

STATE OF NORTH DAKOTA

---

**JOURNAL OF THE SENATE**

of the

**SPECIAL SESSION**

of the

Fifteenth Legislative Assembly

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*Begun and held at the Capitol at Bismarck,  
January 23 to January 29, 1918,  
Inclusive*



BISMARCK!  
TRIBUNE, PRINTERS AND BINDERS,  
1918

*OFFICERS AND MEMBERS*

of the

**SENATE OF NORTH DAKOTA**

for the

*SPECIAL SESSION*

of the

*Fifteenth Legislative Assembly*

1918

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Lieutenant Governor—A. T. Kraabel.

President Pro Tem—Henry McLean.

Secretary—W. J. Prater.

First Assistant Secretary—L. H. Conradson.

Desk Stenographer—C. H. Olsen.

Chaplains—Rev. Postlethwaite, Rev. Hutcheson, Rev. Strutz,  
Rev. Call, Rev. Svore.

Sergeant-at-Arms—W. P. Mills.

Postmaster—L. W. Owens.

Pay Roll Clerk—Mrs. S. A. Hogue.

Enrolling and Engrossing Clerk—A. S. Reitan.

Clerk, Bill Room—Nels Sostrom.

Stenographer—Muriel La Shelle.

Attendant, Cloak Room—Andrew Baldzar.

Pages—Herbert Bartel, James Miesener.

## SENATE MEMBERS

	Name.	County.	Postoffice.
1	Walter Welford	Pembina	Neche
2	J. A. Englund	Ward	Kenmare
3	Christ Levang	Walsh	Adams
4	P. J. Murphy	Walsh	Grafton
5	J. P. Hemmingsen	Grand Forks	Shawnee
6	Nick N. Nelson	Grand Forks	Emerado
7	Albert Stenmo	Grand Forks	Grand Forks
8	John E. Paulson	Trail	Hillsboro
9	Gilbert W. Haggart	Cass	Fargo
10	H. J. Rowe	Cass	Casselton
11	Charles E. Drown	Cass	Page
12	Edward M. Nelson	Richland	Fairmount
13	Richard McCarten	Sargent	Gogswell
14	Charles O. Heckle	Ransom	Lisbon
15	Frank E. Ployhar	Barnes	Valley City
16	Charles Ellingson	Steele and Griggs	Sharon
17	C. I. Morkrid	Nelson	Petersburg
18	Henry McLean	Cavalier	Hannah
19	John W. Benson	Rolette	Rolette
20	A. J. Kirkeide	Benson	Churchs Ferry
21	Frank H. Hyland	Ramsey	Devils Lake
22	A. S. Gibbens	Towner	Towner
23	Thomas Pendray	Stutsman	Jamestown
24	C. H. Porter	LaMoure	LaMoure
25	William Zieman	Dickey	Oakes
26	H. W. Allen	Emmons and Kidder	Braddock
27	Carol D. King	Burleigh	Menoken
28	L. P. Sandstrom	Bottineau	Bottineau
29	Thorwald Mostad	Ward	Minot
30	W. E. Martin	Morton	Mandan
31	M. L. McBride	Stark	Dickinson
32	T. N. Putnam	Eddy and Foster	Carrington
33	James A. Wenstrom	Wells	Dover
34	D. H. Hamilton	McHenry	Eckman
35	John A. Beck	Sheridan	McClusky
36	P. T. Kretschmar	McIntosh and Logan	Venturia
37	C. W. Carey	Richland	Lidgerwood
38	.....	Barnes	Fingal
39	George F. Hunt	Billings, Bowman, Golden Valley and Slope	Beach
40	Oscar Lindstrom	Burke and Divide	Noonan
41	Morten Mortenson	Williams and McKenzie	Hofflund
42	F. T. Gronvold	Pierce	Rugby

SENATE MEMBERS—(Continued)

