

Which the Senate has amended as follows:

In line 4, Section 1 of printed bill strike out the words "horse, cattle, sheep or swine" and at the beginning of line 6, strike out the word "and" and insert in lieu thereof the word "any."

In line 9 of the printed bill, after the word "registered," insert the words "in some association recognized by the North Dakota Live Stock Association."

In line 11 of the printed bill, strike out the words "enumerated herein," also the word "animal" at the end of line 11 of printed bill.

In line 13 of printed bill, strike out the words "deceiving the people of this state," and insert in lieu thereof the word "deception."

In lines 20 and 21 of the printed bill, strike out the words "more than three hundred (\$300.00) dollars" and insert in lieu thereof the words "less than twenty-five (\$25.00) dollars nor more than one thousand (\$1,000.00) dollars."

Also in line 21 of the printed bill, strike out the word "of" and insert in lieu thereof the word "for."

In line 22 of the printed bill, strike out the words "more than ninety days" and insert in lieu thereof the words "less than thirty days nor more than six months."

Very respectfully,

W. D. AUSTIN,
Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Twichell moved

That the House concur in Senate amendment to House Bill No. 92.

Which motion prevailed.

Mr. Roble moved

That the House concur in the Senate amendments to House Bill No. 61.

Which motion prevailed.

Mr. Stinger moved

That the House concur in the Senate amendments to House Bill No. 294.

Which motion prevailed

Mr. Divet moved

That the House concur in the Senate amendments to House Bill No. 380.

Which motion prevailed.

Mr. Ployhar moved

That the House concur in the Senate amendment to House Bill No. 152.

Which motion prevailed.

Mr. Sorlie moved

That the House concur in the Senate amendments to House Bill No. 57.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 185.

A bill for an Act to amend Section 1531 of the Revised Codes of 1905, relating to State Board of Equalization, how constituted, its meetings, rules for equalizing.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Senate Bill No. 30.

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.

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Senate Bill No. 336.

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 district.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 259.

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.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 319.

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.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 289.

A bill for an Act entitled "An Act to provide a special tax levy for immigration," amending Section 2402 of the Revised Codes of 1906.

Was read the first and second time and

Referred to the committee on taxes and tax laws

Senate Bill No. 296.

A bill for an Act to enlarge the powers of state's attorneys.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 268.

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.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific 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.

Was read the first and second times and

Referred to the committee on appropriations.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 1, 1913.

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.

Which the Senate has passed as amended by the conference committee.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign:

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.

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. 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. 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.

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.

Senate Bill No. 291.

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."

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

GENERAL ORDERS.

Mr. Dixon 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. Dixon 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. 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.

And recommend that the same do pass as amended.

Also,

House Bill No. 441.

A concurrent resolution amending the State Constitution of the State of North Dakota.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 456.

A bill for an Act to provide for the manner of letting and making all contracts by or on behalf of cities for work and improvements.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same do pass as amended.

Also,

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 of the Session Laws of 1909, and any Acts mandatory thereof.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their 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.

And have adopted the following amendments:

In line 3 of the title of the printed bill, after the word "of" insert the following words "voting bonds for." In the same line after the word "establishing" strike out the following: "at the County Seat of" and insert the word "in."

In line 4 of the title of the printed bill, after the word "their" change the word "county" to counties" and in the same line and directly following, strike out the word "a."

In line 5 of the title of the printed bill, after the word "market" change the word "place" to "places."

In line 1, Section 1 of the printed bill, after the word "the" strike out the word "several."

In line 3, Section 1 of the printed bill, after the word "of" insert the following: "voting bonds for."

In line 4, Section 1 of the printed bill, strike out the following: "at the county seat of" and insert before the word "their" the word "in." In the same line after the word

"their" change the word "county" to read "counties" and directly following strike out the word "a." In same line further amend by changing the word "place" to "places."

In line 6 of Section 1 of the printed bill, change the word "place" to "places."

In line 2, Section 2 of the printed bill, after the word "of" insert the following: "voting bonds for."

In line 3, Section 2 of the printed bill, after the word "place" strike out the words "at the county seat" and insert in lieu thereof the following: "in their county."

In line 6, Section 2 of the printed bill, before the word "and" insert the following: "to secure a site and erect suitable buildings thereon."

In line 7, Section 2 of the printed bill, after the word "scales" add a comma "," and strike out the following words "and occupancy of."

And when so amended, recommend the same do pass.

Also,

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 440.

A concurrent resolution amending the Constitution of the State of North Dakota, relating to the issuance of state road bonds.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same be indefinitely postponed.

Also,

A concurrent resolution in regard to wheat in bond.

And recommend that the same be adopted as amended.

ARTHUR DIXON,
Chairman.

Mr. Dixon 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 D. L. Vail, Sargent County; L. R. Waldron, Dickinson; A. A. Lefer, Lefer, N. D.; Jno. E. Greene, Minot.

Mr. Dosseth moved

That the House do now adjourn.

Which motion prevailed and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FIFTY-SIXTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 3rd, 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. Morkrid, 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 fifty-fourth day, have carefully examined the same and recommend that the same be corrected as follows:

In the Journal of the fiftieth day, line 1, on page 6, after the word "amendments" insert the following: "to the amendments recommended by the committee on election and election privileges as shown on pages 21 and 22 of the House Journal of the forty-sixth day and adopted according."

In the Journal of the fifty-third day, page 31, insert Everson as a member voting "aye" on Senate Bill No. 62.

In the Journal of the fifty-fourth day, page 3, line 4, change the figures "14" to "4."

On page 36, roll call on House Bill No. 349, strike out one "Hendrickson" in the affirmative list and insert in lieu thereof "Hjelmstad."

On page 48, line 21, correct the spelling of the name "Doseh."

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. 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.

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.

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.

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.

House Bill No. 233.

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 disease of domestic animals," and the amendment thereto, Chapter 37, Session Laws of 1909.

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

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.

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.

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

REPORTS OF STANDING COMMITTEES.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

House Bill No. 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. 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. 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. 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.

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 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. 406.

A bill for an Act to amend Chapter 156 of the laws of 1907.

Also,

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.

Also,

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.

Also,

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.

Also,

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.

Also,

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.

Also,

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.

Also,

House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their 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 products and the maintenance of such market place.

Also,

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Also,

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.

And find the same correctly engrossed.

N. F. HEDALEN,
Chairman.

Mr. Hedalen 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. 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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 261.

A bill for an Act to amend and re-enact Section 544 of the Revised Codes of 1905, relating to official seal, and filing oath and bond of notary public.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 102.

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 319.

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 22.

A bill for an Act to amend and re-enact Section 6246 of the Revised Codes of 1905, relating to mechanics' liens and the enforcement thereof.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905 relating to automobiles.

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

Strike out the word "red" in next to the last line of the engrossed bill.

And when so amended recommend the same do pass.

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 104.

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.

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 110.

A concurrent resolution amending the constitution of the State of North Dakota, empowering the Legislative Assembly to provide law for the erection, leasing, purchasing and operating terminal elevators in the State of North Dakota.

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

FRANK E. PLOYHAR,
Chairman.

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of 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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 208.

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.

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.

Th committee on tax and tax laws made the following report:

Mr. Speaker:

Your committee on tax and tax laws to whom was referred

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 do pass.

ROBERT NORHEIM,
Chairman.

Also,

Senate Bill No. 183.

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.

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

ROBERT NORHEIM,
Chairman.

Also,

Senate Bill No. 221.

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.

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

ROBERT NORHEIM,
Chairman.

Also,

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relat-

ing to seed grain, contract for repayment and delinquent payments extended on tax list.

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

ROBERT NORHEIM,
Chairman.

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.

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.

The committee on judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred
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.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 268.

A bill for an Act in reference to declaring churches and church societies extinct and disposing of the property of extinct churches and church societies.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 284.

A bill for an Act to amend and re-enact Chapter 72 of the Session Laws of 1909, relating to the times and place for holding general terms of the Supreme Court, and providing for special terms, and to fix the time in which appeals shall be heard.

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

In the printed bill, beginning in line 5 on page 2, strike out all after the word "term" down to and including the word "appeal" in line 7 of the same page.

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 288.

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

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 296.

A bill for an Act to enlarge the powers of state's attorneys.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 314.

A bill for an Act legalizing the action of registers 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.

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 temperance made the following report:

Mr. Speaker:

A minority of your committee on temperance to whom was referred

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 and 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.

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

On page 1 of the printed bill in the title thereof in line 3 strike out the word "enact" and insert in lieu thereof the word "re-enact," and in line 4 of the title thereof strike out the figures "9356, 9357, 9358, 9359, 9360," and insert in lieu thereof the following: "Making it unlawful to sell intoxicating liquors as a beverage, defining intoxicating liquors, fixing a penalty for violations of this Act, and repealing the druggist permit law and Acts pertaining thereto."

On page 2 of the printed bill, Section 3, line 4, before the word "penalty," insert the word and figures "Section 9355."

On page 3 of the printed bill, strike out all of Section 4 and thereafter all of page 4 of the printed bill, all of page 5, all of page 6, all of page 7, all of page 8, and on page 9 of the printed bill strike out all down to Section 9. Section 9 change to read "Section 4," and in line 1 thereof, after the

word "Sections" insert the following figures, "9356, 9357, 9358, 9359, and 9360, and strike out all of Section 10.

And when so amended recommend the same do pass.

S. HENDRICKSON,
Chairman.

LOUIS A. LEU,
M. D. BUTLER.

Also,

A majority of your committee on temperance to whom was referred

House Bill No. 474.

A bill for an Act to repeal Sections 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362, 9363, 9365 and 9366 of the Revised Codes of 1905 and all Acts amendatory thereof, and to enact in lieu thereof Sections 953, 9354, 9355, 9356, 9357, 9358, 9359, 9360.

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

S. HENDRICKSON,
Chairman.

THOMAS PENDRAY,
C. I. MORKRID,
PEDER L. HJELMSTAD,
E. W. EVERSON,
D. L. WARRINER,
ED. COLTOM,
A. B. LAMBERT.

Mr. Hendrickson moved

That the report be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, Merch 3rd, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 301.

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

Also,

Senate Bill No. 264.

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.

Also,

Senate Bill No. 298.

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.

Also,

Senate Bill No. 84.

A bill for an Act to amend and re-enact Section 1546 of the Revised Codes 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.

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

Also,

Mr. Speaker:

I have the honor to return herewith

House Bill No. 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."

Which the Senate has amended as follows:

In Section 9 after the last word in the Section, add the following: "For the purpose of reimbursing said county."

Also the following:

Strike out all after the words "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact 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."

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

Section 1. Amendment.) Sections 1, 2, 3 and 4, Chapter 170, Session Laws of 1907 are hereby amended and re-enacted to read as follows:

Sec. 1. Appraisal. How Made.) Whenever the State Live Stock Sanitary Board, or any of its authorized agents shall deem the slaughter of a horse, gelding, mare, ass or mule necessary under the provisions of Section 10, Chapter 169, Session Laws 1907, the actual value of said animal at the time of appraisal shall be determined by the State Live Stock Sanitary Board or its agent within twenty-four hours after the killing or destruction is ordered; *provided*, that if the owner or keeper is aggrieved by such appraisal he may cause a board of appraisers to be appointed according to Section 2 of this Act; *provided*, the provisions of this Section shall not prevent the owner or keeper of animals condemned and ordered destroyed by the Live Stock Sanitary Board for the right of protest and examination as provided for in Section 10 of Chapter 169, Session Laws of 1907.

Sec. 2. Appraisers. How Appointed.) In case the owner, or his agent, of the animal or animals to be destroyed under the provisions of this Act is not satisfied with the appraisal made by the State Live Stock Sanitary Board or its agents, he may protest against the same, whereupon a board of three appraisers is to be formed of which one member shall be the agent of the State Live Stock Sanitary Board, one member shall be selected by the owner of the animal or animals involved and a third member shall be selected by the first two members as herein provided. Whereupon an appraisal of the animal or animals involved shall be made by such board according to Section 3 of this Act and in case all three appraisers or any two of them agree upon a certain valuation, this appraisal shall be regarded as final.

Sec. 3. Maximum Valuation.) In making the appraisal the value put upon the animal or animals shall be the amount that such animal or animals would be worth had they not been affected with glanders; *provided*, however, that in no case shall the appraised value of any one animal exceed one hundred dollars to be paid by the state as hereinafter provided.

Sec. 4. Procedure of Destruction and Certification.) It shall be the duty of the State Live Stock Sanitary Board or

its authorized agent, who ordered the destruction of the animal or animals involved and who made the appraisal or took part in the same to give notice of said facts in writing to the owner or keeper of said animal or animals, and to certify to such facts in writing to a justice of the peace of the county in which the said animal or animals are located, describing in said notice the diseased animal or animals with a reasonable degree of certainty, stating the name of the animal when known.

Sec. 5. Duty of Owners.) It shall be the duty of the owner or keeper of an animal or animals to be destroyed, to destroy the same or cause the same to be destroyed and to dispose of the carcass or carcasses or cause the same to be disposed of before two witnesses, or before the agent of the State Live Stock Sanitary Board in accordance with Section 12, Chapter 169, Session Laws of 1907, and to make proper affidavit of such facts which shall be sworn to by such witnesses, or the agent of the State Live Stock Sanitary Board before the justice of peace to whom the certification provided for in Section 4 of this Act was made, within five days after the destruction notice was served upon him.

Sec. 6. Compensation for Animals Killed.) It shall be the duty of the justice of the peace to file with the executive officer of the State Live Stock Sanitary Board, the certification of the State Live Stock Sanitary Board or its authorized agent and the affidavits of the owner or keeper sworn to according to Section 5 of this Act that the animal or animals have been killed and buried in accordance with Section 12, Chapter 169, Session Laws of 1907. The executive officer of the State Live Stock Sanitary Board, after recording the same upon his docket, shall examine the same and if found correct, file the same with the state auditor, who shall issue a warrant on the state treasurer for one-half of the sum named in the appraisers' return.

Sec. 7. Duty of Justice of the Peace.) When the owner or keeper of animals ordered destroyed by the agent of the Live Stock Sanitary Board fails to comply with such order and file with the justice of the peace the affidavit herein required, the justice of the peace to whom the notice of the destruction of an animal or animals ordered to be destroyed was made, must notify the sheriff or any constable within the county that the order of the State Live Stock Sanitary Board, or its authorized agent has not been complied with, or that the animal or animals have not been killed and buried as provided for in Section 12, Chapter 169, Session Laws of 1907, failure to make affidavit as provided for in Section 5 of this Act to be construed as non-compliance with the provisions of this Act.

Section 8. Duty of Sheriff.) It shall be the duty of the sheriff or constable of the county, immediately after receiving notice from the justice of the peace to proceed to destroy the animal or animals ordered to be destroyed by the State Live Stock Sanitary Board or its authorized agent and the officer performing such duty shall receive compensation therefor as is prescribed by law for like services and shall be paid therefor in like manner.

Sec. 9. Proceedings, How Conducted. Fees.) The justice of the peace to whom certification is made shall enter upon his docket a record of all proceedings and to tax all costs of justice, officers, and appraisers other than the authorized agent or agents of the State Live Stock Sanitary Board, which costs and fees shall be certified by him to the board of county commissioners and shall be audited and paid out of the general fund of such county, the same as costs in criminal actions before justices of the peace; *provided*, however, that it shall appear in any such proceeding that the animal or animals destroyed have not been kept within the county where the proceedings are had for at least sixty days immediately prior to such order of destruction, then the costs of all proceedings hereunder shall be certified by the county auditor, of the county wherein the proceedings took place to the state auditor, who shall issue a warrant on the state treasurer for the amount of the costs paid by the county in favor of the county auditor of such county, such warrant to be paid out of the general fund of the state for the purpose of reimbursing said county.

Sec. 10. Payments, When Not Made.) The right of indemnity shall not exist and payment shall not be made in the following cases:

1st. For animals belonging to the United States or the State of North Dakota, or any city, county, township or village in the state.

2nd. When the owner or claimant at the time of coming into possession of the animal or animals knew such animal or animals to be diseased with glanders or exposed to such disease.

3rd. When the owner, his agent or claimant failed to make affidavit of the destruction and disposal of the carcass or carcasses before the justice of the peace as provided for in Section 5 of this Act.

4th. For animals found to have been diseased at the time of their arrival in this state.

5th. For animals that are brought into the state to do contract work.

6th. When the animal or animals at the time of their destruction have been in the state less than six months.

7th. When the owner or owners shall have been guilty of negligence or wilfully exposing his, or their animal or animals to the influence of infected or contaminated surroundings.

8th. When the owner or claimant is not a resident of the State of North Dakota.

Sec. 11. Repeal.) All Acts or parts of Acts in conflict with this Act are hereby repealed.

And passed as amended.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Which the Senate has amended as follows:

House Bill No. 170.

A bill for an Act providing for physical connections and joint rates between telephone companies, defining the same prohibiting unnecessary duplication of exchanges, and giving the state board of railroad commissioners certain powers in connection therewith.

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

Section 1. Prohibiting Unnecessary Duplication of Exchanges.) No telephone exchange for furnishing local service to subscribers shall be installed in any city or village where there is already a telephone exchange in operation, and no farm or toll lines shall be paralleled, without a declaration being first secured from the state board of railroad commissioners after a public hearing of all parties interested that public convenience and necessity require it, such hearing to be had on thirty days' notice to all parties interested.

Section 2. Physical Connection.) Every telephone company shall permit a physical connection or connections to be made and telephone service to be furnished between its telephone system or toll line and the telephone system or toll line operated by another such company at any common point, whenever public convenience and necessity require such physical connection or connections and such physical connection or connections will not result in the irreparable

injury to the owners or other users of such telephone companies, nor in any substantial detriment to the service to be rendered by such companies.

Section 3. Telephone Company Defined.) The term "telephone company" as used herein shall mean, any person, firm or corporation engaged in the business of transmitting telephone messages.

Section 4. Physical Connection Defined.) The term "physical connection" as used herein shall mean such number of trunk lines and complete wire circuits and connections as may be required to furnish reasonable and adequate telephone service between different systems and toll lines or toll lines and telephone systems.

Section 5. Cost of Physical Connection.) The cost of making physical connection of such telephone lines shall be shared by the companies making such connection or connections in such proportions as they agree upon or as ordered by the state board of railroad commissioners.

Section 6. Joint Rates.) The joint rates shall be agreed upon by companies who are parties thereto or as ordered by the state board of railroad commissioners.

Section 7. Powers of State Board of Railroad Commissioners.) In case of failure to agree upon such use of the conditions or compensation of such use or in case of failure to agree upon such physical connection or connections or the terms and conditions upon which the same shall be made, any telephone company or person interested may apply to the state board of railroad commissioners who shall order a public hearing, giving thirty days notice to interested parties, and if after investigation, the state board of railroad commissioners shall ascertain that public convenience and necessity require such use or such physical connection or connections and that such use or physical connection or connections would not result in the irreparable injury to the owners or other users of such telephone companies nor in any substantial detriment to the service to be rendered, it shall by order direct that such use be permitted and prescribe reasonable conditions and compensation for such joint use and the continuance thereof and that such physical connection or connections be made and determine how and within what time such connection shall be made and by whom the expense of making and maintaining such connection or connections shall be paid.

Section 8. Penalty.) Whenever the state board of railroad commissioners shall enter an order in compliance with the provisions of this Act, it shall be compulsory for such

person or company upon whom this order is served to comply with said order and failing to do so, such person or company in default shall forfeit to the State of North Dakota, on suit by the state's attorney of the county wherein such default occurred, the sum of ten dollars (\$10.00) for each and every day they so neglect to comply with such order of the state board of railroad commissioners.

Section 9. Emergency.) Whereas, an emergency is hereby declared to exist as there is no state law providing for physical connections and joint rates between telephone companies and duplication of exchanges, this Act shall take effect and be in force immediately from and after its passage and approval.

And passed as amended.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has passed without the emergency clause.

Very respectfully

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

After the word "signals" in the 7th line of printed bill, insert the words "telephones and telephone lines, fire appara-

tus that may be of use in the prevention and extinguishment of fires."

In line 6 of Section 1 of the printed bill, after the word "works" insert the following "street sprinklers."

And passed as amended.

Very respectfully

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

In line 5 of the printed bill after the word "casing" add the following:

"Provided, that this Act shall not become operative until January 1, 1914."

In line 3 of the printed bill after the word "unless" strike out the words "the name of the manufacturer and."

And passed as amended.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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."

Was read the third time.

Which the Senate has amended as follows:

In line 11 of Section 15 of the printed bill, after the word "years" insert the words "from the date."

And passed as amended.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith
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.

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 inform you that the Senate requests the return of House Bill No. 49.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Lambert moved

That the request of the Senate on House Bill No. 49 be granted.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM SENATE.

Mr. Thompson moved

That the House concur in the Senate amendments to House Bill No. 170 and that House Bill No. 170 be referred to the committee on ways and means.

Which motion was lost.

Mr. Calnan moved

That the House concur in the Senate amendments to House Bill No. 170, and that the bill be placed on its third reading and final passage.

Which motion was withdrawn.

Mr. Butler of Ramsey moved

That action on House Bill No. 170 be deferred until it is printed in the Journal.

Which motion prevailed.

Mr. Lambert moved

That the House concur in the Senate amendments to House Bill No. 340.

Which motion was lost.

Mr. Sorlie moved

That a conference committee be appointed on House Bill No. 340.

Which motion prevailed.

Mr. Twichell moved

That the House concur in the Senate amendments on House Bill No. 180 and that the bill be placed on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Sorlie moved

That the House concur in the Senate amendments on House Bill No. 182.

Which motion was withdrawn.

Mr. Thompson moved

That a conference committee be appointed on House Bill No. 182.

Which motion prevailed.

Mr. Lambert moved

That the House concur in the Senate amendments on House Bill No. 145, and that the bill be placed on third reading.

Which motion prevailed.

Mr. Kellogg moved

That House Bill No. 13, as amended by the Senate, be referred to the committee on live stock.

Which motion prevailed.

Mr. Ployhar moved

That the report of the committee on state affairs recommending House Bill No. 260 for passage be reconsidered, and that the bill be referred to the committee on state affairs.

Which motion prevailed.

Mr. Norheim moved

That the report of the committee on tax and tax laws recommending the passage of Senate Bill No. 22 be reconsidered and that the bill be referred to committee on appropriations.

Which motion prevailed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries.

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

Strike out all on line five (5) of the printed bill after the words "it may" and all of that part of line six (6) up to and including the word "superintendent."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 337.

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 statement of number of schools with county auditor.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

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

By striking out on line seven (7) of the printed bill the word "twenty" and inserting in lieu thereof the word "eighteen" and in the same line strike out the word "state."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 308.

A bill for an Act to amend and re-enact Section 273 of Chapter 266 of the Session Laws of 1911, relating to teachers' institute and training schools.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporations.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

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

O. C. DOSSETH,
Chairman.

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.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 340.

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.

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 Judiciary made the following report:

Mr. Speaker:

Your committee to whom was referred.

Senate Bill No. 286.

A bill for an Act authorizing the Secretary of State to contract with the Lawyers' Co-operative Publishing Company of Rochester, New York, to publish a compiled edition of the Laws of North Dakota.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the Twelfth Judicial District.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 232.

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.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 184.

A bill for an Act to provide for the payment of costs and expenses in extradition cases brought under the laws of the United States on application of the governor of this state.

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

A. G. DIVET,
Chairman.

Also,

House Bill No. 403.

Being a bill for a concurrent resolution to amend Section 119 of the Constitution of the State of North Dakota, pertaining to candidacy of judges of the Supreme and District Courts for other offices during the term for which they have been elected.

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

At the end of the engrossed bill, change the period to a comma and add the following words: "provided, that any judge of a district court shall be eligible for appointment to the position of justice of the Supreme Court at any time."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

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.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 287.

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."

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. Speakers

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.

W. S. DEAN,
Chairman.

Also,

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.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 157.

A Concurrent Resolution for an amendment to the Constitution providing for the elective franchise.

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

W. S. DEAN,
Chairman.

Also,

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.

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 warehouses and grain grading made the following report:

Mr. Speaker:

Your committee on warehouses and grain grading to whom was referred

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.

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

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:

Line 9, page 1 of printed bill, change "20" to "15."

In line 11, page 1, after the word "him" strike out "either at local elevator or."

Line 7, page 2, change "20" to "15."

In line 9, page 2, after the word "point" strike out balance of said line.

In line 18, page 2, change "July" to "August."

In line 21, page 3, change "July" to "August."

In last line, strike out the word "oats."

And when so amended recommend 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

Senate Bill No. 29.

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 of trustees of incorporated villages.

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

In Sub-division 20 of the bill as re-engrossed, after the word "purposes," where the same occurs in line 6 of the re-engrossed bill, insert the words "for a period not exceeding twenty years," such words to be inserted between the said word "purposes" and the comma following.

L. L. TWICHELL,
Chairman.

Mr. Twichell 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. 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.

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

On page 2, Section 2, lines 6 and 7, of the printed bill, strike out the words "superintendent of public health" and insert in lieu thereof the words "its secretary."

On page 3, lines 22 and 23, strike out the words "city, village or township" and insert in lieu thereof the word "county."

On page 4, line 32, strike out the word "within" and insert the word "outside," and in the same line and line 33 strike out the words "unorganized townships" and insert in lieu thereof the words "incorporated cities."

On page 5, lines 36 and 37 of the printed bill, strike out the words "in unorganized townships" and insert in lieu thereof the words "outside of incorporated cities."

And when so amended recommend that the same do pass.

W. M. BARTLEY,
Chairman.

Also,

Senate Bill No. 249.

A bill for an Act to amend Section 1 of Chapter 108 of the Session Laws of 1909 of the State of North Dakota, relating to qualifications of embalmers.

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 appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate Bill No. 70.

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 an appropriation therefor.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

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

On page 1 of the engrossed bill and in line 6 of Section 1 strike out the words "twenty-five hundred" and insert in lieu thereof the words "fifteen hundred."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 40.

A bill for an Act making an 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, located at Mandan, N. D.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 72.

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.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 113.

A bill for an Act making appropriation for the experimental station of the school of mines and the mining substation at Hebron, Morton County.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 43.

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.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

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

On page 1 of the engrossed bill, after the words "For an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance," strike out all lines down to the enacting clause.

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 162.

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.

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 appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 10.

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.

Have had the same under consideration and recommend that the same do pass and be re-referred to the judiciary committee for the purpose of having same considered as to its constitutionality.

Report of Judiciary committee on Senate Bill No. 10.

A majority of the judiciary committee report the bill to be constitutional. The minority report attached hereto:
To the Committee on Appropriations:

With reference to Senate Bill No. 10, referred to the judiciary committee for a report upon the question of the constitutionality of the proposed enactment.

The undersigned, a minority of the committee respectfully report that they disagree with the conclusions reached by the majority of the committee. We are of the opinion that such an appropriation as is sought to be made is in violation of the constitutional safe-guard thrown around the public funds and that the legislature has no power to divert such funds from the purposes of government to the making or donations to the United States or to reimburse individuals who may have incurred liability in an attempt to make on behalf of the state, a donation to the United States.

In this report we do not assume to pass upon any question of policy and assume that the furnishing of a Silver

Service for the use of the battleship named after this state evidences a proper public spirit and we confine ourselves solely to the question of the right of the legislature to use the funds of the state for the purpose mentioned conceding the purpose to be a good one.

It is impossible in the confines of a report such as this to argue in detail the constitutional objections and we think it is not necessary to look further than to Section 174 and 175 of the Constitution to demonstrate that the proposed appropriation would be an unwarranted exercise of the legislative power. Section 174 declares that the Legislature shall provide for raising revenue sufficient to defray the expenses of the state for each year. Section 175 provides that no tax shall be levied except in pursuance of law and every law imposing a tax shall state distinctly the object of the same and that it shall not be applied to any other object. This proposed legislation has nothing to do with the levying of a tax but proposes to appropriate money already derived or to be derived from a tax levied to meet governmental expenses and it is quite clear that the donation of a Silver Service to a battleship of the United States is not a governmental function. The conclusion is irresistible that if the legislature can appropriate money for this purpose, it can also appropriate money to equip a battleship of the United States with a new armament or it may go still further and build and equip an entire battleship and donate it to the government.

The constitutional safe-guards thrown around the public funds were intended to prevent legislatures acting either unwisely or corruptly and they were necessarily based upon the idea that if left unrestrained, the legislature was at some time liable to exceed the bonds of wisdom or become corrupt and allow the public moneys to be used for purposes that would not be for the state's best interests. If it is to be assumed that all legislatures will act both honestly and wisely, there would be no purpose that a constitution could serve because the wisdom and honesty of the legislature would then always protect all the rights of the people.

The argument has been advanced that the State Constitution is a limitation and not a grant of power and that therefore, the legislature can do everything and anything that it is not in direct terms forbidden to do. The general proposition is correct that a State Constitution is a limitation of power, but in our judgment that concession does not at all help out the contention of the majority of the committee because the facts we have referred to are limita-

lions of power in direct terms, but even if those sections do not accomplish the object, yet the principle stated does not go as far as to permit the legislature to dissipate public funds for purposes not connected with the conduct of the affairs of government. It would require too much time and space to argue in detail all that is involved in this proposition, but the principle is fairly illustrated by the conceded fact that without a constitutional amendment, the legislature cannot levy taxes to build trunk lines of wagon roads across the state although the constitution does not in terms prohibit such an improvement. Illustrations of this lack of power might be multiplied indefinitely. We also have a provision relating to the grant of legislative power that is not found in the constitutions of many states. We refer to Section 21 which reads as follows: "The provisions of this Constitution are mandatory and prohibitory unless by express words they are declared to be otherwise." The question of the ultimate construction to be given the word "prohibitory" in this Section might involve weeks of study but in our judgment at this time, it is intended to declare a general curb upon the legislature in attempts to deal with matters not governed by the constitution.

It is also argued that this is a matter of advertising and that therefore, it is on par with other advertising ventures made by this state. We think it is entirely immaterial whether the making of the appropriation might be a good or a bad advertisement for the state for if the legislature may under the guise of advertising the state, appropriate its funds and determine for itself what may constitute good advertising, then it may if it sees fit, divert its revenue from the support of its institutions and the payment of its governmental expenses and embark on a contest with other states as to which can gain the most publicity or notoriety by an exchange of courtesies by the State and the National Government.

The fact that one of the United States vessels has been named "The North Dakota" has no bearing upon the question at all. If this appropriation can be made for that battleship, it can be made for any other—the name is of no importance. It may be changed by an Act of Congress and it may become "The St. Paul" or it may be sold to a foreign government. The state has no control over it and no interest in it and reduced to its lowest terms, the question is, can the State Government donate part or all of the equipment of the battleship or an entire battleship to the United States Government and levy taxes and appropriate money for the purpose of making such donation?

We respectfully represent that no such power is vested in the State Legislature.

Very respectfully yours,

A. G. DIVET,

S. C. BUCK,

W. T. OWENS,

Minority of Judiciary Committee.

BERNT ANDERSON,

Chairman.

Mr. Anderson 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. 94.

A bill for an Act making an appropriation for a stand of colors.

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. 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.

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.

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.

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, 1913.

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. 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. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

R. J. GARDINER,
Chairman.

MOTIONS AND RESOLUTIONS .

Mr. Hendrickson moved

That the rules be suspended and that the vote by which Senate Bill No. 85 was lost be reconsidered.

Which motion was lost.

Mr. Williams offered the following resolution:

Resolved, That Rule 38 of the standing rules of the House be amended by adding an additional committee thereto.

“On examination of state offices and officers,” consisting of nine members.

Mr. Williams moved

That the resolution be adopted.

Which motion prevailed.

Mr. Klein introduced the following resolution.

Whereas, Two different groups of pictures of the members of the House of the Thirteenth Legislative Assembly have been exhibited in this chamber; and,

Whereas, The group exhibited by the Holmboe Studio being arranged in accordance with the seats of members in this chamber and in the opinion of most of the members being of superior workmanship; and,

Whereas, It is the established custom that such a picture is presented to the state by the members of the House; now,

Therefore, be it Resolved by the House of Representatives of the Thirteenth Legislative Assembly, That we accept the group prepared by the Holmboe Studio and that each member is hereby requested to pay to the Chief Clerk the sum of fifty (50) cents in payment thereof.

Mr. Klein moved

That the resolution be adopted.

Which motion prevailed.

Mr. Kellogg moved

That the House return to the sixth order of business.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

To the Honorable Speaker and the Members of the House of Representatives of the State of North Dakota.

Your committee appointed to investigate various offices, wish first to call your attention to the fact that this committee had seven offices to investigate; that the time for such investigation has been short; that necessarily the committee was limited to such matters brought to its attention in the Fox resolution and the committee wishes your honorable body to understand that this investigation covers only such matters as were brought to its attention by said resolution.

Your committee begs leave to report as follows:

In reference to the clerk hire for the stallion registration board, your committee finds that according to the testimony of W. B. Richards, secretary of the North Dakota Stallion Registration Board, and the sworn statement of W. A. Yoder, secretary of the board of trustees of the agricultural college, none of the employees of the North Dakota Stallion Registration Board are in the service of the North Dakota Agricultural College or draw a salary therefrom. Your committee has checked the clerk hire expenses of said board and finds it correct.

As to the management of the penitentiary, your committee finds:

That the warden does sell cream, milk and vegetables in and about the City of Bismarck; that the same are sold at the market price, and so far as your committee can learn from the evidence submitted, no one has been injured thereby; that labor has been performed by the convicts, but this has been done at the solicitation of parties employing them, and all moneys received from said sources have been accounted for on the books of the institution and covered into the state treasury. As to cost of maintenance of convicts per capita, we find: First, that the average number of convicts for the biennial period of 1907 and 1908 was 231.10 and for 1911 and 1912 it was 201.91, showing an average decrease of $12\frac{1}{2}$ per cent, while the maintenance fund for 1907 and 1908, with amounts added to it by the board from other funds, totaled \$40,892.01, and the maintenance for 1911 and 1912 with amounts added from other funds totaled \$47,884.37, showing an increase of $17\frac{1}{2}$ per cent in maintenance fund, or a total increase of 30 per cent per capita in maintenance; 1907 and 1908 were good crop years, while in 1910 and 1911 crops were almost a total failure, making it necessary to purchase large amounts of seed and feed at high prices. This would make a difference in cost of maintenance of approximately \$8,500.00, according to the evidence of the warden and verified by books and records in the penitentiary.

In 1911 and 1912 there was expended from maintenance fund \$3,500.00 for machinery more than there was expended in the years 1907 and 1908 for machinery and in 1911 and 1912 forty acres of land were purchased from the maintenance fund at a cost of \$1,800. Taking all these matters into consideration, your committee finds, that the cost per capita for the biennial year of 1911 and 1912, was slightly less than for the biennial period of 1907 and 1908.

The resolution charges that certain members of the board of control have violated their oath of office in that they are

not devoting all their time to the duties of their office, but are drawing salaries from other sources. Your committee finds that Dr. W. F. Robertson is following no other occupation save the services of the state on the board of control; that Judge Carmody has a law office at Hillsboro which is run by a partner; that he occasionally argues a case in court; that he has devoted all the time required to attend to his duties as a member of said board and that he has performed his duty in a thorough and conscientious manner; that F. W. Evans, who was appointed to the board in September, 1912, has drawn a salary from the Simmonds Hardware Co. up to February 1, 1913, at which time his contract with said hardware company expired, and that up to January 1, 1913, he was occasionally on the road settling up the old business and introducing the man who took his place as salesman for the aforesaid hardware company.

We find that it takes about fifteen days out of each month for the members of the board to attend to their duties. From the facts we have gathered we believe that it would be a saving to the state if all state institutions were placed under the management of the board of control and further as a business proposition we believe that the expiration of the term of office of each member should alternate so that there would be always two members who thoroughly understand the duties of their office.

In reference to the tax commission, we find that all members have given their time to the work of the office. One member, Mr. F. E. Packard, is connected with the Bismarck Times and writes some of its editorials, but the other members of the commission are engaged in no other profession or occupation, and each one of them states that Mr. Packard has attended to his duties as tax commissioner in a thorough and conscientious manner, and that he has performed his full share of the labors of the office. However, we doubt the wisdom of the head of any department being actively engaged in writing editorials for his own or any other newspaper, and recommend that such practice be discontinued, and that appropriate legislation be enacted to meet such conditions.

In regard to the state engineer's office, your committee finds, that the law says that the state engineer shall not engage in private practice. We find that he has engaged in private practice, in that he has acted as city engineer for the City of Bismarck, and that he has rendered services and received compensation for such services from private parties. From such evidence as we have been able to obtain, it appears to your committee that such services have

been in the way of advising, consulting and directing and they do not seem to have interfered with his duties as state engineer. The salary of state engineer is \$2,500 per year which is rather small for a highly trained official. Mr. Atkinson showed your committee that he had expended some moneys from his private purse for the benefit of the state and he feels he should have the benefit of this private practice. However, it appears to your committee that such is contrary to law and if your Honorable Body deem it wise that the state engineer should continue to engage in such private practice, the law should be amended to that effect.

In investigating the office of the secretary of state your committee finds: That Section 14 of Chapter 6 of the 1911 Session Laws provide that the secretary of state shall pay to the treasurer of each county the moneys received by him from that county under the provisions of the said Chapter, after deducting therefrom the cost of tags and registration. The matter of clerk hire was taken up by the state auditing board and was discussed informally and it was decided that the necessary clerk hire should be deducted from the funds. It was impossible to follow strictly the letter of the law in the matter of distributing the funds, as the expenses for the whole year would have to be calculated and a pro rata deduction before any distribution could be made. This was a difficult matter to ascertain in the first year that the law was in operation and as a consequence the distribution was not made until—

October, 1911	\$14,468.45
November 1st, 1911.....	3,106.65
December 30th, 1911.....	3.35
In 1912 the distributions were made as follows:	
April 1st, 1912.....	\$ 980.40
May, 1912	268.80
May, 1912	268.00
June 6th, 1912	8,745.80
June 8th, 1912	4,509.80
July 5th, 1912	2,977.20
August 1st, 1912	1,586.80
December 16th, 1912	1,339.60

These moneys were carried on deposit in the City National Bank of Bismarck, under the name of P. D. Norton, Secretary of State, Motor Vehicle License Fund. The average daily balance for the whole time up to January 1st, 1913, was \$4,188.71. In the opinion of the committee the law should be amended so as to provide that all funds collected from this Motor Vehicle License should be paid into

the state treasury, and apportioned quarterly by the state auditor to the various counties after the necessary expenses required by law have been deducted. Your committee finds that whereas, there is no provision of law requiring the secretary of state to make a report of the Motor Vehicle License Fund, nevertheless he did make such detailed report for the years 1911 and 1912 and filed them with the state auditor. These reports were checked by the examiner's office and the report for 1911 was audited by the state auditing board. Your committee finds further that on or about October 23, 1912, the secretary of state did purchase 5,000 plain white two-cent envelopes and that the same were used by his sister, Mary Norton, to send out campaign literature; that the reason for such use of the said envelopes, was that envelopes of that size could not be obtained at that time from the postoffice and that if this campaign literature was to be of any value to P. D. Norton it had to be sent out immediately. Your committee finds that Miss Mary Norton did on the 4th day of November following, issue her check to Mr. Anderson, the chief clerk in the office of secretary of state, for the sum of \$125.00 and Mr. Anderson cashed the check on November 4th at the First National Bank of Bismarck and out of the proceeds thereof purchased 5,000 two-cent envelopes to take the place of those used by Miss Norton in sending out her brother's campaign literature; that the said envelopes purchased by Mr. Anderson were turned over to Mr. Tousley who has charge of the supply department of the secretary of states' office.

Concerning the attorney general's office, your committee finds that one F. C. Heffron was appointed assistant attorney general under Section 9372 of the Revised Codes of 1905, which allows the attorney general to appoint as many assistant attorney generals as he shall see fit. Mr. Heffron draws no salary. His expenses are paid by the state.

Your committee finds that Miss Fauske, one of the stenographers in the attorney generals' office, has done work for Mr. Miller in his private office. Just how much work she has done for Mr. Miller in that capacity your committee cannot say. Miss Fauske did work in Mr. Miller's private office both for the state and for Mr. Miller as a private individual. The evidence does not show the amount of work performed for Mr. Miller as a private individual to have been any considerable amount, but it does show that it was more than to take an occasional letter, such as any state official might dictate to his stenographer.

Your committee severely condemns the practice of such use of the state's employees in any private office as such practice might lead to gross abuses.

Your committee finds further that the attorney general and each of his assistants are engaged in private practice; that two are in the firm of Miller & Zuger and Mr. Young is a member of the firm of Newton, Dullam & Young. The attorney general and his assistants all state that under the laws of the State of North Dakota, they are allowed to engage in private practice. Your committee has consulted other eminent attorneys who hold the same view and others who hold a contrary view. None however, hold the view that engaging in such private practice is contrary to any statute, and your committee shall not attempt to determine the question as to whether it is contrary to law, as a matter of public policy. Several cases were brought to your committee's attention which have been handled by Mr. Miller and his assistants. Few of these cases ever came into court for trial, most of them being settled. The only cases that attracted the attention of your committee were those known as the Stark County Cases. One of these was the case of Stark County against various bonding companies to recover on bonds of county officials. This case was handled by the firm of Miller & Costello. The county attorney of Stark County had counseled with the attorney general's office with regard to this matter and has been advised by the attorney general. At this point Mr. Miller claims that his duty as attorney general ended. The county commissioners engaged Miller & Costello to handle the cases against the bonding companies. The bonding companies settled the cases entirely to the satisfaction of Stark County. Later on it was found that defaults had occurred in another county office, and the bonding companies, which had settled their cases, sued the bonding companies whose bonds covered the last named office and a certain bank in the City of Dickinson to compel them to pay pro rata share of the original amount recovered. Miller & Zuger took the case of the plaintiff bonding company in the last mentioned case and the county of Stark intervened, so it appears that Mr. Miller is now one of the attorneys against Stark County in cases growing out of cases in which Mr. Miller was originally one of the attorneys for Stark County. So far as your committee can find there is no evidence of double dealing in the matter. Whether Mr. Miller is right or wrong appears to hinge entirely upon the question as to whether the attorney general can engage in private practice. From a theoretical point of view your committee believes it would be much better for the state if none of its officers were engaged in any private business, as the interest of the individual may interfere with the interest of the state. From a practical point of view the advisability is not so clear. Your committee believes that neither the best business men or the

best lawyers in the state would abandon their private business or private practice into and take an official position. Financially they could not afford it. The love of political honors might induce them to accept such a position in case they were sufficiently well off to disregard the thought of gain. Few men are in such a position. So it appears to your committee unwise to recommend that every state officer shall absolutely sever all connections with his private business or practice. However, your committee believes that no state officer should be actively engaged in any private business or profession. Such private work as he performs should be only in the way of advising and directing and should never in any way be allowed to interfere with his official position. Your committee thoroughly disapproves of any such arrangement as the firm of Miller & Zuger, for in this partnership we find the attorney general and one of his assistants in one office. It is very apparent that if this firm is to do any business whatever it must be at the expense of the state as their work cannot be limited to counselling or advising nor can they handle cases outside of the time they should be devoting to their official position. The position of attorney general is a very important one. He is adviser of all the state officials and all the different boards and institutions and he should exercise every care to prevent any prejudice arising in his mind by a matter of private interest. It appears to your committee to be wrong for the attorney general to engage as a private part in any case in which the public is directly interested.

In case your Honorable Body should deem it most wise for the attorney general to wholly abandon private practice, your committee would recommend that the salary be materially increased as it appears from the evidence presented to your committee that lawyers of note in the State of North Dakota earn more from their private practice than the present salary paid to the attorney general.

Respectfully submitted,

FRED W. TURNER,
Chairman.

CHAS. F. KELLOGG,
GEO. G. BOPE.

Mr. Divet moved

That the consideration of the report be deferred until 2:30 P. M. March 4th.

Which motion prevailed.

UNFINISHED BUSINESS.

Mr. Smith of Ward introduced the following resolution and moved its adoption:

Whereas, The Tariff Act of August 5, 1909, on imports into the United States provides that wheat can be imported in bond without paying duty, provided it be manufactured and exported according to conditions prescribed by the secretary of the treasury; and,

Whereas, The Tariff Act of August 5, 1909, on imports into the United States provides that an importer of wheat upon which duty has been paid, when converted into manufactured articles shall be allowed on the exportation of such articles a draw back equal to the duty paid less one per cent of such duties; and,

Whereas, Under the provisions of the above entitled act the United States treasury department has ruled that whole wheat may be handled in bond including exportation without any process of manufacture; and,

Whereas, The treasury department of the United States has also ruled that a period of three years is a reasonable limit of time in which wheat can be moved in bond through the United States; and,

Whereas, We believe the agricultural interests of the grain growing states are suffering loss upon the price of their product by the provisions of the "draw back clause" in the above entitled Tariff Act; and,

Whereas, The farmers of the grain growing states are suffering loss in the price of their product by the way in which whole wheat is handled in bond; and,

Whereas, We believe sixty days is ample time in which to move wheat or any other commodity in bond through the United States.

Now, Therefore, be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

That our members of Congress each be provided with a copy of these resolutions and that they be hereby requested to do all in their power to repeal the "draw back clause" in the Tariff Act of August 5, 1909, on imports into the United States.

And be it Further Resolved, That we hereby make these resolutions a protest against the ruling of the United States treasury department in respect to the way whole wheat is handled in bond, and against the ruling regarding the length

of time allowed for handling wheat in bond, by sending a copy of these resolutions to the secretary of the treasury and recommending that sixty days be the time limit for any commodity to pass in bond through the United States.

And be it Further Resolved, That a copy of these resolutions be sent to the governors of each of the following states with an urgent request herein contained that they submit these or resolutions of a similar nature to their respective states legislatures as follows:

California, Oregon, Washington, Montana, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Wisconsin, Illinois, Indiana, Ohio and Pennsylvania.

Mr. Divet moved

That the reading of the resolution be dispensed with.

Which motion prevailed.

Mr. Sorlie moved

That the resolution be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 3, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 375.

A bill for an Act 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.

Also,

Senate Bill No. 276.

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905, relating to the official estray paper.

Also,

Senate Bill No. 294.

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.

Also,

Senate Bill No. 177.

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 Acts amendatory thereto and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed.

Also,

Senate Bill 176.

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.

Also,

Senate Bill No. 248.

A bill for an Act relative to the burial of the bodies of persons who have died from infectious or contagious diseases, and to provide for the disinfecting of such bodies, and of the premises where death occurred.

Also,

Senate Bill No. 318.

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.

Also,

Senate Bill No. 86.

A bill for an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed.

Also,

Senate Bill No. 267.

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

Also,

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

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. 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. 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 bonds 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. 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. 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.

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.

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. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Also,

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

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. 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.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

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. 268.

A bill for an Act limiting the time within which real estate mortgages may be foreclosed.

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.

Also,

House Bill No. 40.

A bill for an Act repealing Sections 2294, 2295 and 2296.

Also,

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 purposes.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,

Secretary.

INTRODUCTION, FIRST AND SECOND READING OF HOUSE BILLS.

Permission was granted Mr. Williams to introduce a bill.

Mr. Williams introduced

House Bill No. 501.

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.

Was read the first and second time and

Referred to the committee on judiciary.

Mr. Williams moved

That the rules be suspended and that House Bill No. 501 be not printed; that it be considered engrossed, and placed on the calendar for third reading and final passage.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Was read the third time.

The roll was called and there were ayes 91, nays 0, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bartley
Bass
Batzner
Bjornson
Blakemore
Bollinger
Bope
Borusky
Bratton
Buck
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Carey
Colton
Curry
Davis
Divet
Dosseth
Doyle
Dynes
Enderson
Evenson
Fox
France
Freitag
Fritz
Gardiner

Messrs.—

Geiger
Gunderson
Hanson
Harty
Hawkinson
Hedalen
Hendrickson
Hickle
Hill of Bottineau
Hill of Cass
Hjelmstad
Hjort
Hoge
Homan
Husband
Isaak
Jacobson
Johnson
Kellogg
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Martin
Moen

Messrs.—

Morrison
Norheim
Nyhus
O'Connor
Odland
Olsgard
Owens
Pendray
Pitkin
Ployhar
Putnam
Raney
Roble
Ryan
Sandbeck
Stenehjem
Stinger
Thompson
Taylor
Tucker
Turner, C. C.
Twichell
Walsh
Wardrope
Warriner
Weis
Wiley
Williams
Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Morkrid	Snyder
Dean	Northrup	Sorlie
Dixon	Petterson	Streeter
Haraldson	Schroeder	Turner, F. W.
Hart	Small	Watt
Huso	Smith of Kidder	Mr. Speaker
Miller	Smith of Ward	

So the bill passed and the title was agreed to.

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 87, nays 7, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Harty	Olsgard
Bass	Hendrickson	Owens
Batzer	Hickle	Pendray
Bjornson	Hill of Bottineau	Petterson
Blakemore	Hjelmstad	Pitkin
Bollinger	Hjort	Ployhar
Bope	Hoge	Raney
Borusky	Huso	Roble
Bratton	Isaak	Sandbeck
Burnett	Jacobson	Schroeder
Butler of Ramsey	Johnson	Small
Butler of Ransom	Kellogg	Smith of Kidder
Calnan	Kelly	Smith of Ward
Carey	Klein	Snyder
Coltom	Knox	Stenehjem
Davis	Kyllo	Stinger
Dean	Lambert	Thompson
Divet	Lawbaugh	Taylor
Dixon	Leu	Tucker
Dosseth	Lewis	Turner, C. C.
Doyle	Lindstrom	Turner, F. W.
Dynes	List	Twichell
Everson	Martin	Wardrope
France	Miller	Warriner
Freitag	Morrison	Weis
Gardiner	Norheim	Wiley
Gunderson	Nyhus	Williams
Hanson	O'Connor	Wing

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Geiger	Husband
Curry	Hart	
Fritz	Hawkinson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Homan	Sorlie
Campbell	Moen	Streeter
Endreson	Morkrid	Walsh
Fox	Northrup	Watt
Hedalen	Putnam	Mr. Speaker
Hill of Cass	Ryan	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 32, nays 57, absent and not voting 22.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Ijelstad	Olsgard
Bollinger	Hjort	Petterson
Butler of Ransom	Hoge	Pitkin
Carey	Johnson	Raney
Divet	Knox	Sandbeck
Dixon	Lindstrom	Stenehjerm
Doyle	Martin	Stinger
Endreson	Norheim	Wardrope
Fox	Nyhus	Warriner
Geiger	O'Connor	Wiley
Hendrickson	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ramsey	Hanson
Baldson	Coltom	Hart
Bartley	Curry	Hickle
Batzer	Davis	Hill of Bottineau
Bjornson	Dean	Hill of Cass
Blakemore	Dosseth	Homan
Bope	Dynes	Husband
Borusky	Everson	Huso
Bratton	France	Isaak
Buck	Fritz	Kellogg
Burnett	Gunderson	Kelly

Messrs.—

Klein
Kyllo
Lambert
Lawbaugh
Leu
Lewis
List
Miller

Messrs.—

Moen
Morrison
Pendray
Ployhar
Putnam
Small
Smith of Kidder
Smith of Ward

Messrs.—

Snyder
Thompson
Taylor
Tucker
Twichell
Weis
Wing
Mr. Speaker

Absent and not voting:

Messrs.—

Calnan
Campbell
Freitag
Gardiner
Haraldson
Harty
Hawkinson
Hedalen

Messrs.—

Jacobson
Morkrid
Northrup
Owens
Roble
Ryan
Schroeder
Sorlie

Messrs.—

Streeter
Turner, C. C.
Turner, F. W.
Walsh
Watt
Williams

So the bill was lost.

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 94, nays 0, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—

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

Messrs.—

Dosseth
Dynes
Enderson
Everson
Fox
France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson
Haraldson
Hart
Harty
Hedalen
Hendrickson
Hickle

Messrs.—

Hill of Bottineau
Hill of Cass
Hjelmstad
Hjort
Homan
Husband
Huso
Isaak
Jacobson
Kellogg
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lewis

Messrs.—	Messrs.—	Messrs.—
Lindstrom	Pitkin	Thompson
List	Putnam	Taylor
Martin	Raney	Tucker
Miller	Roble	Turner, C. C.
Moen	Ryan	Turner, F. W.
Morrison	Sandbeck	Twichell
Norheim	Schroeder	Warriner
Nyhus	Smith of Kidder	Weis
O'Connor	Smith of Ward	Wiley
Odland	Snyder	Williams
Olsgard	Sorlie	Wing
Owens	Stenehjem	Mr. Speaker
Pendray	Stinger	
Petterson	Streeter	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Doyle	Ployhar
Bass	Hawkinson	Small
Blakemore	Hoge	Walsh
Borusky	Johnson	Wardrope
Campbell	Morkrid	Watt
Dixon	Northrup	

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 100, nays 0, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Campbell	Gardiner
Bartley	Carey	Geiger
Bass	Colton	Gunderson
Batzer	Curry	Hanson
Bjornson	Davis	Harty
Blakemore	Dean	Hawkinson
Bollinger	Divet	Hedalen
Bope	Dixon	Hendrickson
Borusky	Dosseth	Hickle
Bratton	Dynes	Hill of Bottineau
Buck	Endreson	Hill of Cass
Burnett	Fox	Hjelmstad
Butler of Ramsey	France	Hjort
Butler of Ransom	Freitag	Hoge
Calnan	Fritz	Homan

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Smith of Kidder
Doyle	Kyllo	Streeter
Everson	Miller	Twichell
Haraldson	Northrup	

So the bill passed and the title was agreed to.

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 79, nays 0, absent and not voting 32.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Dean	Harty
Bass	Divet	Hedalen
Batzer	Dixon	Hickle
Bjornson	Dynes	Hill of Bottineau
Blakemore	Endreson	Hill of Cass
Bollinger	Everson	Hjelmstad
Bope	France	Hjort
Borusky	Freitag	Hoge
Butler or Ramsey	Gardiner	Homan
Butler of Ransom	Geiger	Husband
Carey	Gunderson	Isaak
Curry	Hanson	Jacobson
Davis	Hart	Johnson

Messrs.—	Messrs.—	Messrs.—
Kellogg	Nyhus	Stinger
Kelly	O'Connor	Tucker
Klein	Odland	Turner, C. C.
Knox	Petterson	Turner, F. W.
Kylo	Pitkin	Twitchell
Lambert	Putnam	Walsh
Lawbaugh	Raney	Wardrobe
Leu	Roble	Warriner
Lewis	Sandbeck	Weis
Lindstrom	Schroeder	Williams
List	Smith of Kidder	Wing
Martin	Smith of Ward	Mr. Speaker
Morrison	Snyder	
Norheim	Stenehjem	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fritz	Pendray
Bartley	Haraldson	Ployhar
Bratton	Hawkinson	Ryan
Buck	Hendrickson	Small
Burnett	Huso	Sorlie
Calnan	Miller	Streeter
Campbell	Moen	Thompson
Coltom	Morkrid	Taylor
Dosseth	Northrop	Watt
Doyle	Olsgard	Wiley
Fox	Owens	

So the bill passed and the title was agreed to.

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 78, nays 0, absent and not voting 33.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Burnett	Freitag
Balsdon	Butler of Ransom	Gardiner
Bartley	Calnan	Geiger
Bass	Carey	Hanson
Batzer	Divet	Harty
Bjornson	Dixon	Hedalen
Blakemore	Dynes	Hickle
Bollinger	Endreson	Hill of Bottineau
Bope	Fox	Hill of Cass
Borusky	France	Hjort

Messrs.—	Messrs.—	Messrs.—
Hoge	Martin	Smith of Kidder
Homan	Miller	Smith of Ward
Husband	Moen	Stenehjem
Huso	Norheim	Stinger
Isaak	Nyhus	Tucker
Jacobson	O'Connor	Turner, C. C.
Johnson	Odland	Turner, F. W.
Kellogg	Olsgard	Twichell
Kelly	Owens	Walsh
Knox	Petterson	Wardrope
Kylo	Pitkin	Warriner
Lambert	Putnam	Weis
Lawbaugh	Raney	Wiley
Leu	Roble	Williams
Lewis	Ryan	Wing
List	Schroeder	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Fritz	Northrup
Buck	Gunderson	Penoray
Butler of Ramsey	Haraldson	Ploybar
Campbell	Hart	Sandbeck
Coltom	Hawkinson	Small
Curry	Hendrickson	Snyder
Davis	Hjelmstad	Sorlie
Dean	Klein	Streeter
Dosseth	Lindstrom	Thompson
Doyle	Morkrid	Taylor
Everson	Morrison	Watt

So the bill passed and the title was agreed to.

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 80, nays 3, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Buck	Divet
Bartley	Burnett	Dynes
Bass	Butler of Ransom	Endreson
Batzer	Calnan	Fox
Bjornson	Carey	France
Blakemore	Coltom	Fritz
Bollinger	Curry	Gardiner
Bope	Davis	Geiger
Borusky	Dean	Gunderson

Messrs.—	Messrs.—	Messrs.—
Hanson	Leu	Sorlie
Hawkinson	Lewis	Stenehjem
Hedalen	Lindstrom	Stinger
Hickle	List	Thompson
Hill of Bottineau	Martin	Taylor
Hjelmstad	Moen	Tucker
Hjort	Norheim	Turner, C. C.
Hoge	Nyhus	Turner, F. W.
Husband	O'Connor	Twichell
Isaak	Odland	Walsh
Jacobson	Olgard	Wardrope
Kellogg	Pitkin	Warriner
Kelly	Roble	Weis
Klein	Ryan	Wiley
Knox	Sandbeck	Williams
Kyllo	Schroeder	Wing
Lambert	Smith of Ward	Mr. Speaker
Lawbaugh	Snyder	

Mr. Young voted in the negative.

Messrs.—	Messrs.—	Messrs.—
Freitag	Hart	Husc

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Petterson
Bratton	Hill of Cass	Ployhar
Butler of Ramsey	Homan	Putnam
Campbell	Johnson	Raney
Dixon	Miller	Small
Dosseth	Morkrid	Smith of Kidder
Doyle	Morrison	Streeter
Everson	Northrop	Watt
Haraldson	Owens	
Harty	Pendray	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 7, absent and not voting 26.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Miller
Bartley	Hanson	Moen
Bass	Harty	Morrison
Batzer	Hawkinson	Norheim
Bjornson	Hedalen	Nyhus
Blakemore	Hickle	Odland
Bollinger	Hill of Bottineau	Olsgard
Borusky	Hill of Cass	Pettersen
Buck	Hjelmstad	Putnam
Burnett	Hjort	Raney
Butler of Ramsey	Homan	Roble
Butler of Ransom	Husband	Ryan
Calnan	Isaak	Sandbeck
Carey	Johnson	Smith of Ward
Coltom	Kellogg	Snyder
Curry	Kelly	Stinger
Dean	Klein	Taylor
Divet	Knox	Tucker
Dynes	Kyllo	Turner, C. C.
Endreson	Lambert	Turner, F. W.
Fox	Lawbaugh	Twichell
France	Leu	Wardrope
Freitag	Lewis	Warriner
Fritz	Lindstrom	Weis
Gardiner	List	Williams
Geiger	Martin	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bope	Huso	Wing
Dixon	Pitkin	
Hart	Wiley	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hoge	Small
Bratton	Jacobson	Smith of Kidder
Campbell	Morkrid	Sorlie
Davis	Northrup	Stenehjem
Dosseth	O'Connor	Streeter
Doyle	Owens	Thompson
Everson	Pendray	Walsh
Haraldson	Ployhar	Watt
Hendrickson	Schroeder	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 15, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hjelmstad	Pitkin
Bass	Hjort	Putnam
Bollinger	Hoge	Roble
Bope	Homan	Ryan
Buck	Huso	Sandbeck
Burnett	Jacobson	Schroeder
Butler of Ramsey	Johnson	Smith of Kidder
Butler of Ransom	Kellogg	Smith of Ward
Calnan	Kelly	Sorlie
Coltom	Klein	Stenchjem
Curry	Kyllo	Stinger
Dean	Lambert	Thompson
Divet	Lawbaugh	Taylor
Doyle	Lindstrom	Tucker
Endreson	List	Turner, C. C.
Everson	Martin	Turner, F. W.
Fox	Miller	Twichell
France	Moen	Walsh
Freitag	Morrison	Warriner
Gardiner	Nyhus	Weis
Geiger	O'Connor	Wiley
Hanson	Odland	Williams
Hedalen	Olsgard	Wing
Hendrickson	Owens	Mr. Speaker
Hickle	Pendray	
Hill of Cass	Petterson	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Dixon	Husband
Bjornson	Fritz	Isaak
Blakemore	Hart	Lewis
Borusky	Harty	Raney
Carey	Hawkinson	Wardrope

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Northrup
Batzer	Haraldson	Ployhar
Bratton	Hill of Bottineau	Small
Campbell	Knox	Snyder
Davis	Leu	Streeter
Dosseth	Morkrid	Watt
Dynes	Norheim	

So the bill passed and the title was agreed to.

Mr. C. C. Turner moved

That the vote by which House Bill No. 209 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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 third time.

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

Those voting in the negative were: Messrs. Coltom and Hart.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	France	Miller
Davis	Haraldson	Ployhar
Dosseth	Johnson	Watt

So the bill passed and the title was agreed to.

Mr. Weis moved

That House Bill No. 274 be referred to the committee on appropriations.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 93, nays 2, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dosseth	Jacobson
Balsdon	Dynes	Kellogg
Bartley	Endreson	Kelly
Bass	Everson	Kylo
Batzer	Fox	Lambert
Bjornson	Freitag	Lawbaugh
Blakemore	Fritz	Leu
Bollinger	Gardiner	Lindstrom
Bope	Geiger	List
Borusky	Gunderson	Martin
Buck	Hanson	Miller
Burnett	Harty	Moen
Butler of Ramsey	Hawkinson	Norheim
Butler of Ransom	Hedalen	Nyhus
Calnan	Hendrickson	O'Connor
Campbell	Hickle	Odland
Carey	Hill of Bottineau	Olsgard
Coltom	Hill of Cass	Owens
Curry	Hjelmstad	Pendray
Davis	Hjort	Pettersen
Dean	Hoge	Pitkin
Divet	Homan	Putnam
Dixon	Isaak	Raney

Messrs.—	Messrs.—	Messrs.—
Roble	Stinger	Walsh
Ryan	Streeter	Warriner
Schroeder	Thompson	Watt
Small	Taylor	Weis
Smith of Kidder	Tucker	Wiley
Smith of Ward	Turner, C. C.	Williams
Snyder	Turner, F. W.	Wing
Stenhjem	Twichell	Mr. Speaker

Those voting in the negative were: Messrs Hart and Johnson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Klein	Ployhar
Doyle	Knox	Sandbeck
France	Lewis	Sorlie
Haraldson	Morkrid	Wardrope
Husband	Morrison	
Huso	Northrup	

So the bill passed and the title was agreed to.

Mr. Thompson moved

That House Bill No. 405 be indefinitely postponed.

Which motion was lost.

MESSAGE FROM THE SENATE.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

Also,

Senate Bill No. 32.

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

Senate Bill No. 73.

A bill for an Act amending the Constitution of the State of North Dakota, providing for future amendments thereof.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 76, nays 11, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	O'Connor
Balsdon	Hanson	Odland
Bartley	Harty	Olsgard
Bass	Hedalen	Owens
Batzer	Hendrickson	Pendray
Blakemore	Hickle	Pitkin
Bollinger	Hill of Bottineau	Ployhar
Bope	Hjelmstad	Putnam
Bratton	Hoge	Raney
Burnett	Homan	Roble
Butler of Ramsey	Huso	Sandbeck
Calnan	Isaak	Schroeder
Carey	Jacobson	Smith of Kidder
Coltom	Johnson	Smith of Ward
Davis	Kellogg	Sorlie
Dean	Kelly	Stenehjem
Divet	Klein	Taylor
Dixon	Kyllo	Tucker
Doyle	Lambert	Turner, C. C.
Dynes	Lawbaugh	Turner, F. W.
Endreson	Leu	Twichell
Everson	Lewis	Wardrobe
Freitag	List	Warriner
Fritz	Martin	Wiley
Gardiner	Moen	
Geiger	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hawkinson	Miller
Buck	Hill of Cass	Thompson
Butler of Ransom	Hjort	Mr. Speaker
Hart	Knox	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Borusky	Lindstrom	Snyder
Campbell	Morkrid	Stinger
Curry	Morrison	Streeter
Dosseth	Norheim	Walsh
Fox	Northrup	Watt
France	Petterson	Weis
Haraldson	Ryan	Williams
Husband	Small	Wing

So the bill passed and the title was agreed to.

House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their 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.

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 37, absent and not voting 17.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Pitkin
Balsdon	Hedalen	Raney
Bass	Hendrickson	Roble
Bjornson	Hjelmstad	Schroeder
Blakemore	Hoge	Smith of Ward
Pollinger	Homan	Sorlie
Borusky	Huso	Stenhjem
Burnett	Jacobson	Stinger
Butler of Ransom	Knox	Thompson
Calnan	Kyllo	Taylor
Davis	Lambert	Tucker
Dean	Leu	Turner, F. W.
Divet	Lewis	Walsh
Dosseth	Lindstrom	Warriner
Dynes	Miller	Watt
France	Morrison	Wiley
Fritz	Nyhus	Williams
Gardiner	O'Connor	Wing
Geiger	Pendray	Mr. Speaker

Those voting in the negative were:

Messrs.—

Bartley
 Batzer
 Bope
 Bratton
 Butler of Ramsey
 Carey
 Coltom
 Curry
 Dixon
 Endreson
 Freitag
 Gunderson
 Hanson

Messrs.—

Hart
 Harty
 Hickle
 Hill of Cass
 Hjort
 Husband
 Isaak
 Johnson
 Kellogg
 Kelly
 Klein
 Lawbaugh
 List

Messrs.—

Martin
 Norheim
 Northrop
 Odland
 Olsgard
 Putnam
 Smith of Kidder
 Snyder
 Turner, C. C.
 Wardrope
 Weis

Absent and not voting:

Messrs.—

Buek
 Campbell
 Doyle
 Everson
Fox
 Haraldson

Messrs.—

Hill of Bottineau
 Moen
 Morkrid
 Owens
 Petterson
 Ployhar

Messrs.—

Ryan
 Sandbeck
 Small
 Streeter
 Twichell

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 3, 1913:

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House concurrent resolution relating to the inserting in the Blue Book, Washington's farewell address, Lincoln's Gettysburg address, and cuts of Washington, Lincoln and the United States flag.

Very respectfully,

W. D. AUSTIN,
 Secretary.

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 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	Haraldson	Nyhus
Bartley	Hart	Odland
Bass	Harty	Olsgard
batzer	Hawkinson	Pendray
Bjornson	Hedalen	Petterson
Blakemore	Hendrickson	Pitkin
Bollinger	Hill of Cass	Ployhar
Bope	Hjelmstad	Putnam
Borusky	Hjort	Raney
Bratton	Hoge	Roble
Buck	Husband	Rvan
Butler of Ramsey	Huso	Sandbeck
Butler of Ransom	Isaak	Schroeder
Calnan	Jacobson	Smith of Kidder
Carey	Johnson	Smith of Ward
Coltom	Kellogg	Snyder
Curry	Kelly	Sorlie
Dean	Klein	Stenhjem
Divet	Knox	Thompson
Dixon	Kyllo	Taylor
Dosseth	Lawbaugh	Tucker
Dynes	Leu	Turner, C. C.
Endreson	Lewis	Twichell
France	Lindstrom	Walsh
Freitag	List	Warriner
Gardiner	Martin	Weis
Geiger	Moen	Wiley
Gunderson	Morkrid	Williams
Hanson	Morrison	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hickle	Owens
Burnett	Hill of Bottineau	Small
Campbell	Homan	Stinger
Davis	Lambert	Streeter
Doyle	Miller	Turner, F. W.
Everson	Norheim	Wardrope
Fox	Northrup	Watt
Fritz	O'Connor	Wing

So the bill passed and the title was agreed to.

Mr. Anderson asked 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 Senate Bill No. 145.

A bill for an Act to provide an appropriation for the cur-

rent 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 of the engrossed bill and in lines 6 and 7 of Section 1, strike out the words and figures "thirty-three thousand, nine hundred eighty-five and 12-100 dollars (\$33,985.12)" and insert in lieu thereof the words and figures "forty-eight thousand, nine hundred eighty-five and 12-100 (\$48,985.12)." On page 1 of the engrossed bill, strike out lines 8, 9, 10, 11, 12, 13 and 14, of Section 1, and insert in lieu thereof the following:

"For deficit in maintenance and current expenses	
in 1911 and 1912	\$18,985.12
For maintenance, 1913.....	5,000.00
For maintenance, 1914.....	5,000.00
For grading and improving grounds.....	1,000.00
For completing assembly hall and gymnasium..	15,000.00
For remodeling main building, including plumbing, heating and ventilation.....	4,000.00
Total	<u>\$48,985.12"</u>

On page 1 of the engrossed bill strike out Section 2, emergency.

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

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.

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

On page 1 of the engrossed bill, and in lines 6 and 7 of Section 1, strike out the words and figures "three hundred and forty thousand dollars (\$340,000.00)" and insert in lieu thereof the words and figures "two hundred and eighty-three thousand dollars (\$283,000.00)." On page 1 of the en-

grossed bill, strike out all of lines 8, 9, 10, 11, 12, 13, 14, 15, and 16, of Section 1, and insert in lieu thereof the following:

"Power house and equipment.....	\$40,000.00
Tuberculosis hospital	90,000.00
Receiving ward	100,000.00
Repairing administration building.....	5,000.00
Erection of outside ward and farm house....	30,000.00
Erection of piggery	1,500.00
Erection of chicken house.....	1,000.00
Additional water supply	7,000.00
Relocation and improvement of two horse barns	1,500 00
Laundry equipment	1,000.00
Incidentals	2,500.00
Repairs	2,500.00
Improvements on grounds.....	1,000.00
Total	\$283,000.00"

And when so amended recommend that the same do pass.

BERNT ANDERSON,
Chairman.

Also,

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."

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

On page 3 of the original bill and in Section 7, after the words "disbursement thereof," add "and such appropriation is not to exceed ten thousand dollars annually."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 3, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 93.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Twichell moved

That the House take a ten-minute recess.

Which motion prevailed.

The House reassembled at 4 o'clock, pursuant to a recess taken.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 301.

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

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 267.

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

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 276.

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905, relating to the official stray paper.

Was read the first and second time and
Referred to the committee on public printing.

Senate Bill No. 294.

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.

Was read the first and second time and
Referred to the committee on ways and means.

Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota providing for the recall of Public officials by the people.

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

Senate Bill No. 32.

A concurrent resolution amending the the Constitution of the State of North Dakota providing for the initiative and referendum.

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

Senate Bill No. 375.

A bill for an Act 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.

Was read the first and second time and
Referred to the committee on military affairs.

Senate Bill 176.

A bill for an Act to amend and re-enact Section 1577 of the Revised Codes of North Dakota for the year 1905, relat-

ing to certificate of sale and purchase for taxes and the form of such certificate.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 264.

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.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Senate Bill No. 84.

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

Was read the first and second time and

Referred to the committee on tax and tax laws.

Senate Bill No. 318.

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.

Was read the first and second time and

Referred to the committee on drainage.

Senate Bill No. 86.

A bill for an Act to authorize vilalge trustees to levy a tax to pay for water and light plants heretofore installed.

Was read the first and second time and

Referred to the committee on municipal corporations.

Senate Bill No. 298.

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.

Was read the first and second time and

Referred to the committee on tax and tax laws.

Senate Bill No. 73.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 248.

A bill for an Act relative to the burial of the bodies of persons who have died from infectious or contagious diseases, and to provide for the disinfecting of such bodies, and of the premises where death occurred.

Was read the first and second time and

Referred to committee on public health.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 3, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 257.

A bill for an Act to provide for the payment of county warrants, when there is no money in the hands of the county treasurer for the payment of such warrants out of the funds on which they are drawn.

Also,

Senate Bill No. 279.

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.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

GENERAL ORDERS.

Mr. France 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. France 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. 500.

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

And recommend that the same do pass as amended.

Also,

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.

Have adopted the following amendments.

Line 9, Section 1, commencing with the word "guilty" strike out all the balance of the section and insert in lieu thereof "punishment by imprisonment in the penitentiary not less than one, not exceeding three years, or in the county jail not exceeding one year, or by fine not exceeding \$500, or by both.

And when so amended recommend the same do pass.

Also,

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.

Have adopted the following amendment:

In line 24, strike out the words "capital or surplus," inserting in lieu thereof the word "funds."

And when so amended recommend the same do pass.

Also,

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same be indefinitely postponed.

Also,

House Bill No. 165.

A bill for an Act to define co-operative associations, to authorize their incorporation and to declare an emergency.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same do pass as amended.

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.

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 Code of 1905, relating to stock running at large.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Professor E. F. Ladd for disbursements and expenses incurred in the enforcement of the pure food laws.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

And recommend that the same do pass as amended.

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.

And recommend that the same do pass as amended.

Also

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, commissions 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.

And recommend that the same do pass as amended.

Also

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursement.

And recommend that the same do pass.

Also,

Senate Bill No. 125.

A bill for an Act making an appropriation for the state normal school located at Mayville, North Dakota, for a demonstration rural school, improvement of campus, an additional storage room for fuel, a greenhouse, a barn, horses and wagon, a system of automatic temperature regulation in the main building, completing the ventilation system in the main building, and rewiring the main building.

And recommend that the same do pass as amended.

Also

Senate Bill No. 147.

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.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale state normal and industrial school.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 263.

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 mechanics' liens.

And recommend that the same do pass as amended.

Also,

House resolution introduced by Mr. Smith of Ward County, for an amendment to the Constitution of the State of

North Dakota, relating to the voting privileges of members of co-operative corporations.

And recommend that the same do pass as amended.

H. H. FRANCE,
Chairman.

Mr. France moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

Mr. Watt asked unanimous consent to return to the sixth order of business.

Which was granted.

REPORT OF SELECT COMMITTEE.

To the House of Representatives of the Thirteenth Legislative Assembly:

The special committee appointed to investigate the office of commissioner of agriculture and labor, pursuant to a resolution of this House, adopted on the thirty-fifth legislative day, beg leave to submit the following report:

Under the terms of this resolution, it was made the duty of this committee to ascertain if the commissioner of agriculture and labor has properly expended the immigration fund created by former Legislative Assemblies and properly audited his expenses in connection with such fund; and further to investigate any violations of law that we might discover and deem necessary, and to report the result of this investigation, showing the actual condition of said office.

Promptly upon our appointment, we secured the service of one of the deputy bank examiners, who has devoted his entire time for twelve days to an examination of the books, records and vouchers of this office.

The records of the hail insurance department created by the Twelfth Legislative Assembly were examined for the entire period of its existence and were found to be in all respects regular.

The dairy department, which is also under the jurisdiction of this office, is required by law to collect license fees for creameries and cream stations. The accounts which have been kept during the biennial period of 1911-1912 were checked by the deputy examiner and were found to be correct.

This office is also required to keep a record of all marks and brands and to issue licenses for the operation of coal mines. Each of the accounts of fees collected in connection with these duties has been checked or audited by the state examiner as a part of his regular duties and is shown by the records of that office to be properly kept and credited.

The most difficult part of the labors of your committee relates to an investigation concerning the promotion of immigration fund. The Twelfth Legislative Assembly appropriated and placed at the disposal of the commissioner of agriculture and labor for the promotion of immigration the sum of \$15,000.00. From other sources there was available in this fund the sum of \$1,958.99, making a total fund of \$16,159.99. This entire fund has been expended. An examination has been made of the vouchers for each item of expenditure and the same found to be properly audited. In connection with the promotion of immigration fund, we have found it necessary to go into a detailed consideration of what has been known as the state industrial exposition. An exposition has been held in the City of Bismarck during the years 1911 and 1912, under the general supervision of the commissioner of agriculture and labor. In the Act making the appropriation of \$15,000.00 above mentioned, the commissioner was authorized to use the money so appropriated in advertising the resources of the state and in making such exhibits as he should deem advisable. The commissioner deemed it advisable to make an exhibition of our products at a large exposition in our own state. He received authority of the state auditing board to secure from the Northern Pacific Railway Company the lease of a suitable building in the City of Bismarck and under this authority proceeded to make preparations for the exposition. A part of the appropriation mentioned above was used in fitting the building and advertising the exposition. Most of the funds needed and used for that purpose, however, were received from subscriptions or voluntary contributions by individuals, commercial clubs and counties, and admission and entry fees. The premiums which were deemed necessary to secure proper exhibits of the resources and products of the state, were largely contributed by the wholesale dealers interested in the development of a market in this state.

The commissioner has taken the position that the exposition cannot properly be treated as a state undertaking and has questioned the propriety of our investigation of the exposition account. We find, however, that the contracts made by him were made as commissioner of agriculture and labor; that at least one contract was executed by the

governor in the name of the state, and that moneys collected from various sources in connection with the exposition were deposited in the promotion of immigration account carried by the commissioner in one of the banks. The exposition was advertised as the North Dakota Industrial Exposition and was generally believed to be a state undertaking, conducted under the auspices of one of the state's administrative departments. Further than this, the commissioner of agriculture and labor in his biennial report of receipts and expenditures for promotion of immigration has included a statement of the receipts and disbursements in connection with the exposition.

The items of expenditure in connection with the exposition as shown by the printed report, have been checked and some testimony taken relative to some of the larger items. Vouchers are on file for all items with the exception of an item shown on page 19 of the report, dater November 18th, 1911, for premiums awarded exposition, \$6,319.70 and a similar item is shown on page 22 of the report dated November 6th, 1912 for \$6,412.00. These items we find were not cash disbursements, as the report would indicate, but represent the total value of the donated premiums awarded, the value of each premium being that fixed by its contributor. We have had placed before us a list of premiums awarded, but it would require more time than we have at our disposal to check the premiums awarded with the premiums listed, so that we could determine whether the value as shown in the disbursements is correct, so we accept the figure given in each instance. The two items of premiums awarded, therefore, show disbursements for that purpose aggregating \$12,803.70. To make the report correct, the receipts should likewise show premiums to that amount. This is not done. As the report was printed it shows the excess of disbursements over receipts of \$13,390.98. Adding to receipts the amount of the value of the premiums shown to have been disbursed to balance those items in disbursements, the over draft would be \$587.28 instead of \$13,390.98. We find also that an item of \$453.00, which was shown as a liability in the report, has been included in the total of the disbursements; this should be subtracted from that item. When that correction is made the correct over draft is \$134.28. A corresponding change is necessitated in the letter of transmittal appearing on the first page of the report. Unless these corrections are made the report is misleading.

We call attention to another matter which should appear in the report. During the two seasons, the following property was acquired for the exposition, which is still held and should be included in the statement of assets,—a dairy barn

and silo, which is estimated by the commissioner as worth \$3,500.00. There was also built and paid for out of a fund derived from various sources, an addition to the Exposition Building, which has an estimated value of \$18,000.00; there was left on hand of premiums not awarded, merchandise and personal property of various kinds, having an estimated value of \$1,000.00. Furniture and equipment for the Exposition Building has also been purchased and paid for out of Exposition Funds; the exact value of this property, it has been difficult to determine. We have attempted to ascertain the value thereof, but with rather unsatisfactory results. In the judgment of your committee an allowance of \$500.00 as its present value would be very liberal. We believe that these items, amounting in all to \$6,800.00 should be considered as assets of the Exposition and should be added to that item as shown on page 23 of the report.

The examiner has also checked the promotion of immigration fund for the years 1909 and 1910 so far as time has permitted. From the examiner's report to your committee, it appears that during these years it was the practice of the state auditing board, when it was found necessary to finance the making of North Dakota exhibits in outside states, to advance to the commissioner the necessary funds on a voucher on which was stated as follows: "Sub-vouchers to be attached later." Later sub-vouchers would be attached to the original voucher covering the amount advanced. In formulating his official report, the commissioner would show long series of items under one date instead of under the date upon which payment was made by him. This has made it a difficult matter to check against the possible duplication of payment,—especially so, in view of the fact that many of the sub-vouchers were not dated at all. On page 33 of the commissioner's biennial report for the period mentioned under date of June 28, 1909, are found items beginning with the item of \$4.85 for railroad fare from Bismarck to Fargo and ending with the item of \$4.85 for fare from Fargo to Bismarck, aggregating \$74.80. These items are also included in and constitute a part of the item immediately following, amounting to \$124.80. The sub-vouchers for these expenditures cover a part of the state auditor's warrant No. 82589 for \$1,000.00. The total amount of sub-vouchers attached to this warrant was \$1,076.86, including the items duplicated, amounting to \$74.80. Credit was then taken by the commissioner for the excess of the sub-vouchers of the \$1,000.00 which was \$76.86 instead of for \$2.06, the difference between the amount of the excess and the amount of the duplicate items. This item appears in the last of sub-vouchers covering voucher No. 84999 and the

credit appears as follows: "Balance due Gilbreath on warrant No. 82589, \$76.86."

The examiner has also called attention to the following items, shown on pages Nos. 52 and 53 of the official report covering the same period:

"Sept. 1, 1910.	A. F. Nohle, grain prize.....	\$30.00
Sept. 3, 1910.	P. W. Verdium, crop reports..	8.00
Sept. 9, 1910.	A. G. Patterson, postage.....	23.56
Sept. 23, 1910.	Buckbee-Mears, half-tones.....	40.44
Total		<u>\$102.00"</u>

These same items are shown on page 1 of the biennial report for the term ending December 31, 1912, as expenditures of that year is a difference in the dates of two items, but only one set of vouchers is found to cover the same and the amounts of the items are identical. It would appear, therefore, that the promotion of immigration fund has been charged twice with the amount of these items.

One of the charges against the commissioner of agriculture and labor which has been brought to the attention of the committee, was one to the effect that he required from the employees of his office a percentage of the salary received. We made an investigation with reference to this matter and find that during the primary election campaign of 1910, the employees who were then in his office did contribute to the commissioner for the purpose of assisting him in defraying his campaign expenses. The employees who have testified before the committee have stated, under oath, that the contributions were voluntary to far as they were concerned, and those employees who have been in service in that office for a considerable period of time have testified that although the present incumbent of this office has held the office for eight years, he never solicited them to make any contribution to his campaign expenses and that since the campaign mentioned, they have made no such contribution for political or for any other purposes.

We have been unable to make the investigation we have conducted as thorough or far-reaching as we had desired. The examination of the office can be properly made only by an expert accountant. As we have had the services of such an accountant during most of the time since our appointment, we have carried the investigation as far as time would permit. We find that there is no provision for a regular examination of the accounts in the dairy and hail insurance departments or for the promotion of immigration fund. The moneys collected and disbursed by the commis-

sioner in connection with the state industrial exposition have never been audited except in the course of our examination, the disbursements not having been passed upon by the state auditing board as were the disbursements of the appropriated promotion of immigration fund. We therefore recommend that provision be made for a periodical examination of all accounts which are carried incident to this office.

Respectfully submitted,

WM. WATT,
Chairman.

W. H. NORTHRUP,

C. I. MORKRID,
Committee.

Mr. Watt moved

That the report of the committee be adopted and that the committee be discharged from further duty.

Which motion prevailed.

COURTESIES OF THE FLOOR.

Privileges of the floor were granted to D. J. Lane, Underwood; S. J. Hunt, J. W. Barrett, Bowman; Mr. H. W. Hansch, Mr. Sinclair, Jamestown; H. D. Paulson, Grand Forks; Judge Crawford, H. A. Burgeson, W. F. Burnett, J. V. Jessen, all of Dickinson; T. S. Hunt, LaMoure; T. J. Hagen, Grand Forks; H. A. Hague, Dickinson.

Mr. Wiley moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FIFTY-SIX DAY AFTER RECESS AND FIFTY-SEVENTH
DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 4, 1913.

The House assembled at 1 o'clock P. M. pursuant to recess taken.

The Speaker presiding.

The Speaker appointed as conference committee on House Bill No. 340, Messrs. Divet, Balsdon and Odland.

The Speaker appointed as conference committee on House Bill No. 82, Messrs. Thompson, Bollinger and Raney.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 257.

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.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Senate Bill No. 279.

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.

Was read the first and second time and

Referred to the committee on forestry.

Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease and prescribing a penalty for violations thereof.

Was read the first and second time and

Referred to the committee on public health.

THIRD READING OF HOUSE BILLS.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 53, nays 16, absent and not voting 42.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hjelmstad	Owens
Bartley	Hoge	Pendray
Bjornson	Husband	Petterson
Buck	Huso	Putnam
Butler of Ramsey	Isaak	Raney
Butler of Ransom	Jacobson	Schroeder
Carey	Kellogg	Small
Curry	Kelly	Smith of Kidder
Dixon	Klein	Smith of Ward
Dosseth	Lambert	Snyder
Freitag	Lawbaugh	Taylor
Geiger	Lewis	Turner, C. C.
Gunderson	List	Turner, F. W.
Hanson	Miller	Warriner
Hedalen	Moen	Williams
Hendrickson	Norheim	Wing
Hill of Bottineau	O'Connor	Mr. Speaker
Hill of Cass	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzel	Hart	Morkrid
Bope	Harty	Pitkin
Coltom	Hawkinson	Stinger
Davis	Hjort	Streeter
Fritz	Kyllo	
Gardiner	Lindstrom	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Everson	Ployhar
Bass	Fox	Roble
Blakemore	France	Ryan
Bollinger	Haraldson	Sandbeck
Borusky	Hickle	Sorlie
Bratton	Homan	Stenhjem
Burnett	Johnson	Thompson
Calnan	Knox	Tucker
Campbell	Leu	Twichell
Dean	Martin	Walsh
Divet	Morrison	Wardrope
Doyle	Northrup	Watt
Dynes	Nyhus	Weis
Endreson	Olsgard	Wiley

So the bill was lost.

Mr. Pitkin moved

That the vote by which House Bill No: 429 was lost, be re-considered.

Which motion prevailed.

Mr. Williams moved

That the bill be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the 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 89, nays 0, absent and not voting 22.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hoge	Small
Butler of Ramsey	Johnson	Smith of Kidder
Calnan	Knox	Stenehjem
Campbell	Lambert	Thompson
Dixon	Leu	Tucker
Dosseth	Northrup	Watt
Gunderson	Putnam	
Haraldson	Ryan	

So the bill passed and the title was agreed to.

Mr. Anderson moved

That the appropriation bills on the calendar under the head of Senate Bills for Third Reading be advanced on the calendar, and that they be now placed in their third reading and final passage.

Which motion prevailed.

Senate Bill No. 171.

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.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Endreson	Ployhar
Butler of Ramsey	Fritz	Ryan
Butler of Ransom	Haraldson	Snyder
Carey	Isaak	Thompson
Dosseth	Miller	
Doyle	Nyhus	

So the bill passed and the title was agreed to.

Senate Bill No. 25.

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

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays 0, absent and not voting 28.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Owens
Balsdon	Harty	Pendray
Bartley	Hawkinson	Petterson
Bass	Hendrickson	Pitkin
Batzer	Hickle	Ployhar
Bjornson	Hill of Cass	Putnam
Blakemore	Hjelmstad	Raney
Bope	Hjort	Roble
Borusky	Hoge	Sandbeck
Buck	Huso	Schroeder
Burnett	Jacobson	Small
Butler of Ransom	Kellogg	Smith of Kidder
Carey	Kelly	Smith of Ward
Coltom	Klein	Stinger
Curry	Knox	Streeter
Davis	Lambert	Taylor
Dean	Lawbaugh	Tucker
Divet	Lewis	Turner, C. C.
Dixon	Lindstrom	Turner, F. W.
Doyk	Martin	Twichell
Dynes	Miller	Walsh
Evcrson	Moen	Wardrope
France	Morkrid	Weis
Freitag	Norheim	Wiley
Fritz	Nyhus	Williams
Gardiner	O'Connor	Wing
Geiger	Odland	Mr. Speaker
Gunderson	Olsgard	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hedalen	Northrup
Bratton	Hill of Bottineau	Ryan
Butler of Ramsey	Homan	Snyder
Calnan	Husband	Sorlie
Campbell	Isaak	Stenhjem
Dosseth	Johnson	Thompson
Endreson	Kyllo	Warriner
Fox	Leu	Watt
Hanson	List	
Haraldson	Morrison	

So the bill passed and the title was agreed to.

Senate Bill No. 158.

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.

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 3, absent and not voting 7.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hawkinson	Martin	Pendray

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Johnson	Thompson
Dynes	Ryan	
Haraldson	Stenehjelm	

So the bill passed and the title was agreed to.

Senate Bill No. 140.

A bill for an Act making an appropriation for a suitable building at the mining experiment sub-station at Hebron, Morton County.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 0, absent and not voting 9.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Butler of Ramsey	Endreson	Northrup
Campbell	Hanson	Owens
Dixon	Johnson	Ryan

So the bill passed and the title was agreed to.

Senate Bill No. 201.

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.

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 3, absent and not voting 7.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Curry	Hart	Watt

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Haraldson	Smith of Kidder
Divet	Johnson	
Doyle	Putnam	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Odland
Balsdon	Harty	Olsgard
Bartley	Hawkinson	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Pettersen
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Putnam
Bope	Hjelmstad	Raney
Borusky	Hjort	Roble
Bratton	Hoge	Sandbeck
Buck	Homan	Schroeder
Burnett	Husband	Small
Butler of Ramsey	Huso	Smith of Kidder
Butler of Ransom	Isaak	Smith of Ward
Calnan	Jacobson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stinger
Curry	Klein	Streeter
Davis	Knox	Thompson
Dean	Kyllo	Taylor
Divet	Lambert	Tucker
Dixon	Lawbaugh	Turner, C. C.
Dosseth	Leu	Turner, F. W.
Doyle	Lewis	Twitchell
Dvnes	Lindstrom	Walsh
Endreson	List	Wardrope
Everson	Martin	Warriner
Iox	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.—	Messrs.—	Messrs.—
Campbell	Johnson	Stenehjem
Haraldson	Ryan	

So the bill passed and the title was agreed to.

Senate Bill No. 70.

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 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 107, nays 1, absent and not voting 3.

Those voting in the affirmative were:

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

Those voting in the negative were: Mr. Freitag.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Haraldson	Isaak	Johnson

So the bill passed and the title was agreed to.

Senate Bill No. 43.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 1, absent and not voting 5.

Those voting in the affirmative were:

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

Those voting in the negative were: Mr. Smith of Kidder.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Haraldson	Wiley
Curry	Ryan	

So the bill passed and the title was agreed to.

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Odland
Balsdon	Harty	Olgard
Bartley	Hawkinson	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Pettersen
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Putnam
Bope	Hjelmstad	Raney
Borusky	Hjort	Roble
Bratton	Hoge	Sandbeck
Buck	Homan	Schroeder
Burnett	Husband	Small
Butler of Ramsey	Huso	Smith of Kidder
Butler of Ransom	Isaak	Smith of Ward
Calnan	Jacobson	Snyder
Canfield	Kellogg	Sorlie
Carey	Kelly	Stenehjem
Coltom	Klein	Stinger
Curry	Knox	Streeter
Davis	Kyllo	Thompson
Dean	Lambert	Taylor
Dixon	Lawbaugh	Tucker
Dosseth	Leu	Turner, C. C.
Doyle	Lewis	Turner, F. W.
Dynes	Lindstrom	Twichell
Enderson	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'Connor	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Divet	Johnson	Ryan
Haraldson		

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 4, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 31.

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.

Also,

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Also,

Senate Bill No. 194.

A bill for an Act making an appropriation for the Dairy Department of the State of North Dakota.

Also,

Senate Bill No. 195.

A bill for an Act to provide additional Assistant Dairy Commissioners, defining their duties, salaries, expenses, and how the same shall be paid.

Also,

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Also,

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Also,

Senate Bill No. 311.

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.

Also,

Senate Bill No. 223.

A bill for an Act to provide for the erection 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.

Also,

Senate Bill No. 77.

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.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 162.

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.

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 10, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bartley
Bass
Batzler
Blakemore
Bollinger
Bope
Borusky
Bratton

Messrs.—

Buck
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Coltom
Curry
Davis

Messrs.—

Dean
Divet
Dosseth
Doyle
Dynes
Endreson
Everson
Fox
France
Gardiner

Messrs.—

Geiger
Gunderson
Hanson
Harty
Hedalen
Hendrickson
Hickle
Hill of Bottineau
Hill of Cass
Hjort
Homan
Husband
Huso
Jacobson
Johnson
Kellogg
Kelly
Klein
Knox
Lambert
Lawbaugh
Leu

Messrs.—

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

Messrs.—

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

Those voting in the negative were:

Messrs.—

Bjornson
Dixon
Freitag
Fritz

Messrs.—

Hart
Hjelmstad
Nyhus
Smith of Kidder

Messrs.—

Snyder
Warriner

Absent and not voting:

Messrs.—

Haraldson
Hawkinson

Messrs.—

Hoge
Isaak

Messrs.—

Kyllo
Ryan

So the bill passed and the title was agreed to.

Mr. Kellogg moved

That Senate Bill No. 10 be indefinitely postponed.

Which motion prevailed.

Mr. Anderson moved

That the rules be suspended, and that House Bill No. 472 be placed on its third reading and final passage.

Which motion prevailed.

Mr. Bjornson moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

TUESDAY, MARCH 4, 1913.

1555

FIFTY-SEVENTH DAY.

HOUSE OF REPRESENTATIVES.

BISMARCK, NORTH DAKOTA,

March 4, 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.

PETITIONS.

Valley City, N. D., March 4, 1913.

House of Representatives, Bismarck, N. D.

Whereas, House Bill No. 65, providing for an Act to define co-operative association and to authorize their incorporation, is up for your honorable consideration. Whereas, this law benefits and protects all co-operative organizations and would be of special benefit to all farmers' organizations of this commonwealth, North Dakota.

Therefore, be it Resolved, That we, the Farmers' Grain Dealers' Association of North Dakota in session assembled, do hereby heartily endorse this bill and request your honorable body to pass the same.

Signed by the committee, F. A. Powers, John Alderman, K. M. Still.

February 26, 1913.

Honorable Gentlemen of the Thirteenth Legislative Assembly of North Dakota:

We, as a committee, have been delegated by the boys and girls of the North Dakota reform school to extend to you our sincere thanks for the great pleasure you have conferred upon us in inviting us to visit you at the state capitol and to partake of your very kind hospitality. This will ever be remembered by us as one of the bright days of our lives, and the thought of your kindness will ever be to us an added incentive to pure and honest lives. It is our hope that some time in the future it may again be our pleasure to meet you, not as boys and girls in the reform schools, but as men and women, in our homes and in the business of life, earnestly striving to advance the interest of this great

state which you now represent. May the thought of your kindness bestowed upon us be with you as a bright memory when you shall return to your homes after your duties here shall have been concluded.

Very sincerely yours, in behalf of the entire school.

Signed by a committee of five of the boys.

Mr. Hendrickson moved

That the communication be spread on the Journal.

Which motion prevailed.

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. 44.

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

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

On line 18, page 3 of the printed bill, strike out the words "state high school board" and insert in lieu thereof "state board of education."

On line 16 of Section 6 of the engrossed bill, strike out the word "five."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

Also,

The minority of your committee on education to whom was referred

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.

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

In Section 4 on page 3 of the printed bill after the word "meetings," insert a comma and the word "one" and after the word "in" on page 2 of said Section insert "each of." And in Section 6 on page 4 of the printed bill strike out all of lines 8 to 17, both inclusive, and lines 18 and 19 on page 5. Strike out all of Section 7 and insert the following: "Section 7. Appointments by superintendent of public instruction.) The superintendent of public instruction shall appoint the deputy superintendent of public instruction, state consolidated, graded and rural school inspectors or assistants, high school inspectors, clerks and others in the office of the superintendent of public instruction provided by law."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

E. L. GUNDERSON,
R. J. LIST,
HENRY KLEIN,
SHERMAN HICKLE,
W. A. SMALL.

Also,

The majority of your committee on education to whom was referred

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.

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

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

Section 1. The Board and Membership.) There is hereby

created a state board of education, to be composed of the state superintendent of public instruction and three men, one from each congressional district, engaged in educational work, that are not directly connected with our normal or industrial schools, agricultural college or university, a superintendent of city schools, a county superintendent of schools and a citizen of the state.

Section 2. Appointment and Terms.) The governor shall appoint by the advice and consent of the Senate three men engaged in educational work, that are not directly connected with our normal or industrial schools, agricultural college or university, a superintendent of city schools, a county superintendent of schools and a citizen. As members of the state board of education, for a term from July 1, 1913, to the first Tuesday in April, 1915, and thereafter during the session of the Legislative Assembly, for a term of two years from the first Tuesday in April of each odd numbered year.

Section 3. Compensation.) The members of the state board of education, shall receive five dollars for each day employed, and all members of the board shall receive the actual and necessary expenses incurred in attending meetings of the board and in the performance of all duties in connection therewith, which shall be paid out of the state treasury on the voucher of the board, as provided by law.

Section 4. Meetings.) The board shall hold as many meetings each year as is necessary and all such meetings shall be held at the state capitol or at such place as the board may determine.

Section 5. Powers and duties.) The duties of the state board of examiners established for the purpose of granting certificates to persons desirous of teaching in the State of North Dakota, as provided for in Chapter 266 of the Session Laws of 1911, Sections 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265 and 266, are hereby made a part of the duties of the state board of education and all authority and powers granted to the said board of examiners are hereby transferred and made a part of the duties of the state board of education. The state board of education is further authorized to establish such rules as may be found necessary to secure uniformity and best results among the school receiving state aid, as rural, graded or consolidated schools, as provided in Chapter 35 of the Session Laws of 1911. The duties of the state agricultural and training school board, as defined in Chapter 265 of the General Laws of 1911, are hereby transferred to the state board of education, and made a part of its duties. The state board of education shall perform such

other functions as the legislature may from time to time confer upon it.

Section 6. Visitations and Inspection.) The state board of education, may visit, examine into and inspect any educational institution under the supervision of the state, and may require as often as desired duly verified reports therefrom, giving such information in such form as the superintendent of public instruction or the state board of education may prescribe. No institution shall be given more powers to confer degrees in this state unless it can show to the state board of education that it has at least a satisfactory course of study equal to those in use in our state institution for the same degree, and no institution for higher education shall be incorporated without suitable provision, approved by the state board of education, for educational equipment and proper maintenance. No institution shall institute or shall have faculty or department of education in any place or be given power to confer any degree, not specifically authorized by its charter; and no corporation shall, under authority of any general act, extend its business to include establishing or carrying on any educational institution or work, without the consent of the state board of education.

Section 7. Nominations and Appointments by Superintendent of Public Instruction.) Nominations for appointment as rural school inspectors or assistants and high school inspectors shall be made by the superintendent to the state board of education for its confirmation before final appointment is made. The office of inspector of high school, heretofore filled under the authority of the state high school board shall hereafter be filled upon the nomination of the superintendent of public instruction and confirmation of the said state board of education. The superintendent of public instruction shall appoint the deputy superintendent of public instruction, clerks and others in his office without confirmation.

Section 8. Repeal. Sections 243, 244 and 245 of Chapter 266 of the Session Laws of 1911, and all Acts or parts of Acts in conflict with this Act are hereby repealed.

And when so amended recommend that the same do pass.

O. C. DOSSETH,
Chairman.

J. W. SMITH,
T. O. ROBLE,
H. J. STINGER,
H. GEIGER,
R. K. BATZER,
C. I. MORKRID.

Mr. Dosseth moved

That the report be adopted.

Which motion prevailed.

Also,

Senate Bill No. 278.

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 1911 Session Laws, relating to school district bonds.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 336.

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 district.

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

O. C. DOSSETH,
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:

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

“Section 1. Amendment.) That Section 38 of Chapter 266 of the Session Laws of 1911 be amended to read as follows:

“Section 38. What Territory May be Organized into District School Corporations.) The county commissioners of each county in this state shall organize into a school district any territory not, at the taking effect of this Act, already organized into a school district upon being petitioned so to do by a majority of the school electors residing in such territory providing such territory shall consist of not

less than one congregational township or one civil township of not less than eighteen sections of land and no school district shall have less than twelve thousand dollars in taxable property and at least ten children of school age residing therein."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

Also,

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.

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 municipal corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 86.

A bill for an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed.

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 engrossment made the following report:

Your committee on engrossment have examined:

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. 165.

A bill for an Act to define co-operative associations, to authorize their incorporation and to declare an emergency.

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.

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.

Also,

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.

Also,

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Also,

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 denning prima facie evidence upon which conviction may be had.

Also,

House Bill No. 488.

A bill for an Act extending the powers and duties of state and district veterinarians and providing for the testing and animals exposed to the disease known as glanders.

Also,

House Bill No. 500.

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

And find the same correctly engrossed.

N. T. HEDALEN,
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on supplies and expenditures made the following report:

Mr. Speaker:

Your committee on supplies and expenditures to whom was referred:

A resolution relating to printing of reports.

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

PAUL J. MOEN,
Chairman.

Mr. Moen 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. 193.

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, etc.

Have had the same under consideration and recommend that the same be referred to the committee on appropriations.

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 301.

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

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 294.

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 the failure to make such payments.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 137.

A bill for an Act providing for a contract system of legislative clerical work and employment.

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 judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred 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:

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 as follows:

"For an Act amending and re-enacting Section 7246 of the Revised Codes of North Dakota as amended by Chapter five (5) of the Session Laws of 1909.

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

"Section 1. Amendment.) Section 7246 of the Revised Codes of 1905, as amended by the Session Laws of 1909, is hereby amended and re-enacted to read as follows:

"Section 7246. Examination Before Trial.) The examination, instead of being had at the trial as provided in the last section, may be had, either within or without the state, at any time before the trial at the option of the party claiming it, before a judge of the court or by a referee appointed by the judge of the court for that purpose, on a previous notice to the party to be examined and any other adverse party of at least five days, unless for good cause shown the judge orders otherwise; but the party to be examined shall not be compelled to attend in any other county than that of his residence or where he may be served with a subpoena for his attendance. Where a referee shall be so appointed, the provisions of Article 7 of Chapter 11 of the Code of Civil Procedure Revised Codes of 1905, shall be applicable thereto, and the referee shall take the testimony either himself or by a stenographer in his presence, which testimony shall be certified to by the referee. The judge or referee before whom any examination is had may order any witness to produce any books or papers material to the case, and the court may enforce such order either by contempt proceedings or by striking out any pleading or by both. The party taking such testimony is not bound thereby, but may rebut the same.

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 176.

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.

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

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 177.

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 Acts amendatory thereto, and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed.

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

On page 3 of the printed bill, in line 50, strike out the word "duly."

And in line 51 thereof, strike out the words "and legally."

And in the same line, strike out the words "at the time and in the manner provided by law."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also

Senate Bill No. 32.

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

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

On page 1 of the printed bill, in line 6, strike out the word "next."

And in the same line, between the words "election" and "for" insert the following: "in the year 1918."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

A minority of your committee on judiciary to whom was referred

Senate Bill No. 32.

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

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

F. B. LAMBERT,
C. S. BUCK,
J. T. HOGE.

Also,

A minority of your committee on judiciary to whom was referred

Senate Bill No. 32.

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

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

Also,

N. W. HAWKINSON.

Senate Bill No. 73.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the future amendments thereof.

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

On page 1 of the printed bill, in line 7, strike out the word "next."

And in the same line, between the words "election" and "for" insert the following: "in the year 1918."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

A minority of your committee on judiciary to whom was referred

Senate Bill No. 73.

A concurrent resolution amending the Constitution of the

State of North Dakota, providing for the future amendments thereof.

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

F. B. LAMBERT,
C. S. BUCK,
J. T. HOGE.

A minority of your committee on judiciary to whom was referred

Senate Bill No. 73.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the future amendments thereof.

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

Also,

N. W. HAWKINSON.

Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

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

On page 1 of the printed bill, in line 6, strike out the word "next."

And in line 7 thereof after the word "election" insert the words "in the year 1916."

And when so amended recommend the same do pass.

A. G. DIVET,
Chairman.

Also,

A minority of your committee to whom was referred

Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

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

F. B. LAMBERT,
C. S. BUCK,
J. T. HOGE.

Also,

A minority of your committee to whom was referred
Senate Bill No. 17.

A concurrent resolution amending the Constitution of the State of North Dakota, providing for the recall of public officials by the people.

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

N. W. HAWKINSON.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

Mr. Divet moved

That the report on Bills Nos. 17, 72 and 32 be taken out of the report and considered separately.

Which motion prevailed.

Mr. Divet moved

That the majority report on Bills Nos. 17, 72 and 32 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 Senate Bill No. 375.

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.

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 agriculture made the following report:

Mr. Speaker:

Your committee on agriculture to whom was referred
Senate Bill No. 255.

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.

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

JAS. HILL,
Chairman.

Also,

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 Revised Codes of North Dakota for 1905, relating to partition fences and repealing Sections 3233, 3235, 3246 and 3252 of said Codes.

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 warehouse and grain grading made the following report:

Mr. Speaker:

Your committee on warehouse and grain grading to whom was referred

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.

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

Line 3, page 1 of printed bill after the figures "1905" insert "when requested by the seller."

Line 9, page 1, after the word "state," insert "after such request has been made."

And when so amended recommend the same do pass.

C. E. KNOX,
Chairman.

Also,

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered to grain shippers, or to reimburse shippers therefor.

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 manufactures made the following report:

Mr. Speaker:

Your committee on manufactures to whom was referred 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.

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

L. H. BRATTON,
Chairman.

Mr. Bratton 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

A concurrent resolution relating to the education, care, health and maintenance of the Indians within the State of North Dakota.

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

W. S. DEAN,
Chairman.

Mr. Williams moved

That the report be adopted and that the House concur in the Senate amendment.

Which motion prevailed:

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 97.

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 amended as follows:

On page 1 of the engrossed bill and in lines 5 and 6 of Section 1, strike out the words "fifteen thousand dollars" and insert in lieu thereof the words "ten thousand dollars for premiums and five thousand dollars for maintenance."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the institution for feeble-minded at Grafton, North Dakota.

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

On page 1 of the engrossed bill, and in line 8 of Section 1, strike out the figures "\$4,500.00" and insert in lieu thereof the figures "\$6,000.00."

On page 1 of the engrossed bill, and in line 9 of Section 1, strike out the figures "\$13,000.00" and insert in lieu thereof the figures "\$15,000.00."

Strike out all of Section 2, Emergency.

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

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

On page 3 of the engrossed bill, strike out all of Section 6.

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 221.

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

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

BERNT ANDERSON,
Chairman.

Also,

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 appropriation for such purpose.

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

Strike out all after the words "A bill" of the original bill and insert in lieu thereof the following:

"For an Act to provide for an information bureau, arrangement and display of the State of North Dakota at the Norway Centennial Celebration to be held in Christiania, Norway, in 1914, and providing for a board of commissioners, therefor, and making an appropriation for such purposes.

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

"Section 1. For the purpose of establishing an information bureau of the State of North Dakota at the Norway Centennial Celebration to be held at Christiania, Norway, in 1914. A commission is hereby created to be known as the "Norway Centennial Commission," which commission shall be composed of the governor and other citizens of the state to be selected by him. The governor shall be president of the commission. The governor shall fill by appointment any vacancy that may for any cause occur in said commission.

Section 2. Members of the commission herein provided for shall not be entitled to any compensation for their services, except their actual and necessary expenses for transportation and five dollars per day for subsistence for each day they are necessarily absent from their homes on the business of the commission.

Section 3. The expense incurred under this Act shall be audited and paid in the same manner as provided for the payment of expenses of state officers; provided, that no bill be audited and paid unless the same is approved by the manager and the governor.

Section 4. There is hereby appropriated out of any moneys in the state treasury available the sum of ten thousand dollars, or as much thereof as may be necessary for the purpose of carrying out the provisions of this Act.

Section 5. The commission named in this Act or their successors in office, shall hold their office for and during the term ending with the close of said Norway Centennial Celebration.

Section 6. A report shall be submitted to the next session of the legislature showing an itemized statement of its receipts and disbursements by the commission.

Section 7. Whereas, an emergency exists in that said commission will require all the time possible to properly perform their duties, 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.

BERNT ANDERSON,
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Butler of Ransom moved

That the rules be suspended and that Senate Bill No. 98 be placed on its third reading and final passage.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays 18, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Davis	Hjort
Balsdon	Dean	Hoge
Bartley	Divet	Husband
Bass	Dixon	Huso
Bjornson	Dosseth	Isaak
Blakemore	Dynes	Jacobson
Bope	Endreson	Johnson
Borusky	Everson	Kellogg
Bratton	Fox	Kyllo
Buck	Gardiner	Lambert
Burnett	Geiger	Leu
Butler of Ramsey	Hanson	Lewis
Butler of Ransom	Harty	List
Calnan	Hawkinson	Moen
Campbell	Hendrickson	Morkrid
Carey	Hickle	Norheim
Coltom	Hill of Bottineau	Northrup
Curry	Hill of Cass	Nyhus

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

Messrs.—
 Ryan
 Sandbeck
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stinger
 Taylor
 Tucker

Messrs.—
 Turner, F. W.
 Twichell
 Walsh
 Wardrobe
 Warriner
 Watt
 Weis
 Williams
 Mr. Speaker

Those voting in the negative were:

Messrs.—
 Batzer
 Bollinger
 Freitag
 Fritz
 Gunderson
 Hart

Messrs.—
 Homan
 Kelly
 Klein
 Knox
 Lindstrom
 Martin

Messrs.—
 Miller
 Raney
 Schroeder
 Turner, C. C.
 Wiley
 Wing

Absent and not voting:

Messrs.—
 Doyle
 France
 Haraldson
 Hedalen

Messrs.—
 Hjelmstad
 Lawbaugh
 Morrison
 Stenehjerm

Messrs.—
 Streeter
 Thompson

So the bill passed and the title was agreed to.

Mr. Owens introduced the following resolution:

Whereas, This House of Representatives of the Thirteenth Legislative Assembly on the twenty-seventh day of February, 1913, by resolution employed C. C. Wattam, I. M. Oseth and C. H. Olson, as stenographers to take and transcribe the testimony offered by witnesses on the matter of investigation of charges against Ben Ness, and the said named stenographers did perform services as stenographers in said investigation.

Now Therefore, Be it Resolved by the House of Representatives of the Thirteenth Legislative Assembly, That C. C. Wattam, I. M. Oseth and C. H. Olson, be paid for such service in the manner provided for the payment of legislative expenses, and

Be it Further Resolved, That the vouchers herewith attached be considered a statement as the respective charges of said mentioned persons and that orders be drawn for the same as other legislative expenses, as follows:

C. C. Wattam, the sum of.....	\$31.15
I. M. Oseth, the sum of.....	28.90
C. H. Olson, the sum of.....	19.60
Total.....	<u>\$79.65</u>

Mr. Owens moved

That the report be adopted, and that it be referred to the committee on supplies and expenditures.

Which motion prevailed.

UNFINISHED BUSINESS.

House Bill No. 170 which was laid over for a day in order to have the Senate amendments printed in the Journal was taken up.

Mr. Calan moved

That the House concur in the Senate amendments on House Bill No. 170.

Which motion was lost.

Mr. Calan moved

That the House do not concur in the Senate amendments on House Bill No. 170, and that a conference committee be appointed.

Which motion prevailed.

The Speaker appointed as such conference committee, Messrs. Divet, Roble and Ryan.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 32, absent and not voting 9.

Those voting in the affirmative were:

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

Messrs.—
Buck
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Curry
Davis
Dean
Divet

Messrs.—
Endreson
Fox
France
Freitag
Gardiner
Geiger
Gunderson
Hawkinson
Hedalen
Hendrickson

Messrs.—	Messrs.—	Messrs.—
Hjelmstad	Morrison	Streeter
Hjort	Norheim	Thompson
Hoge	Northrup	Taylor
Husband	Nyhus	Tupper, C. C.
Johnson	O'Connor	Twichell
Kellogg	Owens	Walsh
Kelly	Petterson	Wardrope
Kyllo	Pitkin	Warriner
Lambert	Putnam	Weis
Leu	Roble	Wiley
List	Schroeder	Wing
Martin	Smith of Ward	Mr. Speaker
Moen	Snyder	
Morkrid	Stinger	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hill of Bottineau	Odland
Burnett	Hill of Cass	Olsgard
Coltom	Homan	Pendray
Dixon	Huso	Ployhar
Dosseth	Isaak	Raney
Doyle	Jacobson	Ryan
Dynes	Klein	Sandbeck
Fritz	Knox	Sorlie
Hanson	Lawbaugh	Tucker
Hart	Lewis	Watt
Hickle	Lindstrom	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Everson	Miller	Stenchjem
Haraldson	Small	Turner, F. W.
Harty	Smith of Kidder	Williams

So the bill passed and the title was agreed to.

Mr. Hendrickson moved

That further consideration of House Bill No. 500 be indefinitely postponed.

Which motion was lost.

House Bill No. 500.

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

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 16, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Petterson
Bartley	Hawkinson	Ployhar
Bass	Hedalen	Putnam
Batzler	Hickle	Raney
Bjornson	Hill of Bottineau	Roble
Blakemore	Hill of Cass	Ryan
Bollinger	Hjelmstad	Sandbeck
Bope	Isaak	Schroeder
Borusky	Jacobson	Small
Buck	Kellogg	Smith of Kidder
Burnett	Kelly	Smith of Ward
Butler of Ramsey	Klein	Snyder
Campbell	Kyllo	Sorlie
Carey	Lambert	Stenehjem
Curry	Lawbaugh	Stinger
Davis	Leu	Streeter
Dean	Levis	Thompson
Divet	List	Taylor
Dosseth	Morkrid	Tucker
Doyle	Morrison	Turrer, C. C.
Dynes	Norheim	Twichell
Everson	Northrup	Wardrobe
France	Nyhus	Warriner
Gardiner	O'Connor	Watt
Gunderson	Odland	Weis
Hanson	Olsgard	Wiley
Haraldson	Owens	Wing
Hart	Pendray	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Fausen	Hendrickson	Martin
Coltom	Hoge	Pitkin
Dixon	Homan	Walsh
Endreson	Husband	Williams
Freitag	Johnson	
Fritz	Lindstrom	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Geiger	Miller
Bratton	Hjort	Moen
Calnan	Huso	Turner, F. W.
Fox	Knox	

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That further consideration of House Bill No. 460 be indefinitely postponed.

Which motion prevailed.

MESSAGES FROM THE SENATE.

Bismarck, North Dakota, March 4, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 200 and asks for a committee or conference, and the President has named as such conferees on the part of the Senate, Messrs. Wartner, Jacobsen and Overson.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the President has appointed as conferees on House Bill No. 340, Messrs. Jacobsen, Nelson and Young.

And on House Bill No. 82, Messrs. Hookway, Ellingson and Kretschmar.

And on House Bill No. 170, Messrs. Garden, Elken and Porterfield.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate requests the return of Senate Bill No. 148.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Wardrope moved

That the House grant the Senate's request and that Senate Bill No. 148 be returned to the Senate.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 110, nays 0, absent and not voting 1.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Odland
Balsdon	Harty	Olsgard
Bartley	Hawkinson	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Petterson
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Putnam
Bope	Hjelmstad	Raney
Borusky	Hjort	Roble
Bratton	Hoge	Ryan
Buck	Homan	Sandbeck
Burnett	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	Thompson
Dixon	Lambert	Taylor
Dosseth	Lawbaugh	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Martin	Wardrobe
France	Miller	Warriner
Freitag	Moen	Watt
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Northrup	Wing
Hanson	Nyhus	Mr. Speaker
Haraldson	O'Connor	

Absent and not voting: Mr. Butler, of Ramsey.

So the bill passed and the title was agreed to.

Mr. Haraldson moved

That the House return to the sixth order of business for the purpose of receiving a report by the special committee.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

To the Honorable House of Representatives of the Thirteenth Legislative Assembly of the State of North Dakota:

Gentlemen: Your committee appointed on the 6th day of February under the "Morrison Resolution" to investigate the facts relating to the failure on the part of state officials to qualify by not filing their oath and bond of office within the time provided by law and other irregularities relative thereto, beg leave to report the following:

The following Sections of the Revised Codes of North Dakota for 1905, provide the manner in which state officers shall qualify:

Sec. 400. Civil Officers to Qualify.) Except as otherwise specially provided, all civil officers shall qualify substantially in the manner and form herein set forth.

Sec. 401. "Shall before entering on his duties, give a bond conditioned for the faithful and impartial discharge of the duties of his office."

Sec. 402. "Before entering on the duties of his office shall take and subscribe the oath prescribed in Section 211 in the Constitution. Such oath shall be endorsed on or attached to his bond."

Sec. 403. "The bonds ***** shall be approved by the Governor as to sufficiency and by the Attorney General as to form."

Sec. 412. "Each official bond shall be given with at least two sureties, but the bond of the State Treasurer shall have at least four."

Sec. 417. "All state officers shall qualify on or before the first Monday in January next succeeding their election, or within ten (10) days thereafter."