	Name	County	Postoffice.
43	Edward Hamerly .....	Renville .....	Sherwood
44	E. H. Sikes .....	Mountrail .....	Stanley
45	Ole Ettestad .....	McHenry .....	Balfour
46	C. W. McGray .....	McLean .....	Underwood
47	J. I. Cahill .....	Morton .....	Leith
48	John Young .....	Mercer, Oliver and Dunn .....	Mannhaven
49	H. P. Jacobsen .....	Adams, Hettinger and Sioux .....	Mott

# Journal of the Senate

## Special Session Fifteenth Legislative Assembly

### FIRST DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 23, 1918.

At the hour of 9 o'clock a. m., being the day and hour appointed by the Governor for the convening of the special session of the Fifteenth Legislative Assembly, pursuant to the following proclamation issued by the Governor January 8, 1918:

In view of the extraordinary conditions existing: That our Nation needs all the food products, especially grains, that can possibly be produced; and that owing to the poor crops of the past two years, assistance is necessary in about half of the counties of our state to supply seed grains and feed; and that all means thus far devised to make provision for sufficient seed and feed have seemingly failed; and that the present laws of our state are inadequate to meet the situation; it is deemed necessary that a special session of the Legislature be called to revise the County Seed Bonding Law in order that the necessary seed and feed can be supplied to assure a good crop acreage being planted next spring, and to provide for any other war measures that may be deemed advisable,

Therefore, I, Lynn J. Frazier, governor of North Dakota, do hereby call the Fifteenth Legislative Assembly to meet in special session at the Capitol at Bismarck on Wednesday, January 23d, 1918, at nine o'clock a. m.

Members of the senate assembled in the Senate Chamber, and were called to order by President Kraabel.

Prayer was offered by the Chaplain, Rev. Hutcheson.

The roll was called and the following Senators were present:

Messrs.

Allen  
Beck  
Benson

Messrs.

Drown  
Englund  
Ettestad

Messrs.

Gibbens  
Gronvold  
Haggart

Messrs.—	Messrs.—	Messrs.—
Hamerly	McBride	Pendray
Hamilton	McCarten	Ployhar
Heckle	McGray	Porter
Hemmingsen	McLean	Putnam
Hunt	Martin	Rowe
Hyland	Morkrid	Sandstrom
Jacobsen	Mortenson	Sikes
King	Mostad	Stenmo
Kirkreid	Murphy	Welford
Kretschmar	Nelson, Richland	Wenstrom
Levang	Nelson, Gd. Fks.	Zieman
Lindstrom	Paulson	

Mr. Paulson moved that all absent members be excused which motion prevailed and they were excused.

Mr. Allen moved that the rules of the last senate be in force until new rules are adopted.

Which motion prevailed.

Mr. Allen nominated W. J. Prater for the office of Secretary of the Senate. There being no further nominations, the roll was called and those who voted for Mr. Prater were:

Messrs.	Messrs.	Messrs.
Allen	Jacobsen	Nelson, Richland
Beck	King	Nelson, Gd. Fks.
Benson	Kirkreide	Paulson
Drown	Kretschmar	Pendray
Englund	Levang	Ployhar
Ettestad	Lindstrom	Porter
Gibbens	McBride	Putnam
Gronvold	McCarten	Rowe
Haggart	McGray	Sandstrom
Hamerly	McLean	Sikes
Hamilton	Martin	Stenmo
Heckle	Morkrid	Welford
Hemmingsen	Mortenson	Wenstrom
Hunt	Mostad	Zieman
Hyland	Murphy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cahill	Young	Ellingson
Carey		

The President administered the oath of office to the Secretary-elect, W. J. Prater.

Mr. Gibbons nominated W. P. Mills for Sergeant-at-Arms of the Senate. There being no further nomination, the roll was called and those who voted for Mr. Mills were:

Messrs.	Messrs.	Messrs.
Allen	Jacobsen	Nelson, Richland
Beck	King	Nelson, Gd. Fks.
Benson	Kirkreide	Paulson
Drown	Kretschmar	Pendray
Englund	Levang	Ployhar
Ettestad	Lindstrom	Porter

WEDNESDAY, JANUARY 23, 1918.