Sec. 418. "If any person elected to any office mentioned in the preceding Section, shall fail to qualify in the time fixed by law, such office shall be deemed vacant, and shall be filled by appointment as provided by law."

Sec. 422. "Every office shall become vacant on the happening of either of the following events, (6) his failure to qualify as provided by law, etc."

Upon investigation of the official bonds and oaths given by the various state officers to the state, we find and report the following facts as to irregularities as to the following officers:

Examinations made on dates hereafter set forth.

Examinations made February 26th, 1913.

Walter C. Taylor, Commissioner of Insurance.

No oath filed in the office of the Secretary of State.

Bond approved as to form by C. L. Young, on February 8th, 1913, and by the Governor as to sufficiency same date.

This bond should have been approved as to form and sufficiency and filed with the Secretary of State before January 17th, 1913; as to

W. C. Gilbreath, Commissioner of Agriculture and Labor.

Bond was not approved as to form by the Attorney General; as to

Oliver Knudson, Public Examiner.

No oath of office filed in office of Secretary of State. Approval of bond by the Attorney General as to form shows no date.

Approval of bond by Governor shows no date; as to

Roy A. Nelson, Deputy Public Examiner.

No oath of office filed in office of Secretary of State.

Term of office began July 1st, 1911.

Official bond executed January 16th, 1912.

Bond filed in Secretary of State's office March 13th, 1912.

Bond filed in Treasurer's office December 28th, 1912; as to

Alexander MacDonald, Commissioner of University and School Lands.

Renewal of bond for present term was not filed before March 1st, 1913, it should have been filed according to law the beginning of his term in 1911.

No oath of office for present term has been filed in the office of the Secretary of State.

Bond approved by the Governor should have been approved by the Board of University and School Lands. (See Section 153, Revised Codes of 1905); as to

W. H. Stutsman, Railroad Commissioner.

Only one surety on bond.

Has failed to file proper oath.

Bond has not been approved by the State Treasurer as required by law. (See Section 366 which provides for special oath in office of Railroad Commissioner and that the Treasurer shall approve as to sufficiency); as to

W. H. Mann, Railroad Commissioner.

No oath of office filed in office of Secretary of State; as to

O. P. N. Anderson, Railroad Commissioner.

No oath of office filed in Secretary of State's office.

Examination made February 28th, 1913.

Milton D. Williams, Steward Hospital for Insane.

For term beginning July 1st, 1912, no oath of office has been filed in the office of the Secretary of State; as to

William Hotchkiss, Superintendent of Hospital for Insane.

No oath of office filed in the office of Secretary of State for the term beginning July 1st, 1912; as to

F. O. Hellstrom, Warden of State Penitentiary.

For term beginning May 1st, 1912, to May 1st, 1913.

Bond was executed by Hellstrom on December 26th, 1912, and filed in the office of Secretary of State on January 2nd, 1913; as to

J. W. Brown, Superintendent of Reform School.

For the term beginning August 1st, 1911, bond was filed in office of Secretary of State November 7th, but no oath of office was filed for above term. (For his present term he has filed oath and bond and fully complied with the law.) As to

John T. Duffy, Deputy Oil Inspector.

Term of office two (2) years from April 9th, 1911.

No oath of office filed in office of Secretary of State.

Bond filed in Secretary of State's office April 18, 1911.

Bond filed in Treasurer's office December 28th, 1912; as to

Ira T. Hall, Deputy Oil Inspector.

Bond was filed in office of Secretary of State on April 22nd, 1909, but has never been recorded, nor filed in the office of the State Treasurer; as to

James P. Bogan, Deputy Oil Inspector.

No oath of office filed in office of Secretary of State; as to

B. W. Clabaugh, Deputy Oil Inspector.

No bond or oath of office filed in office of Secretary of State; as to

H. F. Eaton, Deputy Oil Inspector.

No bond filed or recorded in office of Secretary of State.
As to

Halsey S. Curry, Trustee of Soldier's Home.

No oath or bond recorded in office of Secretary of State;
as to

D. S. Seigfried, Trustee of Soldier's Home.

No oath or bond recorded in the office of Secretary of State; as to

Marion T. Davis, Trustee of Soldier's Home.

No bond recorded in office of Secretary of State; as to

J. W. Bliss, Assistant State Engineer.

No oath of office filed in the office of Secretary of State.
Examinations made March 1st, 1913.

As to W. P. Thurston, Deputy Commissioner of University and School Lands.

For term beginning June 1st, 1911, oath of office was filed in office of Secretary of State on March 1st, 1913.

There is no renewal of bond filed in office of Secretary of State. (Mr. Thurston has receipts for premium paid for renewal but the renewal should be filed); as to

T. R. Atkinson, State Engineer.

No oath of office filed in office of Secretary of State.

No renewal of bond has been filed in office of Secretary of State for present term.

No bond has been filed in office of State Treasurer. (Mr. Atkinson has receipts showing that premium for renewal of bond has been paid but renewal should be recorded in office of Secretary of State); as to

A. N. Eckler, member of Barber Examining Board.

Bond has not been approved by Secretary of State (see Section 350.)

Original bond cannot be found in office of Secretary of State or Treasurer's office; as to

John C. Dolan, member of Barber Examining Board.

No bond or oath of office has been recorded in the office of Secretary of State; as to

A. R. McKay, member of Board of Trustees of School of forestry.

No oath of office recorded in office of Secretary of State; as to

H. M. Johnson, Alexander Morrison and H. C. Thompson.

All have failed to file an oath of office in the office of the Secretary of State; as to

Charles J. Veagent and Porter W. Eddy.

Both have failed to file an oath of office in the office of Secretary of State; as to

D. D. Sullivan and H. O. Sheldon, Optometry Board.

Both have failed to file an oath of office in the office of Secretary of State; as to

E. J. Walsh, W. L. Richards, J. W. Robinson and T. B. Dawson, Live Stock Sanitary Board.

As to the State Board of Medical Examiners.

The present term of the State Board of Medical Examiners began August 1, 1911. Their first meeting as a board was held on that day. Following are the dates on which the bond of the members of said board were filed in the office of State Treasurer.

H. C. Woutah, Grand Forks, bond filed September 15th, 1911, November 30th, 1912, recorded and filed with Treasurer. No oath of office.

A. G. Patterson, Lisbon, bond filed with Treasurer, November 3rd, 1911. No oath of office.

F. R. Smythe, Bismarck, bond filed with Treasurer, August 4th, 1911.

A. W. Skelsey, Fargo, bond filed with the Treasurer, September 15th, 1911.

Francis Peake, Jamestown, bond filed with Treasurer, September 15th, 1911.

Geo. M. Williamson, Grand Forks, bond filed with Treasurer, September 7, 1912.

Paul Sorkness, Fargo, bond filed with treasurer, September 7, 1912.

A. J. McCannel, Minot, bond filed with Treasurer, September 7th, 1911.

J. E. Countryman, Grafton, bond filed with Treasurer, September 15th, 1911.

Andrew Miller, Attorney General, examination made February 26th, 1913.

Bond for term beginning first Monday in January, 1911, is missing from the Treasurer's files, a demand having been made upon the State Treasurer for this bond, the clerk in the Treasurer's office having custody of these bonds filed the following affidavit:

STATE OF NORTH DAKOTA,

SS.

COUNTY OF BURLEIGH,

AFFIDAVIT.

Leif Swennumson, being first duly sworn deposes and says: that he is chief clerk in the office of the State Treasurer, Bismarck, North Dakota; that on the 10th day of January, A. D. 1913, he loaned to Assistant Attorney General, Alfred Zuger, the official bond of Attorney General Andrew Miller for the year 1911 and 1912, said bond to be used in preparing a new bond; that Alfred Zuger has admitted that he received same, also that I have made demand for return of bond and made demand for a receipt for said bond, and have been unable to procure either the bond or a receipt for the bond.

LIEF SWENNUMSON,

Subscribed and sworn to before me this 1st day of March, A. D. 1913.

(SEAL)

T. H. THORALSON,

Notary Public, North Dakota.

My commission expires Dec. 30, 1918.

The State Treasurer has secured and filed a copy of the missing bond in this office.

Bond for present term beginning January 6, 1913, filed in office of Secretary of State, February 2nd, 1913.

Bond approved by the Governor on February 2nd, 1913.

Bond acknowledged before Alfred Zuger, but no date of acknowledgment is given.

As to the irregularities which appear in regard to the bond of Andrew Miller, Attorney General, the following affidavits are herewith set forth:

In the matter of the filing of the official oath and bond of Andrew Miller, Attorney General, for his term beginning the first Monday of January, 1913.

STATE OF NORTH DAKOTA,
COUNTY OF BURLEIGH,
SS.

Alfred Zuger, being first duly sworn, deposes and says, that he is a resident and citizen of Bismarck, North Dakota; that on January 10th, 1913, he delivered the official oath and bond of Andrew Miller as attorney general for the term beginning on the first Monday of January, 1913, to the Secretary of State of North Dakota, for filing, by handing to and leaving with John Andrews, the deputy Secretary of State, said oath and said bond in the office of the Secretary of State in the Capitol Building at Bismarck, North Dakota; and said bond and oath were then and there accepted and received by the said John Andrews, as Deputy Secretary of State, for filing in the office of the Secretary of State as aforesaid.

ALFRED ZUGER,

Subscribed and sworn to before me this 28th day of February, 1913.

(SEAL)

W. E. PARSONS,
Notary Public.

My commission expires June 1st, 1918.

STATE OF NORTH DAKOTA,
COUNTY OF BURLEIGH,
SS.

John Andrews, being first duly sworn, says, that he now is and since the first of January, 1913, has been Deputy Secretary of State of North Dakota; that he has read the foregoing affidavit of Alfred Zuger, and knows the contents thereof, and that the facts stated in said affidavit are true.

Affiant further says, that the filing mark upon said bond was not placed thereon on the 10th of January, 1913, because the filing fee was not paid in advance, and affiant says

in that behalf that no filing fee was demanded to be paid in advance, but at the end of the month of January, a bill was sent for his filing thereof to Andrew Miller, and the same was promptly paid; that because said bond and oath were in fact filed on the 10th day of January, affiant has caused the filing mark thereon to be changed from the date of February 2nd to January 10th, 1913, the true date of filing, and to comply and to conform with the facts as to the time when the same was actually filed.

JOHN ANDREWS.

Subscribed and sworn to before me this 28th day of February, 1913.

Subscribed and sworn to before me this 28th day of February, 1913.

(SEAL)

W. E. PARSONS,
Notary Public.

My commission expires June 1st, 1918.

As to the statements made in the above affidavits that this bond was filed in the Secretary of State's office on the 10th day of January, 1913, your committee will state that the Secretary of State has no authority under the statute to accept said bond for filing until same had been approved by the Governor, which was not done in this case before the 2nd day of February, 1913.

CONCLUSIONS OF LAW IN REFERENCE TO FACTS SET FORTH.

Chapter 6 of the Political Code, Revised Codes of 1905, contains statutory enactments governing the qualification for public office by giving bonds and taking official oaths, and prescribes when a term of office begins. Section 417 provides as follows:

"Except when otherwise specially provided, all state, district, county and precinct officers shall qualify on or before the first Monday in January next succeeding their election, or within ten days thereafter, and on said first Monday of January or within ten days thereafter, enter upon the discharge of the duties of their office; provided."

Section 432 provides as follows:

(Vacancies, How Caused.) Every office shall become vacant upon the happening of either of the following events:

1. Death of incumbent. ***** (6) His failure to qualify as provided by law.

It will be noted that our statutes provide that the failure to "qualify and enter upon the duties of such office" within the time fixed by law shall cause the office to become vacant. The above two Sections of our Statute in effect provide that the officer must do two things, namely: Qualify according to law and enter upon the duties of the office, and his failure to comply with either of these two requirements is ground for declaring the office vacant and, for the instituting of ouster proceedings.

Mecham on Public Officers, in discussing when the time when a bond is to be given by a public officer, says that such statutes are usually directory and not mandatory, and states the rule as follows:

"The statutes requiring a bond to be given ordinarily prescribe that it shall be given within a fixed time after the officer's election or appointment. These provisions as to time, however, though often couched in most explicit language, are usually construed to be directory and not mandatory."

To support this rule, he cites a number of cases from some of the leading American jurisdictions. He says further:

"A failure to give the bond within the time prescribed does not, therefore, *ipso facto* work a forfeiture." And cites a large number of cases from some of the principal courts of this country. See Mecham on Public Officers, Section 265 and 266.

According to these authorities there is nothing in our statutes which authorizes any power in this state to preemptorily declare an office vacant for the failure of the incumbent to file a bond within the time fixed by the statute. At the most, such failure would be only ground for commencing ouster proceedings, and, even after proceedings were brought and before judgment of ouster, the officer would under ordinary circumstances be allowed to file his bond and retain the office.

Mecham, in his work on public officers, says concerning this point, that:

"Even though the statute expressly provides that upon a failure to give the bond within the time prescribed, the office shall be deemed vacant and may be filled by appointment, it is generally held that the default is a ground for forfeiture only and not a forfeiture *ipso facto*, and that if, notwithstanding his default, the state or other power sees

fit to excuse the delinquency by failure to commence ouster proceedings prior to filing of the official bond or oath, the defects of his title are cured, and it is converted into a title *de jure* upon his full compliance with the statute."

This statement of the law is sustained by many of the leading American courts. Throop on Public Officers, Sections 173, lays down the rule that:

"Where a statute fixes the time, within which the official oath must be taken, or the official bond given, the weight of the American authorities is decidedly in support of the doctrine, that the provision respecting the time is directory, although the statute declares that the office is forfeited by the default; and that, unless the statute expressly declares that the failure to take the oath or to give bond, by the time prescribed, *ipso facto* vacates the office, the oath may be taken and the bond given at any time afterwards, before judgment of ouster upon an information in the nature of *quo warranto* or other legal declaration that the office is hereby vacated."

The contrary view is however supported by the leading cases in California, Kansas, Florida and Virginia, which hold in construing a statute similar to ours, that it is mandatory and not directory, and that the failure of the officer to comply with the law as to filing his oath and bond within a fixed period of time *ipso facto* forfeits the office and that an appointment may be made without any ouster proceedings having been instituted. In the case of State of Washington, ex rel, F. H. Lysons, appellant, vs. G. C. Ruff, respondent, the Supreme Court of Washington in construing a statute practically identical with Section 422, Revised Codes of 1905, intimate in the following language that had the State of Washington on its statute books such as Section 418, Revised Codes of 1905, it would be a strong argument in favor of a mandatory construction.

"If the legislature had provided in a single Section that a person must qualify within fifteen days and that if he did not do so, his office should be vacant, there would be much greater force in the argument of the relator than under the law as it stands."

There is also a strong descending opinion in this case written by Judge Dunbar, which holds that a similar Section to 422, Revised Codes of 1905 is mandatory and self-executing.

It appears that the Supreme Court of our State has not been called upon to construe Sections 418 and 422 of the Revised Codes for 1905.

RECOMMENDATIONS.

With reference to the failure of the foregoing officers to comply with the directions of the law, we can find no more

suitable words than the following quoted from the opinion of Judge Dunbar of the State of Washington, in Book 16, L. R. A., page 143.

“Officers are elected not for the benefit of individuals; but for the benefit of the community; and, if an officer is so careless of the requirements of the law under which he is elected that he neglects to qualify, it is a fair indication that he will be neglectful in the transaction of the duties of his office.”

We further find from our examination in this matter that some of the state officials have grossly neglected to comply with the law regarding the filing of their bonds and oaths of office, also

That the State Auditor has neglected his duty in issuing warrants for salary to state officials when he had no positive proof that they had qualified for office according to law; also

That the present Secretary of State has accepted for filing bonds of officials according to the affidavit of the deputy secretary of state that were not properly approved as per the record indicated on said bond, and that the former Secretary of the State has been very negligent as to delay in turning over bonds to the State Treasurer for filing, and also accepting bonds for record that were very irregular and which did not comply with the law. We will further say that the present Secretary of State has greatly assisted us in making this examination and that already he has inaugurated improved methods as to the keeping of records in his office with reference to this matter.

We will further call your attention to Section 86, Revised Codes for 1905, which provides:

“That the Governor is to supervise the official conduct of all executive and ministerial officers, and to see that all offices are filled and the duties thereof performed, or in default thereof, apply such remedies as the law allows.”

Under this Section, it appears to be the duty of the Governor to ascertain these facts through the State Examiner's Department, and we would recommend that the Governor direct the State Examiner to report on these delinquencies when making the examination of the Secretary of State's office and if delinquencies are discovered, that he, under his authority, institute ouster proceedings against any officer that fails to qualify as provided by law.

Your committee has had insufficient time to examine the deficiencies and irregularities covering the whole period

which was provided in the resolution with respect to the filing of oaths and official bonds by state officials, therefore, that matters covered in this report date only from January 1st, 1911.

Respectfully submitted,

E. O. HARALDSON,
Chairman.

D. R. STREETER.

Mr. Haraldson moved

That the report be adopted.

Mr. Ployhar moved

That action be deferred on this report until 3:15 P. M. March 5th.

Which motion prevailed.

Mr. Divet moved

That the report of the committee on the examination of several state offices, filed by Messrs. Kellogg, Turner and Bope March 2, be adopted and the committee discharged.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Was read the third time.

The question being on the final passage of the bill.

Th roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

Messrs.—
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Coltom
Curry
Davis
Dean
Divet
Dixon
Dossseth

Messrs.—
Doyle
Dynes
Endreson
Everson
Fox
France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson

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

Absent and not voting: Messrs. Buck and Ployhar.

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 0, absent and not voting 3.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Isaak	Ployhar	Ryan

So the bill passed and the title was agreed to.

Mr. Butler of Ramsey moved

That further consideration of House Bill No. 488 be indefinitely postponed.

Which motion was lost.

Mr. Odland moved

That House Bill No. 488 be referred to the judiciary committee.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 58, nays 37, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hill of Bottineau	Odland
Bass	Hjort	Owens
Batzer	Husband	Petterson
Bope	Huso	Pitkin
Butler of Ransom	Isaak	Roble
Calnan	Jacobson	Sandbeck
Curry	Kelly	Schroeder
Davis	Knox	Snyder
Dyer	Lambert	Stinger
Dixon	Lawbaugh	Streeter
Doyle	Leu	Turner, C. C.
Endreson	Lewis	Turner, F. W.
Everson	Lindstrom	Walsh
Fox	List	Wardrope
Freitag	Martin	Warriner
Fritz	Moen	Wiley
Gunderson	Norheim	Williams
Hanson	Northrup	Wing
Hendrickson	Nyhus	
Hickle	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Putnaa
Bartley	Haraldson	Smith of Kidder
Bjornson	Hart	Smith of Ward
Blakemore	Hill of Cass	Sorlie
Bollinger	Hjelmstad	Thompson
Buck	Johnson	Taylor
Butler of Ramsey	Kellogg	Tucker
Campbell	Kyllo	Twichell
Coltom	Miller	Watt
Dean	Morkrid	Weis
Dosseth	Morrison	Mr. Speaker
Dynes	Olsgard	
France	Pendray	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Borusky	Hawkinson	Raney
Bratton	Hedalen	Ryan
Burnett	Hoge	Small
Carey	Homan	Stenhjem
Gardiner	Klein	
Harty	Ployhar	

So the bill passed and the title was agreed to.

House Bill No. 501.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 110, nays 0, absent and not voting 1.

Those voting in the affirmative 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	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	Thompson
Divet	Kyllo	Taylor
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Dynes	Lewis	Twichell
Endreson	Lindstrom	Walsh
Everson	List	Wardrope
Fox	Martin	Warriner
France	Miller	Watt
Freitag	Moen	Weis
Fritz	Morkrid	Wiley
Gardiner	Morrison	Williams
Geiger	Norheim	Wing
Gunderson	Northrup	Mr. Speaker
Hanson	Nyhus	

Absent and not voting, Mr. Ryan.

So the bill passed and the title was agreed to.

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 103, nays 0, absent and not voting 8.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Divet	Miller	Smith of Ward
Hart	Moen	Wardrope
Lawbaugh	Ployhar	

So the bill passed and the title was agreed to.

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."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	O'Connor
Balsdon	Haraldson	Odland
Bartley	Hart	Olsgard
Bass	Harty	Owens
Batzer	Hawkinson	Pendray
Bjornson	Hedalen	Pettersen
Blakemore	Hendrickson	Pitkin
Bollinger	Hickle	Putnam
Bope	Hill of Bottineau	Raney
Borusky	Hill of Cass	Roble
Bratton	Hjelmstad	Ryan
Buck	Hjort	Sandbeck
Burnett	Hoge	Schroeder
Builer 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	Thompson
Divet	Kyllo	Taylor
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Dynes	Lewis	Walsh
Endreson	Lindstrom	Wardrope
Everson	List	Watt
Fox	Martin	Weis
France	Miller	Wiley
Freitag	Morkrid	Williams
Fritz	Morrison	Wing
Gardiner	Norheim	Mr. Speaker
Geiger	Northrup	
Gunderson	Nyhus	

Those voting in the negative were: Mr. Twichell.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Homan	Ployhar	Warriner
Moer		

So the bill passed and the title was agreed to.

Concurrent resolution of Smith of Ward for an amendment to the Constitution of the State of North Dakota, relating to the voting privileges of members of co-operative corporations.

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 2, absent and not voting 25.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Owens
Balsdon	Hickle	Pendray
Bartley	Hill of Bottineau	Pitkin
Bass	Hjelmstad	Putnam
Batzer	Hjort	Raney
Bjornson	Hoge	Robie
Blakemore	Homan	Ryan
Bollinger	Husband	Sandbeck
Bope	Husc	Schroeder
Borusky	Jacobson	Small
Burnett	Johnson	Smith of Kidder
Butler of Ramsey	Kellogg	Smith of Ward
Butler of Ransom	Kelly	Snyder
Carey	Knox	Sorlie
Coltom	Lambert	Stenhjem
Curry	Lawbaugh	Stinger
Davis	Leu	Streeter
Dean	Lindstrom	Taylor
Divet	List	Tucker
Dosseth	Martin	Turner, C. C.
Fox	Miller	Twichell
France	Morkrid	Wardrope
Fritz	Morrison	Warriner
Gardiner	Norheim	Weis
Hanson	Northrup	Wiley
Hart	Nyhus	Williams
Harty	Odland	Wing
Hedalen	Olsgard	Mr. Speaker

Those voting in the negative were: Messrs. Moen and Watt.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Freitag	Lewis
Buck	Geiger	O'Connor
Calnan	Gunderson	Petterson
Campbell	Haraldson	Ployhar
Dixon	Hawkinson	Thompson
Doyle	Hill of Cass	Turner, F. W.
Dynes	Isaak	Walsh
Endreson	Klein	
Everson	Kyllo	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 83, nays 15, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Owens
Balsdon	Gunderson	Pendray
Bartley	Hedalen	Pettersen
Bass	Hendrickson	Pitkin
Batzer	Homan	Putnam.
Bjornson	Husband	Raney
Blakemore	Huso	Roble
Bollinger	Isaak	Ryan
Bope	Jacobson	Sandbeck
Borusky	Johnson	Schroeder
Bratton	Kellogg	Small
Buck	Kelly	Smith of Kidder
Butler of Ramsey	Knox	Smith of Ward
Butler of Ransom	Lambert	Snyder
Calnan	Lawbaugh	Stenehjem
Campbell	Leu	Thompson
Carey	Lewis	Taylor
Curry	List	Tucker
Davis	Martin	Turner, C. C.
Dean	Miller	Turner, F. W.
Divet	Moen	Warriner
Dixon	Morrison	Watt
Dosseth	Norheim	Weis
Doyle	Northrup	Wiley
Dynes	Nyhus	Williams
Fox	O'Connor	Wing
France	Odland	Mr. Speaker
Gardiner	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Hart	Morkrid
Colton	Hawkinson	Sorlie
Everson	Hjort	Twichell
Fritz	Kyllo	Walsh
Hanson	Lindstrom	Wardrope

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Endreson	Hill of Bottineau	Ployhar
Freitag	Hill of Cass	Stinger
Haraldson	Hjelmstad	Streeter
Harty	Hoge	
Hickle	Klein	

So the bill passed and the title was agreed to.

Mr. Kyllo moved

That the House take a recess of ten minutes.

The House reassembled at 4:10 P. M. pursuant to recess taken.

CONSIDERATION OF MESSAGE FROM SENATE.

The Speaker appointed as conference committee on Senate Bill No. 200, Messrs. Ployhar, Wiley and C. C. Turner.

Mr. Anderson moved

That House Bill No. 414, Senate Bills Nos. 97 and 30 be included in general orders today.

Which motion prevailed.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 195.

A bill for an Act to provide additional Assistant Dairy Commissioners, defining their duties, salaries, expenses, and how the same shall be paid.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 31.

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 appropriations.

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 194.

A bill for an Act making an appropriation for the Dairy Department of the State of North Dakota.

Was read the first and second time and

Referred to the committee on appropriations.

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Was read the first and second time and

Referred to the committee on elections.

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Was read the first and second time and

Referred to the committee on highways.

Senate Bill No. 311.

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.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 223.

A bill for an Act to provide for the erection 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.

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 77.

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 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 county and county boundaries.

Mr. Anderson moved

That the rules be suspended and that House Bills Nos. 472, 414, and Senate Bills Nos. 167, 283, 145, 121, 221, 139, 97, and 30 be placed on third reading and final passage.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate Bill No. 247.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	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	Putnam
Bope	Hjelmstad	Raney
Borusky	Hjort	Roble
Bratton	Hoge	Ryan
Buck	Homan	Sandbeck
Burnett	Husband	Schroeder
Butler of Ramsey	Huso	Small
Butler of Ransom	Isaak	Smith of Kidder
Calnan	Jacobson	Smith of Ward
Campbell	Johnson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Stinger
Davis	Knox	Thompson
Dean	Kyllo	Taylor
Divet	Lambert	Tucker
Dixon	Lawbaugh	Turner, C. C.
Dosseth	Leu	Turner, F. W.
Doyle	Lewis	Twitchell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrope
Everson	Martin	Warriner
Fox	Miller	Watt
Freitag	Moen	Wiley
Fritz	Morkrid	Williams
Gardiner	Morrison	Wing
Geiger	Norheim	Mr. Speaker
Gunderson	Northrup	
Haraldson	Nyhus	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
France	Ployhar	Weis
Hanson	Streeter	

So the bill passed and the title was agreed to.

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the institution for feeble minded at Grafton, 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 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Odland
Balsdon	Hawkinson	Olsgard
Bartley	Hedalen	Owens
Bass	Hendrickson	Pendray
Batzer	Hickle	Petterson
Bjornson	Hill of Bottineau	Pitkin
Blakemore	Hill of Cass	Putnam
Bollinger	Hjelmstad	Raney
Bope	Hjort	Roble
Borusky	Hoge	Ryan
Bratton	Homan	Sandbeck
Buck	Husband	Schroeder
Burnett	Huso	Small
Butler of Ramsey	Isaak	Smith of Kidder
Butler of Ransom	Jacobson	Smith of Ward
Calnan	Johnson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Stinger
Davis	Knox	Streeter
Dean	Kyllo	Thompson
Divet	Lambert	Taylor
Dixon	Lawbaugh	Tucker
Dosseth	Leu	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	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Northrup	Mr. Speaker
Gunderson	Nyhus	
Hart	O'Connor	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Haraldson	Weis
Hanson	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 97.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dixon	Hanson	Twichell
Fox	Jacobson	

So the bill passed and the title was agreed to.

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners, publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 0, absent and not voting 6.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Hanson	Ployhar	Wardrope
O'Connor	Sorlie	Weis

So the bill passed and the title was agreed to.

Senate Bill No. 221.

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.

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 0, absent and not voting 10.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Butler of Ransom	Husband	Sorlie
Divet	O'Connor	Streeter
France	Ployhar	
Freitag	Ryan	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 0, absent and not voting 9.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Fox	Moen	Sorlie
Hanson	Ployhar	Twichell
Lou	Ryan	Wardrope

So the bill passed and the title was agreed to.

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 100, nays 0, absent and not voting 11.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Isaak	Ryan
Divet	Lambert	Twichell
Hanson	Moen	Warriner
Hedalen	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hickle	Thompson
Divet	Johnson	Twichell
Hanson	Sorlie	Weis
Haraldson	Streeter	

So the bill passed and the title was agreed to.

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, 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 100, nays 0, absent and not voting 11.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bope	Lindstrom	Thompson
Calnan	Stenhjem	Turner, C. C.
Hedalen	Stinger	Turner, F. W.
Johnson	Streeter	

So the bill passed and the title was agreed to.

THIRD READING OF HOUSE BILLS.

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 Dagota 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 95, nays 4, absent and not voting 12.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardner	Norheim
Baldson	Gunderson	Northrup
Bartley	Hart	Nyhus
Bass	Harty	Odland
Batzner	Hedalen	Olsgard
Bjornson	Hendrickson	Owens
Blakemore	Hill of Bottineau	Petterson
Bollinger	Hill of Cass	Pitkin
Bope	Hjelmstad	Putnam
Borusky	Hjort	Raney
Bratton	Hoge	Roble
Buck	Homan	Ryan
Burnett	Husbar.ø	Sandbeck
Butler of Ramsey	Huso	Small
Butler of Ransom	Jacobson	Smith of Ward
Calnan	Johnson	Snyder
Campbell	Kellogg	Sorlie
Carey	Kelly	Stenehjem
Coltom	Klein	Stinger
Curry	Knox	Thompson
Davis	Kyllo	Tucker
Dean	Lambert	Turner, C. C.
Divet	Lawbaugh	Walsh
Dixon	Leu	Wardrope
Dosseth	Lewis	Warriner
Doyle	Lindstrom	Watt
Dynes	List	Weis
Endreson	Martin	Wiley
Everson	Miller	Williams
France	Moen	Wing
Freitag	Morkrid	Mr. Speaker
Fritz	Morrison	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hawkinson	Schroeder	Smith of Kidder
Hickle		

Absent and not voting:

Messrs.—

Fox
Geiger
Hanson
Haraldson

Messrs.—

Isaak
O'Connor
Pendray
Ployhar

Messrs.—

Sandbeck
Taylor
Turner, F. W.
Twichell

So the bill passed and the title was agreed to.

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 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 voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bass
Batzner
Bjornson
Blakemore
Bollinger
Bope
Borusky
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Coltom
Curry
Davis
Dean
Divet
Dixon
Dosseth
Doyle
Dynes
Enderson
Everson
Fox
France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Haraldson

Messrs.—

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

Messrs.—

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

Those voting in the negative were: Messrs. Hart and Kylo.

Absent and not voting:

Messrs.—
Bartley
Bratton
Buck
Carey

Messrs.—
Hanson
Leu
Miller
Ployhar

Messrs.—
Sandbeck
Streeter
Thompson

So the bill passed and the title was agreed to.

Mr. Divet asked unanimous consent to return to the sixth order of business.

Which consent was given.

Mr. Speaker:

The conference committee appointed to confer with the Senate committee as to the amendment to House Bill No. 170 as made the Senate and in which the House did not concur, do hereby report:

Said conference committee has agreed that the amended bill, as passed by the Senate and printed on page 18 of the House Journal of March 3rd, be amended so that Section 1 thereof shall read as follows:

“Section 1. Prohibiting Unnecessary Duplication of Exchanges.) No telephone exchange for furnishing local service to subscribers shall be installed in any city or village where there is already a telephone exchange in operation, nor shall any farm or toll lines be paralleled, without a declaration being first secured from the state board of railroad commissioners after a public hearing of all parties interested, that public convenience and necessity require it, such hearing to be had on thirty days notice to all parties interested.”

When thus amended we do recommend that the bill pass, as passed by the Senate.

A. G. DIVET,
J. J. RYAN,
T. O. ROBLE,
House Committee.

E. L. GARDEN,
W. P. PORTERFIELD,
G. L. ELKEN,
Senate Committee.

Mr. Divet moved

That the report with the amendments be adopted, and that the conference committee be discharged.

Which motion prevailed.

GENERAL ORDERS.

Mr. Smith of Ward 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. Smith of Ward 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. 474.

A bill for an Act to repeal Sections 9353, 9354, 9355, 9356, 9357, 9358, 9359, 9360, 9361, 9362, 9363, 9364, 9365 and 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.

And recommend that the same be indefinitely postponed.

Also,

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.

And recommend that the same do pass as amended.

Also,

House Bill No. 414.

A bill for an Act to provide for an information bureau, arrangement and display of the State of North Dakota, at the Norway Centennial Celebration to be held in Christiania, Norway, in 1914, and providing for a board of commissioners therefor, and making an appropriation for such purposes.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 97.

A bill for an Act amending Section 1307 of the Revised Codes of North Dakota for the year 1905, relating to state fairs.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 30.

A bill for an Act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the institution for feeble minded at Grafton, North Dakota.

And recommend that the same do pass as amended.

Also,

House Bill No. 403.

A bill for a concurrent resolution to amend Section 119 of the Constitution of the State of North Dakota, pertaining to candidacy of judges of the Supreme and District Courts for other offices during the term for which they have been elected.

And recommend that the same do pass as amended.

Also,

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."

And recommend that the same do pass as amended.

Also,

Senate Bill No. 202.

A bill for an Act to amend and re-enact Section 2171 of the Revised Codes of North Dakota for 1905, relating to automobiles.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 284.

A bill for an Act to amend and re-enact Chapter 72 of the Session Laws of 1909, relating to the times and place for

holding general terms of the Supreme Court, and providing for special terms, and to fix the time in which appeals shall be heard.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 29.

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 of trustees of incorporated villages.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the cur-

rent and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

And recommend that the same do pass as amended.

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 the 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.

And recommend that the same do pass as amended.

J. W. SMITH,
Chairman.

Mr. Butler of Ramsey requested a separate report on House Bill No. 474.

Which request was granted.

Mr. Wiley moved

That House Bill No. 474 be recommended to pass.

Which motion was lost.

Mr. Smith 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 Clarence Hale, Grand Forks; S. E. Kepper, Dawson; J. F. Keppler, Dawson; R. J. Beal, Hazelton, N. D.; John Britton, Hazelton, N. D.; K. C. Nelson, Lakota; W. H. Hutchinson, Dorothy Hutchinson, Esther Newman, Marvel Bjornson, of LaMoure; Edward J. Moore, U. M. Casey, Geo. H. Olmsted, Grand Forks; Martin Ekestrand, Richardton, N. D.; Geo. W. Norin, Geo. E. Degley, Sawyer, N. D.; J. L. Peterson.

Mr. Divet moved

That the House do now adjourn.

Which motion prevailed, and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

FIFTY-EIGHTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 5th, 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. Northrup, who was excused.

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 fifty-sixth and fifty-seventh days, have carefully examined the same and recommend that the same be corrected as follows:

On page 38, Journal of the fifty-sixth day, strike out line 4 and insert in lieu thereof "C. S. Buck" and "W. G. Owens.

On page 78, strike out line 21.

On page 15, Journal of the fifty-seventh day, roll call on Senate Bill No. 162, change Bjornson from "nay" to "aye."

On page 77, line 16, insert after the word "made" the word "by."

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.

Hon. J. H. Fraine, Speaker of the House:

I have no intention of criticizing or censuring the report of the committee whom you appointed to examine the department over which I have the honor to preside, but wish to call attention to a few erroneous deductions made by others to the committee, and at the same time, offer a few explanations.

When your committee formulated its report, it based it in part upon the findings of the deputy examiner, who doubtless failed to familiarize himself with all the facts relating to this department. Taking up the charges of this report seriatim, I desire to call your attention to Section 2 of the law which appropriated the sum of \$15,000 for the promotion of immigration, which reads as follows:

“All plans and expenditures by the commissioner of agriculture and labor for carrying out the provisions of law, for which this appropriation is made, shall first be approved by the governor, auditor and attorney general, or a majority of the state auditing board, of which the foregoing named officials are members.”

I wish to emphasize the fact that under this law the commissioner of agriculture and labor is only the executive agent of a majority of the state auditing board. He has the privilege of devising plans, making suggestions and performing the labor, which those plans demand, but he cannot dictate what shall be done, what exhibits shall be made, or what expenses shall be incurred until he secures instructions from that body.

The governor and not myself, executed a lease of the Northern Pacific railroad building for exposition purposes, and

the auditing board authorized the holding of the expositions during the years 1911 and 1912, which acts were performed in pursuance of resolutions adopted by said board.

The committee calls attention to two items of premiums awarded and says:

“As the report was printed, it shows the excess of disbursements over receipts of \$13,390.98. Adding to receipts the amount of the value of the premiums shown to have been disbursed to balance those items in disbursements the overdraft would be \$587.28 instead of \$13,390.98.”

This is simply a question of bookkeeping and the amount of the credit was omitted to give emphasis to those donations, because they were presented by business firms as articles and also because they were not cash transactions, as all the other items were that received credit under the head of “receipts.”

Had the report stopped at that point, it might have been technically correct from its standpoint, although there is even a difference of opinion regarding that conclusion, but it unfortunately adds:

“We find also that an item of \$453.00 which was shown as a liability in the report, has been included in the total of the disbursements; this should be subtracted from that item.”

If the deputy examiner can do what he suggests, it might relieve the exposition of an indebtedness aggregating \$453.00, but unfortunately the creditors refuse to have their accounts liquidated in this summary manner, therefore the \$453.00 will have to stand in accordance with the wishes of those whose claims are still unpaid, which for convenience, at that time was listed under the head of liabilities to W. C. Gilbreath, because vouchers had not been rendered when the report was made, in November, and some of them are not on file at the present time, although bills are in my possession.

The report states that the commissioner filed a voucher with the auditor for \$1,000.00 and that warrant No. 82589 for that amount was issued, while the sub-vouchers attached aggregated \$1,076.86, and the commissioner took credit for \$74.80, being the amount of the sub-vouchers in excess of the thousand dollars.

Tuesday morning, clerks connected with the commissioner's and auditor's offices made an examination of the voucher and sub-vouchers on file in the auditor's office and found a voucher, which read as follows:

“July 31st, 1909.

State of North Dakota, Dr.

To Melvin G. Hagen,

Expenses with exhibit.....	\$74.80	
Services with exhibit.....	50.00	\$124.80”

Sub-vouchers to the amount of \$74.80 were filed, covering the expenses entailed in making the exhibit, and the \$50.00 was the amount allowed for his expenses during the ten days he was in charge of the exhibit which went to the Grand Forks state fair. In itemizing and adding the several vouchers and sub-vouchers which made up the \$1,076.86, the sub-vouchers for the \$74.80 were included as well as the charge for “expenses with exhibit, \$74.80,” making a total debit of \$209.60, when as a matter of fact the sub-vouchers should have been omitted and only the voucher for \$124.80 charged.

The fact that this voucher and the sub-vouchers had passed through several hands in my department, through the state auditing board, and then checked over by the lynx-eyed deputy auditor or his capable assistants and the error not detected seems almost incredible. I wish, however, to state that this discrepancy was promptly corrected and the \$74.80 peacefully rests within the vault of the state treasurer’s office.

During the past four years I have been personally responsible for the disbursement of, approximately, two hundred thousand dollars, a great part of which sum was handled by persons other than myself who had been entrusted with this responsibility, but who had to account to me for its proper expenditure. This involved considerable detail work and complex bookkeeping. Yet, after two weeks of diligent research and rigid investigation, but one solitary clerical error has been discovered. Can any state or national bank in North Dakota show as excellent a record?

Quoting from the report:

“The examiner has also called attention to the following items, shown on pages Nos. 52 and 53 of the official report covering the same period, 1910:

Sept. 1, 1910, A. F. Nohle, grain prize.....	\$30.00
Sept. 3, 1910, P. W. Verdium, crop reports.....	8.00
Sept. 9, 1910, A. G. Patterson, postage.....	23.56
Sept. 23, 1910, Buckbee-Mears, half-tones.....	40.44
Total	<u>\$102.00</u>

These same items are shown on page 1 of the biennial report for the term ending December 31st, 1912, as expenditures of that year. There is a difference in the dates of two of the items, but only one set of vouchers is found to cover the same and the amounts of the items are identified. It would appear, therefore, that the promotion of immigration fund has been charged twice with the amount of these items."

The concluding sentence is unfounded and unwarranted, as an examination of the vouchers in the auditor's office will disclose. I herewith submit the statement of the state auditor.

"March 5th, 1913.

Mr. W. C. Gilbreath,
Commissioner Agricultural & Labor,
Bismarck, N. D.

Dear Sir:

Answering your inquiry will say that four items, as follows: Nohle \$30.00, Verdium \$8.00, Patterson \$23.56 and Buckbee-Mears, \$40.44, amounting in total to \$102.00, were paid by state auditor's check No. 94184, which covered in total \$706.81 worth of vouchers paid by you for immigration purposes.

I do not find our records show payment twice of the above items.

Yours truly,

CARL O. JORGENSEN,
State Auditor."

Before the close of the biennial report of 1910 there were a number of vouchers paid by me, that were not turned over to the state auditor, among them being those that have been mentioned. These were listed in the 1910 report, (which was made in November 1910), but subsequently other vouchers were substituted for them and the fund for the years 1909 and 1910 was properly closed as will be seen by an examination of the auditor's and treasurer's books. The only reason that the four items were not turned in to the auditor at the close of the biennial year 1910, was because there were other vouchers which could be used to make the account balance in its entirety, which like these four items had been paid by me. There was but one set of vouchers, and that they were duplicated in the published report, does not follow they were paid twice, but on the contrary, the records of the auditor's office show that they were paid but once, which statement is corroborated by the state auditor.

The receipts and expenditures of the industrial exposition for 1911 were audited by Auditor Brightbill and Treasurer Olson.

I wish to call your attention to Section 237 of the Code, which reads as follows:

“The governor, state auditor and attorney general shall constitute a board to be known as the state auditing board. This board shall hold regular monthly meetings on the first day of every month and such other times as shall be deemed necessary, in the executive office at the seat of government. The state auditor shall act as secretary of the board and shall receive and file all claims presented to him for payment in the order in which presented, and bring them before the board at its next meeting. It shall be the duty of this board to audit all claims which may come before it, and no warrant shall be drawn on the state treasury by the state auditor in payment of any claim except such as have been duly passed upon and approved by the state auditing board.”

This law is not optional but mandatory upon the board and should I, as commissioner, have expended any money unwisely or injudiciously it was the imperative duty of the state auditing board to reject any and all such bills. The fact that these various vouchers and sub-vouchers, bills and receipts on file in the state auditor's office is convincing proof that they were held to be legitimate and the money properly expended or warrants would not have been drawn by the state auditor.

The mere fact that a general voucher was drawn for a given amount with the understanding that sub-vouchers should be subsequently attached, and a warrant issued on the treasurer for that sum, did not give the commissioner liberty to file with such voucher, bills that were neither proper nor for items of expense that were unnecessary and extravagant, but on the contrary, it was compulsory upon this board to examine and pass upon each item and determine whether or not it was a legitimate, warranted and necessary expenditure.

The state auditing board authorized the Commissioner of Agriculture and Labor, on June 19, 1911, to expend out of the promotion of immigration fund the sum of five thousand (\$5,000.) dollars for the North Dakota Industrial Exposition for 1911. On March 2nd, 1912 the same board instructed the Commissioner to use another five thousand (\$5,000.) dollars for the Exposition in 1912, making a total of ten thousand (\$10,000.00) dollars for the two expositions.

Of this amount six thousand, thirty-four dollars and eighty-six cents (\$6,034.86) was used.

From the \$6,034.86 should be deducted the sum of \$3,242.-93, which was expended for the promotion of immigration in sending a special exhibit car with the "Governor's Special" to New York, and other eastern cities, placing an exhibit at the Land Products Show at Minneapolis last November, and other items properly chargeable to the promotion of immigration fund, which was taken from the funds independent of the promotion of immigration account. This would leave only \$2,791.93 expended out of the \$10,000.00 authorized by the state auditing board for the two expositions, or \$7,208.07 less than was appropriated by said board for that purpose. The \$3,242.93 was obtained through the efforts of the commissioner from other sources than the state.

Respectfully submitted,

W. C. GILBREATH,
Commissioner of Agriculture & Labor.

REPORTS OF STANDING COMMITTEES.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined
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.

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. 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.

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.

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 bonds 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. 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. 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.

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.

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. 264.

A bill for an Act providing for failure to close gates on private roadways.

Also,

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.

Also,

House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

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 thier 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. 393.

Being a bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner 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. 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.

Also,

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

Also,

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.

Also,

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.

Also,

House Bill No. 414.

A bill for an Act to provide for an information bureau, 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 appropriation for such purpose.

Also,

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."

Also,

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.

Also,

House Bill No. 501.

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.

And find the same correctly engrossed.

N. T. HEDALEN,
Chairman.

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

The committee on state affairs made the following report:

Mr. Speaker:

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

Senate Bill No. 259.

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

A concurrent resolution regarding "The Independent Harvester Company," which is printed on pages 42 and 43 of the Journal of the House for the forty-ninth day.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

House Bill No. 149.

A bill for an Act to require all persons who may be entitled to have a mechanics' lien, to file for record a notice of his intention to file a verified account and to perfect such mechanics' lien, and to provide a penalty for not filing a notice of such intention.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 311.

A bill for an Act declaring the islands 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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of 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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 195.

A bill for an Act to provide additional assistant dairy commissioners, defining their duties, salaries, expenses, and how the same shall be paid.

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

FRANK E. PLOYHAR,
Chairman.

Also,

Senate Bill No. 117.

A bill for an Act relating to the enforcement of liens for storage of personal property and charges thereon.

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

FRANK E. PLOYHAR,
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 prohibitory law of this state.

Have had the same under consideration and recommend that the same be referred to the committee of the whole House.

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

House Bill No. 43.

A bill for an Act amending the Constitution of the State of North Dakota, establish 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.

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

FRANK E. PLOYHAR,
Chairman.

Also,

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.

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 corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

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.

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

H. C. HARTY,
Chairman.

Also,

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.

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

H. C. HARTY,
Chairman.

Also,

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.

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

T. N. PUTNAM,
Chairman.

Mr. Harty 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
Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

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

T. N. PUTNAM,
Chairman.

Also,

Senate Bill No. 223.

A bill for an Act to provide for the erection 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.

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

T. N. PUTNAM,
Chairman.

Also,

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.

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

T. N. PUTNAM,
Chairman.

Also,

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

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

Strike out the words "registered letter" in lines 7 and 8 of

engrossed bill and insert in lieu thereof the word "telegram."

And when so amended recommend the same do pass.

T. N. PUTNAM,
Chairman.

Also,

Senate Bill No. 267.

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

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

T. N. PUTNAM,
Chairman.

Also,

Senate Bill No. 267.

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

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

W. E. MARTIN,
T. N. PUTNAM,
Chairmen.

Mr. Putnam moved

That the report be adopted.

Which motion prevailed.

The committee on drainage made the following report:

Mr. Speaker:

Your committee on drainage to whom was referred

Senate Bill No. 318.

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 1st, 1911.

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

W. J. BURNETT,
Chairman.

Mr. Burnett 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. 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 railroads, railroad corporations and common carriers for the transportation of passengers and baggage and providing a penalty for the violation thereof.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 313.

A bill for an Act to require express companies and other common carriers to keep displayed printed schedules of rates of charges, and amendments thereto, prohibiting excessive charges, and providing a penalty for violations thereof.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 320.

A bill for an Act providing for one-half merchandise rates to be charged for the transportation of farm machinery and repairs or parts for machinery and prescribing a penalty for the violation thereof.

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 coal and coal lands made the following report:

Mr. Speaker:

Your committee on coal and coal lands to whom was referred

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 coal is found; and making an appropriation therefor.

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

E. A. WILLIAMS,
Chairman.

Mr. Williams moved that the report be adopted and that the bill be placed in General Orders at the foot of the calendar.

Which motion prevailed.

Mr. O'Connor moved

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

The Speaker ruled that Mr. O'Connor was out of order.

Mr. Owens moved

That the House do now concur in the Senate resolution with reference to the governor returning Senate Bill No. 132 to the Senate.

Which motion prevailed.

The committee on penal institutions made the following report:

Mr. Speaker:

Your committee on penal institutions to whom was referred

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

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

FRANK J. FOX,
Chairman.

Mr. Fox 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

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Have had the same under consideration and a majority of your committee recommend that the same be indefinitely postponed.

H. GEIGER,
Chairman.

R. K. BATZER,
OSCAR LINDSTROM,
O. C. DOSSETH,
J. J. RYAN.

Also,

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Have had the same under consideration and a minority of your committee recommend that the same do pass.

N. F. SNYDER,
JAMES HILL,
W. M. BARTLEY.

Also,

Senate Bill No. 257.

A bill for an Act to provide for the payment of county warrants, when there is no money in the hands of the county treasurer for the payment of such warrants out of the funds on which they are drawn.

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

H. GEIGER,
Chairman.

Mr. Geiger 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 Senate Bill No. 276.

A bill for an Act to amend Section 1974 of the Revised Codes of North Dakota for 1905 relating to the official stray papers.

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.

The committee on public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred 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.

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

W. M. BARTLEY,
Chairman.

Also,

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.

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

W. M. BARTLEY,
Chairman.

Also,

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.

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

W. M. BARTLEY,
Chairman.

Also,

Senate Bill No. 248.

A bill for an Act relative to the burial of the bodies of persons who have died from infectious or contagious diseases, and to provide for the disinfecting of such bodies, and of the premises where death occurred.

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

W. M. BARTLEY,
Chairman.

Also,

Senate Bill No. 315.

A bill for an Act to amend and re-enact Section 2005 of the Revised Codes of 1905, as amended by Chapter 162 of the Session Laws of 1909, relating to the sale or disposition of animals affected with contagious or infectious diseases and the use of milk and hides from any such animals; providing for the labeling of meat from such animals and prescribing a penalty for the violation thereof.

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 ways and means made the following report:

Mr. Speaker:

Your committee on ways and means to whom was referred

Senate Bill No. 213.

A bill for an Act to amend and re-enact Sections 2198, 2200, 2201 and 2202, Article 41, Chapter 24 of the Revised Codes of 1905, relating to the bonding of commission merchants.

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

W. S. DEAN,
Chairman.

Also,

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.

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 tax and tax laws made the following report:

Mr. Speaker:

Your committee on tax and tax laws to whom was referred

Senate Bill No. 298.

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

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

ROBERT NORHEIM,
Chairman.

Also,

Senate Bill No. 264.

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.

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

ROBERT NORHEIM,
Chairman.

Also,

Senate Bill No. 84.

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

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

ROBERT NORHEIM,
Chairman.

Also,

Senate Bill No. 289.

A bill for an Act to amend and re-enact Section 2402 of the Revised Codes of 1905, relating to a special tax levy for immigration purposes.

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

In line 8 of the engrossed bill strike out the word "fifteen" and insert in lieu thereof the word "twenty."

And when so amended recommend the same do pass.

ROBERT NORHEIM,
Chairman.

Mr. Norheim moved

That the report be adopted.

Which motion prevailed.

Mr. Norheim moved

That the rules be suspended and that Senate Bill No. 289 be adopted and placed on the calendar for third reading and final passage.

Which motion prevailed.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred House Bill No. 320.

A bill for an Act repealing Section 3 of Chapter 264 of Session Laws of 1911.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 51.

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.

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

In lines 6, 7 and 8 of Section 4 of the engrossed bill strike out the words, "shall be a graduate of a college or a university of recognized standards, and."

In Section 1 of the engrossed bill after the figures "1905" insert the following "as amended by Chapter 267 of the Session Laws of 1911."

In Section 4 of the engrossed bill, after the figures "1905," insert the following, "as amended by Chapter 267 of the Session Laws of 1911."

In Section 7, after the figures "1905," insert the following, "as amended in Chapter 267 of the Session Laws of 1911."

In Section 8, after the figures "1905" insert the following words, "as amended in Chapter 267 of the Session Laws of 1911."

In line 3 of Section 4, page 2 of the engrossed bill, after the word "Inspector" insert the word "qualification."

And when so amended recommend the same do pass.

O. C. DOSSETH,
Chairman.

Mr. Dosseth moved

That the report be adopted.

Which motion prevailed.

Mr. Dosseth moved

That the rules be suspended; that the amendments to Senate Bill No. 51 be adopted, and that the bill be referred to the committee on appropriations.

Which motion prevailed.

The committee on highways made the following report:

Mr. Speaker:

Your committee on highways to whom was referred Senate Bill No. 217.

A bill for an Act to amend and re-enact Sections 5, 8, 14 and 16 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 roads 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 or 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.

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

NORMAN MORRISON,
Chairman.

Also,

Senate Bill No. 333.

A bill for an Act creating a state highways commission, defining their duties and powers. Emergency.

Have had the same under consideration and a minority of your committee recommend that the same be indefinitely postponed.

SHERMAN HICKLE,
NELS OLSGARD,
WM. WATT.

Also,

Senate Bill No. 333.

A bill for an Act creating a state highways commission, defining their duties and powers. Emergency.

Have had the same under consideration and a majority of your committee recommend that the same do pass.

NORMAN MORRISON,
Chairman.

Mr. Morrison 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 refered

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."

Which the Senate has amended as follows:

In Section 9 after the last word in the Section, add the following: "For the purpose of reimbursing said county."

Also the following:

Strike out all after the words "A Bill" and insert in lieu thereof the following:

For an Act to amend and re-enact 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."

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

Section 1. Amendment.) Sections 1, 2, 3 and 4, Chapter 170, Session Laws of 1907 are hereby amended and re-enacted to read as follows:

Sec. 1. Appraisal. How Made.) Whenever the State Live Stock Sanitary Board, or any of its authorized agents shall deem the slaughter of a horse, gelding, mare, ass or mule necessary under the provisions of Section 10, Chapter

169, Session Laws 1907, the actual value of said animal at the time of appraisal shall be determined by the State Live Stock Sanitary Board or its agent within twenty-four hours after the killing or destruction is ordered; *provided*, that if the owner or keeper is aggrieved by such appraisal he may cause a board of appraisers to be appointed according to Section 2 of this Act; *provided*, the provisions of this Section shall not prevent the owner or keeper of animals condemned and ordered destroyed by the Live Stock Sanitary Board for the right of protest and examination as provided for in Section 10 of Chapter 169, Session Laws of 1907.

Sec. 2. Appraisers. How Appointed.) In case the owner, or his agent, of the animal or animals to be destroyed under the provisions of this Act is not satisfied with the appraisal made by the State Live Stock Sanitary Board or its agents, he may protest against the same, whereupon a board of three appraisers is to be formed of which one member shall be the agent of the State Live Stock Sanitary Board, one member shall be selected by the owner of the animal or animals involved and a third member shall be selected by the first two members as herein provided. Whereupon an appraisal of the animal or animals involved shall be made by such board according to Section 3 of this Act and in case all three appraisers or any two of them agree upon a certain valuation, this appraisal shall be regarded as final.

Sec. 3. Maximum Valuation.) In making the appraisement the value put upon the animal or animals shall be the amount that such animal or animals would be worth had they not been affected with glanders; *provided*, however, that in no case shall the appraised value of any one animal exceed one hundred dollars to be paid by the state as hereinafter provided.

Sec. 4. Procedure of Destruction and Certification.) It shall be the duty of the State Live Stock Sanitary Board or its authorized agent, who ordered the destruction of the animal or animals involved and who made the appraisal or took part in the same to give notice of said facts in writing to the owner or keeper of said animal or animals, and to certify to such facts in writing to a justice of the peace of the county in which the said animal or animals are located, describing in said notice the diseased animal or animals with a reasonable degree of certainty, stating the name of the animal when known.

Sec. 5. Duty of Owners.) It shall be the duty of the owner or keeper of an animal or animals to be destroyed, to destroy the same or cause the same to be destroyed and

to dispose of the carcass or carcasses or cause the same to be disposed of before two witnesses, or before the agent of the State Live Stock Sanitary Board in accordance with Section 12, Chapter 169, Session Laws of 1907, and to make proper affidavit of such facts which shall be sworn to by such witnesses, or the agent of the State Live Stock Sanitary Board before the justice of peace to whom the certification provided for in Section 4 of this Act was made, within five days after the destruction notice was served upon him.

Sec. 6. Compensation for Animals Killed.) It shall be the duty of the justice of the peace to file with the executive officer of the State Live Stock Sanitary Board, the certification of the State Live Stock Sanitary Board or its authorized agent and the affidavits of the owner or keeper sworn to according to Section 5 of this Act that the animal or animals have been killed and buried in accordance with Section 12, Chapter 169, Session Laws of 1907. The executive officer or the State Live Stock Sanitary Board, after recording the same upon his docket, shall examine the same and if found correct, file the same with the state auditor, who shall issue a warrant on the state treasurer for one-half of the sum named in the appraisers' return.

Sec. 7. Duty of Justice of the Peace.) When the owner or keeper of animals ordered destroyed by the agent of the Live Stock Sanitary Board fails to comply with such order and file with the justice of the peace the affidavit herein required, the justice of the peace to whom the notice of the destruction of an animal or animals ordered to be destroyed was made, must notify the sheriff or any constable within the county that the order of the State Live Stock Sanitary Board, or its authorized agent has not been complied with, or that the animal or animals have not been killed and buried as provided for in Section 12, Chapter 169, Session Laws of 1907, failure to make affidavit as provided for in Section 5 of this Act to be construed as non-compliance with the provisions of this Act.

Section 8. Duty of Sheriff.) It shall be the duty of the sheriff or constable of the county, immediately after receiving notice from the justice of the peace to proceed to destroy the animal or animals ordered to be destroyed by the State Live Stock Sanitary Board or its authorized agent and the officer performing such duty shall receive compensation therefor as is prescribed by law for like services and shall be paid therefor in like manner.

Sec. 9. Proceedings, How Conducted. Fees.) The justice of the peace to whom certification is made shall enter upon

his docket a record of all proceedings and to tax all costs of justice, officers, and appraisers other than the authorized agent or agents of the State Live Stock Sanitary Board, which costs and fees shall be certified by him to the board of county commissioners and shall be audited and paid out of the general fund of such county, the same as costs in criminal actions before justices of the peace; *provided*, however, that it shall appear in any such proceeding that the animal or animals destroyed have not been kept within the county where the proceedings are had for at least sixty days immediately prior to such order of destruction, then the costs of all proceedings hereunder shall be certified by the county auditor of the county wherein the proceedings took place to the state auditor, who shall issue a warrant on the state treasurer for the amount of the costs paid by the county in favor of the county auditor of such county; such warrant to be paid out of the general fund of the state for the purpose of reimbursing said county.

Sec. 10. Payments, When Not Made.) The right of indemnity shall not exist and payment shall not be made in the following cases:

1st. For animals belonging to the United States or the State of North Dakota, or any city, county, township or village in the state.

2nd. When the owner or claimant at the time of coming into possession of the animal or animals knew such animal or animals to be diseased with glanders or exposed to such disease.

3rd. When the owner, his agent or claimant failed to make affidavit of the destruction and disposal of the carcass or carcasses before the justice of the peace as provided for in Section 5 of this Act.

4th. For animals found to have been diseased at the time of their arrival in this state.

5th. For animals that are brought into the state to do contract work.

6th. When the animal or animals at the time of their destruction have been in the state less than six months.

7th. When the owner or owners shall have been guilty of negligence or wilfully exposing his, or their animal or animals to the influence of infected or contaminated surroundings.

8th. When the owner or claimant is not a resident of the State of North Dakota.

Sec. 11. Repeal.) All Acts or parts of Acts in conflict with this Act are hereby repealed.

A. J. Huso,
Chairman.

Mr. Huso moved

That the report be adopted.

Which motion prevailed.

The committee on elections and election privileges made the following report:

Mr. Speaker:

Your committee on elections and election privileges to whom was referred

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

And a majority of said committee recommend that the same be indefinitely postponed.

A minority of said committee recommend that the same be amended as follows:

On line 7, page 1, of printed bill, change word "seventy" and figures "(70)" to word and figures "fifty" and "(50)."

On line 3, Section 4, on page 2, change word "sixty" to "forty."

On line 19, Section 4, page 2, change word and figures "fifteen" "(15)" to the word and figures "twenty" "(20)."

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 appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate Bill No. 193.

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 make a careful research into the business methods, system of accounting and bookkeeping, and making reports of various state, county and city officers and to install improvements in bookkeeping 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, by amendment and re-enactment of said Section 141 to cover examination of the books and accounts of the city auditors, and city treasurers, county clerks, county judges, register of deeds, county superintendent of schools, county auditors, and sheriffs of the counties 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 results of such examination, auditing and checking 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.

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

On page 4 of the engrossed bill and in line 1 of Section 5, strike the words and figures "twenty-five thousand dollars (\$25,000.00)" and insert in lieu thereof the words and figures "fifteen thousand dollars (\$15,000.00)."

And recommend that this bill be re-referred to a committee of the whole house.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905, for North Dakota.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 194.

A bill for an Act amending Sections 1 and 2 of Chapter 19, of the Session Laws of 1911, making an appropriation for the Dairy Department of the State of North Dakota.

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

On page 1 of the engrossed bill and on line 3 of Section 1, strike out the words "eight thousand dollars" and insert in lieu thereof, the words "six thousand dollars;" on page 1 of the engrossed bill in line 6, after the word "act" insert the following: "Such moneys collected from licenses to be on the first of each month turned over to the state treasurer and to be paid out for the purposes of this department only upon proper vouchers being filed with the state auditor.

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 31.

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 amended as follows:

On page 2 of the engrossed bill strike out all of Section 5. On page 2 of the engrossed bill, strike out the figure "Section 6," and insert in lieu thereof the figure "Section 5." On page 3 of the engrossed bill strike out the figure "Section 7," and insert in lieu thereof the figure "Section 6."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and other permanent improvements and repairs for the North Dakota Agricultural College.

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

On page 1 of the engrossed bill and in line 22 of Section 1, strike out all of said line. Strike out all of line 23 of Section 1. Strike out all of line 24 of Section 1, and insert the following lines: "For dairy and creamery building and equipment thereof; and for model barn therein fifty thousand dollars," and "for dairy herd, five thousand dollars." On page 1 of the engrossed bill and in line 28 of Section 1, strike out the figures "\$110,400.00" and insert in lieu thereof the figures "\$162,000.00."

And when so amended recommend the same do pass.

BERNT ANDERSON,
Chairman.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1913.

Mr. Speaker:

I have the honor to return herewith

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. 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. 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. 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. 256.

A bill for an Act providing for a bounty for and defining shelter hedges.

Also,

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.

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.

Also,

House Bill No. 495.

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.

Also,

House Bill No. 463.

A bill for an Act prohibiting the making of false representations by agents and prescribing penalty for violation thereof.

Also,

House Bill No. 478.

A bill for an Act to regulate the procedure in cases of escheat of property to the state.

Also,

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.

Also,

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.

Also,

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.

Also,

House Bill No. 350.

A bill for an Act to avoid the expense of selling land or lots for a trival tax.

Also,

House Bill No. 206.

A bill for an Act to amend Chapter 201, Session Laws 1911, relating to transient merchants and peddlers.

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. 360.

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.

Also,

Senate Bill No. 368.

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

Also,

Senate Bill No. 150.

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.

Also,

Senate Bill No. 159.

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.

Also,

Senate Bill No. 243.

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.

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 transmit herewith

Senate Bill No. 215.

A bill for an Act to amend and re-enact 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 incorporation, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Also,

Senate Bill No. 274.

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.

Also,

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Also,

Senate Bill No. 370.

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.

Also,

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

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 transmit herewith

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Also,

Senate Bill No. 54.

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.

Also,

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Also,

Senate Bill No. 310.

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.

Also,

Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905 Code as amended by Chapter 69 of the Session Laws of 1907, providing clerk hire for the register of deeds' office in the various counties in the state.

Also,

Senate Bill No. 252.

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 Dunseith.

Also,

Senate Bill No. 357.

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.

Also,

Senate Bill No. 362.

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.

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 transmit herewith

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Also,

Senate Bill No. 389.

A bill for an Act to authorize the trustees of public property to sell at cash prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of the secretary of state.

Also,

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Also,

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Also,

Senate Bill No. 302.

A bill for an Act to prevent unnecessary delays 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.

Also,

Senate Bill No. 388.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Also,

Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Also,

Senate Bill No. 335.

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.

Also,

Senate Bill No. 214.

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 or parts of Acts in conflict with the provisions of this Act.

Also,

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Also,

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 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.

Also,

Senate Bill No. 358.

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.

Also,

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Also,

Senate Bill No. 328.

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.

Also,

Senate Bill No. 250.

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 investment 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.

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

Very respectfully,

M. J. GEORGE,
Chief Clerk.

MOTIONS AND RESOLUTIONS.

Mr. Hendrickson moved

That the House Resolution which was reported in yesterday, by the committee on supplies and expenditures, be returned to the House.

Which motion prevailed.

Mr. Dean moved

That the House do not concur in the Senate amendments to House Bill No. 122, and that a conference committee be appointed.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Burnett, Nyhus and Hendrickson.

Mr. Thompson moved

That the House do now concur in the Senate amendments to House Bill No. 192.

Which motion was lost.

Mr. Thompson moved

That a conference committee be appointed on House Bill No. 192.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Buck, Ryan and Taylor.

Mr. Wardrope moved

That the vote by which House Bill No. 460 was indefinitely postponed be reconsidered.

Mr. Lambert moved a roll call.

Which motion was lost.

Mr. Owens moved

That the motion to reconsider the vote by which House Bill No. 460 was lost be laid on the table.

Which motion prevailed.

Mr. Buck moved

That the House concur in the Senate amendments to House Bill No. 357, and that the bill be placed on third reading and final passage.

Which motion was lost.

Mr. Buck moved

That a conference committee be appointed on House Bill No. 357.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Twichell, Buck and Isaac.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 5, 1913.

Mr. Speaker:

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

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring:

Whereas, The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing Company, the state printer, until long after the time prescribed by law; and,

Whereas, A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and

Whereas, On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorized and directed them to rush said reports even though extra expense be incurred; and,

Whereas, Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

Now, Therefore be it Resolved, That the commissioners of public printing and the officers having charge of the printing of the reports above referred to and of the allowance and payment of the compensation for the same, is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense, actually incurred, in compliance with the order and direction of the chairman of the select committee appointed by the House of Representatives.

Provided, however, that the total amount to be paid for extra work and expenses incurred as hereinbefore stated shall not exceed the sum of \$2,000.00.

As requested by the House.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Ployhar moved

That the report of the select committee, which was read yesterday and made a special order for today at this hour, be adopted, and the committee discharged.

Which motion prevailed.

Mr. Anderson moved

That the House concur in the Senate amendments to House Bill No. 114.

Which motion was lost.

Mr. Wardrobe moved

That the request of the Senate be granted, and that Senate Bill No. 196 be returned to the Senate.

Which motion prevailed.

Mr. Buck offered the following resolution:

Whereas, England, Germany, France, Norway and Sweden and nearly all the enlightened nations of the world have a National Department of Health, and

Whereas, The United States is the only civilized nation without such a department, and

Whereas, The Federal Government endeavors to protect its people, therefore

Be it Resolved by the House of Representatives of the Thirteenth Legislative Assembly of the State of North Dakota, That we respectfully urge our Senators and Representatives in Congress to support any measure providing for the establishment of a National Department of Health and to use their influence in securing its enactment into law, and

Be it Further Resolved, That a copy of these resolutions be sent to each of our Representatives and Senators in Congress and to the President of the United States.

Mr. Buck moved

That the resolution be adopted.

Which motion prevailed.

Mr. Ployhar moved

That a conference committee be appointed on House Bill No. 114.

Which motion prevailed.

The Speaker appointed as such committee Messrs. France, Kelly and Morrison.

Mr. Moen, chairman of supplies and expenditures, introduced the following resolution, and moved its adoption:

Resolved, That the Speaker be directed to appoint M. J. George, Chief Clerk, and Albert Wold, Assistant Chief Clerk, and one stenographer to correct the Journal of the sixtieth day, and to compare the Journal of the entire session with the written copies; they to receive the sum of six dollars per day for the time necessary to complete same:

Also that the Chief Clerk appoint three men from the mailing force to remain until they finish the mailing of House Journals and bills, they to receive four dollars per day for the time necessary to complete work.

Mr. Moen moved the adoption of the resolution.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

House Bill No. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

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.

House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

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.

House Bill No. 264.

A bill for an Act providing for failure to close gates on private roadways.

House Bill No. 218.

A bill for an Act entitled "An Act amending Section 2693 of the Revised Codes of 1905, relating to cities."

House Bill No. 198.

A bill for an Act to amend Section 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.

House Bill No. 197.

A bill for an Act to amend Section 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.

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.

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 bonds 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.

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.

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."

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.

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.

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

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 5, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 314.

A bill for an Act to legalize certain sheriff's certificates and sheriff's deeds in foreclosures advertisements.

Which the Senate has amended as follows:

In line 4 of Section 1 of printed bill, strike out "1912" and insert in lieu thereof "1913."

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 152 and asks for a conference committee, and the President has named as such conferees on the part of the Senate, Messrs. Englund, Linde and Davidson.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

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

Whereas, Senate Bill No. 132 has been passed by the House and the Senate, and has been duly signed by the Speaker of the House and the President of the Senate and is now in the hands of the Governor for approval or rejection and,

Whereas, It is desired by the Senate and the House that such bill be returned to the Legislative Assembly for the purpose of amending the said bill,

Therefore, be it Resolved by the Senate, the House of Representatives Concurring, That the Governor be requested to return Senate Bill No. 132 to the Senate.

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 return herewith
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.

Which the Senate has amended as follows:

In Section 1, after line 6, change the figures "\$50,000" to "\$45,000." Strike out the next four lines. In the last line on page 1, change the figures "\$3,500" to "\$2,500."

On page 2, change the figures in item 1, from "\$2,500" to "\$1,000." Change the figures in item 2, page 2, from "\$10,000" to "\$8,000." Change the figures in item 4, page 2, from "\$3,500" to "\$1,500." After the word "land" in line 5, page 2, insert "for athletic field and elementary agriculture." Change figures in the total from "\$184,625" to "\$70,125." Strike out the emergency clause.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

In the title of the printed bill strike out the figures "1198" and insert in lieu thereof the figures "1189."

In Section 1, line 2, after the word "Dakota," insert "for 1905."

In line 10, strike out the words "board of control shall when."

In line 11 strike out the first word "the," also the words "deem such appointment necessary."

In Section 2, page 2, line 4, strike out "by the government."

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

At the end of Section 1, line 20 of the printed bill add the following: "*Provided*, however, that the provisions of this Act shall not apply to wheat purchased on gluten test."

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

In line 9, Section 1, of the printed bill, strike out the figures "\$30,000" and insert in lieu thereof the figures "\$20,000."

Strike out lines 10, 11 and 12. In line 14, change the figures from "\$9,000" to "\$1,000." In line 20, strike out the figures "\$65,000" and insert in lieu thereof the figures "5,000."

In lines 21 and 22, strike out the words "main building to provide for manual training and domestic science," and insert in lieu thereof the word "dormitory."

Change the figures in line 22 from "\$40,000" to "\$30,000."

In line 23, strike out the words "the same" and insert "domestic science and manual training." In line 23 change the figures from "\$10,000" to "\$2,000." Change figures in total so as to read "\$68,000."

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Lambert moved

That the House concur in the Senate amendments to House Bill No. 314.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM SENATE.

The Speaker appointed as conference committee on Senate Bill No. 152, Messrs. Gardiner, Wiley and Walsh.

GENERAL ORDERS.

Mr. Anderson 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. Butler of Ransom 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. 193.

And recommend that the same do pass as amended.

P. H. BUTLER,
Chairman.

Mr. Butler moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

Mr. Anderson moved

That Senate Bills. Nos. 16, 146, 147, 185, 72, 115, 125 be advanced on the calendar for third reading.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 43, nays 33, absent and not voting 35.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	O'Connor
Bjornson	Hedalen	Roble
Blakemore	Hill of Bottineau	Ryan
Borusky	Hjelmstad	Schroeder
Butler of Ramsey	Hjort	Smith of Ward
Calnan	Hoge	Sorlie
Curry	Huso	Stinger
Divet	Jacobson	Turner, C. C.
Dixon	Kelly	Twichell
Doyle	Klein	Warriner
Dosseth	Knox	Weis
Dynes	Lambert	Williams
Fox	Lawbaugh	Mr. Speaker
Hanson	Leu	
Haraldson	Lewis	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Putnam
Batzer	Hawkinson	Raney
Bollinger	Hickle	Small
Bope	Hill of Cass	Smith of Kidder
Buck	Johnson	Streeter
Butler of Ransom	Martin	Taylor
Carey	Miller	Walsh
Coltom	Moen	Wardrope
Freitag	Odland	Watt
Fritz	Olsgard	Wiley
Gunderson	Pitkin	Wing

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hendrickson	Nyhus
Bass	Homan	Owens
Bratton	Husband	Pendray
Burnett	Isaak	Pettersen
Campbell	Kellogg	Ployhar
Davis	Kyllo	Sandbeck
Dean	Lindstrom	Snyder
Endreson	List	Stenehjelm
Everson	Morkrid	Thompson
France	Morrison	Tucker
Gardiner	Norheim	Turner, F. W.
Geiger	Northrup	

So the bill was lost.

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the State Tuberculosis Sanatorium at Dunseith.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

Messrs.—	Messrs.—	Messrs.—
Petterson	Snyder	Walsh
Pitkin	Sorlie	Wardrope
Putnam	Stenehjem	Warriner
Raney	Stinger	Watt
Roble	Streeter	Weis
Ryan	Taylor	Wiley
Sandbeck	Thompson	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. Hoge and Ployhar.

So the bill passed and the title was agreed to.

Senate Bill No. 146.

A bill for an act relating to the fish hatchery at Fish Lake, in Rolette County, 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 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

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

Absent and not voting, Messrs. Ployhar and Wiley.

So the bill passed and the title was agreed to.

Senate Bill No. 147.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 0, absent and not voting 3.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
France	Fritz	Ployhar

So the bill passed and the title was agreed to.

Mr. Owens moved

That further consideration of Senate Bill No. 185 be indefinitely postponed.

Which motion was lost.

Mr. Butler of Ransom moved

That the motion to indefinitely postpone be laid on the table.

Which motion was lost.

Senate Bill No. 125.

A bill for an Act making an appropriation for the State Normal School located at Mayville, North Dakota, for a demonstration rural 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

Messrs.—

Doyle
Dynes
Endreson
Everson
Fox
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

Messrs.—

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

Messrs.—

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

Absent and not voting:

Messrs.—

Campbell
France

Messrs.—

Ployhar
Stenehjem

Messrs.—

Thompson

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
March 5, 1913.

Mr. Speaker:

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

Whereas, Under Joint Rule No. 10, provides that no bill which has passed one house shall be sent for concurrence to the other on either of the last three days of the session.

Whereas, There are a number of bills that have not yet been sent from the respective houses for concurrence in the other house, and it is impossible to properly consider all of said bills under said rule; now, therefore,

Be it Resolved by the Senate and House of Representatives Concurring, That the operation of said rule ten be suspended until 10 o'clock P. M., on Wednesday, March 5th, being the fifty-eighth day of the session, at which time both houses shall be in session.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Twichell moved

That the concurrent resolution be amended, by striking out the words "10 o'clock P. M. March 5th" and inserting in lieu thereof the words "1:30, March 6th."

Which motion was lost.

Mr. Streeter moved

That the resolution be amended by striking out the words "10 o'clock P. M., March 5th" and inserting in lieu thereof the words "2 o'clock P. M. March 7th."

Which motion was lost.

Mr. Anderson moved

That the concurrent resolution be amended by striking out the words "10 o'clock P. M., March 5" and inserting in lieu thereof the words "1 o'clock P. M., March 6th."

Which motion prevailed.

Senate Bill No. 185.

A bill for an Act for an appropriation to reimburse Professor E. F. Ladd for disbursements and expenses incurred in the enforcement of the pure food laws.

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 41, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Nyhus
Balsdon	Harty	O'Connor
Bass	Hedalen	Odland
Bjornson	Hendrickson	Pitkin
Blakemore	Hill of Bottineau	Ryan
Burnett	Hill of Cass	Sandbeck
Butler of Ransom	Hjelmstad	Small
Coltom	Jacobson	Smith of Ward
Curry	Kellogg	Sorlie
Davis	Knox	Turner, F. W.
Divet	Lambert	Twichell
Dynes	Lewis	Warriner
Endreson	List	Watt
Everson	Martin	Williams
Fritz	Moen	Mr. Speaker
Gardiner	Morkrid	
Hanson	Norheim	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hickle	Petterson
Batzer	Hjort	Putnam
Bollinger	Homan	Schroeder
Bope	Husband	Smith of Kidder
Bratton	Huso	Snyder
Carey	Isaak	Stinger
Dean	Johnson	Streeter
Dixon	Kelly	Thompson
Dosseth	Kyllo	Taylor
Freitag	Lawbaugh	Turner, C. C.
Geiger	Leu	Walsh
Gunderson	Miller	Wardrobe
Hart	Morrison	Weis
Hawkinson	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Borusky	France	Ployhar
Buck	Hoge	Raney
Butler of Ramsey	Klein	Roble
Calnan	Lindstrom	Stenehjem
Campbell	Northrup	Tucker
Doyle	Olsgard	Wiley
Fox	Pendray	Wing

So the bill was lost.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Bismarck, N. D., March 5, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has con-

curred in the House amendment to Senate concurrent resolution relating to rules.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign:

Senate Bill No. 162.

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.

Senate Bill No. 7.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the State University and School of Mines of North Dakota.

Senate Bill No. 158.

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.

Senate Bill No. 171.

A bill for an Act to provide an appropriation for the purpose of expenses incurred as a part and during the Twelfth Legislative Assembly of the State of North Dakota.

Senate Bill No. 201.

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.

Senate Bill No. 25.

A bill for an Act to appropriate the sum of Thirty Thousand Dollars, or as much thereof as may be necessary to indemnify persons who have lost animals from the disease known as glanders.

Senate Bill No. 43.

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.

Senate Bill No. 70.

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 an appropriation therefor.

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.

Senate Bill No. 140.

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.

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

Senate Bill No. 72.

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.

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 8, absent and not voting 21.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Isaak
Bass	France	Jacobson
Batzer	Freitag	Kellogg
Bjornson	Fritz	Kelly
Blakemore	Gardiner	Klein
Bollinger	Gunderson	Knox
Bope	Hanson	Lambert
Buck	Hart	Lawbaugh
Burnett	Harty	Leu
Butler of Ransom	Hawkinson	Lindstrom
Carey	Hedalen	Martin
Coltom	Hendrickson	Moen
Dean	Hickle	Morkrid
Divet	Hill of Cass	Morrison
Dixon	Hjelmstad	Norheim
Doyle	Hjort	Northrup
Dynes	Hoge	O'Connor
Endreson	Homan	Olsgard
Everson	Husband	Pendray

Messrs.—	Messrs.—	Messrs.—
Pitkin	Snyder	Walsh
Ployhar	Sorlie	Wardrope
Putnam	Stenhjem	Weis
Raney	Thompson	Wiley
Ryan	Taylor	Williams
Sandbeck	Tucker	Wing
Schroeder	Turner, C. C.	Mr. Speaker
Small	Turner, F. W.	
Smith of Ward	Twichell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Curry	Huso	Odland
Dosseth	Johnson	Warriner
Haraldson	Nyhus	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Davis	Owens
Bartley	Geiger	Petterson
Borusky	Hill of Bottineau	Roble
Bratton	Kyllo	Smith of Kidder
Butler of Ramsey	Lewis	Stinger
Calnan	List	Streeter
Campbell	Miller	Watt

So the bill passed and the title was agreed to.

Senate Bill No. 113.

A bill for an Act making an appropriation for the experimental station of the school of mines and the mining substation at Hebron, Morton County.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

Messrs.—

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
Leu
Lewis

Messrs.—

List
Martin
Miller
Moen
Morkrid
Morrison
Norheim
Northrup
Nyhus
O'Connor
Odland
Olgard
Owens
Pendray
Pettersen
Pitkin
Ployhar
Putnam
Raney
Roble
Ryan
Sandbeck
Schroeder
Small

Messrs.—

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

Absent and not voting: Messrs. Dosseth and Lindstrom.

So the bill passed and the title was agreed to.

MESSAGES FROM THE SENATE.

Bismarck, N. D., March 5, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and pre-

scribing the manner of distribution of the Legislative Manual known as the North Dakota Blue Book.

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 inform you that the President has appointed Mr. Elken on the conference committee on Senate Bill No. 152 in place of Mr. Englund.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 367.

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.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Senate Bill No. 307.

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905 relating to bridge tax in certain cities or municipalities.

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 request the return of Senate Bill No. 196.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Anderson moved

That the rules be suspended and that Senate Bills No. 31, 194, 330 and 136, be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

Senate Bill No. 31.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Fox	Ployhar	Ryan
France		

So the bill passed and the title was agreed to.

Senate Bill No. 194.

A bill for an Act making an appropriation for the Dairy Department 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 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

Messrs.—
 Owens
 Pendray
 Petterson
 Pitkin
 Ployhar
 Putnam
 Raney
 Roble
Ryan
 Sandbeck
 Schroeder

Messrs.—
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stenehjem
 Stinger
 Streeter
 Taylor
 Tucker
 Turner, C. C.

Messrs.—
 Turner, F. W.
 Walsh
 Wardrobe
 Warriner
 Watt
 Weis
 Wiley
 Williams
 Wing
 Mr. Speaker

Absent and not voting:

Messrs.—
 Fox
 France

Messrs.—
 Thompson

Messrs.—
 Twichell

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 5, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 163.

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.

Also.

Senate Bill No. 325.

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.

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

Very respectfully,

W. D. AUSTIN,
 Secretary.

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Mr. Leu moved

That the title be amended so as to read: "making an appropriation therefor."

Which motion prevailed.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

Absent and not voting: Messrs Fox and Twichell.

So the bill passed and the title was agreed to.

Mr. Ployhar moved

That further consideration of Senate Bill No. 193 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 193.

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 make a careful research into the business methods, system of accounting and bookkeeping, and making reports of various state, county and city officers and to install improvements in bookkeeping 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, by amendment and re-enactment of said Section 141 to cover examination of the books and accounts of the city auditors, and city treasurers, county clerks, county judges, register of deeds, county superintendent of schools, county auditors, and sheriffs of the counties 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 results of such examination, auditing and checking 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

Messrs.—
Bratton
Buck
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Coltom
Curry

Messrs.—
Davis
Dean
Divet
Dixon
Dossseth
Doyle
Dynes
Endreson
Everson
Fox

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

Absent and not voting: Messrs. Twichell and Wiley.

So the bill passed and the title was agreed to.

Mr. Ryan moved

That the House take a recess of 5 minutes.

Which motion prevailed.

The House re-assembled at 4:30 pursuant to recess taken.

Mr. Roble moved

That the House do now refer to the eleventh order of business.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 5, 1913.

Mr. Speaker:

I have the honor to inform you that the President has appointed as conferees on House Bill No. 114, Messrs. Wartner, McDowell and Elken.

On House Bill No. 192, Messrs. Linde, Kretschmar and Davidson.

On House Bill No. 357, Messrs. Steele, Mudgett and Williams.

On House Bill No. 122, Messrs. Gibbens, Wartner and Jacobsen.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Butler of Ransom, moved

That further consideration of House Bill No. 279 be indefinitely postponed.

Which motion was lost.

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 53, nays 28, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hedalen	Odland
Bass	Hill of Cass	Petterson
Batzer	Hjelmstad	Pitkin
Bjornson	Hjort	Putnam
Blakemore	Husband	Raney
Bollinger	Huso	Roble
Bratton	Kellogg	Smith of Ward
Burnett	Kelly	Snyder
Curry	Knox	Sorlie
Dean	Lambert	Thompson
Divet	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Endreson	Lewis	Twichell
Fox	List	Warriner
France	Martin	Watt
Fritz	Miller	Williams
Hanson	Norheim	Mr. Speaker
Harty	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Morkrid
Bope	Geiger	Morrison
Butler of Ramsey	Hart	Olsgard
Butler of Ransom	Hawkinson	Schroeder
Carey	Hickle	Small
Coltom	Hill of Bottineau	Smith of Kidder
Dixon	Hoge	Walsh
Dosseth	Kyilo	Weis
Dynes	Lindstrom	
Freitag	Moen	

Absent and not voting:

Messrs.—

Balsdon
 Borusky
 Buck
 Calnan
 Campbell
 Davis
 Everson
 Gunderson
 Haraldson
 Hendrickson

Messrs.—

Homan
 Isaak
 Jacobson
 Johnson
 Klein
 Northrup
 Nyhus
 Owens
 Pendray
 Ployhar

Messrs.—

Ryan
 Sandbeck
 Stenehjem
 Stinger
 Streeter
 Taylor
 Tucker
 Wardrope
 Wiley
 Wing

So the bill was lost.

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 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.—

Anderson
 Bartley
 Bass
 Bjornsen
 Bope
 Borusky
 Burnett
 Butler of Ramsey
 Butler of Ransom
 Calnan
 Carey
 Curry
 Davis
 Divet
 Dixon
 Dosseth
 Dynes
 Endreson
 Fox
 France
 Freitag
 Fritz
 Geiger
 Gunderson
 Haraldson
 Hart
 Harty
 Hedalen
 Hendrickson
 Hill of Bottineau

Messrs.—

Hill of Cass
 Hoge
 Homan
 Husband
 Huso
 Isaak
 Jacobson
 Kellogg
 Kelly
 Klein
 Knox
 Lambert
 Lawbaugh
 Leu
 Lewis
 Lindstrom
 List
 Martin
 Miller
 Moen
 Morkrid
 Morrison
 Norheim
 Northrup
 Nyhus
 O'Connor
 Odland
 Olsgard
 Owens
 Pendray

Messrs.—

Petterson
 Pitkin
 Putnam
 Raney
 Roble
 Sandbeck
 Schroeder
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stenehjem
 Stinger
 Streeter
 Taylor
 Thompson
 Tucker
 Turner, C. C.
 Turner, F. W.
 Twichell
 Walsh
 Wardrope
 Warriner
 Weis
 Williams
 Wing
 Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Hawkinson	Hjort
Coltom	Hickle	Johnson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Dean	Kyllo
batzer	Doyle	Ployhar
Blakemore	Everson	Ryan
Bratton	Gardiner	Watt
Buck	Hanson	Wiley
Campbell	Hjelmstad	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 78, nays 17, absent and not voting 16.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	O'Connor
Bjornson	Hill of Cass	Odland
Blakemore	Hjelmstad	Olgard
Bollinger	Hoge	Owens
Burnett	Homan	Petterson
Butler of Ransom	Husband	Pitkin
Calnan	Huso	Putnam
Davis	Isaak	Raney
Diver	Jacobson	Roble
Dosseth	Johnson	Ryan
Dynes	Kellogg	Sandbeck
Endreson	Kelly	Schroeder
Everson	Klein	Small
Fox	Knox	Snyder
France	Kyllo	Sorlie
Fritz	Lambert	Thompson
Gardiner	Lawbaugh	Taylor
Geiger	Leu	Tucker
Gunderson	Lewis	Turner, C. C.
Hanson	Lindstrom	Twichell
Haraldson	Moen	Walsh
Hart	Morkrid	Wardrobe
Harty	Morrison	Warriner
Hedalen	Norheim	Watt
Hendrickson	Northrup	Weis
Hickle	Nyhus	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dixon	Pendrav
Batzer	Freitag	Streeter
Bope	Hawkinson	Wiley
Butler of Ramsey	Hjort	Williams
Coltom	List	Wing
Curry	Miller	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Carey	Smith of Ward
Bass	Dean	Stenehjem
Borusky	Doyle	Stinger
Bratton	Martin	Turner, F. W.
Buck	Ployhar	
Campbell	Smith of Kidder	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 1, absent and not voting 4.

Those voting in the affirmative were:

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

Messrs.—

Miller
Moen
Morkrid
Morrison
Norheim
Northrup
Nyhus
O'Connor
Odland
Olsgard
Owens
Pendray
Pettersen
Ployhar
Putnam

Messrs.—

Raney
Roble
Ryan
Sandbeck
Schroeder
Small
Smith of Kidder
Smith of Ward
Snvder
Sorlie
Stenehjem
Stinger
Streeter
Taylor
Thompson

Messrs.—

Tucker
Turner, C. C.
Turner, H. W.
Twichell
Walsh
Wardrope
Warriner
Watt
Weis
Wiley
Williams
Wing
Mr. Speaker

Those voting in the negative were: Mr. Pitkin.

Absent and not voting:

Messrs.—

Anderson
Dean

Messrs.—

Endreson

Messrs.—

Freitag

So the bill passed and the title was agreed to.

Mr. Klein moved

That the House return to the 7th order of business.

Which motion prevailed.

Mr. Klein moved

That the rules be suspended and Senate Bill No. 259 be taken up in general orders today.

Which motion prevailed.

Mr. Twichell moved

That Senate Bill No. 136 be placed in general orders today.

Which motion prevailed.

Mr. Klien moved

That Senate Bills 52 and 88 be placed at the head of the calendar of Senate Bills for third reading.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 5, 1913.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 317.

A bill for an Act to establish a legislative drafting bureau

in connection with the legislative reference department of the state library commission.

Also,

Senate Bill No. 306.

A bill for an Act to provide for the appointment of clerks for county courts and fixing their compensation.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate concurring:

Whereas, The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing Company, the state printer, until long after the time prescribed by law; and,

Whereas, A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and

Whereas, On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorized and directed them to rush said reports even though extra expense be incurred; and,

Whereas, Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

Now, Therefore be it Resolved, That the commissioners of public printing and the officers having charge of the printing of the reports above referred to and of the allowance and payment of the compensation for the same, is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense, actually incurred, in compliance with the order and direction of the chairman of the select committee appointed by the House of Representatives.

Provided, however, that the total amount to be paid for extra work and expenses incurred as hereinbefore stated shall not exceed the sum of \$2,000.00.

Mr. Hendrickson moved

That further consideration of the concurrent resolution be indefinitely postponed.

Which motion was lost.

Mr. Moen moved

That the concurrent resolution be adopted.

The roll being called there were ayes 71, nays 21, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Pitkin
Balsdon	Geiger	Putnam
Bartley	Gunderson	Ryan
Bass	Hart	Schroeder
Batzer	Harty	Small
Blakemore	Hawkinson	Smith of Ward
Borusky	Hjelmstad	Snyder
Bratton	Hoge	Streeter
Buck	Husband	Thompson
Burnett	Isaak	Taylor
Butler of Ramsey	Johnson	Turner, C. C.
Butler of Ransom	Kellogg	Twichell
Calnan	Kelly	Walsh
Coltom	Klein	Wardrope
Curry	Knox	Williams
Davis	Lambert	Wing
Dean	Lawbaugh	Mr. Speaker
Dixon	Leu	Morrison
Dosseth	Lindstrom	Norheim
Endreson	List	Nyhus
Everson	Martin	O'Connor
France	Miller	Odland
Freitag	Moen	Owens
Fritz	Morkrid	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hjort	Roble
Bollinger	Huso	Sandbeck
Carey	Lewis	Smith of Kidder
Divet	Olsgard	Sorlie
Hedalen	Pendray	Warriner
Hendrickson	Pettersen	Watt
Hill if Cass	Ployhar	Weis

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bope	Hickle	Stenhjem
Campbell	Hill of Bottineau	Stinger
Doyle	Homan	Tucker
Dynes	Jacobson	Turner, F. W.
Fox	Kyllo	Wiley
Hanson	Northrup	
Haraldson	Raney	

So the bill passed and the title was agreed to.

Mr. Wardrope moved

That the vote by which the concurrent resolution passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Dosseth moved

That the vote by which House Bill No. 279 was lost be reconsidered.

Which motion prevailed.

Mr. Dosseth moved

That House Bill No. 279 be placed on third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

Bismarck, N. D., March 5, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has adopted the conference committee report on House Bill No. 82 and herewith return House Bill No. 82.

Very respectfully,

W. D. AUSTIN,
Secretary.

House Bill No. 279.

A bill for an Act to amend Sections 2248 and 2249, relating to warehouse receipts.

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 45, absent and not voting 12.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Dean	Hanson
Bass	Divet	Haraldson
Bjornson	Dosseth	Harty
Blakemore	Doyle	Hedalen
Buck	Endreson	Hendrickson
Burnett	Fox	Hill if Cass
Curry	Fritz	Hjelmstad
Davis	Gunderson	Hjort

Messrs.—	Messrs.—	Messrs.—
Husband	Miller	Sorlie
Huso	Norheim	Thompson
Isaak	O'Connor	Taylor
Kellogg	Odland	Turner, C. C.
Kelly	Petterson	Turner, F. W.
Klein	Pitkin	Twichell
Knox	Putnam	Wardrope
Lambert	Raney	Warriner
Lewis	Smith of Ward	Watt
List	Snyder	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Olsgard
Balsdon	Hart	Owens
Batzer	Hawkinson	Pendray
Bollinger	Hickle	Ployhar
Bope	Hill of Bottineau	Roble
Borusky	Homan	Ryan
Bratton	Jacobson	Sandbeck
Butler of Ramsey	Johnson	Schroeder
Butler of Ransom	Kyllo	Small
Calnan	Lawbaugh	Smith of Kidder
Carey	Leu	Snyder
Coltom	Lindstrom	Walsh
Dixon	Moen	Weis
Everson	Morkrid	Wing
Freitag	Nyhus	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hoge	Stenehjem
Dynes	Martin	Streeter
France	Morrison	Tucker
Geiger	Norheim	Wiley

So the bill was lost.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 307.

A bill for an Act to repeal Section 3013 of the Revised Codes of 1905, relating to bridge tax in certain cities or municipalities.

Was read the first and second time and

Referred to the committee on municipal corporations.

Senate Bill No. 367.

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.

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

Senate Bill No. 64.

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.

Was read the first and second time and
Referred to the committee on public printing.

Senate Bill No. 370.

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.

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

Senate Bill No. 163.

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.

Was read the first and second time and
Referred to the committee on tax and tax laws.

Senate Bill No. 317.

A bill for an Act to establish a legislative drafting bureau in connection with legislative reference department of the state library commission.

Was read the first and second time and
Referred to the committee on ways and means.

Senate Bill No. 252.

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 Dunseith.

Was read the first and second time and
Referred to the committee on public health.

Senate Bill No. 357.

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.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 325.

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 1090, 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.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 360.

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.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 54.

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.

Was read the first and second time and
Referred to the committee on state affairs.
Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Referred to the committee on state affairs.
Senate Bill No. 310.

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.

Was read the first and second time and
Referred to the committee on education.
Senate Bill No. 391.

A bill for an Act to amend Section 2596 of the 1905 Code as amended by Chapter 69 of the Session Laws of 1907, providing clerk hire for the register of deeds' office in the various counties in the state.

Was read the first and second time and
Referred to the committee on state affairs.
Senate Bill No. 362.

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.

Was read the first and second time and
Referred to the committee on ways and means.
Senate Bill No. 243.

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.

Was read the first and second time and
Referred to the committee on county and county boundaries.

Senate Bill No. 159.

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.

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

Senate Bill No. 150.

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.

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

Senate Bill No. 368.

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

Was read the first and second time and

Referred to the committee on election and election privileges.

Senate Bill No. 214.

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 or parts of Acts in conflict with the provisions of this Act.

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

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Was read the first and second time and
Referred to the committee on municipal corporations.

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 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.

Was read the first and second time and

Referred to the committee on municipal corporations.

Senate Bill No. 358.

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.

Was read the first and second time and

Referred to the committee on warehouse and grain grading.

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 328.

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.

Was read the first and second time and

Referred to the committee on penal institutions.

Senate Bill No. 350.

A bill for an Act fixing priorities of liens and requiring all persons who may be entitled to a mechanic's lien to file a notice of lien, to take a statement or acknowledgement for such lien, and providing a penalty for filing unlawful liens.

Was read the first and second time and

Referred to the committee on banking.

Senate Bill No. 389.

A bill for an Act to authorize the trustees of public property to sell at cash prices as may be practicable the volumes of the Supreme Court reports now on hand in the office of the secretary of state.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Was read the first and second time and

Referred to the committee on live stock.

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

Was read the first and second time and

Referred to the committee on county and county boundaries.

Senate Bill No. 274.

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.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 215.

A bill for an Act to amend and re-enact 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 incorporation, by-laws and annual reports of corporations, and providing for their cancellation and reinstatement.

Was read the first and second time and

Referred to the committee on corporations other than municipal.

Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 335.

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.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 388.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 302.

A bill for an Act to prevent unnecessary delays 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.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Was read the first and second time and

Referred to the committee on state affairs.

Senate Bill No. 64.

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.

Was read the first and second time and

Referred to the committee on public printing.

COURTESIES OF THE FLOOR.

Privileges of the floor were granted to S. G. Skulison, Lakota.

Mr. Sorlie moved

That the House do now take a recess until 10 o'clock Thursday morning.

Which motion prevailed.

M. J. GEORGE,
Chief Clerk.

FIFTY-EIGHTH DAY AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 6, 1913.

The House assembled at 10 o'clock A. M. pursuant to recess taken.

The Speaker presiding.

GENERAL ORDERS.

Mr. Hjelmstad 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. Hjelmstad 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. 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.

And report no progress thereon.

PEDER L. HJELMSTAD,
Chairman.

Mr. Hjelmstad moved
That the report be adopted.
Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 6, 1913..

I have the honor to transmit herewith
Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.

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. 18,

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

Which the Senate has amended as follows:

In Section 1, line 16, strike out the words "with the same and number of."

In the beginning of line 17, Section 1, strike out the words "the precincts and."

In Section 2, line 9, strike out the words "together with the ballots securely" and in line 10 the words "wrapped in manila wrappers as hereinafter provided."

In Section 2, line 39, strike out the words "or number of the precinct and the name."

In Section 2, line 43, strike out the word "auditor" and insert in lieu thereof the word "judge."

In end of same line and the beginning of line 44, strike out the word "auditor" and insert in lieu thereof the word "judge."

In line 44 after the word "judges" insert the words "of election."

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith
House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Which the Senate has amended as follows:

In line 8 from the bottom of the engrossed bill, after the word "sheriff" insert the words "clerk of court."

Very respectfully,

W. D. AUSTIN,
Secretary.

Also

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has failed to pass.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith
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.

Also,

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.

Which bills the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

House Bill No. 90.

A bill for an Act relating to the printing of a proposed constitutional amendment.

Which the Senate has amended as follows:

In Section 1 of the engrossed bill strike out after the word "amendment" where it occurs on line 5, all of the remainder of Section 1, and insert the following "emphasized as follows."

"(a) In case the proposed amendment consists of the addition of new words or phrases the heading shall read:

"To amend Section .. of Article .. of the Constitution by adding the words (here insert the words added) so as to read as follows (followed by the article as amended).

"(b) In case the proposed amended consists of the omission of certain words or phrases the heading shall read:

"To amend Section .. of Article .. of the Constitution by omitting the words (here insert the words omitted) so as to read as follows (followed by the article as amended).

"(c) In case the proposed amendment causes a rearrangement and reconstruction of the particular article to be amended then the heading shall state briefly the object of such amendment."

Very respectfully,

W. D. AUSTIN,
Secretary,

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to transmit herewith

Senate Bill No. 134.

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."

Also,

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Also,

Senate Bill No. 350.

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 acknowledgment for such lien, and providing a penalty for filing unlawful liens.

Also,

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws of 1909, relating to sheriff's fees.

Also,

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Also,

Senate Bill No. 148.

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.

Also,

Senate Bill No. 196.

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.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

GENERAL ORDERS.

Mr. Butler of Ramsey moved

That the House resolve itself into a committee of the whole for the consideration of general orders.

Which motion prevailed and

The House resolved itself into a committee of the whole.

The Speaker called Mr. Butler of Ramsey to the chair.

When the committee arose it submitted the following report:

Mr. Speaker:

The committee of the whole have had under consideration

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and other permanent improvements and repairs for the North Dakota Agricultural College.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 51.

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.

And recommend that the same do pass as amended.

Also,

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:

And recommend that the same do pass as amended.

M. D. BUTLER,
Chairman.

Mr. Butler of Ramsey moved

That the report of the committee of the whole be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 97 and asks for a committee on conference, and the President has named as such conferees on the part of the Senate, Messrs. Bronson, Talcott and Bond.

Very respectfully,
W. D. AUSTIN,
Secretary.

Also,

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 121 and asks for a committee on conference, and the President has named as such conferees on the part of the Senate, Messrs. Plain, McDowell and Steel.

Very respectfully,
W. D. AUSTIN,
Secretary.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to return herewith House Bill No. 372, which the Senate has passed without emergency clause.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Buck moved

That the House do now return to the Sixth Order of business.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

Mr. Speaker:

Your committee appointed to confer with a like committee from the Senate relative to House Bill No. 192 beg leave to report that your committee has had under consideration said house bill and recommend that the House concur in the Senate amendments to said House Bill No. 192.

HENRY J. LINDE,
C. E. DAVIDSON,
R. KRETSCHMAR,
C. S. BUCK,
B. W. TAYLOR,
JOHN J. KLEIN,
Conference Committee.

Mr. Buck moved

That the report be adopted.

Which motion prevailed.

Mr. Speaker:

Your Conference Committee on Senate Bill No. 200 beg leave to report that we have had the same under consideration and recommend that the House recede from its amendment.

CHAS. MARTIN,
H. P. JACOBSEN,
W. B. OVERSON,
FRANK E. PLOYHAR,
L. D. WILEY,
C. C. TURNER.

Mr. Wiley moved

That the report be adopted.

Which motion was lost.

Mr. Doyle moved

That further consideration of House Bill No. 200 be indefinitely postponed.

Mr. Thompson moved

That the House do not concur in the Senate amendments to House Bill No. 200, and that a conference committee be appointed.

Which motion prevailed.

The Speaker appointed as such committee Messrs. Batzer, Butler of Ransom and Hjelmstad.

Mr. Thompson moved

That the rules be suspended and that House Bill No. 196, and Senate Bills Nos. 136 and 151, be placed on third reading and final passage.

Which motion prevailed.

Mr. Divet moved

That House Bill No. 340, be placed on the calender for third reading and final passage.

Which motion prevailed.

Mr. Freitag moved

That the vote by which House Bill No. 418 was lost be reconsidered and placed on its third reading and final passage.

Which motion was lost.

REPORT OF STANDING COMMITTEE.

The committee on Appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred

Senate Bill No. 51.

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.

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

Strike out all after words "A Bill" and insert in lieu thereof the following:

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

"Section 1. Amendment.) Section 5 of Chapter 40 of the Laws of 1911 is hereby amended to read as follows:

"Sec. 5. Appropriation.) For carrying out the provisions of this Act there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated: For the year ending June 30, 1914, the sum of \$12,500. For the year ending June 30, 1915, the sum of \$12,500. *Provided* that no more than one school in any county shall be added to the list of state schools receiving state aid under this Act in any two years.

Mr. France moved

That further consideration of House Bill No. 192 be indefinitely postponed.

Which motion was lost.

Mr. France moved

That action be deferred on House Bill No. 192.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 68, nays 13, absent and not voting 30.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hill of Bottineau	Owens
Bartley	Hill of Cass	Pendray
Bass	Hjort	Petterson
Bollinger	Hoge	Pitkin
Bope	Husband	Ployhar
Buck	Jacobson	Putnam
Butler of Ramsey	Johnson	Roble
Butler of Ransom	Kellogg	Schroeder
Calnan	Kelly	Smith of Ward
Curry	Klein	Streeter
Dean	Kyllo	Thompson
Divet	Lambert	Taylor
Dixon	Leu	Turner, F. W.
Dosseth	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrobe
Freitag	Martin	Warriner
Fritz	Miller	Weis
Gardiner	Moen	Wiley
Gunderson	Morrison	Williams
Hanson	Norheim	Wing
Hart	O'Connor	Mr. Speaker
Hedalen	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baldson	France	Homan
Bjornson	Geiger	Morkrid
Blakemore	Hawkinson	Olsgard
Borusky	Hickle	
Doyle	Hjelmstad	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Harty	Sandbeck
Bratton	Hendrickson	Small
Burnett	Huso	Smith of Kidder
Campbell	Isaak	Snyder
Carey	Knox	Sorlie
Coltom	Lawbaugh	Stenehjem
Davis	Northrup	Stinger
Everson	Nyhus	Tucker
Fox	Raney	Turner, C. C.
Haraldson	Ryan	Watt

So the bill passed and the title was agreed to.

Mr. Thompson moved.

That the vote by which House Bill No. 192 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM SENATE.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 145, and asks for a committee or conference, and the President has named as such conferees on the part of the Senate, Messrs. Davis, Vail and Davidson.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 136.

A bill for an act to provide for increased maintenance and contingent expenses, for establishing and maintaining and agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

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 5, absent and not voting 20.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hedalen	O'Connor
Balsdon	Hendrickson	Odland
Bartley	Hickle	Owens
Bass	Hawkinson	Pendray
Bjornson	Hill of Bottineau	Petterson
Blakemore	Hill of Cass	Pitkin
Bollinger	Hjelmstad	Putnam
Bope	Hjort	Raney
Borusky	Hoge	Roble
Buck	Husband	Ryan
Burnett	Isaak	Sandbeck
Butler of Ramsey	Jacobson	Schroeder
Butler of Ransom	Johnson	Smith of Ward
Calnan	Kellogg	Snyder
Carey	Klein	Sorlie
Coltom	Knox	Streeter
Dean	Lambert	Thompson
Divet	Lawbaugh	Taylor
Dixon	Leu	Turner, F. W.
Dosseth	Lewis	Twichell
Dynes	Lindstrom	Walsh
Endreson	List	Wardrope
Everson	Martin	Warriner
Fox	Miller	Watt
Freitag	Moen	Weis
Gardiner	Morkrid	Wiley
Hanson	Morrison	Williams
Hart	Norheim	Mr. Speaker
Harty	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Curry	Homan	Smith of Kidder
Geiger	Huso	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Batzer	Gunderson	Small
Bratton	Haraldson	Stenehjem
Campbell	Kelly	Stinger
Davis	Kyllo	Tucker
Doyle	Northrup	Turner, C. C.
France	Oisgard	Wing
Fritz	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 51.

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.

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 15, absent and not voting 6.

Those voting in the affirmative were:

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

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

Messrs.—
 Sandbeck
 Schroeder
 Small
 Snyder
 Sorlie
 Stinger
 Thompson
 Taylor
 Tucker
 Turner, C. C.

Messrs.—
 Turner, F. W.
 Twichell
 Walsh
 Wardrobe
 Warriner
 Watt
 Weis
 Wiley
 Williams
 Mr. Speaker

Those voting in the negative were:

Messrs.—
 Bass
 Borusky
 Coltom
 Freitag
 Hoge

Messrs.—
 Huso
 Lambert
 Lawbaugh
 Martin
 Morkrid

Messrs.—
 Nyhus
 Petterson
 Pitkin
 Smith of Ward
 Wing

Absent and not voting:

Messrs.—
 Doyle
 Jacobson

Messrs.—
 Ryan
 Smith of Kidder

Messrs.—
 Stenehjem
 Streeter

So the bill passed and the title was agreed to.

CONFERENCE COMMITTEE REPORT.

The committee on conference made the following report:

Mr. Speaker:

Your committee on conference to whom was referred

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.

Have had the same under agreement and report that no agreement can be reached.

W. J. BURNETT,
 Chairman.
 S. HENDRICKSON,
 OLE NYHUS,
 A. S. GIBBENS.
 A. W. MARTIN,
 H. P. JACOBSEN,

Mr. Dean moved

That there be a new committee appointed on House Bill No. 122.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Anderson, Walsh, and Hedalen.

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 third time.

The question being on the final passage of the bill.

The roll being called and there were ayes 94, nays 1, absent and not voting 16.

Those voting 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
Bope	Hill of Bottineau	Putnam
Borusky	Hill of Cass	Roble
Bratton	Hjelmstad	Ryan
Burnett	Hoge	Schroeder
Butler of Ramsey	Homan	Small
Butler of Ransom	Husband	Smith of Kidder
Calnan	Huso	Smith of Ward
Campbell	Isaak	Snyder
Carey	Johnson	Stenehjem
Coltom	Kellogg	Stinger
Curry	Kelly	Streeter
Davis	Klein	Thompson
Dean	Knox	Taylor
Divet	Kvillo	Tucker
Dixon	Lambert	Turner, F. W.
Dosseth	Lawbaugh	Twichell
Dynes	Leu	Walsh
Endreson	Lewis	Wardrope
Everson	Lindstrom	Warriner
France	List	Weis
Fritz	Martin	Wiley
Gardiner	Moen	Williams
Geiger	Morkrid	Mr. Speaker
Gunderson	Morrison	
Hanson	Norheim	

Those voting in the negative were: Mr. Freitag.

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bollinger	Miller	Sorlie
Buck	Northrup	Turner, C. C.
Doyle	Owens	Watt
Fox	Poyhar	Wing
Hjort	Raney	
Jacobson	Sandbeck	

So the bill passed and the title was agreed to.

FIRST AND SECOND READING OF SENATE BILLS.

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Was read the first and second time and

Referred to the committee on insurance.

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws of 1909, relating to sheriff's fees.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual salary.

Was read the first and second time and

Referred to the committee on ways and means.

Senate Bill No. 350.

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 acknowledgment for such lien, and providing a penalty for filing unlawful liens.

Was read the first and second time and

Referred to the committee on judiciary.

Senate Bill No. 196.

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.

Was read the first and second time and

Referred to the committee on public health.

Senate Bill No. 148.

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.

Was read the first and second time and

Referred to the committee on game and fish.

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Was read the first and second time and

Referred to the committee on education.

Senate Bill No. 134.

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."

Was read the first and second time and

Referred to the committee on ways and means.

CONSIDERATION OF MESSAGES FROM THE SENATE.

The Speaker appointed as conference committee on Senate Bill No. 145, Messrs. C. C. Turner, Klein and Wiley.

The Speaker appointed as conference committee on Senate Bill No. 121, Messrs. Thompson, Gardiner, and Lewis.

The Speaker appointed as conference committee on Senate Bill No. 97, Messrs. Kelly, Owens and Wiley.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to return herewith House Bill No. 442, which the Senate has amended as follows:

In line 6 of printed bill after the Period, "Strike out all of the balance of Section 1.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Streeter moved

That the rules be suspended and that House Bill No. 469 be placed on third reading and final passage.

Which motion prevailed.

Mr. Dosseth moved

That the rules be suspended, and that the amendment proposed by the committee on Education on House Bill No. 469 be adopted, and the bill placed on third reading.

Which motion prevailed.

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

Those voting in the negative were: Mr. Balsdon.

Absent and not voting:

Messrs.—

Divet
Hanson
Hill of Bottineau
Isaak
Klein

Messrs.—

Lawbaugh
Pettersen
Ployhar
Ryan
Smith of Kidder

Messrs.—

Thompson
Tucker
Turner, C. C.

So the bill passed and the title was agreed to.

Mr. Divet moved

That the House do now take a recess until quarter of one.

Which motion prevailed.

The House met pursuant to recess taken.

The Speaker presiding.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Carey moved that the House concur in Senate amendment to House Bill No. 18.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

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.

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

Mr. Watt moved

That the House do not concur in Senate amendments to House Bill No. 442, and that a conference committee be appointed.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Watt, Warriner and Tucker.

Mr. Twichell moved the report of the conference committee on House Bill No. 357, be adopted, and that the amendments be adopted.

Which motion prevailed.

Mr. Gardiner moved

That Senate Bills Nos. 63, 128, 8, 267, 13, 32, 73, 17, 216, 236, 267, 161, 181, 52, 335, 88, 314, 310, 393, be placed at the foot of the calendar.

Which motion prevailed.

MESSAGE FROM SENATE.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to return herewith House Bill No. 143, which the Senate has amended as follows:

In lines two and three of Section Two, page two of the engrossed bill, strike out the words and figures "fifty thousand (\$50,000.00) dollars," and substitute in lieu thereof one hundred thousand (\$100,000.00) dollars.

In line four, strike out the words and figures "ten thousand (\$10,000) dollars, "and substitute in lieu thereof "twenty thousand (\$20,000.) dollars."

In line six, strike out the words and figures "five thousand (\$5,000.) dollars" and substitute in lieu thereof "ten thousand (\$10,000) dollars.

In lines nine and ten, strike out the words and figures "fifty thousand (\$50,000.00) dollars up to one hundred thousand (\$100,000.) dollars" and substitute in lieu thereof "one hundred thousand dollars up to two hundred and fifty thousand (\$250,000.) dollars"; and in lines eleven and twelve strike out the words and figures "one hundred thousand (\$100,000.) dollars" and substitute in lieu thereof, "two hundred and fifty thousand (\$250,000) dollars"

And when so amended recommend the same do pass.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Owens moved

That the House concur in the Senate amendments to House Bill No. 143, and that the bill be placed on third reading and final passage.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to House Bill No. 122, and asks for a committee or conference, and the President has named as such conferees on the part of the Senate, Messrs. Gilbert, Heckle and Thoreson.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Gardiner moved

That the House do now adjourn.

Which motion prevailed.

M. J. GEORGE,
Chief Clerk.

FIFTY-NINTH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 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.

REPORTS OF STANDING COMMITTEES.

The committee on game and fish made the following report:

Mr. Speaker:

Your committee on game and fish to whom was referred Senate Bill No. 148.

A bill for an Act to amend Section 36 of Chapter 128 of the Laws of 1909, and Sections 8, 35 and 45 of Chapter 128, Laws of 1909, as amended by Chapter 141 of the Laws of 1911, relating to fish and game; providing for the removal of beavers causing damage to property.

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

On page 2 of the engrossed bill on line 2, change "1913" to "1912."

On page 2 of the engrossed bill, line 10 of Section 2, strike out the words "wild geese of any variety, brant of any variety"; on line 16 strike out the words "wild geese of any variety"; on line 18 after the word "following," insert the words: "third, that wild geese of any variety may be killed and had in possession between the second day of September and the tenth day of May, both inclusive, following."

Strike out all of Section 3 on page 4 of the engrossed bill and change the numbers of the Sections following to correspond.

And when so amended recommend the same do pass.

N. W. HAWKINSON,
Chairman.

Mr. Hawkinson 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. 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."

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.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman

Mr. Gardiner 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

Senate Bill No. 328.

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 building 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.

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

FRANK J. FOX,
Chairman.

Mr. Fox 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. 159.

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.

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

O. J. SORLIE,
Chairman.

Also,

Senate Bill No. 391.

A bill for an Act to amend Section 2588 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.

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

O. J. SORLIE,
Chairman.

Also,

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

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

O. J. SORLIE,
Chairman.

Also,

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

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

O. J. SORLIE,
Chairman.

Also,

Senate Bill No. 54.

A bill for an Act regulating the manner in which payments shall be made for any service fee prescribed by law from and department of the State of North Dakota.

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

O. J. SORLIE,
Chairman.

Also,

Senate Bill No. 219.

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

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

O. J. SORLIE,
Chairman.

Mr. Sorlie 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. 13.

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

Also,

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 coal is found, and making an appropriation therefor.

Also,

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

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. 384.

A bill for an Act amending and re-enacting Section 7246 of the Revised Codes of North Dakota as amended by Chapter 5 of the Session Laws of 1909.

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.

And find the same correctly engrossed.

N. T. HEDALEN,
Chairman.

Mr. Hedalen 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

Senate 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 be amended as follows:

Line 9, page 5 of printed bill, strike out "ten thousand" and insert "five thousand" in lieu thereof.

And when so amended recommend the same do pass.

C. E. KNOX,
Chairman.

Mr. Knox 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

Senate Bill No. 107.

A bill for an Act to provide for the making of permanent improvements at the state normal 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 indefinitely postponed.

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 154.

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 indefinitely postponed.

BERNT ANDERSON,
Chairman.

Also.

Senate Bill No. 41.

A bill for an Act making appropriation for the current and contingent expenses of the State Penitentiary, and for making permanent improvements and additions thereto.

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

BERNT ANDERSON,
Chairman.

Also

Senate Bill No. 142.

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.

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

BERNT ANDERSON,
Chairman.

Also,

Senate Bill No. 130.

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.

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

BERNT ANDERSON,
Chairman.

Mr. Sorlie moved

That the report be divided, and that Senate Bill No. 130 be acted on separately, and that the bill be taken up by the committee of the whole.

Which motion prevailed.

Mr. Anderson moved

That the report with the exception of No. 130 be adopted.

Which motion prevailed.

The committee on insurance made the following report:

Mr. Speaker:

Your committee on insurance to whom was referred

Senate Bill No. 214.

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, expenses, and indemnity for losses by hail shall be paid, and repealing all Acts or parts of Acts in conflict with the provisions of this Act.

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

T. N. PUTNAM,
Chairman.

Also,

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

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

T. N. PUTNAM,
Chairman.

Mr. Putnam moved

That the report be adopted

Which motion prevailed.

The committee on supplies and expenditures made the following report:

Mr. Speaker:

Your committee on supplies and expenditures to whom was referred

Resolution by Mr. Owens, to pay C. C. Wattam, I. M. Oseth and C. H. Olson, stenographers in the case of Ben Ness.