Messrs.—	Messrs.—	Messrs.—
Gibbens	McBride	( Putnam
Gronvold	McCarten	Rowe
Haggart	McGray	Sandstrom
Hamerly	McLean	Sikes
Hamilton	Martin	Stenmo
Heckle	Morkrid	Welford
Hemmingsen	Mortenson	Wenstrom
Hunt	Mostad	Zieman
Hyland	Murphy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cahill	Ellingson	Young
Carey		

The President administered the oath of office to Sergeant-at-Arms, W. P. Mills.

Mr. Kretschmar moved that a committee of three be appointed by the President to wait upon the House and inform the members thereof that the Senate is organized and is ready for the transaction of business.

Which motion prevailed, and the President appointed as such committee Messrs. Kretschmar, Drown and Morkrid.

Mr. Welford moved the President appoint a committee of three to wait upon the Governor and inform him that the Senate is organized and ready to receive any communication he may have to make to the senate.

Which motion prevailed, and the President appointed on such committee Messrs. Welford, Murphy and King.

Mr. Allen nominated C. H. Olsen for desk stenographer. There being no other nominations, the roll was called and those who voted for Mr. Olsen were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Richland
Beck	Jacobsen	Nelson, Gd. Fks.
Benson	Kirkeide	Paulson
Drown	Kretschmar	Pendray
Englund	Levang	Ployhar
Ettestad	Lindstrom	Porter
Gibbens	McBride	Putnam
Gronvold	McCarten	Rowe
Haggart	McGray	Sandstrom
Hamerly	McLean	Sikes
Hamilton	Martin	Stenmo
Heckle	Morkrid	Wenstrom
Hemmingsen	Mortenson	Zieman
Hunt	Mostad	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cahill	Ellingson	Murphy
Carey	King	Welford
Young		

The president administered the oath of office to Desk Stenographer, C. H. Olsen.

A committee from the House reported that the House of Representatives was organized and ready to receive any communication from the Senate.

Mr. Allen moved that the committee on employment, elected at the last session, be the employment committee of this special session.

Which motion prevailed.

The President announced the re-appointment of all standing committees of the last session.

Mr. Ployhar moved that a committee of three be appointed to draft suitable resolutions on the death of the late Senator Hon. Martin Thoreson.

Which motion prevailed, and the President appointed as such committee Messrs. Ployhar, Gronvold and McCarten.

Mr. Sikes moved that a committee of three be appointed to draft suitable resolutions on the death of former Attorney General Hon. H. J. Linde.

Which motion prevailed, and the President appointed as such committee Messrs. Sikes, Mortenson and Jacobsen.

Mr. Hyland moved that a committee of three be appointed to draft suitable resolutions on the death of former Attorney General and District Judge Hon. John F. Cowan.

Which motion prevailed, and the President appointed as such committee Messrs. Hyland, Englund and Hamilton.

Mr. Kretschmar moved the adoption of the following report:

*Mr. President:*

Your committee appointed to notify the House beg leave to report that they have performed their duty.

Which motion prevailed, and the report was adopted.

The committee named to wait upon the Governor reported, and advised the Senate that the Governor would be pleased to deliver his message to the two houses in joint session immediately.

A committee from the House announced that the House was waiting to receive the Senate in joint session to receive the message from the Governor.

#### MESSAGE FROM THE GOVERNOR

January 23, 1918.

To the Honorable Members of the Senate:

Gentlemen:—

In response to your invitation, will say that I desire to meet with the members of the Legislature in joint session immediately.

Very Respectfully,  
 LYNN J. FRAZIER,  
 Governor.

Mr. Heckle moved that the Senate proceed to the House for a joint session, which motion prevailed, and the Senate proceeded to the House.



The Senate re-assembling, the President presiding.

Mr. Hyland moved that the Senate do now take a recess until two o'clock p. m., which motion prevailed and the Senate adjourned.

W. J. PRATER,  
Secretary.

FIRST DAY AFTER RECESS

Senate Chambers,  
Bismarck, North Dakota,  
January 23, 1918.

The Senate convened at 2 o'clock. The President presiding..

All members present except Messrs Carey, Ellingson, and Young.

Reports of Standing Committee:

The committee on employment make the following report:  
Mr. President:

FIRST ASSISTANT, Secretary of the Senate—L. H. CONRADSON.

ENGROSSING and ENROLLING CLERK and BILL CLERK —A. S. REITAN.

VOUCHER CLERK and BOOKKEEPER — MRS. S. A. HOGUE.

STENOGRAPHER—MURIEL La SHELLE.

BILL ROOM CLERK and MESSENGER—NELS SOSTRUM.

POSTMASTER MAILING CLERK and SUCH OTHER DUTIES AS ARE ASSIGNED BY THE SECRETARY OF SENATE—L. W. OWENS.

PAGES—HERBERT BERTEL and JAMES MIESENER.

CLOAK ROOM ATTENDANT AND SUCH OTHER DUTIES AS ARE ASSIGNED BY THE SECRETARY OF THE SENATE—ANDREW BALDZER.

A. S. GIBBENS,  
Chairman.

Mr. Gibbons moved that the report be adopted, which motion prevailed, and the report of the Committee was adopted.

The question being on the election of L. H. Conradson as Asst. Secretary.

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

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Gronvold	King
Beck	Haggart	Kirkeide
Benson	Hamerly	Kretschmar
Cahill	Hamilton	Levang
Drown	Heckle	Lindstrom
Englund	Hunt	McBride
Ettestad	Hyland	McCarten
Gibbens	Jacobsen	McLean

Messrs.—	Messrs.—	Messrs.—
Martin	Paulson	Sandstrom
Morkrid	Pendray	Sikes
Mostad	Ployhar	Stenmo
Murphy	Porter	Welford
Nelson, Richland	Putnam	Wenstrom
Nelson, Gd. Fks.	Rowe	Zieman

Absent and not voting:

Messrs	Messrs	Messrs
Carey	Ellingson	Hemmingsen
McGray	Mortenson	

So Mr. Conradson was elected.

The question being on the election of A. S. Reitan as En-grossing and Enrolling clerk and Bill Clerk.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Jacobsen	Nelson, Richland
Beck	King	Nelson, Gd. Fks.
Benson	Kirkeide	Paulson
Cahill	Kretschmar	Pendray
Drown	Levang	Ployhar
Englund	Lindstrom	Porter
Ettestad	McBride	Putnam
Gibbens	McCarten	Rowe
Gronvold	McLean	Sandstrom
Haggart	Martin	Sikes
Hamerly	Morkrid	Stenmo
Hamilton	Mortenson	Welford
Heckle	Mostad	Wenstrom
Hunt	Murphy	Zieman
Hyland		

Absent and not voting:

Messrs	Messrs	Messrs
Carey	Hemmingsen	Young
Ellingson	McGray	

So Mr. Reitan was elected.

The question being on the election of Mrs. S. A. Hogue, as voucher clerk and bookkeeper.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Heckle	McLean
Beck	Hemmingsen	Martin
Benson	Hunt	Morkrid
Cahill	Hyland	Mostad
Drown	Jacobsen	Murphy
Englund	King	Nelson, Richland
Ettestad	Kirkeide	Nelson, Gd. Fks.
Gibbens	Kretschmar	Paulson
Gronvold	Levang	Pendray
Haggart	Lindstrom	Ployhar
Hamerly	McBride	Porter
Hamilton	McCarten	Putnam

Messrs.—	Messrs.—	Messrs.—
Rowe	Stenmo	Wenstrom
Sandstrom	Welford	Zieman
Sikes		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Carey	McGray	Young
Ellingson	Mortenson	

So Mrs. Hogue was elected.

The question being on the election of Muriel La Shelle as Stenographer.