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

P. J. MOEN,
Chairman.

Mr. Moen 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
Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

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 banking made the following report:

Mr. Speaker:

Your committee on banking to whom was referred
Senate Bill No. 250.

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 investment 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.

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.

The committee on county and county boundaries made the following report:

Mr. Speaker:

Your committee on county and county boundaries to whom was referred.

Senate Bill No. 243.

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.

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

H. GEIGER,
Chairman.

Also

Senate Bill No. 77.

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.

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

H. GEIGER,
Chairman.

Also,

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office of county commissioners.

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.

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. 368.

A bill for an Act to amend and re-enact Section 2364 of the Revised Codes of North Dakota for 1905, as amended by Chapter 3 of the Session Laws of 1907, relating to county seats.

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 public health made the following report:

Mr. Speaker:

Your committee on public health to whom was referred

Senate Bill No. 196.

A bill for an Act to provide for the establishment, organization, regulation and management of a state board of health, and making an appropriation for the expenses of the state board of health, and to repeal Sections 252 to 258 inclusive, of Article 10, Chapter 4, Revised Codes of 1905.

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

W. M. BARTLEY,
Chairman.

Also,

The committee on Public Health made the following report:

Mr. Speaker:

Your committee on Public Health to whom was referred

Senate Bill No. 252.

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 Dunseith.

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

W. M. BARTLEY,
Chairman.

Mr. Bartley moved

That the report be adopted.

Which motion prevailed.

The committee on Tax and Tax Laws made the following report:

Mr. Speaker:

A majority of your committee on Tax and Tax Laws to whom was referred

Senate Bill No. 163.

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, and 1533 of the Revised Codes of 1905.

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

ROBERT NORHEIM.
Chairman.

Also,

A minority of your committee on Tax and Tax Laws to whom was referred.

Senate Bill No. 163.

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, and 1533 of the Revised Codes of 1905.

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

W. J. BURNETT.
THEO. K. CURRY.

Mr. Norheim moved the adoption of the majority report.

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. 306.

A bill for an Act to provide for the compensation of clerks for county courts appointed under Section 7885 of the Revised Codes of North Dakota of 1905.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 317.

A bill for an Act to establish a legislating drafting bureau in connection with the legislative reference library commission.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 335.

A bill for an Act to re-enact and amend Section 22 of Chapter 62 of the Session Laws of 1911, relating to the appointment of a state architect, and pertaining to his duties and salary. Emergency.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 362.

A bill for an Act to amend and re-enact Sections 35 and 38 of Chapter 62 of the Session Laws of 1911 relating to estimates, salaries and the purchase of supplies for state institutions.

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 judiciary made the following report:

Mr. Speaker:

Your committee on judiciary to whom was referred

Senate Bill No. 150.

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.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 370.

A bill for an Act to amend 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 art school.

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

In the printed bill on page 2, beginning with the word "with" in line 26, strike out all of lines 26 and 27.

And when so amended recommend the same do pass.

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 367.

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.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 273.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 357.

A bill for an Act to amend Section 5701 of the Revised Codes for 1905, relating to damages for postponing or refusing messages.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 302.

A bill for an Act to prevent unnecessary delay in appeals from the district court to the Supreme Court, arising from delay in making of transcripts of testimony and proceedings and limiting time within which and prescribing pro-

ceedings under which court stenographers must prepare and deliver transcripts ordered, and providing for appointment, qualification and removal of court stenographers.

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

A. M. THOMPSON,
Chairman.

Also,

Senate Bill No. 274.

A bill for an Act to regulate and fix obligations and liabilities as between hotel and inn keepers and their guests and boarders and those intending to become such with respect to the 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 such hotel and inn keepers a lien upon the baggage and other property of guests and boarders for charges due, providing the time and manner of foreclosure of such lien, the sale of property thereunder and disposition of the proceeds thereof, providing a penalty for obtaining any food, lodging or other accommodation at any hotel, lodging house, boarding or eating house with intent to defraud the owner or manager thereof and defining what shall constitute prima facie evidence of such intent, and to repeal all laws in conflict herewith.

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

A. M. THOMPSON,
Chairman.

The committee on Forestry made the following report:

Mr. Speaker:

Your committee on Forestry to whom was referred

Senate Bill No. 279.

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.

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 Municipal Corporations made the following report:

Mr. Speaker:

Your committee on Municipal Corporations to whom was referred

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 2775, 2776, 2777 and 2786 Revised Codes of North Dakota, as amended by Chapter 70 of the Laws of North Dakota of 1911.

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

L. L. TWICHELL,
Chairman.

Also,

Mr. Speaker:

Your committee on Municipal Corporation to whom was referred

Senate Bill No. 307.

An Act to Amend Section 3013 of the Revised Codes of 1905, Relating to Bridge Funds to be Turned Over to Cities of Certain Classes.

Have had the same under consideration and a majority of your committee recommend that the same be indefinitely postponed.

L. L. TWICHELL,
Chairman.

C. S. BUCK.
E. A. WILLIAMS.
F. W. TURNER.
F. F. FRITZ.

Also,

A minority of the committee on Municipal Corporations made the following report:

Mr. Speaker:

Your committee on municipal corporations to whom was referred

Senate Bill No. 307.

An Act to Amend Section 3013 of the Revised Codes of

1905, Relating to Bridge Funds to be Turned Over to Cities of Certain Classes.

Have had the same under consideration and a minority of the committee recommend that the same do pass.

And when so amended recommend the same to pass.

L. L. TWICHELL,
Chairman.

Also,

Senate Bill No. 290.

For an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, paving and water mains.

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.

Mr. Butler of Ramsey moved that Senate Bill No. 307 be separated from the report.

Which motion prevailed.

Mr. Butler of Ramsey moved

That the minority report on Senate Bill No. 307 be adopted.

Which motion prevailed.

Mr. Twichell moved

That the report be adopted as amended.

Which motion prevailed.

REPORT OF SELECT COMMITTEE.

Mr. Speaker:

Your conference committee on House Bill No. 122, consisting of myself, Mr. Hedalen and Mr. Walsh, with a like committee consisting of three members from the Senate, beg leave to submit the following report:

We have had the same under consideration and could not agree, and recommend that another conference committee be appointed.

(Signed) BERNT ANDERSON,

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

Mr. Dean moved

That a new conference committee be appointed on House Bill No. 122.

The Speaker appointed as such committee Messrs. Burnett, Anderson and Walsh.

CONFERENCE COMMITTEE REPORTS.

Your conference committee on House Bill No. 114 beg leave to report as follows:

That the committee has agreed that House Bill No. 114 should be amended as follows:

For maintenance.....	\$45,000
For library.....	2,500
For barn	1,000
For apparatus and furniture.....	5,000
For improvements of ground.....	1,000
For heat regulation and control.....	3,500
For rural school for demonstration purposes, furniture and equipment	3,500
For purchase of land.....	5,625
Total	<u>\$67,125</u>

And when so amended recommend that the bill do pass.

Very respectfully,

ALOYS WARTNER.
HENRY C. McDOWELL.
G. L. ELKEN.
H. H. FRANCE.
M. W. KELLY.
NORMAN MORRISON.

Mr. France moved

That the report be adopted.

Which motion prevailed.

Your committee appointed to confer with Senate committee in regard to amendments to Senate Bill No. 145 beg leave to report an agreement as follows:

That the amendment of the House giving maintenance for the year 1913 of \$5,000.00 be agreed to.

That the amendment of the House giving maintenance for the year 1914 of \$5,000.00 be not agreed to, but by compromise the maintenance for the year of 1914 be placed at \$2,500.00.

That the amendment of the House placing the amount to be allowed for completing assembly hall and gymnasium at \$15,000.00 be not concurred in, but that the said item remain at the sum allowed by the Senate Bill, viz. \$10,000.00.

C. C. TURNER,
HENRY KLEIN,
L. D. WILEY,
House Committee.

F. W. VAIL,
J. E. DAVIS,
C. E. DAVIDSON,
Senate Committee.

Mr. C. C. Turner moved

The adoption of the report.

Which motion prevailed.

MOTIONS AND RESOLUTIONS.

Mr. Bartley moved

That Senate Bill No. 196, be referred to the committee on Appropriation.

Which motion prevailed.

Mr. Ployhar moved

That the rules be suspended and that House Bill No. 114 and Senate Bill No. 145 be placed on third reading and final passage.

Which motion prevailed.

Mr. Sorlie asked unanimous consent to reconsider the vote by which Senate Bill No. 208 was lost.

Mr. Johnson objected to consent being given.

Mr. Hoge introduced the following Concurrent Resolution:

Whereas, the Thirteenth Legislative Assembly of the State of North Dakota has passed laws prohibiting the sale of cigarettes and snuff in this state, and

Whereas, several other states have passed similar laws and

Whereas, the common violators of these and any other prohibition laws are now planning the importation of cigarettes and snuff by parcels post in defiance of the laws of this and other states, and

Whereas, said laws have been enacted for the purpose of being enforced,

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

That we urge upon our Senators and Representatives in Congress of the United States to use their best efforts and influence toward securing the passage of an Act of Congress prohibiting the use of the parcels post for the mailing of cigarettes or snuff or any substitute therefor, addressed to any post office within the state of North Dakota, or any other state having such anti-cigarette and anti-snuff laws, and to prevail upon the Postmaster General to promulgate rules and regulations of the Post Office Department that will prevent the use of the Parcels Post to evade state laws.

Be It Further Resolved, That a copy of these resolutions be mailed by the Secretary of State to each of our Senators and Representatives in Congress of the United States.

Mr. Hoge moved

That the concurrent resolution be adopted.

Which motion prevailed.

Be it Resolved, That the House of Representatives of the State of North Dakota, that the following bills be paid out of the general funds of the State as a proper charge against the legislative expense:

Room rent, stenographer, 23 days at \$4.00 per day...	\$92.00
Webb Brothers, supplies for House Com.....	56.50
Henry Tatley, room rent, 60 days at \$1.00.....	60.00

Mr. Divet moved

The adoption of the resolution.

Which motion prevailed.

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 104, nays 0, absent and not voting 7.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Martin	Turner, F. W.
Bollinger	Ployhar	
Campbell	Smith of Kidder	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 0, absent and not voting 9.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hart	Norheim
Gardiner	Johnson	Ployhar
Gunderson	Martin	Twichell

So the bill passed and the title was agreed to.

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 0, absent and not voting 9.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hjort	Ployhar
Campbell	Martin	Thompson
Haraldson	Norheim	Twichell

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 1, absent and not voting 3.

Those voting in the affirmative were:

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

Those voting in the negative were: Mr. Husband.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Calnan	Northrup

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 0, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
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
Burnett	Hoge	Sandbeck
Butler of Ramsey	Homan	Schroeder
Butler of Ransom	Husband	Small
Calnan	Husc	Smith of Kidder
Campbell	Isaak	Smith of Ward
Carey	Jacobson	Snyder
Calnan	Kellogg	Sorlie
Curry	Kelly	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kyllo	Taylor
Dixon	Lambert	Thompson
Dosseth	Lawbaugh	Tucker
Dyole	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Martin	Wardrobe
France	Miller	Warriner
Freitag	Moen	Watt
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Nyhus	Wing
Hanson	O'Connor	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Buck	Johnson	Northrup

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

I have the honor to inform you that the President has appointed as conference committee on House Bill No. 442, Messrs. Hanley, Hyland and Bonzer.

Very respectfully,
W. D. AUSTIN,
Secretary.

Also

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 147, and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Nelson, Gronvold and Turner.

Very respectfully,
W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 139, and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Leutz, Albrecht and Clark.

Very respectfully,
W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith
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. 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. 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. 38.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at the state university and school of mines of North Dakota.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

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. 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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 270.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—

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

Messrs.—

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

Messrs.—

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

Those voting in the negative were: Mr. Coltom.

Absent and not voting:

Messrs.—

Buck
Knox

Messrs.—

Martin

Messrs.—

Northrup

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 429.

A bill for an Act to amend and re-enact Sections 9452 of the Revised Codes of 1905, pertaining to the promiscuous distribution of drug samples.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

Mr. Speaker:

I have the honor to return herewith

Senate Bill No. 31.

As requested by the House.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 271.

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

Was read the third time.

The question being on the final passage of the bill.

Th roll was called and there were ayes 102, nays 1, absent and not voting, 8.

Those voting in the affirmative were:

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

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

Messrs.—
Hedalen
Hendrickson
Hickle
Hill of Bottineau
Hill if Cass
Hjort
Hoge
Homan
Husband
Huso
Isaak
Jacobson
Johnson
Kellogg
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh

Messrs.—	Messrs.—	Messrs.—
Lewis	Petterson	Taylor
Lindstrom	Pitkin	Tucker
List	Putnam	Turner, C. C.
Miller	Raney	Turner, F. W.
Moen	Roble	Twihell
Morkrid	Sandbeck	Walsh
Morrison	Schroeder	Wardrope
Norheim	Small	Warriner
Northrup	Smith of Kidder	Watt
Nyhus	Smith of Ward	Weis
O'Connor	Snyder	Wiley
Odland	Sorlie	Williams
Owens	Stenhjem	Wing
Pendray	Stinger	Mr. Speaker

Those voting in the negative were: Mr. Hjelmstad.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Olsgard	Streeter
Leu	Ployhar	Thompson
Martin	Ryan	

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 30, and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Cashel, Putnam and McBride.

Very respectfully,

W. D. AUSTIN,

Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 51, and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Talcott, Cashel and Hoverson.

Very respectfully,

W. D. AUSTIN,

Secretary.

Also,

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 136, and asks for a committee of conference, and the President has named as such conferees on the part of the Senate, Messrs. Hughes, Wartner and Williams.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 256.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll being called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Homan	Ryan
France	Northrup	Twichell
Hjelmstad	Ployhar	Wiley

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll being called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

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

Messrs.—	Messrs.—	Messrs.—
Small	Streeter	Wardrope
Smith of Kidder	Taylor	Warriner
Smith of Ward	Thompson	Weis
Snyder	Tucker	Wiley
Sorlie	Turner, F. W	Williams
Stenhjem	Twichell	Wing
Stinger	Walsh	Mr. Speaker

Absent and not voting :

Messrs.—	Messrs.—	Messrs.—
Campbell	List	Ployhar
Huso	Norheim	Turner, C. C.
Kellogg	Owens	Watt

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll being called and there were ayes, 102; nays, 0; absent and not voting, 9.

Those voting in the affirmative were :

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hendrickson	Lindstrom
Curry	Hoge	Putnam
Freitag	Johnson	Twichell

So the bill passed and the title was agreed to.

Senate Bill No. 309.

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.

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 1, absent and not voting 6.

Those voting in the affirmative were:

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

Messrs.—
Lindstrom
List
Martin
Miller
Moen
Morkrid
Morrison
Norheim
Nyhus
O'Connor
Odland
Olgard
Pendray
Pettersen
Pitkin

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

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

Those voting in the negative were: Mr. Geiger.

Absent and not voting:

Messrs.—
Bartley
Campbell

Messrs.—
Isaak
Northrup

Messrs.—
Owens
Twichell

So the bill passed and the title was agreed to.

Senate Bill No. 89.

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

Messrs.—
Davis
Dean
Divet
Dixon
Dossseth
Doyle
Dynes
Endreson
Everson
Fox
France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson
Haraldson

Messrs.—
Hart
Harty
Hawkinson
Hedalen
Hendrickson
Hickle
Hill of Bottineau
Hill of Cass
Hjelmstad
Hjort
Hoge
Homan
Husband
Huso
Jacobson
Johnson
Kellogg
Kelly

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

Those voting in the negative were: Messrs. Anderson and Isaak.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Northrup	Wiley
Martin	Ryan	

So the bill passed and the title was agreed to.

Senate Bill No. 292.

A bill for an Act to amend and re-enact Chapter 168 of the Session Laws of 1911 relating to the Tenth Judicial District.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Northrup	Wiley
Martin	Pendray	

So the bill passed and the title was agreed to.

The Speaker appointed as conference committee on Senate Bill No. 51, Messrs. Hill of Cass, Hjelmstad and Hjort.

The Speaker appointed as conference committee on Senate Bill No. 136, Messrs. Twichell, Curry and Davis.

The Speaker appointed as conference committee on Senate Bill No. 147, Messrs. Small, Fox and Endreson.

The Speaker appointed as conference committee on Senate Bill No. 30, Messrs. Hedalen, C. C. Turner and Weis.

The Speaker appointed as conference committee on Senate Bill No. 139, Messrs. Calnan, Curry and Bope.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 103, nays 4, absent and not voting 4.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
France	Lambert	Snyder
Hickle		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Campbell	Northrup	Wiley
Johnson		

Senate Bill No. 263.

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 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 104, nays 3, absent and not voting 4.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Isaak	Odland

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Buck	Martin	
Campbell	Northrup	

Senate Bill No. 249.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Olsgard
Balsdon	Harty	Owens
Bartley	Hawkinson	Pendray
Bass	Hedalen	Petterson
Batzer	Hendrickson	Pitkin
Bjornson	Hickle	Ployhar
Blakemore	Hill of Bottineau	Putnam
Bollinger	Hill of Cass	Raney
Bope	Hjelmstad	Roble
Borusky	Hjort	Ryan
Bratton	Hoge	Sandbeck
Buck	Homan	Schroeder
Burnett	Husband	Small
Butler of Ramsey	Huso	Smith of Kidder
Butler of Ransom	Isaak	Smith of Ward
Calnan	Jacobson	Snyder
Carey	Johnson	Sorlie
Coltom	Kellogg	Stenhjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kyllo	Thompson
Dixon	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	Weis
Freitag	Morkrid	Wiley
Fritz	Morrison	Williams
Gardiner	Norheim	Wing
Geiger	Nyhus	Mr. Speaker
Gunderson	O'Connor	
Haraldson	Odland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Martin	Watt
Hanson	Northrup	

So the bill passed and the title was agreed to.

Senate Bill No. 85.

A bill for an Act creating a teachers' insurance and retirement fund and providing for its maintenance and disbursements.

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 3, absent and not voting 4

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Hjelmstad	Pitkin	Warriner

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Northrup	Ployhar
Hanson		

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 104, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Harty	Odland
Bartley	Hawkinson	Olsgard
Bass	Hedalen	Owens
Batzer	Hendrickson	Pendray
Bjornson	Hickle	Petterson
Blakemore	Hill of Bottineau	Pitkin
Bollinger	Hill of Cass	Putnam
Bope	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
Carey	Jacobson	Smith of Ward
Coltom	Johnson	Snyder
Curry	Kellogg	Sorlie
Davis	Kelly	Stenehjem
Dean	Klein	Stinger
Divet	Knox	Streeter
Dixon	Kyllo	Taylor
Dosseth	Lambert	Tucker
Dovie	Lawbaugh	Turner, C. C.
Dynes	Leu	Turner, F. W.
Endreson	Lewis	Twichell
Everson	Lindstrom	Walsh
Fox	List	Wardrope
France	Martin	Warriner
Freitag	Miller	Watt
Fritz	Moen	Weis
Gardiner	Morkrid	Wiley
Geiger	Morrison	Williams
Gunderson	Norheim	Wing
Haraldson	Nyhus	Mr. Speaker
Hart	O'Connor	

Those voting in the negative were; Mr. Borusky.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Ployhar
Campbell	Northrup	Thompson

So the bill passed and the title was agreed to.

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements of the Ellendale state normal and industrial school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

Absent and not voting.

Messrs.—
Anderson
Campbell

Messrs.—
Fox

Messrs.—
Northrup

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That further consideration of Senate Bill No. 20 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 102.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 1, absent and not voting 4.

Those voting in the affirmative were:

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

Messrs.—
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
Husband
Huso
Isaak
Jacobson
Johnson

Messrs.—
Kellogg
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Martin
Miller
Moen
Morkrid
Morrison
Norheim
Nyhus
O'Connor
Odland
Olsgard
Owens
Pendray
Petterson
Pitkin
Putnam

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

Those voting in the negative were: Mr. Colton.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Northrup	
Homan	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 319.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Northrup	Ployhar
Freitag		

So the bill passed and the title was agreed to.

Mr. Lambert moved

That further consideration of Senate Bill No. 22 be indefinitely postponed.

Which motion prevailed.

Mr. Butler of Ramsey, moved

That Senate Bill No. 110 be indefinitely postponed.

Mr. Twichell moved

That Senate Bill No. 110 be put at the foot of the calendar.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR.

Bismarck, N. D., March 6, 1913.

To the House of Representatives:

Gentlemen: I have the honor to inform you that I have approved and filed with the Secretary of State

House Bill No. 92.

A bill for an Act to amend Section 1 of Chapter 77 of the Laws of 1911 of the State of North Dakota, 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. 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. 197.

A bill for an Act to amend Article 4 of Chapter 30 of the Political Codes of North Dakota for 1905, relating to powers of city councils.

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 for 1905, relating to powers of city councils.

Also,

House Bill No. 264.

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.

Also,

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.

Also,

House Bill No. 369.

A bill for an Act to provide for suspension or modification of sentence of persons convicted of misdemeanors.

Also,

House Bill No. 380.

A bill for an Act entitled "An Act authorizing private associations or organization 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. 393.

A bill for an Act providing for the satisfaction of judgments pending an appeal therefrom to the Supreme Court.

I have the honor to be,

Very respectfully,

L. B. HANNA,
Governor.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

Messrs.—
 Stinger
 Streeter
 Taylor
 Thompson
 Tucker
 Turner, C. C.

Messrs.—
 Turner, F. W.
 Walsh
 Wardrope
 Warriner
 Watt
 Weis

Messrs.—
 Wiley
 Williams
 Wing
 Mr. Speaker

Absent and not voting.

Messrs.—
 Campbell
 Kellogg

Messrs.—
 Northrup
 Ployhar

Messrs.—
 Twichell

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Birmarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to inform you that the President has appointed as conference committee on House Bill No. 122, Gibbens, Helgeland and Ellingson.

Very respectfully,

W. D. AUSTIN,
 Secretary.

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—
 Balsdon
 Bartley
 Bass
 Batzer
 Bjornson
 Blakemore
 Bollinger
 Bope
 Borusky
 Bratton
 Buck
 Burnett
 Butler of Ramsey
 Butler of Ransom
 Calnan

Messrs.—
 Carey
 Coltom
 Curry
 Davis
 Dean
 Divet
 Dixon
 Dosseth
 Doyle
 Dynes
 Endreson
 Everson
 Fox
 France
 Freitag

Messrs.—
 Fritz
 Gardiner
 Geiger
 Gunderson
 Hanson
 Haraldson
 Hart
 Harty
 Hawkinson
 Hedalen
 Hendrickson
 Hickle
 Hill of Bottineau
 Hill of Cass
 Hjelmstad

Messrs.—

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

Messrs.—

Morkrid
Morrison
Norheim
Northrup
Nyhus
O'Connor
Odland
Olsgard
Owens
Pendray
Peterson
Pitkin
Ployhar
Putnam
Raney
Roble
Ryan
Sandbeck
Schroeder
Small
Smith of Kidder

Messrs.—

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

Absent and not voting:

Messrs.—

Anderson
Campbell

Messrs.—

Lindstrom
Twichell

Messrs.—

Wiley

So the bill passed and the title was agreed to.

Senate Bill No. 288.

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

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—

Balsdon
Bartley
Bass
Batzer
Bjornson
Blakemore
Bollinger
Bope
Borusky
Bratton
Buck
Burnett
Butler of Ramsey
Butler of Ransom

Messrs.—

Calnan
Carey
Coltom
Curry
Davis
Dean
Divet
Dixon
Dossseth
Doyle
Dynes
Endreson
Everson
Fox

Messrs.—

France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson
Haraldson
Hart
Harty
Hawkinson
Hedalen
Hendrickson
Hickle

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Northrup	Twichell
Campbell		

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 3, absent and not voting 6.

Those voting in the affirmative were:

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

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

Those voting in the negative were: Messrs. Hanson, Jacobson, Warriner.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Martin	Thompson
Burnett	Sorlie	Twichell

So the bill passed and the title was agreed to.

Senate Bill No. 183.

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.

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 0, absent and not voting 8.

Those voting in the affirmative were:

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

Messrs.—

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

Messrs.—

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

Messrs.—

Smith of Kidder
Smith of Ward
Snyder
Sorlie
Stenehjerm
Stinger
Streeter
Taylor
Thompson
Tucker
Turner, C. C.
Twichell
Walsh
Wardrope
Warriner
Watt
Weis
Williams
Wing
Mr. Speaker

Which motion was lost.

Messrs.—

Anderson
Burnett
Campbell

Messrs.—

Martin
Northrup
Olsgard

Messrs.—

Turner, F. W.
Wiley

So the bill passed and the title was agreed to.

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payments extended on tax list.

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 0, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—

Balsdon
Bartley
Bass
Batzner
Bjornson
Blakemore
Bollinger
Bope
Borusky
Bratton

Messrs.—

Buck
Butler of Ramsey
Butler of Ransom
Calnan
Carey
Coltom
Curry
Davis
Dean
Divet

Messrs.—

Dixon
Dosseth
Doyle
Dynes
Endreson
Everson
Fox
France
Freitag
Fritz

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

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Anderson	Norheim	Wiley
Burnett	Northrup	
Campbell	Thompson	

So the bill passed and the title was agreed to.

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

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 0, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Buck	Dixon
Bartley	Butler of Ramsey	Dosseth
Bass	Butler of Ransom	Doyle
Batzer	Davis	Dynes
Bjornson	Dean	Endreson
Blakemore	Divet	Everson
Bollinger	Calnan	France
Bope	Carey	Freitag
Borusky	Coltom	Fritz
Bratton	Curry	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
Keily
Klein
Knox

Messrs.—

Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Miller
Moen
Morkrid
Morrison
Norheim
Nyhus
O'Connor
Odland
Olsgard
Owens
Pendray
Petterson
Pitkin
Ployhar
Putnam
Raney
Roble
Ryan

Messrs.—

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

Absent and not voting:

Messrs.—

Anderson
Burnett
Campbell

Messrs.—

Fox
Martin
Northrup

Messrs.—

Thompson

So the bill passed and the title was agreed to.

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

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 0, absent and not voting 8.

Those voting in the affirmative were:

Messrs.—

Balsdon
Bartley
Bass
Batzner
Bjornson

Messrs.—

Blakemore
Bollinger
Bope
Borusky
Bratton

Messrs.—

Buck
Butler of Ramsey
Butler of Ransom
Calnan
Carey

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Northrup
Burnett	Fritz	Twichell
Campbell	Martin	

So the bill passed and the title was agreed to.

Senate Bill No. 337.

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 statement of number of schools with county auditor.

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 0, absent and not voting 8.

Those voting in the affirmative were:

Messrs.—

Balsdon
 Bartley
 Bass
 Batzer
 Bjornson
 Blakemore
 Bollinger
 Bope
 Borusky
 Bratton
 Buck
 Butler of Ramsey
 Butler of Ransom
 Calnan
 Carey
 Coltom
 Curry
 Davis
 Dean
 Divet
 Dixon
 Dosseth
 Doyle
 Dynes
 Endreson
 Everson
 France
 Freitag
 Fritz
 Gardiner
 Geiger
 Gunderson
 Hanson
 Haraldson
 Hart

Messrs.—

Hawkinson
 Hedalen
 Hendrickson
 Hickie
 Hill of Bottineau
 Hill of Cass
 Hjelmstad
 Hjort
 Hoge
 Homan
 Husband
 Huso
 Isaak
 Jacobson
 Johnson
 Kellogg
 Kelly
 Klein
 Knox
 Kylo
 Lambert
 Lawbaugh
 Leu
 Lewis
 Lindstrom
 List
 Martin
 Miller
 Moen
 Morkrid
 Morrison
 Nyhus
 O'Connor
 Odland
 Olsgard

Messrs.—

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
 Tucker
 Turner, C. C.
 Turner, F. W.
 Walsh
 Wardrope
 Warriner
 Watt
 Weis
 Wiley
 Williams
 Wing
 Mr. Speaker

Absent and not voting:

Messrs.—

Anderson
 Burnett
 Campbell

Messrs.—

Fox
 Harty
 Norheim

Messrs.—

Northrup
 Twichell

So the bill passed and the title was agreed to.

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts where in the free text book system has not been adopted.

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 0, absent and not voting 8.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Northrup
Burnett	Gardiner	Twichell
Campbell	Martin	

So the bill passed and the title was agreed to.

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporations.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 0, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Harty	Odland
Bartley	Hawkinson	Odland
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	Hoge	Roble
Buck	Homan	Ryan
Butler of Ramsey	Husband	Sandbeck
Butler of Ransom	Huso	Schroeder
Calnan	Isaak	Small
Carey	Jacobson	Smith of Kidder
Coltom	Johnson	Smith of Ward
Davis	Kellogg	Snyder
Dean	Kelly	Sorlie
Divet	Klein	Stenhjem
Dixon	Knox	Stinger
Dosseth	Kyllo	Streeter
Doyk	Lambert	Taylor
Dynes	Lawbaugh	Thompson
Endreson	Leu	Tucker
Everson	Lewis	Turner, C. C.
Fox	Lindstrom	Turner, F. W.
France	List	Walsh
Freitag	Martin	Wardrope
Fritz	Miller	Warriner
Gardiner	Moen	Watt
Geiger	Morrison	Weis
Gunderson	Morkrid	Wiley
Hanson	Northrup	Williams
Haraldson	Nyhus	Wing
Hart	O'Connor	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Campbell	Norheim
Burnett	Curry	Twichell

So the bill passed and the title was agreed to.

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

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 0, absent and not voting 8.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fritz	Northrup
Burnett	Hickle	Pendray
Campbell	Morkrid	

So the bill passed and the title was agreed to.

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

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 0, absent and not voting 10.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Endreson	Twichell
Burnett	Klein	Wiley
Butler of Ramsey	Olsgard	
Davis	Sandbeck	

So the bill passed and the title was agreed to.

Senate Bill No. 340.

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.

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 0, absent and not voting 12.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hickle	Ployhar
Burnett	Husband	Smith of Kidder
Campbell	Kelly	Twichell
Endreson	Northrup	Williams

So the bill passed and the title was agreed to.

Senate Bill No. 253.

A bill for an Act fixing the terms of Court in the Twelfth Judicial District.

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 0, absent and not voting 12.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fox	Raney
Burnett	Hjelmstad	Sorlie
Butler of Ramsey	Johnson	Thompson
Coltom	Northrup	Walsh

So the bill passed and the title was agreed to.

Mr. Martin moved

That the House take a ten-minute recess.

Which motion prevailed.

The House re-assembled at 4 o'clock pursuant to recess taken.

Senate Bill No. 184.

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.

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 0, absent and not voting 7.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Northrup	Twitchell
Burnett	Smith of Ward	
Campbell	Thompson	

So the bill passed and the title was agreed to.

Senate Bill No. 157.

A concurrent resolution for an amendment to the Constitution providing for the 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 104, nays 1, absent and not voting 6.

Those voting in the affirmative were:

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

Those voting in the negative were: Mr. Owens.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Isaak	Northrup
Gardiner	Kellogg	Twichell

So the bill passed and the title was agreed to.

Mr. Bratton asked to be excused tomorrow on account of sickness.

Which excuse was granted.

Mr. Snyder asked consent to be excused tomorrow on account of sickness.

Which consent was given.

Senate Bill No. 235.

A bill for an Act to provide for the submission and printing of the requests for appropriations and proposed legisla-

tion in advance of the meeting of the legislature.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative 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 Ransom	Husband	Small
Calman	Huso	Smith of Kidder
Campbell	Isaak	Smith of Ward
Carey	Jacobson	Snyder
Coltom	Johnson	Sorlie
Curry	Kelly	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kyllo	Thompson
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Dynes	Lewis	Twichell
Endreson	Lindstrom	Watt
Everson	List	Wardrobe
Fox	Martin	Warriner
France	Miller	Watt
Freitag	Moen	Weis
Fritz	Morkrid	Wiley
Gardiner	Morrison	Warriner
Geiger	Norheim	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson	O'Connor	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Butler of Ransom	Northrup	Taylor
Kellogg		

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll being called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Carey	Everson	Twichell
Divet	Northrup	

So the bill passed and the title was agreed to.

Senate Bill No. 86.

A bill for an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed.

Was read the third time.

The question being on the final passage of the bill.

The roll being called there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Fritz	Twitchell
Doyle	Northrup	

So the bill passed and the title was agreed to.

Senate Bill No. 294.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays, 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Olgard
Balsdon	Hart	Owens
Bartley	Harty	Pendray
Bass	Hawkinson	Pettersen
Batzer	Hedalen	Pitkin
Bjornson	Hendrickson	Ployhar
Blakemore	Hickle	Putnam
Bollinger	Hill of Bottineau	Raney
Bope	Hill of Cass	Roble
Borusky	Hjelmstad	Ryan
Bratton	Hjort	Sandbeck
Buck	Hoge	Schroeder
Burnett	Homan	Small
Butler of Ramsey	Husband	Smith of Kidder
Butler of Ransom	Hvso	Smith of Ward
Calnan	Isaak	Snyder
Carey	Jacobson	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Stinger
Davis	Knox	Streeter
Dean	Kylie	Thompson
Divet	Lambert	Taylor
Dixon	Lawbaugh	Walsh
Dosseth	Leu	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	Nyhus	Wing
Gunderson	O'Connor	Mr. Speaker
Hanson	Odland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Kellogg	Northrup
Johnson		

So the bill passed and the title was agreed to.

Senate Bill No. 176.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 0, absent and not voting 6.

Those voting in the affirmative 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	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
Carey	Jacobson	Snyder
Coltom	Johnson	Sorlie
Curry	Kelly	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kyllo	Thompson
Dixon	Lambert	Taylor
Dosseth	Lawbaugh	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Martin	Wardrope
France	Miller	Warriner
Freitag	Moen	Watt
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Nyhus	Wing
Hanson	O'Connor	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Hjelmstad	Northrup
Campbell	Kellogg	Roble

So the bill passed and the title was agreed to.

Senate Bill No. 375.

A bill for an Act 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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 0, absent and not voting 6.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Tucker	Weis
Northrup	Turner, F. W.	Wiley

So the bill passed and the title was agreed to.

Mr. Butler of Ramsey moved

That Senate Bill No. 202 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 284.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 0, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
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
Carey	Jacobson	Snyder
Coltom	Johnson	Sorlie
Curry	Kelly	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kelly	Thompson
Dixon	Lambert	Taylor
Dosseth	Lawbaugh	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Martin	Warriner
France	Moen	Watt
Freitag	Morkrid	Weis
Fritz	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Nyhus	Wing
Hanson	O'Connor	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Kellogg	Northrup
Gardiner	Miller	Wardrope

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to inform you that the President has appointed as conferees on House Bill No. 200, Messrs. Linde, Hookway and Mudgett.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards, and their salaries.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Northrup	Smith of Kidder
Klein	Pitkin	

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the vote by which Senate Bill No. 348 was passed be reconsidered.

Which motion was withdrawn.

Senate Bill 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes, 102, nays, 0, absent and not voting 9.

Those voting in the affirmative were:

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

Messrs.—	Messrs.—	Messrs.—
Leu	Petterson	Stinger
Lewis	Pitkin	Streeter
Lindstrom	Ployhar	Taylor
List	Putnam	Thompson
Martin	Raney	Tucker
Moen	Roble	Turner, C. C.
Morkrid	Ryan	Turner, F. W.
Morrison	Sandbeck	Walsh
Norheim	Schroeder	Warriner
Nyhus	Small	Warriner
O'Connor	Smith of Kidder	Watt
Odland	Smith of Ward	Weis
Olsgard	Snyder	Williams
Owens	Sorlie	Wing
Pendray	Stenehjem	Mr. Speaker

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Calnan	Hanson	Northrup
Campbell	Isaak	Twichell
Divet	Miller	Wiley

So the bill passed and the title was agreed to.

Senate Bill No. 29.

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 of trustees of incorporated villages.

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 0, absent and not voting 7.

Those voting in the affirmative were:

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

Messrs.—
 Husband
 Huso
 Isaak
 Jacobson
 Johnson
 Kellogg
 Kelly
 Klein
 Knox
 Kyllo
 Lambert
 Lawbaugh
 Leu
 Lewis
 List
 Martin
 Miller
 Moen
 Morkrid
 Morrison

Messrs.—
 Norheim
 Nyhus
 O'Connor
 Odland
 Olsgard
 Owens
 Pendray
 Petterson
 Pitkin
 Ployhar
 Putnam
 Raney
 Roble
 Ryan
 Sandbeck
 Schroeder
 Small
 Smith of Kidder
 Smitu of Ward
 Snyder

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

Absent and not voting:

Messrs.—
 Campbell
 Divet
 Fritz

Messrs.—
 Hanson
 Hoge
 Lindstrom

Messrs.—
 Northrup

So the bill passed and the title was agreed to.

Mr. Leu moved

That the vote by which Senate Bill No. 157 was passed be reconsidered.

Which motion was lost.

SPECIAL COMMITTEE.

Mr. Speaker:

Your conference committee on House Bill No. 442 recommend that the Senate amendment be concurred in.

WM. WATT,
 D. L. WARRINER,
 G. A. TUCKER,
 J. M. HANLEY,
 FRANK H. HYLAND,
 A. F. BONZER.

Mr. Watt moved

That the report be adopted.

Which motion prevailed.

The special conference committee made the following report:

Your committee on conference to whom was referred
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.

Have had the same under consideration and recommend that the Senate recede from its amendment.

W. J. BURNETT,
Chairman.

BERNT ANDERSON,
JAMES WALSH,
A. S. GIBBENS,
L. S. HELGELAND,
CHAS. ELLINGSON.

Mr. Burnett moved

That the report of the conference committee on House Bill No. 122 be adopted.

Which motion prevailed.

The conference committee on Senate Bill No. 152 made the following report:

Mr. Speaker:

Your committee appointed to confer with the like committee from the Senate, have had Senate Bill No. 152 under consideration and recommend that the Senate concur in the House amendment to Senate Bill No. 152.

R. J. GARDINER,
JAMES WALSH,
L. D. WILEY,
House Committee.

G. L. ELKEN,
C. E. DAVIDSON,
HENRY J. LINDE,
Senate Committee.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

House Bill No. 82.

A bill for an Act to regulate the manufacture of pneu-

matic 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 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Olsgard
Balsdon	Harty	Owens
Bartley	Haraldson	Pendray
Bass	Hedalen	Pettersen
Batzer	Hendrickson	Pitkin
Bjornson	Hill of Bottineau	Ployhar
Blakemore	Hill of Cass	Putnam
Bollinger	Hjelmstad	Raney
Bope	Hjort	Roble
Borusky	Hoge	Ryan
Bratton	Homan	Sandbeck
Buck	Husband	Schroeder
Burnett	Huso	Small
Butler of Ramsey	Isaak	Smith of Kidder
Butler of Ransom	Jacobson	Smith of Ward
Calnan	Johnson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stenhjem
Curry	Klein	Stinger
Davis	Knox	Streeter
Dean	Kyllo	Thompson
Divèt	Lambert	Taylor
Dixon	Lawbaugh	Tucker
Dosseth	Leu	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	Nyhus	Wing
Gunderson	O'Connor	Mr. Speaker
Haraldson	Odland	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Campbell	Hickle	Northrup
Hanson		

So the bill passed and the title was agreed to.

The committee on education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 310.

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.

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

O. C. DOSSETH,
Chairman.

Also,

A minority of your committee on education to whom was referred

Senate Bill No. 310.

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.

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

HENRY KLEIN,
Chairman.

Also,

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.

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

O. C. DOSSETH,
Chairman.

Also,

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.

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

O. C. DOSSETH,
Chairman.

Also,

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266 of the Session Laws of 1911, relating to education.

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.

Mr. Owens moved

That the vote by which Senate Bill No. 20 was indefinitely postponed be reconsidered.

Which motion prevailed.

Mr. Owens moved

That Senate Bill No. 20 be placed on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Kellogg moved

That the Senate be requested to return Senate Bill No. 20.

Which motion prevailed.

Mr. Doyle moved

That the vote by which Senate Bill No. 86 was passed be reconsidered.

Which motion prevailed.

Mr. Twichell moved

That further consideration of Senate Bill No. 181 be indefinitely postponed.

Which motion prevailed.

Mr. Doyle moved

That the House request the return of Senate Bill No. 86 from the Senate.

Which motion prevailed.

Mr. Speaker:

Your conference committee appointed to confer with a like committee from the Senate in regard to Senate Bill No. 147, have had the same under consideration and report as follows:

That the engrossed bill be amended as follows:

On page 1 and line 7, strike out the figures "\$12,000" and insert in lieu thereof the figures "\$6,000." On page 1 and line 12 of Section 1 of the engrossed bill, strike out "\$2,300." On page 1 and line 13 of Section 1 of the engrossed bill strike out the figures "\$15,000.00" and insert in lieu thereof the figures "\$21,500.00."

On page 1 and line 14 of Section 1 of the engrossed bill strike out the figures "\$35,700.00" and insert in lieu thereof the figures "\$33,700.00."

W. A. SMALL,
BERNT ANDERSON,
FRANK J. FOX.

Mr. Dixon moved

That the report of the conference committee be adopted.

Which motion prevailed.

PETITIONS AND COMMUNICATIONS.

To Hon. J. W. Smith, Hon. A. M. Thompson, Hon. F. B. Lambert and Hon. H. C. Miller:

We, the undersigned, respectfully request that you investigate Senate Bill No. 267 relating to fraternal insurance societies and use your influence for the passage of the same in the House of Representatives.

Signed by L. A. Corey of Minot, N. D., and 17 others.

MESSAGE FROM THE SENATE.

Mr. Speaker:

I have the honor to return herewith House Bill No. 114 which the Senate has passed as amended by the conference committee.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk appointed Messrs. Moore, Lybeck and Cooper to finish the mailing of all bills and Journals.

Mr. Speaker:

Your committee on

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.

Beg leave to report that we have had same under consideration and recommend that the printed bill be amended as follows:

In line 7, Section 1, of the printed bill, strike out the words "four hundred nineteen thousand eight hundred," and insert in lieu thereof, the words "three hundred thirteen thousand five hundred."

Strike out lines 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22 and insert in lieu thereof the following:

Power house and equipment.....	\$65,000.00
Tuberculosis Hospital	100,000.00
Receiving Ward	100,000.00
Erection of outside Ward and Farm House....	30,000.00
Additional Water Supply.....	10,000.00
Relocation and improvement of two horse barns	1,500.00
Laundry equipment	1,000.00
Incidentals	2,500.00
Repairs	2,500.00
Improvements on grounds.....	1,000.00

Change the figures in the total, so as to read "\$313,500.00."

Strike out the emergency clause.

And when so amended recommend that the same do pass.

C. W. PLAIN,
ALFRED STEEL,
WESLEY C. MCDOWELL,
Senate Committee.

A. M. THOMPSON,
R. J. GARDINER,
D. S. LEWIS.
House Committee.

Mr. Thompson moved

That the report be adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

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.

Senate Bill No. 283.

A bill for an Act to provide an annual contingency fund to be placed at the disposal of the commissioner of insurance.

Senate Bill No. 330.

A bill for an Act to amend Section 35 of the Revised Codes of 1905 for North Dakota.

Senate Bill No. 247.

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.

Senate Bill No. 221.

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.

Senate Bill No. 194.

A bill for an Act making an appropriation for the Dairy Department of the State of North Dakota.

Senate Bill No. 125.

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.

Senate Bill No. 113.

A bill for an Act making an appropriation for the experimental station of the school of mines and the mining substation at Hebron, Morton County.

Senate Bill No. 97.

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.

Senate Bill No. 72.

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.

Senate Bill No. 185.

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.

Senate Bill No. 146.

A bill for an Act relating to the fish hatchery at Devils Lake and Fish Lake in Rolette County, and making appropriation therefor.

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

MESSAGES FROM THE SENATE.

Bismarck, N. D., March 6, 1913.

Mr. Speaker:

I have the honor to request the return of Senate Bill No. 325.

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 348 and asks for a committee or conference and the President has named as such conferees on the part of the Senate, Messrs. Talcott; Hoverson and McDowell,

Very respectfully,

W. D. AUSTIN,
Secretary.

Also,

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 106 and asks for a committee or conference, and the President has named as such conferees on the part of the Senate, Messrs. Cashel, Trageton and Kretschmar.

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:

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 schools.

And recommend that the same be indefinitely postponed.

Also,

Senate Bill No. 177.

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 Acts amendatory thereto and to prescribe the form and to define the effect of all such deeds and the title thereby conveyed.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners; publication of notices; manner of re-recording and future recording; Fees; expenses; appropriation; repeal.

And recommend that the same do pass as amended.

Also,

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.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Have adopted the following amendments:

Amended by striking out the words "registered letter in lines 7 and 8 of engrossed bill and insert in lieu thereof the word "telegram."

And recommend that the same do pass as amended.

Also,

Senate Bill No. 267.

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

And recommend that the same do pass.

Also,

Senate 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.

And recommend that the same do pass as amended.

Also,

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Have adopted the following amendments.

On line 1 after the word "any" insert "county commissioner."

Strike out lines 9 to 18 inclusive and insert in lieu thereof: "misconduct, malfeasance, crime in office or for habitual drunkenness or gross incompetency."

And recommend that the same do pass as amended.

Also,

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Have adopted the following amendments:

In line 7 of Section 1, strike out the words and figures "seventy (70)" and insert in lieu thereof the word "fifty (50)." In line 3, Section 2, change "sixty" to "forty." In Section 2, line 19, change "fifteen (15)" to "twenty (20)."

And when so amended recommend the same do pass.

Also,

Senate Bill No. 259.

A bill for an Act 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.

And recommend that the same do pass.

Senate Bill No. 130.

A bill for an Act to provide for the representation of the State of North Dakota at the Panama-Pacific 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.

And recommend that the same do pass as amended.

A. G. DIVET,
Chairman.

Mr. Divet moved

That the report be adopted.

Which motion prevailed.

Mr. Butler of Ramsey demanded that Senate Bill No. 236 be separated from the report.

Mr. Butler of Ramsey moved

That the minority report on House Bill No. 236 be adopted, and that the bill be placed at the foot of the calendar.

Which motion prevailed.

Mr. Thompson moved

That the House do now return to the Sixth Order of business, for the purpose of receiving the report of a Conference Committee.

Which motion prevailed.

Mr. Owens gave notice that tomorrow he would make a motion to reconsider the vote by which Senate Bill No. 157 was passed.

Mr. Thompson moved

That the rules be suspended, and that Senate Bill No. 121, be considered engrossed, and placed on its third reading and final passage.

Which motion prevailed.

Mr. Anderson moved

That the rules be suspended and that Senate Bill No. 30, be placed on third reading and final passage.

Which motion prevailed.

Mr. Speaker:

The Conference Committee appointed by the House and Senate to consider Senate Bill No. 136 have had the same under consideration and are unable to agree. We recom-

mend that this committee be discharged and a new committee appointed to consider this Bill.

E. A. HUGHES.
L. L. TWICHELL.
N. E. DAVIS.
FRANK CURRY.
ALOYS WARTNER.
JOHN E. WILLIAMS.

Mr. Curry moved

That the report be adopted.

Which motion prevailed.

The committee of conference on Senate Bill No. 30 made the following report:

Mr. Speaker:

Your committee on conference to whom was referred
Senate Bill No. 30.

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

That where "Twenty-eight Thousand" appears in the bill, that the same be stricken out and that "Thirty-one Thousand Five Hundred" be inserted in lieu thereof.

And recommend that the Senate concur in the House amendments.

J. L. CASHEL,
S. N. PUTNAM,
M. L. McBRIDE,
Senate Committee.

N. T. HEDALEN,
C. C. TURNER,
ALBERT WEIS,

Mr. Hedalen moved

That the report be adopted.

Which motion prevailed.

Mr. Dosseth moved

That the House return Senate Bill No. 325 to the Senate.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Divet moved

That a conference committee be appointed by the House on Senate Bill No. 348.

Which motion prevailed.

Mr. Thompson moved

That a conference committee be appointed on Senate Bill No. 106.

Which motion prevailed.

The Speaker appointed as conference committee on Senate Bill No. 106, Messrs France, Harty and Weis.

COURTESIES OF THE FLOOR.

Privileges of the floor were extended to Rev. N. P. Tuleen, Sheyenne, Hans G. Ronning, Olaf L. Hylmstad.

Mr. Lambert moved

That the House do now take a recess until 10 o'clock A. M.

M. J. GEORGE,
Chief Clerk.

FIFTY-NINTH DAY AFTER RECESS.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 7th, 1913.

The House assembled at 10 o'clock A. M., pursuant to recess taken.

The Speaker presiding.

Mr. Hawkinson moved

That further consideration of Senate Bill No. 311 be deferred until it is reached at the foot of calendar.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate Bill No. 260.

A bill for an Act entitled " An Act to amend Section 2 of 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.

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.—
Bartley	Hill of Cass	Pitkin
Bope	Hjelmstad	Ployhar
Borusky	Hjort	Putnar
Buck	Hoge	Raney
Burnett	Homan	Roble
Butler of Ransom	Husband	Sandbeck
Curry	Huso	Schroeder
Davis	Isaak	Small
Dean	Jacobson	Smith of Kidder
Divet	Kellogg	Smith of Ward
Dixon	Kelly	Snyder
Dosseth	Klein	Stenehjerm
Doyle	Knox	Stinger
Dynes	Kyllo	Streeter
Endreson	Lambert	Taylor
Everson	Lawbaugh	Thompson
Fox	Leu	Tucker
France	Lewis	Turner, C. C.
Fritz	Lindstrom	Turner, F. W.
Gardiner	List	Twichell
Geiger	Miller	Walsh
Gunderson	Moen	Wardrope
Hanson	Morkrid	Warriner
Haraldson	Morrison	Watt
Hart	Norheim	Weis
Harty	Northrup	Wiley
Hawkinson	Nyhus	Williams
Hedalen	Odland	Wing
Hendrickson	Olsgard	Mr. Speaker
Hickle	Pendray	
Hill of Bottineau	Petterson	

Those voting in the negative were, Mr. Coltom.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Bratton	Johnson
Bass	Butler of Ramsey	Martin
Batzer	Calnan	O'Connor
Bjornson	Campbell	Owens
Blakemore	Carey	Ryan
Bollinger	Freitag	Sorlie

So the bill passed and the title was agreed to.

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

Those voting in the negative were, Mr. Coltom.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Bratton	Ployhar
Bass	Curry	Turner, C. C.
Bjornson	Davis	Wiley
Blakemore	Freitag	
Bollinger	Haraldson	

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, realting to county mutual companies.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 97, nays 3, absent and not voting 11.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Dixon	Hawkinson

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Curry	Ryan
Bratton	Freitag	Turner, C. C.
Bartley	Owens	Wiley
Bollinger	Ployhar	

So the bill passed and the title was agreed to.

Senate Bill No. 223.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 1, absent and not voting 8.

Those voting in the affirmative were:

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

Those voting in the negative were, Mr. Hjort.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Leu	Turner, C. C.
Bratton	Owens	Wiley
Freitag	Ployhar	

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 6th, 1913.

Mr. Speaker:

I have the honor to return herewith
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. 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. 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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, 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 95, nays 3, absent and not voting 13.

Those voting in the affirmative were.

Messrs.—
Anderson
Bartley
Bass

Messrs.—
Batzer
Bjornson
Blakemore

Messrs.—
Bollinger
Bope
Bratton

Messrs.—	Messrs.—	Messrs.—
Burnett	Hjelmstad	Owens
Butler of Ramsey	Hjort	Pendray
Calnan	Hoge	Pitkin
Campbell	Homan	Ployhar
Carey	Husband	Putnam
Coltom	Huso	Raney
Curry	Isaak	Ryan
Davis	Johnson	Sandbeck
Dean	Kellogg	Schroeder
Divet	Kelly	Small
Dixon	Klein	Smith of Kidder
Dosseth	Knox	Snyder
Doyle	Kyllo	Stenhjem
Dynes	Lambert	Stinger
Endreso	Lawbaugh	Streeter
Everson	Leu	Taylor
Fox	Lewis	Thompson
Fritz	Lindstrom	Tucker
Gardiner	List	Turner, C. C.
Geiger	Martin	Turner, F. W.
Gunderson	Miller	Twichell
Hanson	Morkrid	Walsh
Haraldson	Morrison	Wardrope
Hart	Norheim	Warriner
Hartv	Northrup	Weis
Hedalen	Nyhus	Wiley
Hendrickson	O'Connor	Williams
Hickle	Odland	Mr. Speaker
Hill of Cass	Olsgard	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Borusky	Hawkinson	Smith of Ward

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hill of Bottineau	Sorlie
Buck	Jacobson	Watt
Butler of Ransom	Moen	Wing
France	Petterson	
Freitag	Roble	

So the bill passed and the title was agreed to.

Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease, and prescribing a 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 99, nays 1, absent and not voting 11.

Those voting in the affirmative were:

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Kelly	Ryan
Bratton	Lindstrom	Streeter
Campbell	Martin	Wiley
Fox	Morrison	

So the bill passed and the title was agreed to.

Senate Bill No. 213.

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

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 1, absent and not voting 9.

Those voting in the affirmative were:

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Curry	Homan	Morkrid
Bratton	Kellogg	Putnam
Gunderson	Lewis	Stenhjem

So the bill passed and the title was agreed to.

Senate Bill No. 193.

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, etc.

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 11, absent and not voting 10.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Olsgard
Bass	Haraldson	Owens
Batzer	Hart	Pendray
Bjornson	Harty	Petterson
Blakemore	Hedalen	Pitkin
Bollinger	Hendrickson	Ployhar
Bope	Hill of Bottineau	Putnam
Borusky	Hjelmstad	Raney
Buck	Hjort	Roble
Butler of Ramsey	Homan	Ryan
Butler of Ransom	Husband	Schroeder
Calnan	Huso	Small
Campbell	Isaak	Smith of Kidder
Carey	Jacobson	Smith of Ward
Coltom	Kellogg	Snyder
Curry	Kelly	Sorlie
Davis	Klein	Stenehjem
Dean	Knox	Stinger
Divet	Kyllo	Thompson
Dixon	Lawbaugh	Taylor
Dosseth	Leu	Tucker
Doyle	Lindstrom	Turner, C. C.
Dynes	List	Twichell
Endreson	Martin	Walsh
Everson	Miller	Wardrobe
France	Moen	Warfiner
Freitag	Norheim	Watt
Fritz	Nyhus	Williams
Gardiner	O'Connor	Wing
Geiger	Odland	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Cass	Sandbeck
Fox	Lewis	Weis
Hawkinson	Morkrid	Wiley
Hickle	Morrison	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hoge	Streeter
Bratton	Johnson	Turner, F. W.
Burnett	Lambert	
Hanson	Northrup	

So the bill passed and the title was agreed to.

Mr. Coltom moved

That further consideration of Senate Bill No. 289 be indefinitely postponed.

• Which motion prevailed.

Mr. Thompson moved

That the vote by which Senate Bill No. 289 was indefinitely postponed be reconsidered, and the bill placed at the foot of the calendar.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to request the return of Senate Bill No. 325.

Very respectfully,
W. D. AUSTIN,
Secretary.

Mr. Buck moved

That Senate Bill No. 325 be returned to the Senate.

Which motion prevailed.

The Speaker appointed Marie George to assist the Chief Clerk and Assistant Clerk in correcting the Journal.

PETITIONS AND COMMUNICATIONS.

Bismarck, North Dakota, March 6th, 1913.

To the House of Representatives:

Gentlemen: I have the honor to inform you that I have approved and filed with the Secretary of State,

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. 329.

A bill for an Act providing for the proper identification of persons charged with the commission of a public offense.

I have the honor to be,

Very respectfully,
L. B. HANNA,
Governor.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 343.

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

Which the Senate has passed without the emergency clause.

Very respectfully,

W. D. AUSTIN,
Secretary.

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. 134.

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 offenses and providing penalties therefor.

Also,

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 341.

A bill for an Act to amend and re-enact Section 91 of Chapter 266 of the Session Laws of 1911, relating to school district clerk's annual report.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 388.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 360.

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.

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 372.

A bill for an Act to amend Section 1 of Chapter 120, Session Laws for 1909, relating to sheriff's fees.

Also,

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

W. S. DEAN,
Chairman.

Also,

Senate Bill No. 389.

A bill for an Act to authorize the trustees of public property to sell at such prices as may be practical the volumes of the Supreme Court now on hand in the office of the secretary of state.

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

W. S. DEAN,
Chairman.

Mr. Speaker:

The minority of your committee on ways and means to whom was referred

Senate Bill No. 388.

A bill for an Act to repeal Sections 1, 2 and 3 of Chapter 213 of the Session Laws of 1911.

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

R. J. GARDINER,
H. H. FRANCE,
JAMES WALSH,
W. S. DEAN.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

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.

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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 6th, 1913.

Mr. Speaker:

I have the honor to return herewith House Bill No. 122, to which the Senate has concurred in the conference committee report.

W. D. AUSTIN,
Secretary.

Very respectfully,

FRIDAY, MARCH 7, 1913.

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Bismarck, North Dakota, March 6th, 1913.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 121 which the Senate has passed as amended by the conference committee and your favorable concurrence therein is earnestly requested.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 6th, 1913.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 30, which the Senate has passed as amended by the conference committee and your favorable concurrence is respectfully requested.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Also,

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.

Also,

House Bill No. 163.

A bill for an Act to provide for the preparing of a state budget.

Also,

House Bill No. 420.

Being a bill for an Act to amend Section 470 of the Re-

vised Codes of 1905 of the State of North Dakota, as amended by Chapter 172 of the Session Laws 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. 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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 6th, 1913.

Mr. Speaker:

I have the honor to return herewith

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. 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.

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. 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.

Also,

House Bill No. 296.

A bill for an Act providing for stopping of passenger trains at junction points.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 263.

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 mechanics' liens.

Also,

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.

Also,

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. 184.

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.

Also,

Senate Bill No. 157.

A concurrent resolution for an amendment to the Constitution providing for the elective franchise.

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.

Also,

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. 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.

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.

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. 89.

A bill for an Act to provide for the regulation and supervision of investment companies and providing penalties for the violation thereof.

Also,

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 premium on bonds and insurance.

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.

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.

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.

Also,

House Bill No. 389.

A bill for an Act to amend and re-enact Section 5 of Chapter 109 of the Laws of 1907, relating to primary elections.

Also,

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.

Also,

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

House Bill No. 82.

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.

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 and office holders.

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.

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.

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.

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

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 253.

A bill for an Act fixing the terms of court in the twelfth Judicial District.

Senate Bill No. 270.