The roll was called and there were ayes 41, absent and not voting 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Jacobsen	Nelson, Gd. Fks.
Beck	King	Paulson
Benson	Kirkeide	Pendray
Cahill	Kretschmar	Ployhar
Drown	Levang	Porter
Ettestad	Lindstrom	Putnam
Gibbens	McBride	Rowe
Gronvold	McCarten	Sandstrom
Haggart	McLean	Sikes
Hamerly	Morkrid	Stenmo
Hamilton	Mostad	Welford
Heckle	Murphy	Wenstrom
Hunt	Nelson, Richland	Zieman
Hyland		

Absent and not voting:

Messrs	Messrs	Messrs
Carey	Hemmingsen	Mortenson
Ellingson	McGray	Young
Englund	Martin	

So Muriel La Shelle was elected.

The question being on the election of Nels Sostrom as Bill Room Clerk and Messenger.

The roll was called and there were ayes 41, absent and not voting 7.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hamerly	Lindstrom
Beck	Hamilton	McBride
Benson	Heckle	McCarten
Cahill	Hunt	McLean
Drown	Hyland	Morkrid
Englund	Jacobsen	Mostad
Ettestad	King	Murphy
Gibbens	Kirkeide	Nelson, Richland
Gronvold	Kretschmar	Nelson, Gd. Fks.
Haggart	Levang	Paulson

Messrs.—	Messrs.—	Messrs.—
Pendray	Rowe	Welford
Ployhar	Sandstrom	Wenstrom
Porter	Sikes	Zieman
Putnam	Stenmo	

Absent and not voting:

Messrs	Messrs	Messrs
Carey	McGray	Young
Ellingson	Martin	
Hemmingsen	Mortenson	

So Mr. Sostrum was elected.

The question being on the election of L. W. Owens as Post Master-Mailing Clerk.

The roll was called and there were ayes 41, absent and not voting 8.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hyland	Nelson, Gd. Fks.
Beck	Jacobsen	Paulson
Benson	King	Pendray
Cahill	Kirkeide	Ployhar
Drown	Kretschmar	Porter
Englund	Levang	Putnam
Ettestad	Lindstrom	Rowe
Gibbens	McBride	Sandstrom
Gronvold	McCarten	Sikes
Haggart	McLean	Stenmo
Hamerly	Morkrid	Welford
Hamilton	Mostad	Wenstrom
Heckle	Murphy	Zieman
Hunt	Nelson, Richland	

Absent and not voting:

Messrs	Messrs	Messrs
Carey	McGray	Mortenson
Ellingson	Martin	Young
Hemmingsen		

So Mr. Owens was elected.

The question being on the election of Herbert Bortel as Page.

The roll was called and there were ayes, 42; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Haggart	Kretschmar
Beck	Hamerly	Levang
Benson	Hamilton	Lindstrom
Cahill	Heckle	McBride
Drown	Hunt	McCarten
Englund	Hyland	McLean
Ettestad	Jacobsen	Morkrid
Gibbens	King	Mortenson
Gronvold	Kirkeide	Mostad

Messrs	Messrs	Messrs
Murphy	Ployhar	Sikes
Nelson, Richland	Porter	Stenmo
Nelson, Gd. Fks.	Putnam	Welford
Paulson	Rowe	Wenstrom
Pendray	Sandstrom	Zieman

Absent and not voting:

Messrs	Messrs	Messrs
Carey	Hemmingsen	Martin
Ellingson	McGray	Young

So Mr. Bortel was elected.

The question being on the election of James Meisener as Page.

The roll was called and there were ayes 42, absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Gd. Fks.
Beck	Jacobsen	Paulson
Benson	King	Pendray
Cahill	Kirkeide	Ployhar
Drown	Kretschmar	Porter
Englund	Levang	Putnam
Ettestad	Lindstrom	Rowe
Gibbens	McBride	Sandstrom
Gronvold	McCarten	Sikes
Haggart	McLean	Stenmo
Hamerly	Morkrid	Welford
Hamilton	Mostad	Wenstrom
Heckle	Murphy	Zieman
Hunt	Nelson, Richland	

Absent and not voting:

Messrs	Messrs	Messrs
Carey	Hemmingsen	Martin
Ellingson	McGray	Young

So Mr. Meisener was elected.

The question being on the election of Andrew Balzer as Cloak Room Attendant.

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

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hamerly	Levang
Beck	Hamilton	Lindstrom
Benson	Heckle	McBride
Cahill	Hemmingsen	McCarten
Drown	Hunt	McLean
Englund	Hyland	Martin
Ettestad	Jacobsen	Morkrid
Gibbens	King	Mostad
Gronvold	Kirkeide	Murphy
Haggart	Kretschmar	Nelson, Richland

Messrs	Messrs	Messrs
Nelson, Gd. Fks.	Putnam	Stenmo
Paulson	Rowe	Welford
Pendray	Sandstrom	Wenstrom
Ployhar	Sikes	Zieman
Porter		

Absent and not voting:

Messrs	Messrs	Messrs
Carey	McGray	Young
Ellingson	Mortenson	

So Mr. Balzer was elected.

The oath of office was administered to the following employees:

First Asst. Secy. of Senate, L. H. Conradson; Engrossing and Enrolling Clerk and Bill Clerk, A. S. Reitan; Voucher Clerk and Bookkeeper, Mrs. S. A. Hogue; Stenographer, Muriel LaShelle Bill Room Clerk and Messenger, Nels Sostrum; Post Master and Mailing Clerk, L. W. Owens; Pages, Herbert Bortel, Jas. Messenger; Cloak Room Attendant, Andrew Balzer.

#### CONCURRENT RESOLUTION

Senator Heckle introduced the following concurrent resolution at the extraordinary session of the Legislature of the State of North Dakota:

Whereas, There is imperative need of amending the seed grain laws allowing county commissioners more latitude in bonding counties for seed grain and feed for needy farmers; also to legalize the Home Guards of the State of North Dakota, for the reason that under the present law and company drilling with fire arms violates the present law; also to pass a moratorium law for the protection of the property of absent soldiers; also making an appropriation for the North Dakota Defense Council; also ratification of the Federal Prohibition Amendment to the Federal Constitution; also an appropriation for the Insane Hospital at Jamestown and the State Bank Depositary Guaranty Law; also the curative statute relative to corporations.

Whereas, it is necessary that the expenses of this extraordinary session of this Legislature be kept at a minimum.

Be it therefore Resolved by the Senate of the Stat of North Dakota, the House of Representatives concurring therein: that the Legislature enact laws covering only the above mentioned subjects recommended by the Governor in his message delivered to the joint assembly of the Senate and House of Representatives.

Be it Further Resolved Further That, when the above mentioned subjects are disposed of by this Legislature, that said Legislature do then adjourn.

Mr. Jacobsen moved the adoption of the concurrent resolution, which motion prevailed and the concurrent resolution was adopted.

Mr. Paulson moved that Senator Ellingson be excused for the session, which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. Englund introduced :

Senate Bill No. 1.

A Bill for an Act to Provide for the Organization of Home Guard Units; the Qualifications of Members Thereof, and Providing for the Furnishing of Equipments Therefor.

Was read the first and second time and referred to the Committee on Military Affairs.

Mr. Pendray introduced :

Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913 as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Drown introduced :

Senate Bill No. 3.

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 23, 1918, to June 30, 1919, Both Dates Inclusive.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Drown introduced :

Senate Bill No. 4.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Was read the first and second time and referred to the Committee on Warehouse Grain and Grain Grading.

Mr. McCarten introduced :

Senate Bill No. 5.

A Bill for an Act Reinstating and Validating the Charters of Corporations Which Have Been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Mortenson introduced :

## Senate Bill No. 6.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Was read the first and second time and referred to the Committee on Agriculture and Committee on Judiciary.