A bill for an Act to amend Section 2272 of the Revised Codes of the State of North Dakota for the year 1905, relat-

ing to the storage of unclaimed goods, wares and merchandise carried by railroads and transportation companies

Senate Bill No. 256.

A bill for an Act to require dealers selling or disposing of second-hand furniture to disinfect the same before offering such furniture for sale or exchange.

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

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

In line 21 of the printed bill strike out the words "either in" and insert in lieu thereof the words "as to." In the same line strike out "or in substance."

Also,

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.

Which the Senate has amended as follows:

In line 9 of the printed bill after the word "dollars" insert the following: "nor less than ten (\$10.00) dollars."

Also in line 10 of the printed bill, strike out the words "or separate department thereof."

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.

In line 29, Section 6, change word "matter" to "manner."

In end of line 2, Section 11, change word "this" to "his."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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. 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.

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 violating of this Act.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

In line 3, Section 1 of the printed bill, strike out the word "annually." Strike out the emergency clause.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

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. 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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has passed without the emergency clause.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

In the title of the bill after the word "attorney" insert the following: "And the attorney general or his assistants."

In line 4 of the printed bill after the word "counties" insert the following: "and the attorney general or his assistants."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

In line 6 of Section 1 of the engrossed bill, before the word "without" insert the following "inside or."

In line 1 of Section 1 of the printed bill, insert before the word "board" the word "state" and strike out the words "of state institutions."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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."

Which the Senate has amended as follows:

That in line 6, Section 1 of printed bill, strike out the words "or permit."

In line 35, Section 2, page 3 of the printed bill after the word "license" insert the following: "said unsoundness to be set in black faced type of a size not smaller than the type used in the body of the license."

In line 8, Section 4 of the printed bill, strike out the numerals "18" and insert in lieu thereof the numerals "12."

In line 14, Section 4 of the printed bill, after the word "offspring" strike out the words "and the mare served."

In line 24, Section 4, page 6 of printed bill, strike out the words "wilfully destroys."

In line 24, Section 4, page 6 of printed bill, strike out the word "and" and insert in lieu thereof the word "or." In the same line strike out the word "written."

In line 2 of sub-title, Section 5, strike out the numerals "1914"; also in the same line of Section 5 strike out the numerals "1914" and insert in lieu thereof the numerals "1916."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.”

Which the Senate has amended as follows:

In Section 20 and lines 11, 13, 16, 18, 20 and 22 of the printed bill, after the word “of” insert the words “not to exceed.”

Very respectfully,

W. D. AUSTIN,
Secretary

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

Strike out everything after the words “A bill” and insert the following:

“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.

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

“Section 1. That Section 7497 of the Revised Codes of North Dakota for 1905 be and the same is hereby amended and re-enacted to read as follows:

“Section 7497. (Time Allowed.) Such vendee, or purchaser, or his assigns, shall have thirty (30) days after the service of such notice upon him in which to perform the condition or comply with the provisions upon which the default shall have occurred and upon such performance and upon making such payments, together with the costs of service of such notice, such contract or other instrument shall be reinstated and shall remain in full force and effect the same as if no default had occurred therein. If, however, such vendee, or purchaser, or his assigns, shall not complete such performance or make such payment within the thirty

(30) days herein provided, then and in that event the contract shall be terminated and the right, title and interest of such vendee, purchaser or his assigns in the land involved shall thereupon cease and shall not be reinstated by any subsequent offer of performance or tender of payment. No provision in any contract for the purchase of land or an interest in land shall be construed to obviate the necessity of giving the aforesaid notice and no contract shall terminate until such notice is given, any provision in such contract to the contrary notwithstanding.

"Section 2. A copy of the notice with proof of service thereof, and an affidavit of the vender, his agent or attorney, showing that the purchaser has not complied with the terms of the notice, may be recorded with the register of deeds, and shall be prima facie evidence of the facts therein stated.

"Section 3. All acts or parts of Acts in conflict with this Act are hereby repealed."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 136 and asks for a committee or conference, and the President has named as such conferees on the part of the Senate, Messrs. Leutz, Hughes and Talcott.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Speaker appointed as such committee, Messrs. Twichell, Hill of Bottineau and Gardiner.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

In the title of the bill after the word "publication" in the first line, strike out the word "of" and insert in lieu thereof the word "by." In the last line of Section 1, after the words "shall be," strike out the word "four" and insert in lieu thereof the word "three." In the last line of Section 3, after the word "and" strike out the remainder of the line and insert in lieu thereof the following words: "Ready for distribution on or before the fifteenth day of April next following the Session of the Legislature."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 358.

A bill for an Act regulating the rules of practice in District, County and Supreme Courts.

Which the Senate has amended as follows:

On line 1 of Section 3 of the engrossed bill, strike out the words "actions" and insert in lieu thereof the word "Acts."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
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."

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. 459.

A bill for an Act regulating the sweeping of railway coaches or cars while occupied by passengers and providing for a penalty therefor.

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.

Also,

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 and discontinuing roads.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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

Which the Senate has amended as follows:

In line 3, page 1 of the printed bill insert after the word "years," the following: "one-half of"; in lines 1 and 2 of Sec-

tion 2 of the printed bill strike out the words "of state institutions of this state." In line 8, Section 1 of the printed bill before the word "equipment" insert the word "leasing."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

In Section 2, page 2, line 16 of printed bill, after the word "day," insert "while in actual performance of their duties." Add to Section 8 "that no such operation shall be performed without the consent of the board of control."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

By striking out the word "will" in line 1 of Section 1; and insert in lieu thereof the word "may."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

In line 7 of the printed bill, after the word "LaMoure" insert the word "Wells."

After line 15 of the printed bill, insert the following: "In Wells County commencing on the third Monday in July and the third Monday in January."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

By striking out everything after the words "A bill" and substituting in lieu thereof the following:

"For an Act to amend Section 1503 of the Revised Codes of 1905, relating to the assessment of property of companies or associations and the listing of the same.

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

"Section 1. Amendment.) That Section 1503 of the Revised Codes of North Dakota of 1905 be amended to read as follows:

"Section 1503. Property of Companies or Associations, How and by Whom Listed.) The president, secretary or principal accounting officer of any company or association, whether incorporated or unincorporated, except banking corporations whose taxation is especially provided for in this article, shall make out and deliver to the assessor a sworn statement of the amount of the capital stock, setting forth particularly:

"1. The name and location of the company and association.

"2. The amount of capital stock authorized and the number of shares into which said stock is divided.

"3. The amount of capital stock paid up.

"4. The market value, or if they have no market value, then the actual value of the shares of stock.

"5. The total amount of all indebtedness except the indebtedness of current expenses, excluding from such expenses the amount paid for purchase or improvement of property.

"6. The value of all real property, if any.

"7. The value of its personal property.

"The aggregate amount of the sixth and seventh items shall be deducted from the total amount of the fourth and fifth, and the remainder, if any, shall be listed as 'bonds or stocks,' under Subdivision 23 of Section 1496. The real and personal property of each company or association shall be listed and assessed the same as other real and personal property. In all cases of failure or refusal of any person, officer, company or association to make such return or statement, it shall be the duty of the assessor to make such return or statement from the best information he can obtain.

"Section 2. (Emergency.) Whereas, an emergency exists, in that said Section 1503 may become an obstacle preventing a fair assessment of property of companies and associations during the year 1913, this Act shall take effect immediately upon its passage and approval."

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

• I have the honor to return herewith
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.

Which the Senate has amended as follows:

By striking out the word "actual" in line eleven (11) of Section one (1) of the engrossed bill, and by striking out the words "or organization" wherever the same appears in said bill and substituting in lieu thereof the words "savings bank or trust company," and after the word "profits" in line seventeen (17) of the engrossed bill by adding the following words: "in excess of an amount equal to five per cent of the loans and discounts of such banks, saving banks or trust company."

Very respectfully,
W. D. AUSTIN,
Secretary.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 147.

Which the Senate has passed as amended by the conference committee and your favorable concurrence is earnestly requested.

Very respectfully,
W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to transmit herewith
Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Which the Senate has passed as amended by the conference committee and your favorable consideration is respectfully requested.

Very respectfully,
W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7, 1913. .

Mr. Speaker:

I have the honor to return herewith

House Bill No. 71.

A bil for an Act entitled "An Act to amend Section 2783 of the Revised Codes of the State of North Dakota of 1905, relating to cities.

Which the Senate has amended as follows:

In the first line of the title in the printed bill and after the word "amend" insert the words "and re-enact;" in the second line of the title and after the numerals "1905" insert the words "as amended by Chapter 45 of the Laws of North Dakota for 1907."

In Section 1 of the printed bill and line 2, after the numerals "1905" insert the words "as amended by Chapter 46 of the Laws of North Dakota for 1907.

In Section 1 and line 3 of the printed bill, after the syllable "ed" insert the words "and re-enacted."

In Section 2783, at the end of line 23, add the words "*provided* that the city council of city commission shall be fore adopting or rejecting any bids require the city engineer, or may employ a competent engineer to make a careful and detailed statement of the estimated cost of such work."

Also, before the word "or" in line 13, page 1, insert the following:

"*Provided* that the city or the proper authorities of the city must put in a sealed tender at the same time that contractors put in theirs, and if their tender is not low, the work must be awarded to the lowest responsible bidder."

Very respectfully,

W. D. AUSTIN,
Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Divet moved

That the rules be suspended and Senate Bills No. 121 and 130 be considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Dean moved

That the conference committee report on House Bill No. 122 be adopted.

Which motion prevailed.

Mr. Weis moved

That the rules be suspended and that House Bill No. 122 be considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Weis moved

That the rules be suspended and that Senate Bill No. 145 be placed on third reading and final passage.

Which motion prevailed.

Mr. Hawkinson moved

That the rules be suspended and that Senate Bill No. 145 be placed on third reading and final passage.

Which motion prevailed.

Mr. Buck moved

That the rules be suspended and that House Bill No. 357 be considered re-engrossed, and placed on third reading and final passage.

Which motion prevailed.

Mr. Watt moved

That the conference committee report be adopted, that the rules be suspended and that House Bill No. 442 be considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Anderson moved

That the House concur in the conference committee amendments, and that Senate Bill No. 147 be placed on third reading and final passage.

Which motion prevailed.

Mr. Williams moved

That the House concur in the Senate amendments to House Bill No. 214, that the rules be suspended and that the bill be considered re-engrossed and placed on its third reading and final passage.

Which motion prevailed.

Mr. Turner moved

That the House concur in the Senate amendments to Senate Bill No. 290, and that the rules be suspended, and that the bill be considered re-engrossed, placed on third reading and final passage.

Which motion prevailed.

Mr. Buck moved

That the House concur in the Senate amendments to House Bill No. 426, and that the rules be suspended, and the bill considered re-engrossed, and placed on third reading and final passage.

Which motion prevailed.

Mr. Dosseth moved

That Senate Bill No. 325 be returned to the Senate.

Which motion was lost.

Mr. Williams moved

That the House concur in the Senate amendments to House Bill No. 377, and that the rules be suspended and the bill considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Northrup moved

That the House concur in the Senate amendments to House Bill No. 342, that the rules be suspended and the bill considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Harty moved

That the House concur in the Senate amendments to House Bill No. 442, that the rules be suspended and the bill considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Divet moved

That the House concur in the Senate amendments to House Bill No. 358, that the rules be suspended, and the bill be considered re-engrossed, placed on third reading and final passage.

Which motion prevailed.

Mr. Dixon moved

That the House concur in the Senate amendments to House Bill No. 487, that the rules be suspended, the bill considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Kellog moved

That House Bill No. 31 be indefinitely postponed.

Which motion prevailed.

Mr. Watt moved

That the Senate amendments to House Bill No. 392 be concurred in, that the rules be suspended and that the bill be considered re-engrossed, and placed on third reading and final passage.

Which motion was withdrawn.

Mr. Twichell moved

That the amendments be not concurred in and a conference committee appointed on House Bill No. 392.

Which motion prevailed.

The Speaker appointed as conference committee on House Bill No. 392, Messrs. Williams, Buck and Blakemore.

Mr. Moen moved

That the House concur in the Senate amendments to House Bill No. 267, that the rules be suspended, the bill considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Divet moved

That the House do now concur in the Senate amendments to House Bill No. 373.

Which motion prevailed.

Mr. Moen moved

That the House do now concur in the Senate amendments to House Bill No. 288, that the rules be suspended, the bill considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Morrison moved

That the House do not concur in Senate amendments to House Bill No. 179, and that a conference committee be appointed.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Anderson, C. C. Turner and Hill of Cass.

Mr. Williams moved

That the House do not concur in the Senate amendments to House Bill No. 71, and that a conference committee be appointed.

Which motion prevailed.

No action taken on House Bill No. 10.

No action taken on House Bill No. 410.

No action taken on House Bill No. 238.

Mr. Blackmore moved

That the Senate amendments to House Bill No. 133 be concurred in and the rules be suspended, the bill considered re-engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Butler of Ransom moved

That action be deferred on House Bill No. 133 until 3 o'clock this afternoon.

Mr. Divet moved

That the House return to the fifth order of business.

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. 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 indefinitely postponed.

A. G. DIVET,
Chairman.

Also,

Senate Bill No. 350.

A bill for an Act fixing priorities of liens, and requiring all persons who may be entitled to a mechanic lien to file a notice of lien, to take a statement of acknowledgment for such lien and providing a penalty for filing unlawful liens.

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

A. G. DIVET,
Chairman.

Also,

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.

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 education made the following report:

Mr. Speaker:

Your committee on education to whom was referred

Senate Bill No. 325.

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 purposes, 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.

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 was adopted.

Mr. France moved

That further consideration of Senate Bill No. 325 be indefinitely postponed.

Which motion prevailed.

Mr. Thompson moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Thompson moved

That the vote by which Senate Bill No. 185 was lost be reconsidered.

Which motion carried.

Mr. Owens moved

That the vote by which Senate Bill No. 157 prevailed be reconsidered.

Mr. Hjelmstad moved

That the motion be laid on the table.

Which motion prevailed.

A roll call being asked for.

The roll was called and there were ayes 53, nays 43, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hickle	Northrup
Borusky	Hill of Bottineau	Odland
Burnett	Hill of Cass	Pendray
Butler of Ransom	Hjelmstad	Petterson
Carey	Hoge	Pitkin
Coltom	Husband	Putnam
Davis	Huso	Raney
Divet	Isaak	Safdbeck
Dynes	Jacobson	Smith of Kidder
Endreson	Johnson	Smith of Ward
Everson	Kellogg	Snyder
Gardiner	Klein	Streeter
Gunderson	Lambert	Tucker
Haraldson	Lewis	Turner, F. W.
Harty	List	Wardrope
Hawkinson	Martin	Warriner
Hedalen	Miller	Watt
Hendrickson	Morkrid	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fox	Roble
Bartley	France	Schroeder
Bass	Fritz	Stenehjem
Batzer	Gardiner	Stinger
Bjornson	Hart	Taylor
Blakemore	Hjort	Turner, C. C.
Bollinger	Kelly	Twichell
Bope	Knox	Walsh
Buck	Leu	Weis
Butler of Ramsey	Lindstrom	Wiley
Calnan	Moen	Williams
Campbell	Morrison	Wing
Dixon	Norheim	Mr. Speaker
Dosseth	Olsgard	
Doyle	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Homan	Ployhar
Curry	Kyllo	Ryan
Dean	Lawbaugh	Small
Freitag	Nyhus	Sorlie
Hanson	O'Connor	Thompson

So the motion carried.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 133 as the bill has not passed the Senate.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. France moved

That the Senate's request be complied with, and that the bill be returned to the Senate.

The Speaker appointed as conferees on House Bill No. 71, Messrs. Dosseth, Homan and Putnam.

Mr. Thompson moved

That the House take a recess until 1:30 o'clock P. M.

Which motion prevailed.

The House re-assembled at 1:30 P. M., pursuant to recess taken.

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

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 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Davis	Hart
Bartley	Dean	Harty
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
Buck	Fox	Hoge
Burnett	France	Homan
Butler of Ramsey	Freitag	Husband
Butler of Ransom	Fritz	Huso
Calnan	Gardiner	Isaak
Campbell	Geiger	Johnson
Carey	Gunderson	Kellogg
Coltom	Hanson	Kelly
Curry	Haraldson	Klein

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

Those voting in the negative were, Mr. Hankinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Jacobson	Twichell
Bratton	Snyder	Wing

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 1 absent and not voting 8.

Those voting in the affirmative were:

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

Hjelmstad	Moen	Small
Hjort	Morkrid	Smith of Kidder
Homan	Morrison	Snyder
Husband	Norheim	Sorlie
Huso	Northrup	Stenejem
Isaak	Nyhus	Stinger
Jacobson	O'Connor	Thompson
Johnson	Odland	Taylor
Kellogg	Olsgard	Tucker
Kelly	Owens	Turner, F. W.
Klein	Pendray	Twichell
Knox	Petterson	Walsh
Kyllo	Pitkin	Wardrope
Lambert	Ployhar	Warriner
Lawbaugh	Putnam	Watt
Leu	Raney	Weis
Lewis	Roble	Wiley
Lindstrom	Ryan	Williams
List	Sandbeck	Wing
Miller	Schroeder	

Those voting in the negative were, Mr. Hankinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hoge	Streeter
Bratton	Martin	Turner, C. C.
Hanson	Smith of Ward	

So the bill passed and the title was agreed to.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 288.

A bill for an Act to amend and re-enact Section 9987 and 10078 of the Revised Codes of North Dakota for 1905, relating to instructions in criminal cases and to repeal Section 9988 thereof.

Senate Bill No. 280.

A bill for an Act defining minority as regards persons sentenced to the state reform school.

Senate Bill No. 206.

A bill for an Act to amend and re-enact Section 11 of Chapter 210 of the Laws of North Dakota for 1909, relating to seed grain, contract for re-payment and delinquent payments extended on tax lists.

Senate Bill No. 183.

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.

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.

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. 292.

A bill for an Act to amend and re-enact Chapter 168 of the Session Laws of 1911 relating to the Tenth Judicial District.

Senate Bill No. 294.

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 the failure to make such payments.

Senate Bill No. 319.

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.

Senate Bill No. 342.

A bill for an Act to amend Section 80 of Chapter 266 of the Session Laws of 1911, relating to board of inspection.

Senate Bill No. 343.

A bill for an Act to amend and re-enact Section 81 of Chapter 266 of the Session Laws of 1911, relating to school house sites.

Senate Bill No. 347.

A bill for an Act to amend Section 258 of Chapter 266 of the Session Laws of 1911, relating to high school diplomas.

Senate Bill No. 340.

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.

Senate Bill No. 344.

A bill for an Act to repeal Section 43½ of Chapter 266 of the Session Laws of 1911, relating to boundaries of school districts.

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.

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

House Bill No. 18.

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

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 99, nays 5, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Divet	Hickle
Bartley	Dosseth	Hill of Bottineau
Bass	Dyole	Hill of Cass
Batzer	Dynes	Hjelmstad
Bjornson	Endreson	Hjort
Blakemore	Everson	Hoge
Bollinger	Fox	Homan
Bope	France	Husband
Boruşky	Freitag	Isaak
Buck	Fritz	Jacobson
Burnett	Gardiner	Johnson
Butler of Ramsey	Geiger	Kellogg
Butler of Ransom	Gunderson	Kelly
Campbell	Hanson	Klein
Carey	Haraldson	Knox
Coltom	Hart	Kyllo
Curry	Harty	Lambert
Davis	Hedalen	Lawbaugh
Dean	Hendrickson	Leu

Messrs.—	Messrs.—	Messrs.—
Lewis	Petterson	Stinger
Lindstrom	Pitkin	Streeter
List	Ployhar	Taylor
Miller	Putnam	Thompson
Moen	Raney	Tucker
Morrison	Roble	Turner, C. C.
Norheim	Ryan	Walsh
Northrup	Sandbeck	Wardrope
Nyhus	Schroeder	Warriner
O'Connor	Small	Watt
Odland	Smith of Ward	Weis
Olgard	Snyder	Williams
Owens	Sorlie	Wing
Pendray	Stenhjem	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Calnan	Hawkinson	Mörkrid
Dixon	Huso	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Smith of Kidder	Wiley
Bratton	Turner, F. W.	
Martin	Twichell	

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 103, nays 1, absent and not voting 7.

Those voting in the affirmative were:

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

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Johnson	Twichell
Bratton	Northrup	
Hanson	Thompson	

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the President has appointed as conferees on House Bill No. 71, Messrs. Hughes, Porterfield and Steel.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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. 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.

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 taxes of land upon the tax lists for subsequent years; and when and how empowered to erase, cancel and annul any already entered upon and noted in cases of that same class.

Also,

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."

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

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 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.—
Balsdon	Calnan	Fox
Bartley	Campbell	France
Bass	Carey	Freitag
Batzner	Colton	Gardiner
Bjornson	Curry	Geiger
Blakemore	Davis	Gunderson
Bollinger	Dean	Hanson
Bope	Dixon	Haraldson
Borusky	Dosseth	Hart
Buck	Dynes	Harty
Burnett	Doyle	Hedalen
Butler of Ramsey	Endreson	Hendrickson
Butler of Ransom	Everson	Hickle

Messrs.—	Messrs.—	Messrs.—
Hill of Bottineau	Miller	Snyder
Hill of Cass	Moen	Sorlie
Hjelmstad	Morkrid	Stenehjerm
Hjort	Morrison	Stinger
Hoge	Norheim	Streeter
Homan	Nyhus	Taylor
Husband	O'Connor	Thompson
Huso	Odland	Tucker
Isaak	Olgard	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
Lawbaugh	Roble	Wiley
Leu	Ryan	Williams
Lewis	Sandbeck	Wing
Lindstrom	Schroeder	Mr. Speaker
List	Small	
Martin	Smith of Kidder	

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Fritz	Smith of Ward
Bratton	Lambert	
Divet	Northrup	

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith Senate Bill No. 325, and the Senate requests to know how this bill could be indefinitely postponed when it was in the possession of the Senate.

Very respectfully,

W. D. AUSTIN,
Secretary.

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 104, nays 1, absent and not voting 6.

Those voting in the affirmative were:

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dosseth	Petterson
Bratton	Northrup	Small

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 103, nays 1, absent and not voting 7.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Harty	Owens
Bartley	Hedalen	Pendray
Bass	Hendrickson	Pettersen
Batzer	Hickle	Pitkin
Bjornson	Hill of Bottineau	Ployhar
Blakemore	Hill of Cass	Putnam
Bollinger	Hjelmstad	Raney
Bope	Hjort	Roble
Borusky	Hoge	Ryan
Buck	Homan	Sandbeck
Burnett	Husband	Schroeder
Butler of Ramsey	Huso	Small
Butler of Ransom	Isaak	Smith of Kidder
Calnan	Jacobson	Smith of Ward
Campbell	Johnson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Stinger
Davis	Knox	Streeter
Dean	Kyllo	Taylor
Dixon	Lawbaugh	Tucker
Dosseth	Leu	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	Nyhus	Wing
Hanson	O'Connor	Mr. Speaker
Haraldson	Odland	
Hart	Olsgard	

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Thompson
Bratton	Lambert	
Divet	Northrup	

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 104, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Odland
Bartley	Harty	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
Buck	Hoge	Roble
Burnett	Homan	Ryan
Butler of Ramsey	Husband	Sandbeck
Butler of Ransom	Huso	Schroeder
Calnan	Isaak	Small
Campbell	Jacobson	Smith of Kidder
Carey	Johnson	Smith of Ward
Curry	Kellogg	Snyder
Davis	Kelly	Sorlie
Dean	Klein	Stenehjem
Divet	Knox	Streeter
Dixon	Kyllo	Taylor
Dosseth	Lambert	Tucker
Doyle	Lawbaugh	Turner, C. C.
Dynes	Leu	Turner, F. W.
Endreson	Lewis	Twichell
Everson	Lindstrom	Walsh
Fox	List	Wardrope
France	Martin	Warriner
Freitag	Miller	Watt
Fritz	Moen	Weis
Gardiner	Morkrid	Wiley
Geiger	Morrison	Williams
Gunderson	Norheim	Wing
Hanson	Nyhus	Mr. Speaker
Haraldson	O'Connor	

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Coltom	Stinger
Bratton	Northrup	Thompson

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 104, nays 1, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Odland
Bartley	Harty	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	Hoge*	Roble
Buck	Homan	Ryan
Butler of Ramsey	Husband	Sandbeck
Butler of Ransom	Huso	Schroeder
Calnan	Isaak	Small
Campbell	Johnson	Smith of Ward
Carey	Kellogg	Snyder
Coltom	Kelly	Sorlie
Curry	Klein	Stenhjem
Davis	Knox	Stinger
Dean	Kyllo	Streeter
Divet	Lambert	Taylor
Dixon	Lawbaugh	Tucker
Dosseth	Leu	Turner, C. C.
Doyle	Lewis	Turner, F. W.
Dynes	Lindstrom	Twichell
Everson	List	Waish
Fox	Martin	Wardrobe
France	Miller	Warriner
Freitag	Moen	Watt
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Northrup	Wing
Hanson	Nyhus	Mr. Speaker
Haraldson	O'Connor	

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Endreson	Smith of Kidder
Burnett	Jacobson	Thompson

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

I have the honor to return herewith

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

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.

House Bill No. 165.

A bill for an Act to define co-operative associations, to authorize their incorporation and to declare an emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

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 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.—

Balsdon
Bartley
Bass
Batzer
Bjornson
Blakemore
Bollinger
Bope
Borusky
Buck

Messrs.—

Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Coltom
Curry
Davis
Dean

Messrs —

Divet
Dixon
Dossseth
Doyle
Dynes
Endreson
Everson
Fox
France
Freitag

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Klein	Petterson
Bratton	Northrup	Smith of Kidder
Husband		

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

I have the honor to inform you that the President has appointed as conference committee on House Bill No. 179, Messrs. Hyland, Hanley and Heckle.

On House Bill No. 392, Messrs. Bond, Bronson and Carter.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Owens moved

That further consideration of House Bill No. 422 be indefinitely postponed.

Which motion was withdrawn.

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 provisions for carrying out 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 88, nays 20, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Gunderson	Nyhus
Bartley	Hanson	O'Connor
Bass	Haraldson	Odland
Batzer	Hart	Olsgard
Bjornson	Harty	Owens
Blakemore	Hawkinson	Pendray
Bollinger	Hedalen	Petterson
Bope	Hendrickson	Pitkin
Borusky	Hickle	Ployhar
Buck	Hill of Bottineau	Putnam
Burnett	Hill of Cass	Raney
Butler of Ramsey	Hjort	Smita of Ward
Butler of Ransom	Hoge	Snyder
Calnan	Homan	Sorlie
Carey	Husband	Stenehjem
Curry	Johnson	Streeter
Davis	Kellogg	Taylor
Dean	Klein	Thompson
Divet	Knox	Tucker
Dixon	Kyllo	Turner, C. C.
Dosseth	Lambert	Turner, F. W.
Doyle	Lawbaugh	Twichell
Dynes	Leu	walsh
Endreson	Lewis	Wardrope
Fox	Lindstrom	Warriner
France	List	Watt
Freitag	Martin	Williams
Fritz	Miller	Mr. Speaker
Gardiner	Morrison	
Geiger	Norheim	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Campbell	Kelly	Small
Coltom	Moen	Smith of Kidder
Everson	Morkrid	Stinger
Hjelmstad	Roble	Weis
Huso	Ryan	Wiley
Isaak	Sandbeck	Wing
Jacobson	Schroeder	

Absent and not voting:

Messrs.—

Anderson

Messrs.—

Bratton

Messrs.—

Northrup

So the bill passed and the title was agreed to.

Mr. Lambert moved

That the House do now adjourn.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 85, nays 11, absent and not voting 15.

Those voting in the affirmative were:

Messrs.—

Balsdon

Bartley

Bass

Batzer

Bjornson

Borusky

Burnett

Butler of Ransom

Calnan

Campbell

Carey

Coltom

Curry

Davis

Divet

Dixon

Dosseth

Doyle

Dynes

Endreson

Everson

Freitag

Fritz

Gardiner

Geiger

Hanson

Haraldson

Harty

Hawkinson

Messrs.—

Hendrickson

Hill of Bottineau

Hill of Cass

Hjelmstad

Hjort

Hoge

Homan

Huso

Jacobson

Johnson

Kellogg

Kelly

Klein

Knox

Lawbaugh

Lewis

Lindstrom

List

Miller

Morkrid

Nyhus

O'Connor

Odland

Olsgard

Owens

Pendray

Petterson

Pitkin

Putnam

Messrs.—

Raney

Roble

Ryan

Sandbeck

Schroeder

Small

Smith of Kidder

Smith of Ward

Snyder

Stenehjem

Stinger

Streeter

Thompson

Taylor

Tucker

Turner, C. C.

Turner, F. W.

Twichell

Walsh

Wardrope

Warriner

Watt

Weis

Wiley

Williams

Wing

Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Lambert
Bollinger	Gunderson	Moen
Butler of Ramsey	Hart	Morrison
Dean	Husband	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Hedalen	Miller
Bope	Hickle	Norheim
Bratton	Isaak	Northrup
Buck	Knox	Ployhar
Fox	Leu	Sorlie

So the bill passed and the title was agreed to.

Mr. Weis moved

That the rules be suspended and that Senate Bill No. 145 be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Buck moved

That the House do now adjourn.

Which motion prevailed.

M. J. GEORCE,
Chief Clerk.

SIXTIETH DAY.

HOUSE OF REPRESENTATIVES,
BISMARCK, NORTH DAKOTA,
March 7th, 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. Ployhar and Kellogg, who were excused.

Mr. Butler of Ramsey moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Butler of Ramsey moved

That Senate Bills No. 376, 390 and 236 be advanced to the head of the calendar.

Mr. Divet moved

To amend by including Senate Bill No. 145, and that Senate Bill No. 145 be placed at the head of the calendar.

Mr. Thompson moved

As an amendment to the amendment that Senate Bill No. 121 be also placed at the head of the calendar.

Which motion prevailed.

The question then being on the original motion as amended, that Senate Bills No. 121, 145, 376, 390 and 236 be placed at the head of the calendar.

Which motion prevailed.

Mr. Kellog moved

That Senate Bill No. 8 be made a special order for 3:00 o'clock P. M.

Which motion prevailed.

Mr. Twichell moved

That the House return to the sixth order of business for the purpose of introducing a special committee report.

Which motion prevailed.

Mr. Speaker:

The conference committee appointed by the House and Senate to consider the amendments offered to Senate Bill No. 136 have had the same under consideration and recommend that the following items included and shown in the engrossed bill be stricken out and not allowed:

"For one 10-inch steam header in power house..	\$ 600.00
For one steam pump and repairs on old boilers..	1,200.00
For erecting smoke stack on power plant.....	1,600.00
For one 150-kilo watt generator and engine for lighting the buildings and providing conduits and posts for lighting the campus.....	10,500.00

That said bill as so amended striking out the above items, be further amended so as to include as appropriations there under the following items:

For dairy and creamery building and equipment
thereof and for model barn therein.....\$30,000.00

For Dairy Herd 5,000.00

And that the total amount of such appropriation be shown
as \$131,500.00.

And when so amended recommend that the same do
pass.

L. L. TWICHELL,
JAMES HILL,
R. J. GARDINER,
F. LEUTZ,
E. A. HUGHES,
F. S. TALCOTT.

Mr. Wiley moved

That action on the conference committee report on Sen-
ate Bill No. 136, just read, be deferred until an investiga-
tion can be had to ascertain the state of facts.

Which motion prevailed.

Mr. Divet moved

That a committee be at once appointed to ascertain the
state of facts.

Which motion prevailed.

The Speaker appointed as such committee, Messrs: Divet,
Tucker and Thompson.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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 polit-
ical 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
nereafter 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,

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. 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.

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.

Which the Senate has passed unchanged.

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 have carefully examined the same and recommend that the same be corrected as follows:

In the Journal of the fifty-first day, change "Koppel" to "Koffel" wherever it appears.

In the Journal of the fifty-eighth day transfer all after line 35 up to and including line 41 and place at bottom of page 88.

On page 9, line 21, change J. P. Gardiner to R. J. Gardiner.

Strike out on page 10 the title under House Bill No. 403 and insert the proper title.

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.

REPORT OF STANDING COMMITTEES.

The committee on appropriations made the following report:

Mr. Speaker:

Your committee on appropriations to whom was referred Senate Bill No. 196.

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.

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

BERNT ANDERSON,
Chairman.

Mr. Anderson moved

That the report be adopted

Which motion prevailed and

The report of the committee was adopted.

The committee on corporations other than municipal made the following report:

Mr. Speaker:

Your committee on corporations other than municipal to whom was referred

Senate Bill No. 215.

A bill for an Act to amend and re-enact Section 4188 of the Revised Codes of North Dakota for 1905, providing for the reinstatement of corporations.

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

H. C. HARTY,
Chairman.

Mr. Harty moved

That the report be adopted.

Which motion prevailed and

The report of the committee was adopted.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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.

Also,

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.

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.

Also,

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.

Also,

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

Also,

House Bill No. 314.

A bill for an Act to legalize deeds, judgments and decrees.

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. 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. 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.

Also,

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 effected with the disease known as glanders.

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.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

Mr. Ployhar requested that the report on Senate Bill No. 388 be divided.

Mr. Ployhar moved

That the majority report on Senate Bill No. 388 be adopted.

Which motion prevailed.

A majority of the committee on public printing made the following report:

Mr. Speaker:

A majority of your committee on public printing to whom was referred

Senate Bill No. 64.

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.

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

JOHN HANSON,
Chairman.

FRANK E. PLOYHAR,
S. HENDRICKSON
W. A. SMALL,
J. A. T. BJORNSON,

A minority of of the committee on public printing made the following report:

Mr. Speaker:

A minority of your committee on public printing to whom was referred

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51 and 66 of the Revised Codes of 1905, to provide for the printing and pre-

scribing the manner of distribution of the Legislative Manual, known as the North Dakota Blue Book.

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

D. R. STREETER,
Chairman.

O. B. WING,
C. C. LAWBAUGH.

Mr. Ployhar moved

That the majority report of the committee on Senate Bill No. 64 be adopted.

Which motion prevailed.

Mr. Divet moved

That the committee appointed to investigate the conference report on Senate Bill No. 363 be discharged.

Which motion prevailed.

REPORT OF SELECT COMMITTEES.

Mr. Speaker:

Your conference committee on House Bill No. 179 beg leave to report that the Senate recede from their amendment to said bill.

FRANK H. HYLAND,
J. M. HANLEY,
C. O. HECKLE,
Senate Committee.

BERNT ANDERSON,
C. C. TURNER,
J. E. HILL,
House Committee.

Mr. Anderson moved

That the report be adopted.

Which motion prevailed.

Mr. Speaker:

Your conference committee has had under consideration House Bill No. 392 and recommend as follows:

1. That the Senate recede from the amendments proposed by the committee on municipal corporations.

2. That the bill be amended by inserting after the word "dollars" in line 23, page 2 of the printed bill the words

provided, however, that the commissioners of any city may provide by an ordinance for a compensation to be paid to its commissioners of a less sum than that provided for in this Act."

W. R. BOND,
H. F. BRONSON,
W. L. CARTER,
E. A. WILLIAMS,
C. S. BUCK,
ROBT. B. BLAKEMORE,
Conference Committee.

Mr. Williams moved

That the report be adopted.

Which motion prevailed.

Mr. Williams moved

That the rules be suspended and House Bill No. 392 be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Speaker:

Your conference committee to whom was referred

Senate Bill No. 106.

A bill for an Act to appropriate money for maintenance, equipment and permanent improvements at Ellendale State Normal and Industrial School.

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

On page 1 of the engrossed bill, after the words "for teacher's salaries for the biennial period," strike out the figures "\$20,000.00" as allowed by the House and insert in lieu thereof "\$15,000.00."

On page 1 of the engrossed bill, after the word "total" strike out the figures "\$39,300.00" and insert in lieu thereof "\$34,300.00."

And when so amended recommend that the same do pass.

J. L. CASHEL,
P. T. KRETSCHMAR,
O. O. TRAGETON,
Senate Committee.

H. H. FRANCE,
H. C. HARTY,
ALBERT WEIS,
House Committee.

Mr. France moved

That the report be adopted.

Which motion prevailed.

Mr. Knox moved

That the rules be suspended and that Senate Bill No. 106 be considered engrossed, and placed on third reading and final passage.

Which motion prevailed.

Mr. Blakemore introduced the following concurrent resolution:

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate thereof concurring:

That it is the sense of this Thirteenth Legislative Assembly of the State of North Dakota that the Fourteenth Assembly of the State of North Dakota pass an Act requiring all candidates for nomination to the Legislative Assembly of the State of North Dakota to sign and subscribe to the declarations in the party platform which such candidate aspires to represent and to give a surety bond in the sum of one thousand (\$1,000.00) dollars that he will faithfully abide by and keep inviolate the declarations therein contained and by him subscribed to concerning all matters that may come before the Assembly to which he is elected, and in all other matters in so far as he is not instructed or pledged he will be at liberty to use his own judgment.

Mr. Divet moved

That further consideration of concurrent resolution be indefinitely postponed.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

House Bill No. 358.

A bill for an Act providing the rules of practice to prevail in 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Odland
Balsdon	Harty	Olgard
Bartley	Hawkinson	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Petterson
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Putnam
Bope	Hjelmstad	Raney
Borusky	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	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kylo	Taylor
Dixon	Lambert	Thompson
Dosseth	Lawbaugh	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Everson	Lindstrom	Wash
Fox	List	Wardrope
Fiance	Martin	Warriner
Freitag	Miller	Watt
Fritz	Moen	Weis
Gardiner	Morkrid	Wiley
Geiger	Morrison	Williams
Gunderson	Norheim	Wing
Hanson	Nyhus	Mr. Speaker
Haraldson	O'Connor	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Northrup	Twichell
Endreson		

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Owens
Balsdon	Harty	Pendray
Bartley	Hedalen	Pettersen
Bass	Hendrickson	Pitkin
Batzer	Hickle	Ployhar
Bjornson	Hill of Bottineau	Putnam
Blakemore	Hill of Cass	Raney
Bollinger	Hjelmstad	Roble
Bope	Hjort	Ryan
Borusky	Hoge	Sandbeck
Buck	Homan	Schroeder
Butler of Ramsey	Huso	Small
Butler of Ransom	Isaak	Smith of Kidder
Calnan	Jacobson	Smith of Ward
Campbell	Johnson	Snyder
Carev	Kellogg	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Stinger
Davis	Knox	Streeter
Dean	Kylle	Taylor
Divet	Lambert	Thompson
Dixon	Lawbaugh	Tucker
Dosseth	Leu	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	Nyhus	Wing
Gunderson	O'Connor	Mr. Speaker
Hanson	Odland	
Haraldson	Olsgard	

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Husband	Northrup
Burnett		

So the bill passed and the title was agreed to.

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 106, nays 1, absent and not voting 4.

Those voting in the affirmative were:

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Fritz	Mr. Speaker
Dossseth		

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 2, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	Odland
Partley	Harty	Olsgard
Bass	Hedalen	Owens
Batzer	Hendrickson	Pettersen
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Putnam
Bope	Hjelmstad	Raney
Borusky	Hjort	Roble
Buck	Hoge	Ryan
Burnett	Homan	Sandbeck
Butler of Ramsey	Husband	Schroeder
Butler of Ransom	Huse	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	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Martin	Wardrope
France	Miller	Warriner
Freitag	Moen	Watt
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Northrup	Wing
Hanson	Nvhus	Mr. Speaker
Haraldson	O'Connor	

Those voting in the negative were: Messrs. Hawkinson and Pendray.

Absent and not voting, Messrs. Anderson and Bratton.

So the bill passed and the title was agreed to.

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 95, nays 14, absent and not voting 2.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bollinger	Isaak	Turner, C. C.
Campbell	Miller	Weis
France	Sandbeck	Wiley
Hawkinson	Schroeder	Wing
Homan	Streeter	

Absent and not voting, Messrs. Balsdon and Mr. Speaker.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

I have the honor to return herewith

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.

Which the Senate has amended as follows:

See amendment attached to bill.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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."

Which the Senate has amended as follows:

Section 1, line 5 of the printed bill, strike out the word "triplicates."

In line 22 of Section 1 of the printed bill, strike out everything following the period after the word "thereof" in said line to the end of the Section and insert in lieu thereof the following: "when taxes or special assessments are paid upon property included within the boundaries or corporate limits of any school district, city or incorporated village in the state, it shall be the duty of the county treasurer to prepare and send a statement to the treasurer of each such school district, city or incorporated village, showing the amount which has been paid into the county treasury to the credit of such school district, city or incorporated village; such statement must be forwarded to such school district, city or village treasurer at least once every week. In addition to the duties prescribed in Section 1544, relating to notice of rates of taxation, the county treasurer shall, upon

receiving the tax lists from the county auditor, notify every school, village and city treasurer within his county of the amount levied against or assessed upon all property included within the limits of such school district, city or incorporated village."

Strike out everything after the words, "Section 2" in the printed bill and insert in lieu thereof the following: "If the county treasurer fails or neglects to send the statements to the school district, city and village treasurer showing the amount which has been paid into the county treasury to the credit of such school district, city or incorporated village, as provided in Section 2 of this Act, there shall attach a penalty of three per cent per month upon the amount which has been paid into the county treasury as taxes upon property included within the boundary or corporate limits of such school district city or incorporated village in the county from and after the day on which such statement should have been forwarded, as provided out of the general fund of the county, to the school district, city or incorporated village, entitled thereto.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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 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.

Which the Senate has amended as follows:

See amendment in bill.

Very respectfully,

W. D. AUSTIN,
Secretary.

FRIDAY, MARCH 7, 1913.

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Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 136 which the Senate has passed as amended by the conference committee and your favorable consideration is earnestly requested.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith House Bill No. 179 in which the Senate has concurred in the conference committee report and passed the same as amended.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 106 as amended by the conference committee in which the Senate has concurred and your favorable consideration is earnestly requested.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 274.

A bill for an Act authorizing the board of trustee 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.

Which the Senate has passed without the emergency clause.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has passed without the emergency clause.

Very respectfully,

W. D. AUSTIN,
Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Kellog moved

That further consideration of House Bill No. 488 be indefinitely postponed.

Which motion prevailed.

Mr. Blakemore moved

That the House concur in the Senate amendments to House Bill No. 177.

Mr. Anderson moved

That House Bill No. 177 be indefinitely postponed.

Which motion prevailed.

Mr. Hendrickson moved

That the House concur in the Senate amendments to House Bill No. 239.

Which motion prevailed.

Mr. Twichell moved

That the rules be suspended and Senate Bill No. 136 be considered engrossed and placed on its third reading and final passage.

Which motion was lost.

Mr. Divet moved

That Senate Bill No. 8, which was made a special order for 3 o'clock P. M., be considered engrossed and placed on its third reading and final passage.

Which motion prevailed.

THIRD READING OF SENATE BILLS.

Senate Bill No. 8.

A bill for an Act to amend Section 605, Sub-division I, 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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 29, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Davis	Harty
Bass	Dean	Hawkinson
Batzer	Divet	Hedalen
Blakemore	Dixon	Hendrickson
Bope	Doyle	Hickle
Borusky	Dynes	Hill of Bottineau
Buck	Endreson	Hill of Cass
Burnett	Everson	Hjelmstad
Butler of Ramsey	Gardiner	Hjort
Butler of Ransom	Gunderson	Hoge
Calnan	Hanson	Husband
Colton	Haraldson	Huso
Curry	Hart	Jacobson

Messrs.—	Messrs.—	Messrs.—
Johnson	Nyhus	Smith of Ward
Kellogg	O'Connor	Snyder
Klein	Odland	Sorlie
Kyllo	Pendray	Stenehjem
Lambert	Petterson	Streeter
Lawbaugh	Pitkin	Thompson
Lewis	Ployhar	Tucker
Lindstrom	Putnam	Turner, F. W.
List	Raney	Twichell
Martin	Roble	Wardrope
Miller	Sandbeck	Warriner
Morkrid	Small	Watt
Norheim	Smith of Kidder	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Geiger	Schroeder
Bjornson	Homan	Taylor
Bollinger	Isaak	Turner, C. C.
Campbell	Kelly	Walsh
Carey	Knox	Weis
Dosseth	Leu	Wiley
Fox	Moen	Williams
France	Morrison	Wing
Freitag	Oisgard	Mr. Speaker
Fritz	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Northrup	Stinger
Bratton	Ryan	

So the bill passed and the title was agreed to.

Mr. Watt moved

That the vote by which Senate Bill No. 8 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Divet moved

That the House do now proceed to the fourteenth order of business and that the House consider Senate Bills 121 and 145.

Which motion prevailed.

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 Da-

kota, at Jamestown, and for purchasing additional land for the use at such State Hospital.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Northrup	Pendray
Buck		

So the bill passed and the title was agreed to.

Senate Bill No. 145.

A bill for an Act to provide an appropriation for the current and contingent expenses and for the permanent improvements of the State School of Science at Wahpeton.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 1, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Haraldson	Odland
Bartley	Hart	Olsgard
Bass	Harty	Owens
Batzer	Hedalen	Fendray
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	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Thompson
Divet	Kyllo	Taylor
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Twichell
Dynes	Lewis	Walsh
Endreson	Lindstrom	Wardrope
Everson	List	Warriner
Fox	Martin	Watt
France	Miller	Weis
Freitag	Moen	Wiley
Fritz	Morkrid	Williams
Gardiner	Morrison	Wing
Geiger	Norheim	Mr. Speaker
Gunderson	Nvhus	
Hanson	O'Connor	

Those voting in the negative were Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Streeter	Turner, F. W.
Northrup		

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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. 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.

Also,

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."

Also,

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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 193.

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, etc.

Senate Bill No. 16.

A bill for an Act appropriating money for the current and contingent expenses of the state tuberculosis sanitarium at Dunsceith.

Senate Bill No. 86.

A bill for an Act to authorize village trustees to levy a tax to pay for water and light plants heretofore installed.

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

Mr. Sorlie moved

That Senate Bill No. 376 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266, of the Session Laws of 1911, relating to education.

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 26, absent and not voting 24.

Those voting in the affirmative were:

Messrs.—

Batzer
Bjornson
Borusky
Butler of Ramsey
Butler of Ransom
Calnan
Curry
Divet
Dixon
Dossseth
Doyle
Endreson
Everson
Fox
Freitag
Gardiner
Geiger
Hanson
Haraldson
Hart
Harty

Messrs.—

Hawkinson
Hendrickson
Hickle
Hill of Bottineau
Hjort
Hoge
Husband
Jacobson
Klein
Knox
Lambert
Lawbaugh
Lewis
List
Martin
Miller
Moen
Morkrid
Morrison
Norheim
Odland

Messrs.—

Owens
Pendray
Pettersen
Pitkin
Ployhar
Putnam
Raney
Schroeder
Smith of Ward
Stenehjem
Thompson
Taylor
Turner, C. C.
Turner, F. W.
Twichell
Wardrope
Watt
Williams
Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dynes	Smith of Kidder
Balsdon	Fritz	Sorlie
Bass	Hedalen	Stinger
Bollinger	Hill of Cass	Streeter
Bope	Hjelmstad	Tucker
Burnett	Huso	Warriner
Carey	Northrup	Weis
Coltom	Nyhus	Wiley
Dean	Olsgard	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bartley	Homan	O'Connor
Blakemore	Isaak	Roble
Bratton	Johnson	Ryan
Buck	Kellogg	Sandbeck
Campbell	Kelly	Small
Davis	Kyllo	Snyder
France	Leu	Walsh
Gunderson	Lindstrom	Wing

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That further consideration of Senate Bill No. 390 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

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 23, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Freitag	Hjelmstad
Bjornson	Fritz	Hjort
Butler of Ramsey	Gardiner	Hoge
Butler of Ransom	Geiger	Homan
Calnan	Haraldson	Husband
Carey	Hart	Jacobson
Davis	Harty	Johnson
Divet	Hawkinson	Kelly
Dixon	Hedalen	Klein
Dosseth	Hendrickson	Knox
Doyle	Hickle	Lambert
Endreson	Hill of Bottineau	Lawbaugh

Messrs.—	Messrs.—	Messrs.—
Leu	Owens	Smith of Ward
Lindstrom	Pendray	Stenehjem
List	Petterson	Streeter
Miller	Pitkin	Thompson
Moen	Ployhar	Taylor
Morkrid	Putnam	Turner, C. C.
Norheim	Raney	Wardrope
Northrup	Roble	Warriner
O'Connor	Ryan	Williams
Odland	Schroeder	Wing
Olsgard	Small	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Dean	Sorlie
Balsdon	Everson	Stinger
Bass	Hill of Cass	Tucker
Bope	Huso	Twichell
Borusky	Kellogg	Watt
Burnett	Nyhus	Weis
Coltom	Sandbeck	Wiley
Curry	Smith of Kidder	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bartley	Fox	Martin
Blakemore	Fiance	Morrison
Bollinger	Gunderson	Snyder
Bratton	Hanson	Turner, F. W.
Buck	Isaak	Waish
Campbell	Kyllo	
Dynes	Lewis	

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 70, nays 35, absent and not voting 6.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Andersson	Hawkinson	Olsgard
Bass	Hickle	Owens
Batzler	Hjort	Pendray
Bjornson	Hoge	Ployhar
Borusky	Roman	Ryan
Butler of Ramsey	Husband	Schroeder
Butler of Ransom	Jacobson	Small
Calnan	Kellogg	Snyder
Carey	Kelly	Sorlie
Coltom	Klein	Stenehjem
Curry	Knox	Stinger
Davis	Lambert	Streeter
Dean	Lawbaugh	Thompson
Divet	Leu	Taylor
Dosseth	Lindstrom	Tucker
Doyle	List	Waish
Everson	Martin	Wardrope
Fox	Miller	Warriner
France	Morkrid	Wiley
Gardiner	Morrison	Williams
Geiger	Norheim	Wing
Gunderson	Northrup	Mr. Speaker
Haraldson	O'Connor	
Harty	Odland	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Baldson	Hendrickson	Putnam
Bollinger	Hill of Bottineau	Raney
Bope	Hill of Cass	Roble
Burnett	Hjelmstad	Sandbeck
Dixon	Huso	Smith of Kidder
Dynes	Isaak	Smith of Ward
Endreson	Kyllo	Turner, C. C.
Freitag	Lewis	Turner, F. W.
Fritz	Moen	Twichell
Hanson	Nyhus	Watt
Hart	Peterson	Weis
Hedalen	Pitkin	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bartley	Bratton	Campbell
Blakemore	Buck	Johnson

So the bill passed and the title was agreed to.

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Odland
Balsdon	Haraldson	Olsgard
Bartley	Hart	Owens
Bass	Harty	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	Stenhjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Taylor
Divet	Kyllo	Thompson
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Dynes	Lewis	Twichell
Endreson	Lindstrom	Walsh
Everson	List	Wardrobe
Fox	Miller	Warriner
France	Moen	Watt
Freitag	Morkrid	Weis
Fritz	Morrison	Wiley
Gardiner	Norheim	Williams
Geiger	Nyhus	Wing
Gunderson	O'Connor	Mr. Speaker

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting, Messrs. Martin and Northrop.

So the bill passed and the title was agreed to.

Mr. Dixon moved

That further consideration of Senate Bill No. 217 be indefinitely postponed.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has failed to pass.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 328.

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.

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 7, absent and not voting 3.

Those voting in the affirmative were:

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

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Dixon	Streeter
Bollinger	Everson	
Borusky	Fritz	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bratton	France	Weis

So the bill passed and the title was agreed to.

Mr. Burnett moved

That further consideration of House Bill No. 391 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 391.

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.

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 31, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hawkinson	Odland
Batzer	Hedalen	Olgard
Blakemore	Hendrickson	Owens
Buck	Hickle	Pendray
Butler of Ramsey	Hill of Bottineau	Pettersen
Butler of Ransom	Hjelmstad	Ployhar
Calnan	Hoge	Putnam
Campbell	Homan	Sandbeck
Carey	Husband	Schroeder
Davis	Isaak	Smith of Ward
Dean	Jacobson	Snyder
Divet	Kelly	Sorlie
Dosseth	Klein	Stenehjem
Doyle	Knox	Thompson
Dynes	Kyllo	Taylor
Endreson	Lambert	Turner, C. C.
Everson	Lawbaugh	Turner, F. W.
France	Lewis	Twichell
Freitag	Lindstrom	Walsh
Fritz	Martin	Wardrobe
Gardiner	Miller	Weis
Geiger	Moen	Wiley
Gunderson	Morkrid	Williams
Hanson	Norheim	Wing
Haraldson	Northrup	Mr. Speaker
Harty	O'Connor	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hart	Raney
Bass	Hill of Cass	Roble
Bjornson	Hjort	Small
Bollinger	Huso	Smith of Kidder
Bope	Johnson	Stinger
Borusky	Kellogg	Streeter
Burnett	Leu	Tucker
Coltom	List	Warriner
Curry	Morrison	Watt
Dixon	Nyhus	
Fox	Pitkin	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Balsdon	Bratton	Ryan

So the bill passed and the title was agreed to.

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bratton	France	Ryan
Fox		

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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."

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 259.

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.

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 29, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hendrickson	Putnam
Bartley	Hickle	Raney
Bass	Hill of Cass	Ryan
Batzer	Hjort	Sandbeck
Blakemore	Homan	Smith of Kidder
Bollinger	Husband	Smith of Ward
Bope	Isaak	Snyder
Buck	Jacobson	Sorlie
Burnett	Kellogg	Stenehjem
Butler of Ramsey	Kelly	Stinger
Butler of Ransom	Klein	Streeter
Calnan	Knox	Thompson
Campbell	Kylo	Taylor
Carey	Lambert	Tucker
Dean	Lawbaugh	Turner, C. C.
Divet	Lewis	Turner, F. W.
Dosseth	Lindstrom	Twichell
Dynes	List	Walsh
Endreson	Martin	Wardrope
Fritz	Miller	Warriner
Gardiner	Norheim	Watt
Geiger	Northrup	Weis
Gunderson	O'Connor	Wiley
Haraldson	Owens	Williams
Hart	Petterson	Mr. Speaker
Harty	Pitkin	
Hawkinson	Ployhar	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Morrison
Bjornson	Hedalen	Nyhus
Borusky	Hill of Bottineau	Odland
Coltom	Hjelmstad	Olsgard
Curry	Hoge	Pendray
Davis	Huso	Roble
Dixon	Johnson	Schroeder
Doyle	Leu	Small
Everson	Moen	Wing
Freitag	Morkrid	

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bratton	Fox	France

So the bill passed and the title was agreed to.

Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

Messrs.—
 Norheim
 Northrup
 Nyhus
 O'Connor
 Odland
 Olsgard
 Owens
 Pendray
 Petterson
 Pitkin
 Ployhar
 Putnam
 Raney

Messrs.—
 Roble
 Ryan
 Sandbeck
 Schroeder
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stenehjem
 Stinger
 Streeter
 Taylor

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

Absent and not voting.

Messrs.—
 Bratton
 France

Messrs.—
 Thompson
 Tucker

Messrs.—
 Twichell

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 472.

A bill for an Act entitled "An Act creating a board of immigration, prescribing its powers and duties, directing the disbursements of appropriations therefor and repealing Sections 131 and 132 of the Revised Codes of North Dakota of 1905."

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,

Secretary.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Hedalen moved

That the House now take up third reading of Senate Bill No. 30.

Which motion prevailed.

Senate Bill No. 30.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—

Anderson
Balsdon
Bartley
Bass
Batzer
Bjornson
Blakemore
Bollinger
Bope

Messrs.—

Borusky
Buck
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Coltom

Messrs.—

Curry
Davis
Dean
Divet
Dixon
Dossseth
Doyle
Dynes
Endreson

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

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bratton	Turner, F. W.	Wiley
Thompson		

So the bill passed and the title was agreed to.

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

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 3, absent and not voting 4.

Those voting in the affirmative were:

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

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bope	Isaak	Nyhus

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bratton	France	Hickle
Fox		

So the bill passed and the title was agreed to.

Senate Bill No. 54.

A bill for an Act regulating the manner in which payments shall be made for any service fee prescribed by law from any department 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 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

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

Messrs.—

Borusky
Buck
Burnett
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Coltom
Curry
Davis
Dean
Divet
Dixon
Dosseth
Doyle
Dynes
Endreson
Everson
France
Freitag
Fritz
Gardiner
Geiger
Gunderson
Hanson
Haraldson
Hart
Harty
Hawkinson
Hedalen
Hendrickson
Hickle

Messrs.—

Hill of Bottineau
Hill of Cass
Hjelmstad
Hjort
Hoge
Homan
Husband
Huso
Isaak
Jacobson
Johnson
Kellogg
Kelly
Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Martin
Miller
Moen
Morkrid
Morrison
Norheim
Northrup
Nyhus
O'Connor
• Odland
Olsgard

Messrs.—

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

Absent and not voting.

Messrs.—

Bratton
Fox

Messrs.—

Ployhar
Ryan

Messrs.—

Thompson

So the bill passed and the title was agreed to.

Senate Bill No. 214.

A bill for an Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13 of Chapter 23 of the Session Laws of 1911, and to repeal Sections 14, 15 and 16 of said Chapter, establishing a hail insurance department and making the commissioner of insurance ex-officio commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expenses and indemnity for losses by hail shall be paid, and providing a penalty.

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 3, absent and not voting 4.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Martin	Roble	Weis

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bratton	France	Knox
Buck		

So the bill passed and the title was agreed to.

Mr. Watt moved

That further consideration of Senate Bill No. 386 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, Relating to bond and oath of assessors.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 2, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Hart	Olsgard
Bartley	Harty	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Petterson
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Putnam
Bope	Hjelmstad	Raney
Borusky	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	Kyllo	Thompson
Divet	Lambert	Taylor
Dixon	Lawbaugh	Tucker
Dosseth	Leu	Turner, C. C.
Doyle	Lewis	Furner, 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'Connor	

Those voting in the negative were, Messrs. Hawkinson and Roble.

Absent and not voting Messrs. Bratton and Knox.

So the bill passed and the title was agreed to.

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

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 21, absent and not voting 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Hart	O'Connor
Bartley	Harty	Odland
Bass	Hawkinson	Owens
Batzer	Hedalen	Pendray
Bjornson	Hendrickson	Pettersen
Blakemore	Hickle	Pitkin
Bollinger	Hill of Bottineau	Putnam
Bope	Hill of Cass	Ryan
Borusky	Hjort	Schroeder
Buck	Hoge	Small
Burnett	Homan	Smith of Ward
Butler of Ramsey	Husband	Smith of Kidder
Butler of Ransom	Isaak	Snyder
Calnan	Jacobson	Sorlie
Campbell	Kellogg	Stenhjem
Curry	Klein	Stinger
Dean	Knox	Streeter
Dixon	Kyllo	Taylor
Dosseth	Lawbaugh	Turner, C. C.
Dynes	Leu	Turner, F. W.
Endreson	Lewis	Twichell
France	Lindstrom	Walsh
Freitag	List	Wardrope
Fritz	Miller	Warriner
Gardiner	Moen	Watt
Geiger	Morrison	Williams
Gunderson	Northrup	Wing
Hanson	Norheim	Mr. Speaker
Haraldson	Nyhus	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carey	Hjelmstad	Ployhar
Coltom	Huso	Raney
Davis	Johnson	Roble
Divet	Kelly	Sandbeck
Doyle	Martin	Tucker
Everson	Morkrid	Weis
Fox	Olsgard	Wiley

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Lambert	Thompson
Bratton		

So the bill passed and the title was agreed to.

Mr. Wiley moved

That further consideration of Senate Bill No. 250 be indefinitely postponed.

Which motion was withdrawn.

Senate Bill No. 250.

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 investment 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 school, blind asylum, insane asylum and soldier's home.

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 4, absent and not voting 3.

Those voting in the affirmative were:

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

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Dixon	Jacobson	Morkrid
Hawkinson		

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Twichell

So the bill passed and the title was agreed to.

Mr. Kellog moved

That further consideration of Senate Bill No. 277 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 243.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Lindstrom	Twichell
Campbell		

So the bill passed and the title was agreed to.

Senate Bill No. 77.

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.

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 21, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Carey	Geiger
Bartley	Coltom	Hanson
Batzer	Curry	Haraldson
Bjornson	Davis	Hart
Blakemore	Dean	Harty
Bollinger	Divet	Hedalen
Bope	Doyle	Hickle
Borusky	Dynes	Hill of Bottineau
Buck	Endreson	Hjelmstad
Burnett	Everson	Hjort
Butler of Ramsey	France	Hoge
Butler of Ransom	Freitag	Homan
Calnan	Fritz	Husband
Campbell	Gardiner	Jacobson

Messrs.—	Messrs.—	Messrs.—
Johnson	O'Connor	Snyder
Kellogg	Odland	Sorlie
Klein	Olgard	Stenehjem
Knox	Owens	Streeter
Kylo	Pendray	Thompson
Lambert	Petterson	Taylor
Lawbaugh	Pitkin	Tucker
Leu	Ployhar	Turner, F. W.
Lewis	Putnam	Twichell
Lindstrom	Raney	Wardrobe
List	Ryan	Warriner
Martin	Sandbeck	Watt
Miller	Schroeder	Wing
Norheim	Small	Mr. Speaker
Northrup	Smith of Kidder	
Nyhus	Smith of Ward	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Hill of Cass	Roble
Dixon	Huso	Stinger
Dosseth	Isaak	Turner, C. C.
Fox	Kelly	Walsh
Gunderson	Moen	Weis
Hawkinson	Morkrid	Wiley
Hendrickson	Morrison	Williams

Absent and not voting, Messrs. Anderson and Bratton.

So the bill passed and the title was agreed to.

Senate Bill No. 277.

A bill for an Act to amend and re-enact Section 2390 of the Revised Codes of 1905, relating to term of office 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 78, nays 30, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Butler of Ransom	Hart
Bartley	Calnan	Harty
Bass	Dean	Hawkinson
Batzer	Dixon	Hedalen
Bjornson	Everson	Hendrickson
Blakemore	France	Hickle
Bollinger	Freitag	Hill of Cass
Bope	Fritz	Hjelmstad
Borusky	Gardiner	Hoge
Buck	Geiger	Homan
Burnett	Gunderson	Husband
Butler of Ramsey	Hanson	Isaak

Messrs.—	Messrs.—	Messrs.—
Jacobson	Odland	Stenehjem
Kellogg	Owens	Stinger
Kelly	Pendray	Streeter
Klein	Petterson	Taylor
Knox	Ployhar	Thompson
Kyllo	Putnam	Tucker
Lambert	Raney	Turner, C. C.
Lawbaugh	Sandbeck	Turner, F. W.
Leu	Schroeder	Twichell
Lindstrom	Small	Walsh
Miller	Smith of Kidder	Watt
Morrison	Smith of Ward	Weis
Northrup	Snyder	Wing
O'Connor	Sorlie	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fox	Morkrid
Carey	Haraldson	Norheim
Coltom	Hill of Bottineau	Nyhus
Curry	Hjort	Olgard
Davis	Huso	Pitkin
Divet	Johnson	Roble
Dosseth	Lewis	Wardrobe
Doyle	List	Warriner
Dynes	Martin	Wiley
Enderson	Moen	Williams

Absent and not voting.

Messrs.—	Messrs.—	Messrs.—
Bratton	Campbell	Ryan

So the bill passed and the title was agreed to.

Mr. Burnett moved

That further consideration of Senate Bill No. 163 be indefinitely postponed.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to return herewith
House Bill No. 500.

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

Also,

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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Sorlie moved

That further consideration of Senate Bill No. 306 be indefinitely postponed.

Which motion prevailed.

Mr. Lindstrom moved

That further consideration of Senate Bill No. 150 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 150.

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.

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 38, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	Petterson
Bass	Hjelmstad	Ployhar
Bjornson	Hjort	Putnam
Blakemore	Hoge	Raney
Bollinger	Husband	Ryan
Burnett	Huso	Sandbeck
Butler of Ramsey	Isaak	Smith of Ward
Butler of Ransom	Johnson	Snyder
Calnan	Kcllogg	Sorlie
Campbell	Knox	Stenehjem
Carey	Lambert	Stinger
Coltom	Lawbaugh	Streeter
Curry	Leu	Taylor
Dean	Lewis	Tucker
Dosseth	List	Turner, C. C.
Doyle	Martin	Twitchell
Geiger	Moen	Walsh
Hanson	Morkrid	Wardrope
Haraldson	Nyhus	Warriner
Hart	O'Connor	Watt
Harty	Odland	Weis
Hedalen	Olsgard	Mr. Speaker
Hendrickson	Owens	
Hickle	Fendray	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	France	Morrison
Balsdon	Freitag	Norheim
Batzer	Fritz	Pitkin
Bope	Gardiner	Roble
Borusky	Gunderson	Schroeder
Buck	Hawkinson	Small
Davis	Hill of Cass	Smith of Kidder
Diver	Homan	Thompson
Dixon	Jacobson	Turner, F. W.
Dynes	Kelly	Wing
Endreson	Klein	Wiley
Everson	Lindstrom	Williams
Fox	Miller	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Kyllo	Northrup

So the bill passed and the title was agreed to.

Mr. Coltom moved

That further consideration of Senate Bill No. 387 be indefinitely postponed.

Which motion was lost.

Bismarck, North Dakota, March 7, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Also,

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. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Anderson moved

That Senate Bill No. 106 be advanced on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Twichell moved

To amend by including Senate Bill No. 185.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign.

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.

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.

House Bill No. 343.

A bill for the relief of Company L, First Regiment, North Dakota National Guard Training School, a corporation.

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.

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.

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.

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."

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.

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.

Senate Bill No. 338.

A bill for an Act providing that persons in charge of school children shall furnish suitable text books in districts wherein the free text book system has not been adopted.

Senate Bill No. 348.

A bill for an Act to amend and re-enact Section 72 of Chapter 266 of the Session Laws of 1911, relating to teachers employed by district school boards and their salaries.

Senate Bill No. 375.

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.

Senate Bill No. 345.

A bill for an Act to amend Section 85 of Chapter 266 of the Session Laws of 1911, relating to additional school time.

Senate Bill No. 337.

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 statement of number of schools with county auditor.

Senate Bill No. 309.

A bill for an Act to legalize acts and proceedings of county commissioners in calling and giving notices of gen-

eral 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.

Senate Bill No. 249.

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.

Senate Bill No. 102.

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.

Senate Bill No. 284.

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.

Senate Bill No. 271.

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

Senate Bill No. 176.

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.

Senate Bill No. 145.

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.

Senate Bill No. 339.

A bill for an Act to amend and re-enact Section 113 of Chapter 266 of the Session Laws of 1911, relating to county treasurer's accounts kept with the school corporations.

House Bill No. 421.

Being a bill for an Act to amend Section 474 of the Re-

vised 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.

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.

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.

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.

House Bill No. 163.

A bill for an Act to provide for a state budget.

House Bill No. 18.

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

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

Mr. Freitag moved

That further consideration of Senate Bill No. 185 be indefinitely postponed.

Which motion was lost.

Mr. Sorlie moved

That the House revert back to the seventh order of business.

Which motion prevailed.

Mr. Sorlie moved

That the rules be suspended and that Senate Bill No. 388 be considered engrossed and placed at the head of the calendar for third reading and final passage.

Which motion was lost.

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale state normal and industrial school.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 105, nays 1, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	O'Connor
Balsdon	Harty	Odland
Bartley	Hawkinson	Olsgard
Bass	Hedalen	Owens
Batzer	Hendrickson	Pendray
Bjornson	Hickle	Pettersen
Blakemore	Hill of Bottineau	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	Small
Calnan	Jacobson	Smith of Kidder
Campbell	Johnson	Smith of Ward
Carey	Kellogg	Snyder
Curry	Kelly	Sorlie
Davis	Klein	Stenhjem
Dean	Knox	Stinger
Divet	Kyllo	Streeter
Dixon	Lambert	Thompson
Doyle	Lawbaugh	Taylor
Dynes	Leu	Tucker
Endreson	Lewis	Turner, C. C.
Everson	List	Walsh
Fox	Martin	Wardrope
France	Miller	Warriner
Fritz	Moen	Watt
Gardiner	Morkrid	Weis
Geiger	Morrison	Wilev
Gunderson	Norheim	Williams
Hanson	Northrup	Wing
Haraldson	Nyhus	Mr. Speaker

Those voting in the negative were, Mr. Coltom.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Dosseth	Lindstrom	Twichell
Freitag	Turner, F. W.	

So the bill passed and the title was agreed to.

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Was read the third time.

The question being on the final passage of the Bill.

The roll was called and there were ayes 105, nays 4, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Odland
Balsdon	Harty	Olsgard
Bartley	Hedalen	Owens
Batzer	Hendrickson	Pendray
Bjornson	Hickle	Pettersen
Blakemore	Hill of Bottineau	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
Calnan	Isaak	Small
Campbell	Jacobson	Smith of Kidder
Carey	Kellogg	Smith of Ward
Coltom	Kelly	Snyder
Curry	Klein	Sorlie
Davis	Knox	Stenehjem
Dean	Kyllo	Stinger
Divet	Lambert	Streeter
Dixon	Lawbaugh	Thompson
Dosseth	Leu	Taylor
Doyle	Lewis	Tucker
Dynes	Lindstrom	Turner, C. C.
Endreson	List	Turner, F. W.
Everson	Martin	Twichell
Fox	Miller	Walsh
Freitag	Moen	Wardrope
Fritz	Morkrid	Warriner
Gardiner	Morrison	Weis
Geiger	Norheim	Wiley
Gunderson	Northrup	Williams
Hanson	Nyhus	Wing
Haraldson	O'Connor	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Ransom	Hawkinson	Watt
France		

Absent and not voting, Messrs. Bass and Johnson.

So the bill passed and the title was agreed to.

Mr. Owens moved

That the House reconsider the action taken in adopting the report of the ways and means committee on Senate Bill No. 335 and Senate Bill No. 362.

Which motion prevailed.

Mr. Leu moved

To amend by including Senate Bill No. 317.

Which motion was lost.

Mr. Owens moved

That Senate Bills No. 335 and 362 be placed on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Dean moved

That the House return to the twelfth order of business.

Which motion prevailed.

Mr. Dean moved

That the House concur in the Senate amendments to House Bills No. 50 and 355.

Which motion prevailed.

Mr. Haraldson moved

That the House concur in the Senate amendments to House Bill No. 410.

Which motion prevailed.

Mr. Haraldson moved

That the rules be suspended and that House Bills No. 50, 355 and 239 be placed on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Haraldson moved

That the rules be suspended and that House Bill No. 410 be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Lambert moved

That the House concur in the amendments to House Bill No. 293.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 422.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows:

In line 11 of printed bill, strike out the words "each rural district in."

Very respectfully

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

Which the Senate has amended as follows:

On Section 2, after the line 6 of engrossed bill, insert the following: "that in cities operating under the commission plan the required petition may be signed by the electors at large residing within such city, and *provided* further,"

And passed without the emergency.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 349.

A bill for an Act providing for county treasurer's notice to taxpayers.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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 Section 1737 of the Revised Codes of 1905, as amended, etc., etc., etc.

Which the Senate has amended as follows:

Change the item "stenographers Supreme Court, 4, \$9,000.00," in the engrossed bill so as to read as follows: "Stenographers, Supreme Court, 5, \$11,250.00."

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign.

Senate Bill No. 8.

A bill for an Act to amend Section 605, Sub-division I, 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.

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

Mr. Thompson moved

That the House take a recess until 7:30 P. M.

Which motion prevailed.

The House assembled at 7:30 P. M. pursuant to recess taken.

The Speaker presiding.

Mr. Butler of Ransom asked unanimous consent to return to twelfth order of business.

Which motion prevailed.

Mr. Williams moved

That the House concur in Senate amendment to House Bill No. 49 and that the rules be suspended and the bill be placed on third reading and final passage.

Which motion prevailed.

SELECT COMMITTEE REPORT.

Mr. Speaker:

Your committee on conference appointed to confer with a like committee of the Senate on House amendments to Senate Bill No. 200 as shown on pages 15 and 16 of the House Journal of the forty-fifth day, do hereby report:

Your committee on state affairs reported on the forty-fifth day and recommend said bill be amended and when so amended to do pass.

House Journal of the fiftieth day after recess on page 8, shows that the committee of the whole adopted the amendments and recommended that said bill do pass.

House Journal of the fifty-third day—page 30, shows Senate Bill No. 200 as having passed the House.

Senate Journal of the fifty-third day, page 40, shows said bill was transmitted to the Senate with the amendment.

At 10:00 o'clock this morning Senate Bill No. 200 was transmitted to the Governor by the Senate and is now before the Governor without the amendments shown on the pages 15 and 16 of the Journal of the House of the forty-fifth day.

H. J. LINDE,
C. W. HOOKWAY,
C. F. MUDGETT,
Senate Committee.

R. K. BATZER,
M. D. BUTLER,
PEDER L. HJELMSTAD,
House Committee.

No action taken.

Mr. Owens moved

That the House do not concur in the Senate amendments to House Bill No. 456, and that a conference committee be appointed.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Owens, Buck and Twichell.

Mr. Butler moved

That the House concur in the Senate amendments to House Bill No. 307, that the rules be suspended, and the bill placed on third reading and final passage.

Which motion prevailed.

THIRD READING OF HOUSE BILLS.

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 abstractors of title, and to repeal Chapter 329 of the Session Laws of 1911, re-to abstractors 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 106, nays 2, absent and not voting 3.

Those voting in the affirmative were:

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

Those voting in the negative were: Messrs. Curry and Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Everson	Northrup

So the bill passed and the title was agreed to.

Mr. Hill of Bottineau moved

That the House concur in the Senate amendments to House Bill No. 201, that the rules be suspended and the bill be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

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."

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 10, absent and not voting 2.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carey	Johnson	Warriner
Dixon	Olsgard	Watt
Hawkinson	Petterson	
Huso	Roble	

Absent and not voting, Messrs. Bratton and Lawbaugh.

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 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 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting, Messrs. Isaack and Lindstrom.

So the bill passed and the title was agreed to.

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 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Lindstrom	Snyder
Davis		

So the bill passed and the title was agreed to.

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 107, nays 1, absent and not voting 3.

Those voting in the affirmative were:

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

Those voting in the negative were, Mr. Martin.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Freitag	Twichell

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 0, absent and not voting 3.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Endreson	Freitag

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 0, absent and not voting 5.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	France	Knox
Bartley	Freitag	Kyllo
Bass	Fritz	Lambert
Batzer	Gardiner	Lawbaugh
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
Curry	Hjort	Olsgard
Davis	Hoge	Owens
Dean	Homan	Pendray
Divet	Husband	Petterson
Dixon	Huso	Pitkin
Dosseth	Isaak	Ployhar
Doyle	Jacobson	Putnam
Dynes	Johnson	Ranev
Endreson	Kellogg	Roble
Evenson	Kelly	Ryan
Fox	Klein	Sandbeck

Messrs.—
 Schroeder
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stenhjem
 Stinger

Messrs.—
 Streeter
 Taylor
 Tucker
 Turner, C. C.
 Turner, F. W.
 Walsh
 Wardrope
 Warriner

Messrs.—
 Watt
 Wejs
 Waley
 Williams
 Wing
 Mr. Speaker

Absent and not voting:

Messrs.—
 Anderson
 Bratton

Messrs.—
 Leu
 Thompson

Messrs.—
 Twichell

So the bill passed and the title was agreed to.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

Messrs.—
 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
 Iuso
 Isakk
 Jacobson

Messrs.—
 Johnson
 Kellogg
 Kelly
 Klein
 Knox
 Kullo
 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

Messrs.—

Snyder
Sorlie
Stenehjem
Stinger
Streeter
Thompson
Taylor
Tucker
Turner, C. C.
Turner, F. W.

Messrs.—

Walsh
Wardrobe
Warriner
Watt
Weis
Wiley
Williams
Wing
Mr. Speaker

Absent and not voting:

Messrs.—

Bratton
Doyle

Messrs.—

Leu

Messrs.—

Twichell

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 501.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 27.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Sorlie moved

That further consideration of Senate Bill No. 148 be indefinitely postponed.

Which motion was lost.

THIRD READING OF SENATE BILLS.

Senate Bill No. 148.

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; provid-

ing for the removal of beavers causing damage to property 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 100, nays 9, absent and not voting 2.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Burnett	Everson	Lewis
Coltom	Hill of Cass	Odland
Curry	Huso	Taylor

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That further consideration of House Bill No. 335 be indefinitely postponed.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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. 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.

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. 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. 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. 409.

A bill for an Act authorizing the establishment of nur-

series 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.

Also,

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.

Also,

House Bill No. 459.

A bill for an Act regulating the sweeping of passenger coaches or cars while occupied by passengers and providing a penalty therefor.

Also,

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."

Also,

House Bill No. 18.

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

Also,

House Bill No. 163.

A bill for an Act to provide for the preparing of a State Budget.

Also,

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.

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.

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, 1905, as amended by Chapter 171 of the Laws of 1911, relating to the boundaries and terms of court in the Sixth Judicial District.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

Senate Bill No. 362.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 1, absent and not voting 3.

Those voting in the affirmative were:

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

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Campbell	Norheim

So the bill passed and the title was agreed to.

Senate Bill No. 357.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

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

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting, Messrs. Bratton and Northrop.

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

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 5, absent and not voting 2.

Those voting in the affirmative were:

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

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Calnan	Fox	Weis
Carey	Moen	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Buck moved

That further consideration of Senate Bill No. 302 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 274.

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,

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 1, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Baldson	Hart	Olsgard
Bartley	Harty	Owens
Bass	Hedalen	Pendray
Batzler	Hendrickson	Pitkin
Bjornson	Hickle	Ployhar
Blakemore	Hill of Bottineau	Putnam
Bollinger	Hill of Cass	Raney
Bope	Hjelmstad	Roble
Borusky	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	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Dynes	Lewis	Twichell
Endreson	Lindstrom	Walsh
Everson	List	Wardrobe
Fox	Martin	Warriner
France	Miller	Watt
Freitag	Moen	Weis
Fritz	Morkrid	Wiley
Gardiner	Morrison	Williams
Geiger	Norheim	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson	O'Connor	

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Northrup	Petterson

So the bill passed and the title was agreed to.

Senate Bill No. 241.

For an Act to Amend Sections 2772, 2775, 2777 and 2786 Revised Codes of North Dakota, as Amended by Chapter 70 of the Laws of North Dakota 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 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Odland
Balsdon	Hart	Olsgard
Bartley	Harty	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Petterson
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Plyhar
Bollinger	Hill of Cass	Putnam
Bope	Hjelmstad	Raney
Borusky	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	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Streeter
Divet	Kylo	Thompson
Dixon	Lambert	Taylor
Dosseth	Lawbaugh	Tucker
Doyle	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	Lindstrom	Twichell
Everson	List	Walsh
Fox	Martin	Wardrope
France	Miller	Warriner
Freitag	Moen	Watt
Fritz	Morkrid	Weis
Gardiner	Morrison	Wiley
Geiger	Norheim	Williams
Gunderson	Nyhus	Wing
Hanson	O'Connor	Mr. Speaker

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. O'Connor moved

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

Which motion prevailed.

Mr. Dixon moved

That further consideration of Senate Bill No. 368 be indefinitely postponed.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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.

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.

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. 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.

Also,

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."

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Hoge moved

That further consideration of Senate Bill No. 177 be indefinitely postponed.

Which motion was lost.

Mr. Anderson called for a division.

Which demand was withdrawn.

REPORT OF STANDING COMMITTEE.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

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. 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.

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 Da-

kota, 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. 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. 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.

Also,

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.

Also,

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.

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. 290.

A bill for an Act to repeal Section 1503 of the Revised Codes of North Dakota of 1905, relating to the assignment

of property of companies or associations and the listing of the same.

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. 338.

A bill for an Act to establish a day in the State of North Dakota to be known as "Mother's Day."

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. 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.

Also,

House Bill No. 422.

Being 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.

Also,

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.

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.

Also,

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.

Also,

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

Also,

House Bill No. 448.

Being 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.

Also,

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.

Also,

House Bill No. 487.

A bill for an Act to provide for the publication by the state of an unauthenticated edition of the Session Laws, and its distribution.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

Senate Bill No. 147.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

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

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Senate Bill No. 290.

A bill for an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, sewers, paving and water mains.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

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

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

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Senate Bill No. 177.

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.

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 20, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Gardiner	Lewis
Bartley	Geiger	Lindstrom
Bass	Hanson	List
Batzer	Haraldson	Martin
Bjornson	Hart	Miller
Blakemore	Harty	Norheim
Bollinger	Hawkinson	Nyhus
Bope	Hedalen	O'Connor
Borusky	Hickle	Odland
Buck	Hill of Bottineau	Olsgard
Burnett	Hill of Cass	Pendray
Calnan	Hjelmstad	Pitkin
Campbell	Hjort	Ployhar
Carey	Hoge	Putnam
Coltom	Homan	Raney
Curry	Husband	Ryan
Davis	Isaak	Sandbeck
Dean	Jacobson	Schroeder
Divet	Johnson	Small
Dosseth	Kellogg	Smith of Kidder
Doyle	Kelly	Smith of Ward
Dynes	Klein	Snyder
Endreson	Knox	Sorlie
Fox	Lambert	Stenhjem
France	Lawbaugh	Streeter
Fritz	Leu	Taylor

Messrs.—	Messrs.—	Messrs.—
Thompson	Twichell	Williams
Tucker	Wardrope	Mr. Speaker
Turner, C. C.	Warriner	
Turner, F. W.	Weis	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Ramsey	Huso	Roble
Butler of Ransom	Kyllo	Stinger
Dixon	Moen	Walsh
Everson	Morkrid	Watt
Freitag	Morrison	Wiley
Gunderson	Owens	Wing
Hendrickson	Petterson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bratton	Northrup

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the President has appointed as conference committee on Senate Bill No. 148, Messrs. McLean, Porterfield and Hyland.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Speaker appointed as conference committee on Senate Bill No. 148, Messrs. Hawkinson, Turner and Wing.

Mr. France moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. France moved

That the House concur in the Senate amendments to House Bill No. 293, and that the bill be placed on third reading and final passage.

Which motion prevailed.

Mr. Weis moved

That the vote by which Senate Bill No. 130 was lost be reconsidered.

Which motion prevailed.

Mr. Lambert moved

That the rules be suspended and Senate Bill No. 130 be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Sorlie moved

That action of the House this afternoon on Senate Bill No. 388, whereby they failed to suspend the rules in relation to Senate Bill 388 be reconsidered.

Which motion was lost.

Mr. Anderson moved.

That Senate Bill No. 140 be advanced to the head of the calendar.

Which motion prevailed.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 2, absent and not voting 2.

Those voting in the affirmative were:

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

Messrs.—

Klein
Knox
Kyllo
Lambert
Lawbaugh
Leu
Lewis
Lindstrom
List
Martin
Miller
Moen
Morkrid
Morrison
Norheim
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
Stenhjem

Messrs.—

Stinger
Streeter
Taylor
Thompson
Tucker
Turner, C. C.
Turner, F. W.
Twichell
Walsh
Wardrope
Warriner
Watt
Weis
Wiley
Williams
Wing
Mr. Speaker

Those voting in the negative were, Messrs. Bope and Hawkinson.

Absent and not voting, Messrs. Bratton and Northrup.

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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

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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has failed to pass.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Dosseth asked unanimous consent to offer an amendment to Senate Bill No. 44.

Which consent was granted.

Mr. Dosseth offered the following amendment to Senate Bill No. 44:

In lines 12 and 13 of Section 6 of the engrossed bill, strike out the words "provided, that such appointment must be confirmed by the State Board of Education."

Which was objected to.

Senate Bill No. 44.

A bill for an Act to amend and re-enact 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 appropriating money therefor.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 0, absent and not voting 4.

Those voting in the affirmative were:

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

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

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Ployhar	Twichell
Northrup		

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarek, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Also,

House Bill No. 501.

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.

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.

Also,

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

Also,

House Bill No. 482.

A bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Freitag moved

That further consideration of Senate Bill No. 267 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—
Anderson
Balsdon
Bartley
Bass

Messrs.—
Batzer
Bjornson
Blakemore
Bollinger

Messrs.—
Bope
Borusky
Buck
Burnett

Messrs.—	Messrs.—	Messrs.—
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	Jacobsou	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	Stenehjem
Everson	Lawbaugh	Stinger
Fox	Leu	Streeter
France	Lewis	Taylor
Freitag	Lindstrom	Thompson
Fritz	List	Tucker
Gardiner	Martin	Turner, C. C.
Geiger	Miller	Turner, F. W.
Gunderson	Moen	Twichell
Hanson	Morkrid	Walsh
Haraldson	Morrison	Wardrope
Hart	Norheim	Warriner
Harty	Nyhus	Watt
Hedalen	O'Connor	Weis
Hendrickson	Odland	Wiley
Hickle	Olsgard	Williams
Hill of Bottineau	Owens	Wing
Hill of Cass	Pendray	Mr. Speaker

Those voting in the negative were, Mr. Hawkinson.

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Senate Bill No. 267.

A bill for an Act for the regulation and control of fraternal beneficial societies.

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 24, absent and not voting 23.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Borusky	Davis
Bartley	Buck	Divet
Batzer	Burnett	Dixon
Bjornson	Butler of Ransom	Dosseth
Blakemore	Carey	Doyle
Bollinger	Curry	Dynes

Messrs.—	Messrs.—	Messrs.—
Endreson	Kellogg	Raney
France	Klein	Sandbeck
Fritz	Knox	Schroeder
Gardiner	Lambert	Smith of Kidder
Hanson	Lawbaugh	Sorlie
Haraldson	Lewis	Streeter
Hart	List	Taylor
Harty	Miller	Tucker
Hendrickson	Morkrid	Turner, C. C.
Hickle	Norheim	Twichell
Hill of Bottineau	O'Connor	Walsh
Hill of Cass	Odland	Wardrope
Hoge	Owens	Williams
Husband	Pitkin	Mr. Speaker
Huso	Ployhar	
Jacobson	Putnam	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Martin
Bass	Geiger	Moen
Bope	Hedalen	Morrison
Calnan	Hjeimstad	Nyhus
Carey	Hjort	Pendray
Coltom	Johnson	Roble
Dean	Kyllo	Warriner
Everson	Leu	Weis

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Kelly	Snyder
Butler of Ramsey	Lindstrom	Stenehjem
Campbell	Northrop	Stinger
Fox	Olsgard	Thompson
Gunderson	Petterson	Turner, F. W.
Hawkinson	Ryan	Wiley
Homan	Small	Wing
Isaak	Smith of Ward	

So the bill passed and the title was agreed to.

MOTIONS AND RESOLUTIONS.

Mr. Hill of Cass moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Hill of Cass moved

That the Clerk read the conference committee report on Senate Bill No. 155.

Which motion prevailed.

Mr. Speaker:

Your conference committee appointed to consider House amendments to Senate Bill No. 51 beg leave to report that the House recedes from the House amendments to Senate Bill No. 51.

F. S. TALCOTT,
J. L. CASHEL,
ED. HOVERSON,
Senate Committee.

J. E. HILL,
PEDER L. HJELMSTAD,
J. S. HJORT,
House Committee.

Mr. Hill moved

That the report be adopted.

Which motion prevailed.

Mr. Twichell introduced the following concurrent resolution:

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

Whereas, The question of providing adequate means for the encouragement and protection of the laboring classes of the State of North Dakota, and the subject having become an important one in the state, affecting alike all classes, merchants, farmers and laboring men, and

Whereas, We now have a Commissioner of Agriculture and Labor, who has so far devoted the time of himself and his office force to advertise the resources of the state, therefore,

Be It Resolved, That the best interests of all classes of industry demand that the work of the Commissioner of Agriculture and Labor should include the gathering of labor statistics, investigation of working conditions in the mines and factories, etc., that a report be made to the next session of the Legislative Assembly, and that this work be done from the appropriation allowed the department of Agriculture and Labor.

Mr. Twichell moved

That the report be adopted.

Which motion prevailed.

Mr. Dosseth moved

That Senate Bill No. 51 be placed on third reading and final passage.

Which motion prevailed.

Mr. Hoge offered the following resolution:

Whereas, The Honorable J. H. Fraine has presided over the deliberations of the House of Representatives of the Thirteenth Legislative Assembly during the past sixty days with distinction and credit to himself and with absolute fairness and consideration to every member of this body.

Therefore be it Resolved by the House of Representatives of the State of North Dakota, on this Sixtieth day of the Thirteenth Session of the Legislative Assembly that the Honorable J. H. Fraine, Speaker of the House of Representatives be and is hereby authorized and requested to take with him to his home the chair, that he as Speaker, has occupied and the gavel with which he has preserved order during the deliberations of this body at this Session as a token of sincere esteem, high regards and compliments from the members of this body.

Mr. Hoge moved

That the report be adopted.

Which motion prevailed.

Mr. Thompson moved

As an amendment that he also take one of the large pictures hanging in the House.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign.

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."

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,

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.

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.

House Bill No. 143.

A bill for an Act providing for taxation and fixing the rate for taxation on inheritance, devises, bequests, legacies and gifts and providing for the manner of payment as well as the manner of enforcing the payment thereof.

House Bill No. 90.

A bill for an Act relating to the printing of a proposed Constitutional Amendment.

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.

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 case of that same class.

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.

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 assignment

of property of companies or associations and the listing of the same.

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.

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.

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.

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.

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.

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.

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.

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."

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.

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.

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.

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.

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.

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.

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.

House Bill No. 442.

A bill for an Act to prohibit township treasurers from depositing township moneys in their own name.

House Bill No. 448.

Being a bill for an Act to amend Section 2589 of the Re-

vised Codes of 1905, as amended by Chapter 119 of the Session Laws of 1909, relating to fees in county court.

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.

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

Mr. Everson moved

That action on Senate Bill No. 333 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

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 15, absent and not voting 2.

Those voting in the affirmative were:

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

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Carey	Everson	Morkrid
Coltom	Hjelmstad	Olsgard
Curry	Huso	Sandbeck
Davis	Isaak	Smith of Kidder
Dynes	Johnson	Weis

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Thompson moved

That further consideration of Senate Bill No. 103 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

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 22, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Davis	Hendrickson
Balsdon	Dean	Hickle
Bartley	Divet	Hill of Bottineau
Bass	Dosseth	Hjort
Batzner	Doyle	Homan
Bjornson	Dynes	Husband
Bollinger	Endreson	Isaak
Borusky	Everson	Johnson
Buck	Fox	Kellogg
Burnett	Fritz	Kelly
Butler of Ramsey	Gardiner	Klein
Calnan	Gunderson	Knox
Campbell	Hanson	Kyllo
Carey	Haraldson	Lambert
Coltom	Harty	Lawbaugh
Curry	Hawkinson	Lewis

Messrs.—	Messrs.—	Messrs.—
Lindstrom	Petterson	Stinger
List	Pitkin	Taylor
Martin	Ployhar	Tucker
Miller	Putnam	Turner, C. C.
Moen	Raney	Turner, F. W.
Morkrid	Roble	Twichell
Morrison	Ryan	Walsh
Norheim	Schroeder	Wardrope
Nyhus	Small	Warriner
O'Connor	Smith of Kidder	Wiley
Odland	Smith of Ward	Williams
Olgard	Snyder	Mr. Speaker
Owens	Sorlie	
Pendray	Stenhjem	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Blakemore	Hart	Sandbeck
Bope	Hedalen	Streeter
Butler of Ransom	Hill of Cass	Thompson
Dixon	Hjelmstad	Watt
Fox	Hoge	Weis
France	Huso	Wing
Freitag	Jacobson	
Geiger	Leu	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Everson moved

That Senate Bill No. 52 be indefinitely postponed.

Which motion was lost.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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. 27.

A bill for an Act to prohibit insurance companies and their agents from rebating, discrimination and twisting.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 496.

A bill for an Act authorizing county commissioners to submit to the voters of their 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.

Which the Senate has failed to pass.

Very respectfully,

W. D. AUSTIN,
Secretary.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 72, nays 37, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Freitag	Hoge
Balsdon	Fritz	Homan
Bartley	Gardiner	Husband
Bjornson	Geiger	Isaak
Blakemore	Gunderson	Jacobson
Borusky	Hanson	Kellogg
Butler of Ramsey	Haraldson	Klein
Butler of Ransom	Hart	Knox
Calnan	Harty	Kyllo
Campbell	Hawkinson	Lambert
Curry	Hedalen	Martin
Davis	Hendrickson	Moen
Divet	Hill of Bottineau	Morkrid
Dosseth	Hjelmstad	Morrison
Endreson	Hjort	Norheim

Messrs.—	Messrs.—	Messrs.—
Nyhus	Raney	Turner, F. W.
O'Connor	Schroeder	Twichell
Odland	Smith of Ward	Walsh
Owens	Snyder	Wardrobe
Pendray	Stenehjem	Warriner
Petterson	Stinger	Weis
Pitkin	Thompson	Wiley
Ployhar	Taylor	Mr. Speaker
Putnam	Turner, C. C.	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Fox	Roble
Batzer	France	Ryan
Bollinger	Hill of Cass	Sandbeck
Bope	Huso	Small
Buck	Johnson	Smith of Kidder
Burnett	Kelly	Sorlie
Carey	Lawbaugh	Streeter
Coltom	Leu	Tucker
Dean	Lewis	Watt
Dixon	Lindstrom	Williams
Doyle	List	Wing
Dynes	Miller	
Everson	Olsgard	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Senate Bill No. 51.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 3, absent and not voting 2.

Those voting in the affirmative were:

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

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Coltom	Roble	Streeter

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Weis moved

That further consideration of Senate Bill No. 314 be indefinitely postponed.

Which motion was lost.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 107, nays 2, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Olsgard
Balsdon	Harty	Owens
Bartley	Hawkinson	Pendray
Bass	Hedalen	Petterson
Batzer	Hendrickson	Pitkin
Bjornson	Hickle	Ployhar
Blakemore	Hill of Bottineau	Putnam
Bollinger	Hill of Cass	Raney
Bope	Hjelmstad	Roble
Borusky	Hoge	Ryan
Buck	Homan	Sandbeck
Burnett	Husband	Schroeder
Butler of Ramsey	Huso	Small
Butler of Ransom	Isaak	Smith of Kidder
Calnan	Jacobson	Smith of Ward
Campbell	Johnson	Snyder
Carey	Kellogg	Sorlie
Coltom	Kelly	Stenehjem
Curry	Klein	Stinger
Davis	Knox	Streeter
Dean	Kyllo	Taylor
Divet	Lambert	Thompson
Dixon	Lawbaugh	Tucker
Dosseth	Leu	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	Nyhus	Wing
Gunderson	O'Connor	Mr. Speaker
Haraldson	Odland	

Those voting in the negative were, Messrs. Hanson and Hjort.

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Anderson moved

That Senate Bill No. 314 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 110.

A concurrent resolution amending the Constitution of the State of North Dakota

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 77, nays 32, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Harty	Pettersen
Bartley	Hawkinson	Pitkin
Bjornson	Hedalen	Ployhar
Batzer	Hill of Bottineau	Putnam
Blakemore	Hill of Cass	Raney
Borusky	Hjelmstad	Roble
Buck	Hjort	Sandbeck
Burnett	Hoge	Schroeder
Butler of Ramsey	Huso	Small
Butler of Ransom	Isaak	Smith of Ward
Calnan	Jacobson	Snyder
Campbell	Kellogg	Sorlie
Carey	Kelly	Stenhjem
Curry	Lambert	Stinger
Dean	Lawbaugh	Streeter
Dosseth	Leu	Turner, C. C.
Dynes	Lewis	Turner, F. W.
Endreson	List	Twichell
Everson	Martin	Walsh
Freitag	Miller	Warriner
Fritz	Morkrid	Watt
Gardiner	Norheim	Wiley
Geiger	Nyhus	Williams
Gunderson	O'Connor	Wing
Hanson	Odland	Mr. Speaker
Hart	Pendray	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Haraldson	Morrison
Bass	Hendrickson	Olsgard
Bollinger	Hickle	Owens
Bope	Homan	Ryan
Coltom	Husband	Smith of Kidder
Davis	Johnson	Thompson
Divet	Klein	Taylor
Dixon	Knox	Tucker
Doyle	Kyllo	Wardrope
Fox	Lindstrom	Weis
France	Moen	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 102, nays 7, absent and not voting 2.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Huso	Streeter
Carey	Olsgard	
Everson	Smith of Kidder	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Senate Bill No. 287.

A bill for an Act entitled, "An Act to regulate the dis-

tribution of the laws of the State of North Dakota, and compilation and codification thereof."

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Olsgard
Balsdon	Harty	Owens
Bartley	Hawkinson	Pendray
Bass	Hedalen	Petterson
Batzer	Hendrickson	Pitkin
Bjornson	Hickle	Ployhar
Blakemore	Hill of Bottineau	Putnam
Bollinger	Hill of Cass	Raney
Bope	Hjelmstad	Roble
Borusky	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	Stenhjem
Curry	Kelly	Stinger
Davis	Klein	Streeter
Dean	Knox	Thompson
Divet	Kyllo	Taylor
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Dynes	Lewis	Twichell
Endreson	Lindstrom	Walsh
Everson	List	Wardrobe
Fox	Martin	Warriner
France	Miller	Watt
Freitag	Moen	Weis
Fritz	Morkrid	Wiley
Gardiner	Morrison	Williams
Geiger	Norheim	Wing
Gunderson	Nyhus	Mr. Speaker
Hanson	O'Connor	
Haraldson	Odland	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That further consideration of Senate Bill No. 128 be indefinitely postponed.

Which motion prevailed.

Mr. Kellog moved

That Senate Bills No. 73 and 17 be placed at the foot of the calendar.

Which motion was lost.

Mr. Weis moved

That Senate Bill No. 130 be placed at the head of the calendar.

Which motion was lost.

Mr. Hendrickson moved

That the House return to the twelfth order of business.

Which motion prevailed.

Senate Bill No. 286.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

Messrs.—
 Lawbaugh
 Leu
 Lewis
 Lindstrom
 List
 Martin
 Miller
 Moen
 Morkrid
 Morrison
 Norheim
 Nyhus
 O'Connor
 Odland
 Olsgard
 Owens
 Pendray

Messrs.—
 Petterson
 Pitkin
 Ployhar
 Putnam
 Raney
 Roble
 Ryan
 Sandbeck
 Schroeder
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stenehjelm
 Stinger
 Streeter

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

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to:

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 429.

Very respectfully,

W. D. AUSTIN,
 Secretary.

Mr. Thompson moved

That House Bill No. 429 be returned to the Senate.

Which motion prevailed.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred to Mr. Smith's resolution relating to the Tariff Act of August 5th, 1909.

Very respectfully,

W. D. AUSTIN,
 Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has re-

fused to concur in the House concurrent resolution relating to the protection of laboring classes of the state.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

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

Proposing an amendment to the Constitution of the State of North Dakota, providing for the sale of all lands granted by the state under the Act 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 22, 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 any such lands is hereby reserved to the state, and proper regulation for the leasing or mining of the same and the assessment and payment of any damage caused by prospecting therefor by the

state, or removing such coal, shall also be provided for by the legislative enactment, and all patents issued by the state for lands sold shall contain the reservations of the coal to the state as herein provided for.

In which the Senate has concurred.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 51, in which the Senate has adopted the conference committee report and your favorable consideration is earnestly requested.

Very respectfully,

W. D. AUSTIN,
Secretary.

REPORT OF CONFERENCE COMMITTEE.

Your conference committee on House Bill No. 71 begs leave to report as follows:

Recommend that the House concur in the Senate amendment to House Bill No. 71.

O. C. DOSSETH,
T. N. PUTNAM,
House Committee.

E. A. HUGHES,
W. P. PORTERFIELD,
Senate Committee.

Mr. Hawkinson moved

That the House concur in the conference committee report on Senate Bill No. 148.

Which motion prevailed.

Mr. France moved

That the House return to the eleventh order of business.

Which motion prevailed.

Mr. Williams moved

That the House concur in the Senate amendments to House Bill No. 71.

Which motion prevailed.

Mr. Williams moved

That the rules be suspended and that House Bill No. 71 be considered engrossed and placed on its third reading and final passage.

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 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 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

Messrs.—
 Miller
 Moen
 Morkrid
 Morrison
 Norheim
 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
 Stenehjem
 Stinger
 Streeter
 Thompson
 Taylor
 Tucker
 Turner, C. C.
 Turner, F. W.

Messrs.—	Messrs.—	Messrs.—
Twichell	Watt	Wing
Walsh	Weis	Mr. Speaker
Wardrope	Wiley	
Warriner	Williams	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Putman moved

That the rules be suspended and that House Bill No. 373 be considered engrossed and placed on its third reading and final passage.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

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

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

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

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

Those voting in the negative were, Mr. Buck.

Absent and not voting, Messrs. Northrop and Bratton.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

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. 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. 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.

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 find the same correctly enrolled.

R. J. GARDINER,
Chairman.

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 Section 1737 of the Revised Codes of 1905, as amended, etc., etc., etc.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—
Anderson
Balsdon
Bartley
Bass
Batzler
Bjornson

Messrs.—
Blakemore
Bollinger
Bope
Borusky
Buck
Burnett

Messrs.—
Butler of Ramsey
Butler of Ransom
Calnan
Campbell
Carey
Coltom

Messrs.—

Curry
 Davis
 Dean
 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

Messrs.—

Husband
 Husc
 Isaak
 Jacobson
 Johnson
 Kellogg
 Kelly
 Klein
 Knox
 Kullo
 Lambert
 Lawbaugh
 Leu
 Lewis
 Lindstrom
 List
 Martin
 Miller
 Moen
 Morkrid
 Morrison
 Norheim
 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
 Stenehjem
 Stinger
 Streeter
 Taylor
 Thompson
 Tucker
 Turner, C. C.
 Turner, F. W.
 Twichell
 Walsh
 Wardrope
 Warriner
 Watt
 Weis
 Wiley
 Williams
 Wing
 Mr. Speaker

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Wiley moved

That we return to the seventh order of business.

Which motion prevailed.

Mr. Wiley moved

That the vote by which Senate Bill No. 130 was lost be reconsidered.

Which motion was withdrawn.

Mr. Sorlie moved

That the House return to the fourteenth order of business for the purpose of taking up Senate Bill No. 130.

Which motion prevailed.

Mr. Wiley moved

That Senate Bill No. 130 be placed at the head of the calendar.

Which motion prevailed.

Mr. Thompson moved

As an amendment that Senate Bills No. 130 and 289 be placed on third reading and final passage.

Which motion prevailed.

Mr. Anderson moved

That Senate Bill No. 358 be placed on third reading and final passage.

Which motion prevailed.

Senate Bill No. 130.

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.

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 28, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gardiner	Miller
Balsdon	Geiger	Morrison
Bartley	Gunderson	Norheim
Bass	Hart	Nyhus
Batzer	Hendrickson	O'Connor
Bjornson	Hickle	Odland
Blakemore	Hill of Bottineau	Owens
Bollinger	Hill of Cass	Pitkin
Buck	Hjort	Ployhar
Butler of Ramsey	Hoge	Putnam
Butler of Ransom	Homan	Raney
Calnan	Husband	Ryan
Campbell	Isaak	Sandbeck
Curry	Kellogg	Small
Dean	Kelly	Smith of Kidder
Divet	Klein	Smith of Ward
Dixon	Knox	Sorlie
Dosseth	Lambert	Stenchjem
Dynes	Lawbaugh	Stinger
Endreson	Leu	Streeter
Everson	Lewis	Taylor
Fox	Lindstrom	Tucker
France	List	Thompson
Freitag	Martin	Turner, C. C.

Messrs.—
Turner, F. W.
Twichell
Walsh

Messrs.—
Wardrope
Warriner
Wiley

Messrs.—
Williams
Wing
Mr. Speaker

Those voting in the negative were:

Messrs.—
Bope
Borusky
Burnett
Carey
Coltom
Davis
Doyle
Fritz
Hanson
Haraldson

Messrs.—
Harty
Hawkinson
Hedalen
Hjelmstad
Huso
Jacobson
Johnson
Kyllo
Moen
Morkrid

Messrs.—
Pendray
Olsgard
Pettersen
Roble
Schroeder
Snyder
Watt
Weis

Absent and ont voting Messrs. Bratton and Northrup.

So the bill passed and the title was agreed to.

Mr. Ryan moved

That the vote by which Senate Bill No. 130 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Blakemore moved

That further consideration of Senate Bill No. 289 be indefinitely postponed.

Mr. Thompson moved

That the motion to indefinitely postpone Senate Bill No. 289, be laid on the table.

Which motion was lost.

A roll call being demanded.

The question being on the motion to indefinitely postpone

Senate Bill No. 289.

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.

The roll was called and there were ayes 48, nays 50, absent and not voting 13.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Gunderson	Lawbaugh
Bass	Hanson	Lewis
Blakemore	Haraldson	List
Borusky	Harty	Martin
Burnett	Hawkinson	Moen
Butler of Ramsey	Hedalen	Morkrid
Campbell	Hickle	Morrison
Carey	Hill of Bottineau	Northrup
Coltom	Hill of Cass	Odland
Curry	Hjelmstad	Olsgard
Doyle	Husband	Peterson
Dynes	Huso	Roble
Everson	Jacobson	Sandbeck
France	Johnson	Twichell
Fritz	Klein	Wardrope
Geiger	Kyllo	Watt

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjort	Small
Bjornson	Hoge	Smith of Ward
Bollinger	Isaak	Stenehjem
Bope	Kellogg	Stinger
Buck	Kelly	Streeter
Butler of Ransom	Knox	Thompson
Calnan	Lambert	Taylor
Davis	Leu	Tucker
Dean	Lindstrom	Turner, C. C.
Divet	Miller	Turner, F. W.
Dixon	Norheim	Walsh
Dosseth	Pendray	Warriner
Endreson	Pitkin	Weis
Fox	Ployhar	Williams
Freitag	Putnam	Wing
Gardiner	Raney	Mr. Speaker
Hendrickson	Ryan	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Nyhus	Snyder
Bartley	O'Connor	Sorlie
Bratton	Owens	Wiley
Hart	Schroeder	
Homan	Smith of Kidder	

So the motion was lost.

Senate Bill No. 289.

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.

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 24, absent and not voting 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Geiger	Nyhus
Bartley	Gunderson	O'Connor
Batzer	Haraldson	Owens
Bjornson	Hart	Pendray
Bollinger	Harty	Ployhar
Bope	Hedalen	Putnam
Borusky	Hendrickson	Raney
Bratton	Hill of Bottineau	Ryan
Buck	Hoge	Schroeder
Butler of Ramsey	Homan	Small
Butler of Ransom	Husband	Smith of Kidder
Calnan	Isaak	Smith of Ward
Campbell	Jacobson	Snyder
Carey	Kellogg	Sorlie
Curry	Kelly	Stenehjem
Davis	Klein	Stinger
Dean	Knox	Thompson
Dove	Kyllo	Taylor
Dixon	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Turner, F. W.
Endreson	Lewis	Twichell
Everson	Lindstrom	Walsh
Fox	Miller	Warriner
France	Moen	Weis
Freitag	Morkrid	Williams
Fritz	Norheim	Wing
Gardiner	Northrup	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Hjelmstad	Pitkin
Blakemore	Huso	Roble
Burnett	List	Sandbeck
Coltom	Martin	Streeter
Dynes	Morrison	Wardrope
Hanson	Odland	Watt
Hawkinson	Otsgard	Wiley
Hill of Cass	Petterson	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hickle	Hjort

So the bill passed and the title was agreed to.

Mr. Thompson moved

That the vote by which Senate Bill No. 289 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 358.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 108, nays 1, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hart	Odland
Balsdon	Harty	Olsgard
Bartley	Hawkinson	Owens
Bass	Hedalen	Pendray
Batzer	Hendrickson	Petterson
Bjornson	Hickle	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hill of Cass	Putna.a
Bope	Hjelmstad	Raney
Borusky	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
Curry	Kellogg	Sorlie
Davis	Kelly	Stenhjem
Dean	Klein	Stinger
Divet	Knox	Streeter
Dixon	Kylo	Taylor
Dosseth	Lambert	Thompson
Doyle	Lawbaugh	Tucker
Dynes	Leu	Turner, C. C.
Endreson	Lewis	Turner, F. W.
Everson	Lindstrom	Twichell
Fox	List	Walsh
France	Martin	Wardrope
Freitag	Miller	Warriner
Fritz	Moen	Watt
Gardiner	Morkrid	Weis
Geiger	Morrison	Wiley
Gunderson	Norheim	Williams
Hanson	Nyhus	Wing
Haraldson	O'Connor	Mr. Speaker

Those voting in the negative were, Mr. Coltom.

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Owens asked unanimous consent to amend Senate Bill No. 32 by striking from the engrossed bill the amendments.

Which was objected to.

Mr. Doyle moved

That further consideration of Senate Bill No. 32 be indefinitely postponed.

Which motion was lost.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 456.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Also,

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.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has failed to pass.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 32.

A bill for an Act amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 98, nays 11, absent and not voting 2.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Curry	Hart
Balsdon	Davis	Harty
Bartley	Dean	Hawkinson
Bass	Divet	Hedalen
Batzer	Dixon	Hendrickson
Blakemore	Dosseth	Hickle
Bollinger	Dynes	Hill of Bottineau
Bope	Endreson	Hill of Cass
Borusky	Everson	Hjort
Burnett	Fox	Hoge
Butler of Ramsey	Freitag	Homan
Butler of Ransom	Gardiner	Husband
Calnan	Gunderson	Huso
Campbell	Hanson	Isaak
Colton	Haraldson	Jacobson

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

Those voting in the negative were:

Bjornson	France	Lambert
Buck	Fritz	Morrison
Carey	Geiger	Raney
Doyle	Hjelmstad	

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

Mr. Coltom moved

That further consideration of Senate Bill No. 73 be indefinitely postponed.

Which motion was lost.

Mr. Lambert asked unanimous consent to amend Senate Bill No. 73 by striking out "1918" and inserting therein "1924."

Which consent was denied.

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

The roll was called and there were ayes 88, nays 22, absent and not voting 1.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Bjornson	Buck
Balsdon	Bollinger	Burnett
Bartley	Bope	Butler of Ramsey
Borusky	Batzer	Calnan

Messrs.—	Messrs.—	Messrs.—
Campbell	Hill of Bottineau	Ployhar
Carey	Hjelmstad	Putnam
Coltom	Hjort	Roble
Curry	Homan	Ryan
Davis	Husband	Schroeder
Dean	Huso	Small
Divet	Jacobson	Smith of Ward
Dixon	Kellogg	Snyder
Dosseth	Kelly	Stenhjem
Dynes	Klein	Stinger
Endreson	Knox	Streeter
Fox	Lawbaugh	Thompson
France	Leu	Taylor
Freitag	Levis	Tucker
Fritz	Lindstrom	Turner, C. C.
Gardiner	Martin	Turner, F. W.
Geiger	Miller	Twichell
Gunderson	Morkrid	Walsh
Hanson	Morrison	Wardrope
Haraldson	Norheim	Weis
Hart	Nyhus	Wiley
Harty	O'Connor	Williams
Hawkinson	Olsgard	Wing
Hedalen	Owens	Mr. Speaker
Hendrickson	Petterson	
Hickle	Pitkin	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bass	Johnson	Raney
Blakemore	Kylo	Sandbeck
Butler of Fansom	Lambert	Smith of Kidder
Doyle	List	Sorlie
Everson	Moen	Warriner
Hill of Cass	Northrup	Watt
Hoge	Odland	
Isaak	Pendray	

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

Mr. Hoge moved.

That further consideration of Senate Bill No. 17 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 17.

A bill amending the Constitution of the State of North Dakota providing for the recall of public officials by the people.

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 23, absent and not voting 1.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hendrickson	Odland
Balsdon	Hickle	Olsgard
Bartley	Hill of Bottineau	Pendray
Blakemore	Hjelmstad	Pitkin
Bollinger	Hjort	Ployhar
Bope	Homan	Raney
Borusky	Husband	Ryan
Buck	Huso	Sandbeck
Burnett	Isaak	Schroeder
Calnan	Jacobson	Small
Campbell	Johnson	Smith of Kidder
Carey	Kellogg	Snyder
Curry	Kelly	Sorlie
Davis	Klein	Stenehjem
Dean	Knox	Stinger
Divet	Kylo	Streeter
Dosseth	Lawbaugh	Taylor
Doyle	Leu	Thompson
Dynes	Lewis	Tucker
Endreson	Lindstrom	Turrer, C. C.
Fox	List	Turner, F. W.
Freitag	Martin	Twichell
Fritz	Miller	Wardrobe
Gardiner	Morkrid	Warriner
Hanson	Morrison	Watt
Haraldson	Norheim	Weis
Harty	Northrup	Wiley
Hawkinson	Nyhus	Williams
Hedalen	O'Connor	Wing

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bass	France	Owens
Batzer	Geiger	Peterson
Bjornson	Gunderson	Putnam
Butler of Ramsey	Hart	Roble
Butler of Ransom	Hill of Cass	Smith of Ward
Coltom	Hoge	Walsh
Dixon	Lambert	Mr. Speaker
Everson	Moen	

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

Mr. Dixon moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Dixon moved

That the rules be suspended and that Senate Bill No. 148 be considered engrossed, and placed on third reading and final passage.

Which motion prevailed.

Mr. Hendrickson moved

As an amendment that Senate Bill No. 64 be considered engrossed and placed on third reading.

Which motion prevailed.

Mr. Wardrope moved

As an amendment that House Bill No. 350 be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

Senate Bill No. 370.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 4, absent and not voting 1.

Those voting in the affirmative were:

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

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

Messrs.—
 Ryan
 Sandbeck
 Schroeder
 Small
 Smith of Kidder
 Smith of Ward
 Snyder
 Sorlie
 Stenehjem
 Stinger
 Streeter
 Thompson
 Taylor
 Tucker

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

Those voting in the negative were:

Messrs.—
 Butler of Ransom
 Everson

Messrs.—
 Gunderson

Messrs.—
 Huso

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

Mr. Geiger moved

That further consideration of Senate Bill No. 148 be indefinitely postponed.

Which motion was lost.

Mr. Thompson moved

That further consideration of Senate Bill No. 64 be indefinitely postponed.

Mr. Freitag moved

That the roll be called.

Which motion prevailed.

Roll call being called for motion to indefinitely postpone Senate Bill No. 64.

Senate Bill No. 64.

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.

Was read the third time.

The question being on the motion to indefinitely postpone further action on Senate Bill No. 64.

The roll was called and there were ayes 39, nays 53, absent and not voting 19.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hawkinson	Smith of Kidder
Bope	Hickle	Stinger
Buck	Hill of Cass	Streeter
Burnett	Hjort	Thompson
Butler of Ransom	Johnson	Taylor
Carey	Kelly	Turner, C. C.
Coltom	Kyllo	Turner, F. W.
Dean	Leu	Twichell
Dosseth	Lewis	Walsh
Dynes	Martin	Watt
Freitag	Miller	Wiley
Gardiner	Moen	Wing
Hart	Owens	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	Morrison
Baldson	Haraldson	Norheim
Bartley	Harty	Northrup
Bass	Hedalen	Odland
Bjornson	Hendrickson	Pendray
Blakemore	Hill of Bottineau	Petterson
Bollinger	Hjelmstad	Pitkin
Borusky	Hoge	Ployhar
Butler of Ramsey	Husband	Putnam
Curry	Huso	Raney
Divet	Jacobson	Roble
Dixon	Kellogg	Small
Doyle	Klein	Sorlie
Endreson	Knox	Tucker
Everson	Lambert	Wardrope
Fox	Lindstrom	Warriner
France	List	Williams
Gunderson	Morkrid	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Isaak	Schroeder
Calnan	Lawbaugh	Smith of Ward
Campbell	Nyhus	Snyder
Davis	O'Connor	Stenhjem
Fritz	Olsgard	Weis
Geiger	Ryan	
Homan	Sandbeck	

So the motion was lost.

Senate Bill No. 148.

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, provid-

ing for the removal of beavers causing damage to property 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 96, nays 14, absent and not voting 1.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hedalen	Moen
Borusky	Hill of Cass	Odland
Coltom	Hjort	Smith of Ward
Geiger	Huso	Twichell
Hanson	List	

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

Senate Bill No. 64.

A bill for an Act to amend Sections 38, 46, 51, 66 of the Revised Codes of 1905, to provide for the printing and pre-scribing the manner of distribution of the Legislative Manual, known as the North Dakota Blue Book.

The roll was called and there were ayes 48, nays 45, absent and not voting 18.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hanson	O'Connor
Baldson	Haraldson	Odland
Bartley	Harty	Olsgard
Bass	Hedalen	Pendray
Bjornson	Hendrickson	Pitkin
Blakemore	Hill of Bottineau	Ployhar
Bollinger	Hjelmstad	Raney
Borusky	Husband	Roble
Butler of Ramsey	Isaak	Schroeder
Campbell	Jacobson	Sorlie
Carey	Knox	Stenehjem
Curry	Lambert	Tucker
Divet	List	Turner, F. W.
Dixon	Morkrid	Wardrope
Endreson	Morrison	Warriner
France	Norheim	Williams

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Hjort	Pettersen
Bope	Huso	Putnam
Buck	Johnson	Smith of Kidder
Burnett	Kelly	Stinger
Butler of Ramsey	Klein	Streeter
Coltom	Kyllo	Thompson
Davis	Lawbaugh	Taylor
Dean	Leu	Twichell
Dosseth	Lewis	Walsh
Dynes	Lindstrom	Watt
Freitag	Martin	Weis
Gunderson	Miller	Wiley
Hart	Moen	Wing
Hickle	Northrup	Mr. Speaker
Hill of Cass	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Gardiner	Nyhus
Calnan	Geiger	Ryan
Doyle	Hawkinson	Small
Everson	Hoge	Smith of Ward
Fox	Homan	Snyder
Fritz	Kellogg	Turner, C. C.

So the bill was lost.

Mr. Sorlie moved.

That further consideration of House Bill No. 310 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 350.

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 acknowledgment for such lien and providing a penalty for filing unlawful liens.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 110, nays 0, absent and not voting 1.

Those voting in the affirmative were:

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

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEE.

The committee on enrollment made the following report.

Mr. Speaker:

Your committee on enrollment have examined

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. 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. 201.

A bill for an Act to provide for the appointment of state immigration and labor agents, and fixing their compensation and bond.

Also,

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.

Also,

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

Also,

House Bill No. 500.

A bill for an Act to amend and re-enact 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

Also,

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 state 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.

Also,

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.

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.

Also,

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.

Also,

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.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

Mr. Morrison moved

That Senate Bill No. 161 be indefinitely postponed.

Which motion was lost.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has amended as follows

In line 4 of Section 3 of printed bill, after the word "rate" strike out everything to the word "to" in line 5, and insert in lieu thereof the following: "prescribed in Section 2432 of the Revised Codes of North Dakota for 1905, as amended by Chapter 232 of the Session Laws for 1911.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 54.

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.

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266, of the Session Laws of 1911, relating to education.

Senate Bill No. 150.

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.

Senate Bill No. 243.

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.

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners, publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease and prescribing a penalty for violations thereof.

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 corporation.

Senate Bill No. 175.

A bill for an Act to amend Section 73 of the Revised Codes of 1905, relating to reports and officers, departments, boards, commissions 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 give a bond, providing a penalty for failure to make, transmit and print such reports at the required time, and repealing all existing provisions of the law inconsistent herewith.

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.

Senate Bill No. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

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. 31.

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.

Senate Bill No. 29.

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 of trustees of incorporated villages.

Senate Bill No. 223.

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.

Senate Bill No. 213.

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

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of 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."

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.

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.

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."

House Bill No. 294.

A bill for an Act repealing Chapter 233 of the Laws of North Dakota for the year 1911.

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.

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.

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.

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.

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.

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."

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.

House Bill No. 424.

A bill for an Act to repeal Chapter 145 of the Laws of 1907.

House Bill No. 500.

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

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

Mr. Sorlie moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Sorlie moved

That the Senate amendments to House Bill No. 312, and the bill, be placed on third reading and final passage.

Mr. Wiley moved

That further consideration of House Bill No. 312 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered for grain shippers.

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 6, absent and not voting 1.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Buck	Calnan	Hart
Butler of Ramsey	Dixon	Hill of Cass

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

House Bill No. 312.

A bill for an Act to amend Sections 2294 and 2296 and reenacting 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 48, nays 31, absent and not voting 32.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Hickle	O'Connor
Balsdon	Hill of Bottineau	Pendray
Bjornson	Hill of Cass	Pettersen
Bollinger	Hjelmstad	Pitkin
Borusky	Hoge	Putnam
Buck	Jacobson	Raney
Butler of Ramsey	Johnson	Roble
Coltom	Knox	Sorlie
Davis	Kylo	Stinger
Dosseth	Lambert	Taylor
Doyle	Lawbaugh	Turner, F. W.
Dynes	Miller	Wardrope
Freitag	Moen	Warriner
Gunderson	Morkrid	Watt
Hanson	Morrison	Wing
Haraldson	Norheim	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Batzer	Fox	Sandbeck
Bope	France	Schroeder
Butler of Ransom	Gardiner	Smith of Kidder
Calnan	Hjort	Smith of Ward
Carey	Kelly	Streeter
Curry	Lewis	Turner, C. C.
Dean	List	Twichell
Divet	Martin	Walsh
Dixon	Odland	Wiley
Endreson	Olsgard	
Everson	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hedalen	Nyhus
Bass	Hendrickson	Ployhar
Blakemore	Homan	Ryan
Bratton	Husband	Small
Burnett	Huso	Snyder
Campbell	Isaak	Stenehjem
Fritz	Kellogg	Thompson
Geiger	Klein	Tucker
Hart	Leu	Weis
Harty	Lindstrom	Williams
Hawkinson	Northrup	

So the bill was lost.

MOTIONS AND RESOLUTIONS.

Mr. Streeter moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Streeter moved that Senate Bills No. 215, 210 and 372 be placed on the calendar for third reading and final passage.

Which motion prevailed.

Mr. Burnett moved

That House Bill No. 422, that was messaged over to the Senate, be called back from the Senate, and the original bill be sent to the Senate.

Which motion prevailed.

Mr. Lewis introduced the following resolution

Whereas, The mailing clerks of the House have been continuously and assiduously employed throughout the entire session; and

Whereas, The mailing clerks of the Senate have received \$5.00 per day, and the mailing clerks of the House but \$4.00, and

Whereas, The bulk of the labor and responsibility of this department has fallen upon the mailing clerks of the House, and

Whereas, The assistant bookkeeper of the House has had the bulk of the labor of his department to do and is allowed only \$4.00 per day, and

Therefore, Be It Resolved, That the voucher clerk be instructed to issue additional vouchers in favor of S. A. Moore, F. Tousley, O. Lyback, N. O. Grovum and A. C. Cooper, (aforesaid mailing clerks) and A. E. Seace, assistant bookkeeper of the House, to the amount of \$1.00 per day for each day of service.

Mr. Sorlie moved

That the resolution be indefinitely postponed.

Which motion prevailed.

Mr. Thompson moved

That the House take a recess of 10 minutes.

Which motion prevailed and

The House took a recess.

The House re-assembled pursuant to recess taken.

The Speaker presiding.

Mr. Blakemore asked that the Senate be requested to return Senate Bill No. 73.

Which motion was granted.

Mr. Twichell introduced the following resolution:

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

Whereas, It is necessary and advisable in the opinion of the Legislative Assembly of the State of North Dakota that the state publish what is known as the "Blue Book," and

Whereas, Such publication is not included in any of the classifications now established by law for public printing,

Therefore, Be It Resolved, That the Commissioner of Printing of the State of North Dakota be, and they are hereby directed to advertise for bids for the printing of such publication and to let the contract therefor to the lowest responsible bidder.

Mr. Dixon moved

As an amendment that it is the sense of this House that the Blue Book be treated the same as in former years.

Which motion prevailed.

Mr. Thompson moved

That the motion as amended be laid on the table.

Which motion prevailed.

REPORT OF STANDING COMMITTEE.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined

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. 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. 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.

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.

Also,

House Bill No. 355.

A bill for an Act to provide for non-partisan municipal elections and method of making nominations for such officers.

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. 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.

Also,

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.

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. 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. 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.

Also,

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. 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.

Also,

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."

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 30.

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.

Senate Bill No. 259.

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.

Senate Bill No. 77.

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.

Senate Bill No. 390.

A bill for an Act to amend Section 84 of Chapter 266 of the Session Laws of 1911, relating to education.

Senate Bill No. 328.

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.

Senate Bill No. 250.

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 investment 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.

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.

Senate Bill No. 352.

A bill for an Act to define the duty of the heads of state institutions and state boards to make reports.

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

Senate Bill No. 311.

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.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 109, nays 0, absent and not voting 2.

Those voting in the affirmative were:

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

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

Absent and not voting, Messrs. Bratton and Northrop.

So the bill passed and the title was agreed to.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 260.

A bill for an Act entitled "An Act to amend Section 2 of 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.

Senate Bill No. 349.

A bill for an Act to amend Section 1 of Chapter 162 of the Session Laws of 1911, relating to county mutual companies.

Senate Bill No. 213.

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

Senate Bill No. 223.

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.

Senate Bill No. 29.

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 of trustees of incorporated villages.

Senate bill No. 31.

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.

Senate Bill No. 88.

A bill for an Act to provide 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. 127.

A bill for an Act relating to the employment and compensation of prisoners confined in the state penitentiary, and making an appropriation therefor.

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.

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.

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 corporation.

Senate Bill No. 315.

A bill for an Act providing for the labeling of meats from animals affected with contagious or infectious disease and prescribing a penalty for violation thereof.

Senate Bill No. 139.

A bill for an Act providing for the cancellation of all North Dakota live stock brands or marks; providing for re-recording of same; notices to record owners, publication of notices; manner of re-recording and future recording; fees; expenses; appropriation; repeal.

Senate Bill No. 243.

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.

Senate Bill No. 219.

A bill for a concurrent resolution to amend Section 216 of the Constitution of the State of North Dakota, pertaining to public institutions.

Senate Bill No. 150.

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.

Senate Bill No. 54.

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.

Senate Bill No. 376.

A bill for an Act to amend Section 232 of Chapter 266, of the Session Laws of 1911, relating to education.

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

Mr. Twichell moved

That the House return to the eleventh order of business.

Which motion prevailed.

Mr. Blakemore moved

That House Bill No. 10 be placed on its third reading and final passage.

Mr. Burnett moved

That further consideration of House Bill No. 10 be indefinitely postponed.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith enrolled House Bill No. 422, as requested by the House.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith Senate Bill No. 20 as requested by the House.

Very respectfully

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 17 and asks for a committee on conference, and the President has named as such conferees on the part of the Senate, Messrs. Overson, Gibbens and Davis.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 73 and asks for a committee on conference, and the President has named as such conferees on the part of the Senate, Messrs. Overson, Gibbens and Davis.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate declines to concur in the House amendments to Senate Bill No. 32 and asks for a committee on conference, and the President has named as such conferees on the part of the Senate, Messrs. Overson, Gibbens and Davis.

Very respectfully,
W. D. AUSTIN,
Secretary.

CONSIDERATION OF MESSAGES FROM THE SENATE.

Mr. Twichell moved

That the House return to the twelfth order of business.

Mr. Wiley moved

That a conference committee be appointed to confer with the Senate on House Bill No. 32.

Which motion prevailed.

The Speaker appointed as such committee Messrs. Wylie, Weis and Owens.

The Speaker appointed as conference committee on Senate Bill No. 73, Messrs. Wiley, Weis, and Owens.

The Speaker appointed as conference committee on Senate Bill No. 17, Messrs. Wiley, Weis and Owens.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to transmit herewith Senate Bill No. 148 in which the Senate has adopted the conference committee report and passed as amended, and your favorable consideration is earnestly requested.

Very respectfully,
W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in House amendments to Senate Bill No. 103.

Also the Senate has concurred in House amendments to Senate Bill No. 246.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House concurrent resolution relating to interstate commerce commission and the mailing of snuff and cigarettes.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate requests the return of House Bill No. 406.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has refused to concur in the concurrent resolution to the proposed amendment to Article 7 of Section 135 of the Constitution of the State of North Dakota.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Twichell moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Twichell moved

To reconsider the vote by which House Bill No. 10 was lost.

Which motion prevailed.

Mr. Twichell moved

That the House concur in the Senate amendments to House Bill No. 10, and that the same be placed on its third reading and final passage.

Which motion prevailed.

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 102, nays 8, absent and not voting 1.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Coltom	Gunderson
Batzer	Dean	Huso
Butler of Ramsey	Dixon	

Absent and not voting voting, Mr. Bratton.

So the bill passed and the title was agreed to.

Mr. Lambert moved

That the House concur in the Senate amendments to House Bill No. 488 and the same be placed on third reading and final passage.

Which motion prevailed.

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 third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 106, nays 4, absent and not voting 1.

Those voting in the affirmative were:

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

Messrs.—	Messrs.—	Messrs.—
Pitkin	Snyder	Walsh
Ployhar	Sorlie	Wardrobe
Putnam	Stenehjem	Warriner
Raney	Stinger	Watt
Roble	Streeter	Weis
Ryan	Taylor	Wiley
Sandbeck	Thompson	Williams
Schröder	Tucker	Wing
Small	Turner, C. C.	Mr. Speaker
Smith of Kidder	Turner, F. W.	
Smith of Ward	Twichell	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Everson	Martin	Morkrid
Gardiner		

Absent and not voting voting, Mr. Bratton.

So the bill passed and the title was agreed to.

REPORT OF STANDING COMMITTEE.

Bismarck, North Dakota, March 7th, 1913.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined
House Bill No. 482.

A bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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.

Also,

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.

Also,

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

Also,

House Bill No. 501.

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.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 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 110, nays 0, absent and not voting 1.

Those voting in the affirmative were:

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

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

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

Mr. Buck moved

That further consideration of Senate Bill No. 215 be indefinitely postponed.

Which motion prevailed.

Mr. Blakemore moved

That further consideration of House Bill No. 372 be indefinitely postponed.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

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.

Which the Senate has indefinitely postponed.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

See amendments attached to bill.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign

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.

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.

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.

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.

House Bill No. 355.

A bill for an Act to amend Section 2607 of the Revised Codes of North Dakota of 1905, relating to conorer's fees.

House Bill No. 328.

A bill for an Act to regulate the certification of public accountants and the practicing of the professor of accountancy in North Dakota.

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.

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.

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.

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.

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.

House Bill No. 87.

A bill for an Act relating to the White Stone Hill Memorial Park and making an appropriation therefor.

House Bill No. 358.

A bill for an Act providing the rules of practice to pre-

vail 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.

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."

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

Mr. Leu moved

That the House return to the seventh order of business.

Which motion prevailed.

Mr. Petterson introduced the following resolution:

Whereas, Immediately before the adjournment of the Twelfth Legislative Assembly, by a concurrent resolution duly adopted, appointed a committee of three members to examine the office of the State Treasurer for the period beginning on the 1st day of January, 1903, and ending on the 1st day of January, 1911, covering the terms of office of D. H. McMillan, Albert Peterson and G. L. Bickford, former State Treasurers of this state, in conformity with a resolution previously adopted appointing a committee for such purpose and such committee having been especially instructed to examine the office with reference to possible loss to the state of interest on state funds, and whereas, said committee did not report to the Legislative Assembly but was instructed to and did make its report to the Governor of this state so that neither the Twelfth nor the Thirteenth Legislative Assembly have had an opportunity to either approve or disapprove of the said report, and whereas, upon investigation made in the office of the State Treasurer, it has been found by the mover of this resolution that certain errors were made in the said report, in this, that statements were therein made which seriously reflect upon the manner in which the said Albert Peterson, former State Treasurer conducted the affairs of this office; and whereas, it is only justice to the ex-state officer that he should be exonerated from any unfair or incorrect charges made in the said report which alleged errors in the said report are as follows, that is to say:

On page 56 of said report, is found the following language: Your committee found evidence that would tend to prove that there was a special agreement or understanding between Andy H. Jones and Albert Peterson, State Treasurer, whereby Peterson received moneys in excess of the regular three per cent allowed th state, for maintaining unusually large balances in the First National Bank of Rugby.

In said report several instances are referred to in corroboration of said statement among which the following:

August 17th, 1908, the First National Bank of Rugby issued its draft No. 26755, for \$220.00 payable to Albert Peterson treasurer.

From an examination of the remittance register in the treasurer's office on page 96, and also on the pass book of the First National Bank of Bismarck, on August 21st, 1908, it appears that the state received credit for this amount, represented by the draft above referred to.

March 19th, 1908, the First National Bank of Rugby issued its certificate of deposit No. 3808, payable to A. Harris, which certificate was afterwards endorsed by A. Harris and delivered to Albert Peterson, treasurer.

From an examination of the remittance register in the treasurer's office on page 109 and also from the pass book it appears that the state received credit for this amount together with interest thereon on November 2nd, 1908.

May 18th, 1908, the Barton State Bank issued its time certificate of deposit No. 1204, for \$1,500, payable to A. H. Jones, which certificate was afterwards endorsed by A. H. Jones, and delivered to Albert Peterson, treasurer.

From an examination of the remittance register in the treasurer's office on page 109, it appears that the state received credit for this amount on November 4th, 1908.

And Whereas, It has beep physically impossible for the mover of this resolution to verify all of the instances recited in said report by reason of the fact that it took an expent accountant from Minnesota, at an expense of \$1,500, and two of said investigating committee at an expense of \$1,650, working conjointly, one hundred and one days in order to complete the said investigation.

Now Therefore, In order that justice may be done to the said Albert Peterson, ex-State Treasurer,

Be it Resolved by the House of Representatives of the State of North Dakota, That the Speaker of this House im-

mediately appoint a committee of three members to investigate the three specific charges above set forth and ascertain the truthfulness or falsity of said charges and report to this House today before adjournment.

Mr. Lambert moved

That further consideration of the resolution be indefinitely postponed.

Which motion prevailed.

Mr. Dean moved

That the Speaker appoint a committee to wait on the Governor to inform him that the House has finished its business and is ready to adjourn.

Which motion prevailed.

The Speaker appointed as such committee, Messrs. Dean, Hawkinson and Hill of Bottineau.

REPORT OF STANDING COMMITTEE.

The committee on engrossment made the following report:

Mr. Speaker:

Your committee on engrossment have examined

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.

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.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 106.

A bill for an Act to appropriate moneys for maintenance, equipment and permanent improvements at the Ellendale state normal and industrial school.

Senate Bill No. 391.

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.

Senate Bill No. 387.

A bill for an Act to amend Section 8154 of the Revised Codes of 1905, relating to the approval of mortgages executed by an administrator, executor or guardian.

Senate Bill No. 110.

A Concurrent Resolution amending the Constitution of the State of North Dakota.

Senate Bill No. 290.

For an Act extending the powers of the board of trustees of incorporated villages, relative to sidewalks, paving and water mains.

Senate Bill No. 136.

A bill for an Act to provide for increased maintenance and contingent expenses, for establishing and maintaining an agricultural extension department and for an agricultural building and other permanent improvements and repairs for the North Dakota Agricultural College.

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

House Bill No. 482.

Being a bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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.

House Bill No. 413.

A bill for an Act providing for the inspection of coal im-

ported into this state and charging the state oil inspector and his deputies with the performance of the duties imposed by this Act.

House Bill No. 501.

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.

Senate Bill No. 277.

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.

Senate Bill No. 362.

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.

Senate Bill No. 381.

A bill for an Act prohibiting the sale of pure bred cattle unless accompanied by a certificate of health.

Senate Bill No. 386.

A bill for an Act to amend Section 1516 of the Revised Codes of 1905, relating to the bond and oath of assessors.

Senate Bill No. 293.

A bill for an Act to provide for the preparing of an annual county budget.

Senate Bill No. 130.

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.

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

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith
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.

Which the Senate has amended as follows:

In line 8, Section 1 of the printed bill, before the word "equipment," insert the word "leasing."

In lines 1 and 2 of Section 2 of the printed bill, strike out the words "of state institutions of this state."

In line 3 of Section 1 of the printed bill, after the numeral "1915," insert the following: "and the year 1916 and the year 1917," and strike out the word "one" in the same line and insert in lieu thereof the following: "one-eighth of one."

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Burnett moved

That the House concur in the Senate amendments and that House Bill No. 422 be considered engrossed and placed on third reading and final passage.

Which motion prevailed.

Mr. Wiley moved

That the House return to the sixth order of business for the purpose of receiving the report of conference committee on Senate Bills No. 32, 73 and 17.

Which motion prevailed.

REPORTS OF CONFERENCE COMMITTEE.

The committee on conference made the following report:

Mr. Speaker:

Your committee on conference to whom was referred
Senate Bill No. 32.

A bill for an Act amending the Constitution of the State of

North Dakota, providing for the initiative and referendum.

Have had the same under consideration in conference and recommend that the House recede from its amendments to Senate Bill No. 32.

L. D. WILEY,
ALBERT WEIS,
WM. G. OWENS,
House Committee.

W. B. OVERSON,
A. S. GIBBENS,
J. E. DAVIS,
Senate Committee.

Also,

Mr. Speaker:

Your committee on conference to whom was referred
Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Have had the same under consideration in conference with Senate committee and recommend that the House recede from its amendments to Senate Bill No. 73.

L. D. WILEY,
ALBERT WEIS,
WM. G. OWENS,
House Committee.

W. B. OVERSON,
A. S. GIBBENS,
J. E. DAVIS,
Senate Committee.

Also,

Mr. Speaker:

Your committee on conference to whom was referred
Senate Bill No. 17.

A bill for an act amending the constitution of the state of North Dakota providing for the Recall of Public Officials by the people.

Have had the same under consideration in conference with Senate committee and report that your committee can-

not agree and recommend the appointment of another conference committee.

L. D. WILEY,
ALBERT WEIS,
WM. G. OWENS,
House Committee.

W. B. OVERSON,
A. S. GIBBENS,
J. E. DAVIS,
Senate Committee.

Mr. Thompson moved
That the chair appoint a new conference committee on Senate Bills No. 17 and 73.

The Speaker appointed as such committee Messrs. Twitchell, Divet and Owens.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to request the return of House Bill No. 406.

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Sorlie moved

That the House comply with the request of the Senate and that the House return House Bill No. 406.

Which motion prevailed.

Mr. Kellog moved

That the rules be suspended and that the resolution concerning the State Treasurer be expunged from the Journal of the House.

Which motion was lost.

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 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 100, nays 10, absent and not voting 1.

Those voting in the affirmative were:

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

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Butler of Ramsey	Hickle	Turner, F. W.
France	Lawbaugh	Weis
Fritz	Moen	
Gunderson	Morrison	

Absent and not voting, Mr. Bratton.

So the bill passed and the title was agreed to.

Mr. Sorlie moved

That the House take a recess until the conference committee reports.

Which motion prevailed.

The House re-assembled pursuant to recess taken.

REPORTS OF STANDING COMMITTEE.

The committee on engrossment made the following report:

Mr. Speaker:

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.

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.

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.

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 find the same correctly engrossed.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

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.

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.

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.

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.

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.

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 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.

Senate Bill No. 357.

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.

Senate Bill No. 214.

A bill for an Act to amend Sections 1, 2, 3, 4, 5, 6, 7, 8, 9,

10, 11, 12 and 13 of Chapter 23 of the Session Laws of 1911, and to repeal Sections 14, 15 and 16 of said Chapter, establishing a hail insurance department and making the commissioner of insurance ex-officio commissioner of hail insurance; prescribing rules, regulations and duties of officers and persons connected therewith; prescribing how premiums, expenses and indemnity for losses by hail shall be paid, and providing a penalty.

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

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

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to transmit herewith the following resolution:

Be it Resolved, That a copy of the resolution offered by Mr. Linde relating to Senator C. W. Hookway be sent to the House and there read before that body and that the House be requested that the name of Senator C. W. Hookway be expunged from the record in the printed Journal that is to be bound, in reference to the Ness trial, and that in case the request to have the record expunged is not granted, that a copy of the resolution offered by Mr. Linde relative to Senator C. W. Hookway and adopted by the Senate be spread upon the journal of the House.

Resolution offered by Mr. Linde:

Whereas, It appears from the Journal of the House and from the press of this and other states that the name of our esteemed fellow member of this Senate, Senator C. W. Hookway, has been inexcusably and without any grounds or reason whatsoever and through hearsay reports alone, mentioned in connection with certain charges of attempted bribery preferred by the House against one B. J. Ness,

growing out of Senate Bill No. 98, and

Whereas, Such reports, which in fact have no foundation or semblance of truth in them, will or might tend to besmirch and place stigma upon the good name, character and reputation of our fellow member in whom we have explicit confidence and who has our absolute respect and good will, and

Whereas, It is the intention of this Senate to do all within its power to deny and repudiate such reports and to prevent any stain or stigma from attaching to the name of Senator Hookway.

Now Therefore, Be it resolved that we by this resolution express our sincere and honest regrets at the unfortunate and uncalled for reports concerning Senator C. W. Hookway at this and at the last session, and express to him an expression of our confidence in and respect for him, and that we hereby go on record that we believe that such reports are in all respects and in all things false and untrue and without any foundation whatsoever, and

Be it Further Resolved, That we recommend our fellow member C. W. Hookway to the world and to the people of this state as a man whose honesty and integrity have never during his term of service in this Senate or at any other time been in any manner questioned and whose sterling qualities are admired and appreciated by all, and

Be it further Resolved, That a copy of this resolution be engrossed and signed by the President of this Senate and thereupon transmitted to Senator C. W. Hookway as an expression of our confidence in him and with our best wishes for his future success and welfare.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

Mr. Anderson moved

That the House concur in the resolution by a rising vote.

Which motion prevailed.

Mr. Sorlie moved

That the other names mentioned in the B. J. Ness trial be expunged from the record.

Which motion prevailed.

Mr. Williams moved

As an amendment that the records of this House be expunged of all names of Representatives and Senators mentioned in the B. J. Ness trial.

Mr. Sorlie withdrew his motion.

Mr. Lambert moved

That the names of C. W. Hookway and Judson LaMoure be added to the resolution we passed some ten days ago, and that that resolution and this resolution be printed directly following the proceedings of this trial, and that the record stand as it is now.

Which motion prevailed.

Mr. Sorlie moved

That the House reconsider the vote by which they failed to adopt the report of the committee on Senate Bills No. 73 and 32.

Mr. Twichell asked that the Sargeant-at-Arms be requested to bring in the members.

Mr. Walsh introduced the following resolution:

Resolved, That the members of the House hereby extend their thanks to Mr. Daniel Slattery, custodian of the Capitol, for his courtesies and faithfulness to duty during the Session.

Mr. Fox moved

That the resolution be adopted.

Which motion prevailed.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to transmit herewith Senate Bills No. 73 and 32 in which the Senate has adopted the conference committee reports and your favorable consideration is earnestly requested.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to inform you that the Senate has concurred in the House amendments to Senate Bill No. 167.

Very respectfully,

W. D. AUSTIN,
Secretary.

REPORT OF STANDING COMMITTEE.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined
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.

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

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.

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

REPORT OF CONFERENCE COMMITTEE.

The committee on conference made the following report:

Mr. Speaker:

Your committee on conference to whom was referred
Senate Bill No. 32.

A bill for an Act amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Senate Bill No. 17.

A bill amending the Constitution of the State of North providing for the Recall of Public Officials by the people.

Have had the same under consideration in conference and your conference committee recommend that the House recede from its amendments to Senate Bills No. 32, 73 and 17.

L. L. TWICHELL,
A. G. DIVET,
WM. G. OWENS,
House Committee.

CHAS. ELLINGSON,
ALFRED STEEL,
W. R. BOND,
Senate Committee.

Mr. Divet moved

That the report be adopted.

Which motion prevailed and

That the report be adopted.

The Chief Clerk announced that the Speaker was about to sign

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.

Senate Bill No. 287.

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."

Senate Bill No. 147.

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.

Senate Bill No. 286.

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.

Senate Bill No. 51.

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.

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.

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.

House Bill No. 49.

A bill for an Act making an appropriation for the current and contingent expenses of the State Penitentiary, and for making improvements and additions thereto.

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

REPORT OF STANDING COMMITTEE.

The committee on enrollment made the following report:

Mr. Speaker:

Your committee on enrollment have examined
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. 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,

And find the same correctly enrolled.

R. J. GARDINER,
Chairman.

Mr. Gardiner moved

That the report be adopted.

Which motion prevailed.

The Chief Clerk announced that the Speaker was about to sign

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.

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."

Senate Bill No. 357.

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.

Senate Bill No. 241.

A bill for an Act to amend Sections 2772, 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.

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.

Senate Bill No. 214.

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 or parts of Acts in conflict with the provisions of this Act.

Senate Bill No. 322.

A bill for an Act pertaining to verdicts and findings and abolishing special verdicts in civil and criminal actions.

Senate Bill No. 246.

A bill for an Act to amend and re-enact Sections 2 and 4, Chapter 129, Session Laws of 1911, relating to election privileges.

House Bill No. 501.

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.

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.

House Bill No. 482.

A bill for an Act authorizing and directing the state board of pardons to reconsider, after favorable action has been taken by them on 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.

House Bill No. 283.

A bill for an Act to prohibit false and misleading advertising of all kinds, and providing a penalty therefor.

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.

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.

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.

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.

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

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

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.

Which the Senate has failed to pass.

Very respectfully,

W. D. AUSTIN,
Secretary.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 429.

A bill for an Act to amend and re-enact Sections 9452 of the Revised Codes of 1905, relating to the promiscuous distribution of drug samples.

Which the Senate has passed unchanged.

Very respectfully,

W. D. AUSTIN,
Secretary.

The Chief Clerk announced that the Speaker was about to sign

Senate Bill No. 103.

A bill for an Act providing for the removal of certain county, township, municipal and other officers.

Senate Bill No. 148.

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.

Senate Bill No. 274.

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.

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

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of

the State of North Dakota, providing for future amendments thereof.

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 16, absent and not voting 11.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Harty	Pendray
Bartley	Hedalen	Petterson
Batzer	Hendrickson	Pitkin
Bollinger	Hickle	Ployhar
Bope	Hill of Bottineau	Putnam
Borusky	Hjelmstad	Ryan
Burnett	Homan	Sandbeck
Butler of Ramsey	Huso	Schroeder
Butler of Ransom	Jacobson	Small
Calnan	Johnson	Smith of Kidder
Campbell	Kellogg	Smith of Ward
Curry	Kelly	Snyder
Davis	Klein	Stenehjem
Dean	Knox	Thompson
Divet	Lawbaugh	Taylor
Dixon	Leu	Tucker
Dosseth	Lindstrom	Turner, C. C.
Doyle	List	Turner, F. W.
Dynes	Martin	Twitchell
Endreson	Miller	Walsh
Fox	Morkrid	Wardrope
France	Norheim	Warriner
Freitag	Northrup	Watt
Fritz	Nyhus	Weis
Gardiner	O'Connor	Wiley
Hanson	Odland	Williams
Haraldson	Olsgard	Wing
Hart	Owens	Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hjort	Morrison
Everson	Hoge	Raney
Geiger	Husband	Sorlie
Gunderson	Kyllo	Streeter
Hawkinson	Lambert	
Hill of Cass	Lewis	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Anderson	Buck	Moen
Bass	Carey	Roble
Blakemore	Coltom	Stinger
Bratton	Isaak	

So the bill passed and the title was agreed to.

Upon verification of vote on Senate Bill No. 73

Mr. Blakemore objected to being recorded as voting in affirmative, being absent on roll call.

Speaker over-ruled.

Mr. Blakemore raised point of order, "No quorum present."

Speaker over-ruled, finding quorum present.

Mr. Blakemore again objected and asked that his protest be entered most emphatically on Senate Bill No. 73.

Mr. Divet moved

A call of the House.

Which motion prevailed.

The roll was called.

Those present were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Harty	Norheim
Balsdon	Hawkinson	O'Connor
Bartley	Hedalen	Odland
Bass	Hendrickson	Olsgard
Batzer	Hickle	Owens
Bjornson	Hill of Bottineau	Pendray
Blakemore	Hill of Cass	Pitkin
Bollinger	Hjelmstad	Putnam
Bope	Hjort	Raney
Borusky	Hoge	Roble
Buck	Husband	Sandbeck
Butler of Ramsey	Isaak	Smith of Ward
Calnan	Jacobson	Sorlie
Carey	Kellogg	Stenehjem
Coltom	Kelly	Stinger
Curry	Klein	Thompson
Dean	Kyllo	Taylor
Divet	Lambert	Tucker
Dosseth	Lawbaugh	Turner, C. C.
Doyle	Leu	Twichell
Everson	Lewis	Wardrope
Fox	Lindstrom	Watt
Gardiner	Miller	Wiley
Geiger	Moen	Williams
Gunderson	Morkrid	Wing
Haraldson	Morrison	Mr. Speaker

Those absent were:

Messrs.—	Messrs.—	Messrs.—
Bratton	Davis	France
Burnett	Dixon	Freitag
Butler of Ransom	Dynes	Fritz
Campbell	Endreson	Hanson

Messrs.—
 Harty
 Homan
 Huso
 Johnson
 Knox
 List
 Martin

Messrs.—
 Northrup
 Nyhus
 Petterson
 Ployhar
 Ryan
 Schroeder
 Small

Messrs.—
 Smith of Kidder
 Snyder
 Streeter
 Turner, F. W.
 Walsh
 Warriner
 Watt

Mr. Hendrickson moved

That further proceedings under the call of the House be dispensed with.

Which motion prevailed.

Mr. Huso moved

That further consideration of Senate Bill No. 32 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 32.

A bill for an Act amending the Constitution of the State of North Dakota, providing for the initiative and referendum.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 65, nays 14, absent and not voting 32.

Those voting in the affirmative were:

Messrs.—
 Anderson
 Balsdon
 Bartley
 Bass
 Batzer
 Blakemore
 Bollinger
 Bope
 Borusky
 Butler of Ramsey
 Calnan
 Carey
 Coltom
 Dean
 Divet
 Dixon
 Dosseth
 Everson
Fox
 Gardiner
 Gunderson
 Haraldson

Messrs.—
 Harty
 Hawkinson
 Hedalen
 Hendrickson
 Hickle
 Hill of Bottineau
 Hill of Cass
 Hjelmstad
 Hoge
 Huso
 Isaak
 Jacobson
 Kellogg
 Kelly
 Klein
 Kylo
 Lawbaugh
 Leu
 Lindstrom
 Miller
 Moen
 Morkrid

Messrs.—
 Norheim
 Owens
 Pendray
 Pitkin
 Putnam
 Roble
 Sorlie
 Stenehjcm
 Stinger
 Streeter
 Thompson
 Taylor
 Tucker
 Turner, F. W.
 Twichell
 Wardrope
 Weis
 Wiley
 Williams
 Wing
 Mr. Speaker

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Bjornson	Hjort	O'Connor
Buck	Husband	Odland
Curry	Lambert	Raney
Doyle	Lewis	Smith of Ward
Geiger	Morrison	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Bratton	Hart	Ryan
Burnett	Homan	Sandbeck
Butler of Ransom	Johnson	Schroeder
Campbell	Knox	Small
Davis	List	Smith of Kidder
Dynes	Martin	Snyder
Endreson	Northrup	Turner, C. C.
France	Nyhus	Walsh
Freitag	Olsgard	Warriner
Fritz	Petterson	Watt
Hanson	Ployhar	

So the bill passed and the title was agreed to.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to transmit herewith the following resolution:

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

Whereas, The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing Company, the state printer, until long after the time prescribed by law; and,

Whereas, A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and

Whereas, On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorized and directed them to rush said reports even though extra expense be incurred; and

Whereas, Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

Now, Therefore be it Resolved, That the commissioners of public printing and the officers having charge of the printing of the reports above referred to and of the allow-

ance and payment of the compensation for the same, is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense, actually incurred in compliance with the order and direction of the chairman of the select committee appointed by the House of Representatives.

Provided, however, that the total amount to be paid for extra work and expenses incurred as hereinbefore stated shall not exceed the sum of \$2,000.00.

In which the Senate has failed to concur.

Very respectfully,

W. D. AUSTIN,
Secretary.

Senate Bill No. 17.

A bill amending the Constitution of the State of North Dakota providing for the Recall of Public Officials by the people.

Was read the third time.

The question being on the final passage of the bill.

The roll was called and there were ayes 38, nays 37, absent and not voting 36.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Bartley	Hill of Bottineau	O'Connor
Blakemore	Hjelmstad	Odland
Borusky	Hjort	Olsgard
Calnan	Jacobson	Pitkin
Curry	Kellogg	Raney
Dean	Kelly	Sorlie
Divet	Klein	Stinger
Gardiner	Kyllo	Taylor
Harty	Lawbaugh	Tucker
Hawkinson	Leu	Twichell
Hedalen	Lindstrom	Wardrope
Hendrickson	Morkrid	Williams
Hickle	Norheim	

Those voting in the negative were:

Messrs.—	Messrs.—	Messrs.—
Anderson	Geiger	Pendray
Batzer	Gunderson	Putnam
Bollinger	Hill of Cass	Roble
Bope	Hoge	Smith of Ward
Buck	Husband	Streeter
Butler of Ramsey	Huso	Thompson
Curry	Isaak	Turner, C. C.
Coltom	Lambert	Weis
Dixon	Lewis	Wiley
Dosseth	Miller	Wing
Doyle	Moen	Mr. Speaker
Everson	Morrison	
I ox	Owens	

Absent and not voting:

Messrs.—	Messrs.—	Messrs.—
Balsdon	Fritz	Ployhar
Bass	Hanson	Ryan
Bjornson	Haraldson	Sandbeck
Bratton	Hart	Schroeder
Burnett	Homan	Small
Butler of Ransom	Johnson	Smith of Kidder
Campbell	Knox	Snyder
Davis	List	Stenehjem
Dvnes	Martin	Turner, F. W.
Endreson	Northrup	Walsh
France	Nyhus	Warriner
Freitag	Pettersen	Watt

So the bill was lost.

Mr. Weis moved

That the vote by which Senate Bill No. 17 was lost, be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

I have the honor to return herewith

House Bill No. 406.

A bill for an Act to amend Chapter 156 of the Laws of 1907.

Which the Senate has amended as follows:

In line 34, page 2 of printed bill, strike out the words "or invest." Strike out all of line 35 and "any other state" in line 36.

Very respectfully,

W. D. AUSTIN,
Secretary.

MESSAGE FROM THE SENATE.

Bismarck, North Dakota, March 7th, 1913.

Mr. Speaker:

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

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

Whereas, The reports of the state officers, institutions and boards were not placed in the hands of the Knight Printing

Company, the state printer, until long after the time prescribed by law; and,

Whereas, A special committee of the House of Representatives was appointed for the purpose of providing some means for the speedy publication of said reports; and,

Whereas, On the 24th day of January, 1913, the chairman of the select committee of the House of Representatives did communicate with the said Knight Printing Company and authorized and directed them to rush said reports even though extra expense be incurred; and,

Whereas, Pursuant to said direction the said Knight Printing Company did employ extra help, work extra shifts and incurred large extra expense in the printing of said reports, pursuant to instructions of said committee of the House of Representatives.

Now, Therefore be it Resolved, That the commissioners of public printing and the officers having charge of the printing of the reports above referred to and of the amounts and payment of the compensation of the same is hereby authorized and directed to pay to the Knight Printing Company, in addition to the contract price therefor, the amount of the extra expense actually incurred in the compliance and direction of the Chairman of the Select Committee appointed by the House of Representatives, provided that additional compensation be allowed and paid only on duly certified vouchers of the Knight Printing Company.

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

Very respectfully,

W. D. AUSTIN,
Secretary.

CONSIDERATION OF MESSAGE FROM THE SENATE.

Mr. Streeter moved

That the House concur in the Senate concurrent resolution relating to the Knight Printing Company.

Mr. Hendrickson moved

That further consideration of the concurrent resolution be postponed.

Which motion was lost.

Mr. Hendrickson requested a roll call.

Mr. Thompson moved

The previous question.

Which motion prevailed.

The question being, shall we concur?

Which motion prevailed.

Mr. Thompson moved

That the House take a recess subject to the call of the Speaker.

Which motion prevailed.

The Speaker called the House to order.

The Chief Clerk announced that the Speaker was about to sign

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.

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 Section 1737 of the Revised Codes of 1905, as amended, etc., etc.

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.

House Bill No. 429.

A bill for an Act to amend and re-enact Sections 9452 of the Revised Codes of 1905, relating to the promiscuous distribution of drug samples.

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.

Senate Bill No. 73.

A Concurrent Resolution amending the Constitution of the State of North Dakota, providing for future amendments thereof.

Senate Bill No. 32.

A bill amending the Constitution of the State of North Dakota providing for the Initiative and Referendum.

Senate Bill No. 177.

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.

Senate Bill No. 358.

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.

Senate Bill No. 370.

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.

Senate Bill No. 115.

A bill for an Act fixing the time when policies of hail insurance companies shall take effect.

Senate Bill No. 311.

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.

Senate Bill No. 373.

A bill for an Act to amend and re-enact Section 1904 of the Revised Codes of North Dakota for 1905.

Senate Bill No. 167.

A bill for an Act providing for the making of necessary repairs upon the executive mansion, and making appropriation therefor.

Senate Bill No. 350.

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.

Senate Bill No. 44.

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

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. 333.

A bill for an Act creating a state highway commission, defining their duties and powers.

Senate Bill No. 289.

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.

Senate Bill No. 161.

A bill for an Act requiring railroad companies to line and cooper cars tendered to grain shippers, or to reimburse shippers therefor.

Senate Bill No. 267.

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

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

Mr. Sorlie moved

That the House do now adjourn *sine die*.

Which motion prevailed and

The House adjourned.

M. J. GEORGE,
Chief Clerk.

REPORT OF SPECIAL COMMITTEE.

The special committee appointed to correct and revise the printed Journal of the 59th day after recess and the 60th day in accordance with the written copy makes the following corrections and revisions:

Wherever "Doyle" is spelled "Dyole," correct the spelling.

Page 9, change Senate bill No. 213 to Senate Bill No. 31, and insert correct title.

Page 20, line 9, correct spelling of word "providing."

Page 40, line 12 from bottom, change "refer" to "return."
Page 58, line 14, correct spelling of "relation."

Page 60, line 20, change "refer" to "return."

Page 60, insert as line 22½, "The following conference committee report was made:"

Page 60, insert after line 22½, as amended above, lines 21 to 38 inclusive on page 68 and lines 1 to 10 inclusive on page 69.

Page 60, shift lines 23 to 33 inclusive as originally printed so as to follow lines transposed from page 69.

Page 65, line 16, change "demanded" to "requested."

Page 66, line 12 from bottom, correct spelling of "recede."

Page 69, strike out lines 11, 12 and 13.

Page 75, line 14 from bottom, correct spelling of "following."

Page 84, line 20, change figures "16" to "61."

Page 96, strike out lines 5 to 16 inclusive.

Page 109, insert as line 3½ from bottom, "And so the bill passed and the title was agreed to."

Page 119, correct title of House Bill No. 293 so as to read, after word purposes in line 13 from the bottom, as follows, "to repeal Section 1737 of the Revised Codes of 1905, as amended, etc. etc."

Page 120, line 14, after "7:30" insert "P. M."

Page 130, line 5 from bottom, space properly.

Page 166, line 11 from bottom, correct spelling of "Weis."

Page 179, correct title of House Bill No. 293 as corrected on page 119 by this committee.

Page 180, line 5 from bottom, correct spelling of "taking."

Page 182, strike out lines 3 to 8 inclusive from the bottom of the page.

Page 183, line 6 from bottom, strike out entire line and insert in lieu thereof, "So the motion was lost."

Page 189, line 9 from bottom, correct spelling of "Hoge."

Page 232, line 14 from bottom, correct spelling of "House."

Page 232, line 11 from bottom, correct spelling of "Kellogg."

Page 232, line 10 from bottom, correct spelling of "resolution."

Page 233, line 4, change period to comma and add, "as amended by the Senate."

Page 237, last line, correct spelling of "expunged."

Page 238, line 3, correct spelling of "expunged."

Page 249, line 20 from bottom, space fourth and fifth words.

Page 251, line 13 from bottom, correct spelling of "line."

Page 251, last line, correct spelling of "hands."

Page 253, correct title of House Bill No. 293 as corrected by this committee on page 119.

M. J. GEORGE,
ALBERT N. WOLD,
Special Committee.

REPORT OF SPECIAL COMMITTEE.

The special committee appointed to compare the written Journals of the 13th Legislative Session with the printed permanent journals of the Session, makes the following corrections and revisions:

Wherever "Hill if Cass" appears in roll calls, change to "Hill of Cass."

Wherever "Dyole" appears in roll calls, change so as to read "Doyle."

Page 2, on line 5, change "Davenport" to "Gardner."

Page 2, on line 6, change "Grandin" to "Davenport."

Page 2, on line 45, change "Mountrail" to "Ward."

Page 2, on line 50, and any other place where the same name appears, change "Klien" to "Klein."

Page 3, line 22, change "Branton" to "Bratton."

Page 3, line 39, change "Fish" to "Fisk."

Page 4, line 5, change "Bratle" to "Bratton."

Page 4, strike out lines 18 and 19.

Page 5, line 4, strike out the words "Mr. Speaker."

Page 5, line 23, change "Wylie" to "Wiley."

Page 6, omit lines 30 and 31 and place in lieu thereof the words, "The nomination of Mr. Wold was seconded by Mr. Dean of Grand Forks County."

Page 6, after line 36, insert the words, "Those voting for Mr. Wold, were:"

Page 8, after the last line insert the following: "Absent and not voting, Messrs. Leu and Tucker."

Page 26, omit line 15 and place in lieu thereof: "Those voting for Mr. McDonough were:"

Page 158, line 11, omit the word "Hjort."

Page 224, line 13, change the word "realltions" to "relations."

Page 230, line 32, change "Twitchell" to "Twichell."

Page 230, last line, change "Daves" to "Davis."

Page 236, change the word "Hawkins" to "Hawkinson."

Page 243, line 20, change the name "Morton" to "Campbell."

Page 244, line 11 should read "Mr. Butler of Ransom introduced."

Page 252, omit line 4.

Page 261, line 19, after figures "14" should read "P. H. Butler."

Page 261, line 32, after figure 21, should read "M. D. Butler."

Page 287, omit line 27.

Page 310, after line 5, insert "E. A. Williams, Chairman."

Page 331, line 35, after figures "14" should read "P. H. Butler."

Page 332, line 7, after figures 21, should read "M. D. Butler."

Page 336, after the words "House Bill No. 88" insert the title of the bill, which reads: "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."

Page 370, in line 22, omit the name "Burnett."

Page 370, on line 23, omit the name "Sowall."

Page 434, strike out line 34 and insert in lieu thereof "So the resolution passed." Lines 35, 36, 37, 38, 39, 40, 41, 42, 43 and 44 should be transferred to page 433 after line 37.

Page 541, after line 34 insert the following: "That the report of the committee of the whole as read be adopted."

Page 547, strike out line 4.

Page 592, after line 592, insert the following: "S. Hendrickson, Chairman." Strike out the last four lines.

Page 593, omit the first four lines.

Page 609, line 18, change "Dickson" to "Dixon."

Page 761, after line 9 insert the following, "Mr. Batzer moved that the report of the committee of the whole be adopted. Which motion prevailed."

Page 815, after line 27 insert the following: "Mr. C. C. Turner moved that the report of the committee of the whole be adopted, which motion prevailed."

Page 832, the last two lines should read: "R. J. Gardner, Chairman." After the last line insert the following: "Mr. Gardiner moved that the report be adopted, which motion prevailed."

Page 861, after line 7, insert the following: "Mr. O'Connor moved that the report be adopted, which motion prevailed."

Page 908, line 35, change "Bronson" to Bjornson."

Page 963, line 16, correct spelling of word "alcohol."

Page 970, line 9, correct spelling of word "trespassers."

Page 970, last line, after word "every" insert word "such."

Page 971, line 19, correct spelling of word "every."

Page 978, line 24, change "of" to "or."

Page 980, line 26, correct spelling of word "minority."

Page 982, line 6 from bottom, after word "same," change to "be amended as follows:"

Page 982, line 9 from bottom, correct spelling of word "Bismarck."

Page 983, in report on bill No. 191, strike out line "referred to committee on penal institutions."

Page 988, line 17 from bottom, correct spelling of word "commissioners."

Page 990, line 13, correct spelling of word "Ployhar."

Page 1001, in roll call on House Bill No. 194, change "ayes 94" to "ayes 73" and "nays 1" to "nays 2."

Page 1004, line 6 from bottom, correct spelling of name "Norheim."

Page 1011, line 3, correct spelling of word "whole."

Page 1014, in report of committee on revision and correction of the Journal, strike out the line: "Referred to the committee on penal institutions."

Page 1017, line 14, change "other" to "others."

Page 1021, line 4 from bottom, space "An Act," also change "of" to "or."

Page 1022, in title of House Bill No. 416, correct spelling of "incarcerated."

Page 1024, line 15, change "majority" to "minority."

Page 1024, line 27, change "Bjorne" to "Bjornson."

Page 1024, line 34, change "Hoese" to "House."

Page 1025, preceding line 1, insert words, "Mr. Speaker."

Page 1027, line 19, change "reception" to "exception."

Page 1028, line 19 from bottom, correct spelling of word "entire."

Page 1033, line 18 from bottom, correct spelling of word "shall."

Page 1040, following line 6, insert "The committee on supplies and expenditures made the following report:"

Page 1042, in roll call of ayes insert the name of "Weis."

Page 1043, line 4 from bottom, correct spelling of word "Butler."

Page 1053 in roll of ayes, change "Lewis" to "Lindstrom."

Page 1054, in roll of ayes, insert name of "Batzer."

Page 1057, line 7 from bottom, correct spelling of word "Divet."

Page 1057, lines 10, 11 and 12, drop line 10 to line 12, advance lines 11 and 12 accordingly.

Page 1067, line 6 from bottom, change "of" to "or."

Page 1069, line 2, change "was denied" to "lost."

Page 1071, line 11, correct spelling of word "Smith."

Page 1077, line 2, change "this" to "the."

Page 1077, line 3, strike out word "our."

Page 1081, correct title of House Bill No. 223.

Page 1084, line 5 from bottom, correct spelling of "undersigned."

Page 1087, line 10 from bottom, correct spelling of "realizes."

Page 1087, line 5 from bottom, correct spelling of "printed."

Page 1091, line 4, correct spelling of word "entire."

Page 1101, line 19, change "ayes 53" to "ayes 54," also "14 absent" to "13 absent."

Page 1102, in roll of negatives, strike out "Thompson."

Page 1107, line 6 from bottom, strike out "Thompson"

Page 1108 after line 11, insert as line 11½ the caption "General Orders."

Page 1112, line 8, correct spelling of word "school."

Page 1112, line 6 from bottom, correct spelling of word "bill."

Page 1115, line 4 from bottom, correct spelling of word "constitute."

Page 1119, line 1, correct spelling of word "appears."

Page 1121, line 2 from bottom, correct spelling of word "twelfth."

Page 1122, line 3, change Senate Bill No. 252 to Senate Bill No. 232 and insert the corresponding title.

Page 1137, line 12, change the first "of" to "for."

Page 1146, line 10 from bottom, third, fourth and fifth words in line so as to read, "committee of investigation."

Page 1146, line 5 from bottom, insert as line 5½, "The following information was laid before the House."

Page 1147, line 5 from bottom, correct spelling of "presentation."

Page 1148, line 13 from bottom, correct spelling of "Haroldson."

Page 1151, in roll of ayes on House Bill No. 459, strike out "Bjornson."

Page 1162, line 4, change "lost" to "not granted."

Page 1162, shift lines two, three and four to page 1163, so as to follow line 10.

Page 1163, line 14, change word "prevailed" to "lost."

Page 1163, shift lines 11, 12, 13 and 14 so as to follow line one on page 1162.

Page 1166, line 21, correct spelling of word "spreaders."

Page 1172, line 18 from bottom, omit word "roll."

Page 1173, in roll of absentees, omit names of "Calnan and List," also rearrange names in proper order.

Page 1179, line 7 from bottom, correct spelling of name "Owens."

Page 1180, line 1, change "3" to "three."

Page 1182, line 31, correct spelling of word "the."

Page 1186, in roll call on Senate Bill No. 114, in affirmatives insert "Buck," also change "Messrs." to "Mr. Speaker."

Page 1188, line 3, correct spelling of name "Gilby."

Page 1189, in roll call of absent and not voting on Senate Bill No. 197, add name of "Klein."

Page 1190, line 7, change "40" to "41."

Page 1190, in roll of absentees, change "Odland" to "Ols-gard."

Page 1218, line 12, correct spelling of name "Haraldson."

Page 1223, line 2, correct spelling of name "Pioyhar."

Page 1237, line 11, change "74" to "87."

Page 1237, line 12, change "37" to "24."

Page 1238, line 7 from bottom, change "Mrs." to Messrs."

Page 1246-1247, insert correct title of House Bill No. 293.

Page 1248, insert as line 29½, "The defendant was present, in the custody of the sergeant-at-arms."

Page 1248, insert as line 29¾, "The defendant presented the following communication: (lines 22 to 34 inclusive on page 1332.)

Page 1310, line 4 from bottom, correct spelling of word "again."

Page 1315, line 18 from bottom, correct the spelling of word "exact."

Page 1331, line 3 from bottom, correct the spelling of word "O'Connor."

Page 1332, line 13 from bottom, correct the spelling of word "attorneys."

Page 1332, line 15 from bottom, correct the spelling of word "undersigned."

Page 1332, insert lines 22 to 34, inclusive on page 1248 after line 29½, page 1248, as revised above.

Page 1345, line 10 from bottom, change "80" to "81."

Page 1345, line 9 from bottom, change "30" to "29."

Page 1350, line 22 from bottom, change "ayes 80" to "ayes 78."

Page 1366, line 2 from bottom, correct spelling of word "committee."

Page 1367, line 4 from bottom, change "minority" to "majority."

Page 1370, line 6 from bottom, strike out entire line.

Page 1374, line 11 from bottom, after name "Thompson" add "chairman."

Page 1375, line 14 from bottom, correct spelling of the word "Section."

Page 1401, in roll of ayes, insert "Olsgard."

Page 1404, line 5 from bottom, correct spelling of word "affecting."

Page 1405, last line and 1406 three first lines, shift so as to follow roll call under call of the House.

Page 1441, transpose lines four and five.

Page 1447, in message from the Senate insert "Mr. Speaker" at the proper place.

Page 1470, transpose lines 16 and 17.

Page 1487, make line 27 line 25; make lines 25 and 26 26 and 27 respectively.

Page 1499, strike out lines 2 and 3 and insert in lieu thereof the following: "A resolution introduced by Mr. Smith of Ward was then considered and which read as follows:"

Page 1513, strike out line 20 and insert in lieu thereof, "Those voting in the negative were:"

Page 1527, line 11 from bottom, correct spelling of "village."

Page 1547, in roll of ayes strike out "Hart."

Page 1574, line 14, correct spelling of "hereby."

Page 1577, line 2, change word "report" to "resolution."

Page 1577, line 9, correct spelling of "Calnan."

Page 1577, line 13, correct spelling of "Calnan."

Page 1602, change first line so as to read "consideration of messages from the Senate."

Page 1603, line 9 from bottom, strike out entire line.

Page 1605, line 11, correct spelling of "affirmative."

Page 1616, line 6, correct spelling of "called."

Page 1637, line 10, change "minority" to "majority."

Page 1680, line 24, correct spelling of "incurred."

Page 1695, line 16, shift line 16, making it line 1.

Page 1696, line 17 from bottom, correct spelling of "said."

Page 1707, line 17, change Senate Bill No. 64 and title, to Senate Bill No. 306 and title.

Page 1711, line 12 from bottom, correct spelling of "amendment."

Page 1713, line 11 from bottom, correct spelling of "maintenance."

Page 1715, line 10 from bottom, correct spelling or "recede."

Page 1719, line 16 from bottom, correct spelling of the second "and."

Page 1721, line 13 from bottom, change "agreement" to "consideration."

Page 1729, lines 18 and 19, correct spelling of "correspond."

Page 1745, strike out line 5.

Page 1745, line 6 from bottom, change to "Report of Conference committee."

Page 1746, line 15½, insert, "Mr. Speaker."

Page 1747, line ½, insert "also."

Page 1747, line ¾, insert "Mr. Speaker."

Page 1748, line 9½, insert "Mr. Owens offered the following resolution."

Page 1781, line 24, change line to read, "absent and not voting."

Page 1805, line 2½, insert "Mr. Speaker."

Page 1816, line 32½, insert, "The conference committee on Senate Bill No. 136, made the following report."

Page 1820, in roll of affirmatives, insert "Anderson."

Page 1821, line 4, correct spelling of "relating."

Page 1822, in roll of affirmatives, insert "Wardrope."

Page 1827, change Senate Bill No. 193 to Senate Bill No. 31 and add title accordingly.

Page 1856, line 13 from bottom, correct spelling of "Blake-more."

Page 1878, insert as line 22½, "The following conference committee report was made."

Page 1883, line 17, correct spelling of "divided."

Page 1885, line 15, change figures "363" to "136."

Page 1938, insert line 23½, "The following conference committee report was made."

Page 1973, insert as line 1½ from bottom, "The following conference committee report was made."

Page 2010, strike out lines 32 to 39 inclusive.

Page 2050, line 14 from bottom, correct spelling of "House."

Page 2050, line 11 from bottom, correct spelling of "Kellogg."

Page 2055, last line, correct spelling of "expunged."

Page 2056, lines 3 and 4, correct spelling of "expunged."

Page 2058, line 8 from bottom, strike out "and."

Page 2058, line 7 from bottom, strike out entire line.

Page 2067, line 20 from bottom, properly space fourth and fifth words.

Page 2069, last line, correct spelling of "hands."

M. J. GEORGE,
ALBERT N. WOLD,
Special Committee.

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RECORD OF BILLS IN THE HOUSE

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 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, 413.
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.—(Pettersen)

A bill for an Act providing for the repair and maintenance of highways 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 the 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 Wardrope)

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 reprimands, 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.—(Batzer)

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.—(Batzer)

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 re-enact 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 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, 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.

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, members of the Probate Code commission 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 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 from 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.—(Stenehjøm)

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.—(Stenehjøm)

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.—(Stenehjøm)

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.—(Stenehjøm)

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.—(Stenehjøm)

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 Kidder)

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.—(Batzer)

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.

Recived 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.—(Stenehjelm)

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.—(Stenehjelm)

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.—(Kylo)

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 un-interrupted 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 Kidder)

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 an 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.—(Englund)

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.—(Jackobson)

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, 1936.

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.—(England)

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 Eill 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; poviding 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. 153.—(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.

Receive.. 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.—(Vall)

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, 9iv.
First and second reading, 953.
Reference, 953.
Reported, 1212.
Passed, 1401.

Senate Bill No. 193.—(Vall)

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, 1863.
First and second reading, 1391.
Reference, 1391.
Reported, 1461, 1573.
Passed, 1608.

Senate Bill No. 223.—(Hickle)

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 Mill 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 reenact 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 reenact Section 2 and Section 6 of Chapter 44 of the Session Laws of 1911, relating to the State Tuberculosis Sanitarium at Dunseith.

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.—(England)

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.—(England)

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.

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Reported, 1730.

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