Mr. Martin introduced:

## Senate Bill No. 7.

A Resolution Urging and Requesting the United States Congress to Use All Honorable Means to Enact Into Law a Bill Guaranteeing the Farmers of the Northwest Actual Expenses Incurred in Complying with the Government's Request to Raise the Greatest Possible Amount of Wheat and Other Foodstuffs in Time of War; that the Government, Through the Congress, Guarantee the Farmers Not Less Than Six Dollars and Fifty Cents Per Acre in Case of Drought, Hail, or Other Accident to the Crop.

Was read the first and second time and referred to the Committee on State Affairs.

Mr. Welford introduced:

## Senate Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

Was read the first and second time and referred to the Committee on Temperance.

Mr. Martin introduced:

## Senate Bill No. 9.

A Bill for an Act to Provide for the Erection and Use of Car Repair Shops at Division Points Maintained Within This State by Corporations or Persons Engaged as Common Carriers in the Transportation by Steam Railroad of Passengers or Property.

Was read the first and second time and referred to the Committee on Railroads.

Mr. Martin introduced:

## Senate Bill No. 10.

A Bill for an Act to Divide All Railroads in the State of North Dakota Into Sections for the Repair and Maintenance of the Roadbed and Tracks and Limit the Number of Miles in Each Section.

Was read the first and second time and referred to the Committee on Railroads.

Mr. Hemmingsen introduced:

## Senate Bill No. 11.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.



Was read the first and second time and referred to the Committee on Judiciary.

The President appointed Senator Welford chairman of the Committee on Warehouse Grain and Grain Grading.

Courtesies of the floor were extended to:

- Geo. Aandahl, Litchville, N. D.

Chas. Anderson, Litchville, N. D.

Mr. Jacobsen moved that the Senate do now adjourn.

Which motion prevailed, and the Senate adjourned.

W. J. PRATER,  
Secretary.

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## SECOND DAY.

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SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 24, 1918.

The Senate convened at 2 o'clock, the President presiding.

Prayer was offered by the Chaplain, Rev. Strutz.

All members present.

### REFERENCE OF THE JOURNAL OF THE SENATE.

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

*Mr. President:*

Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the first day and recommend that the same be corrected as follows:

On page five, line three, strike out the word "adjourn" and insert in lieu thereof the words, "take a recess until two o'clock p. m."

In line seven strike out the words "Second Day," and insert in lieu thereof the words "First Day After Recess."

On page one in last line correct spelling of the name "Kirkeide," and correct the spelling of the name wherever it appears misspelled.

On page 11, line 4, strike out the name "Heckle" and insert in lieu thereof the name "Englund."

On page 5 strike out line 12.

And when so corrected recommend that the same be approved.

CHRIST LEVANG,  
Chairman.

Mr. Levang moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

### PETITIONS AND COMMUNICATIONS.

*To the Honorable Senate of the State of North Dakota:*  
Bismarck, North Dakota.

We, the undersigned, citizens of Mott, North Dakota, and

vicinity, do respectfully petition your honorable body at the special session now convened to enact a law authorizing the formation of Home Guards in the State of North Dakota.

Mott, North Dakota, January 21, 1918.

E. C. ROBERTS,  
And 84 Others.

*To the Honorable Members of the Legislature of the State of North Dakota, now in session:*

The State Council of Defense at its meeting on Wednesday, January 23rd, 1918, adopted the following resolution which we commend to your honorable body for your favorable consideration.

We have the honor to be

THE NORTH DAKOTA COUNCIL OF DEFENSE,

By Dorr H. Carroll,  
Chairman.  
F. O. Hellstrom,  
Secretary.

WHEREAS, Our country, in its war for the existence of popular government throughout the world is called upon to exercise every energy and resource at its command and must above all things avoid waste and duplication of efforts, and

WHEREAS, The State of North Dakota has within its borders vast and extraordinary resources now in the early stage of development in her lignite coal deposits which underlie much of the western half of the state tributary to three great trans-continental trunk lines of railroad and the great commercial waterway—the Missouri River—

WHEREAS, These resources could be used to further the efficiency and power of the American nation in carrying on the war by providing fuel for smelters for the reduction of iron ore and factories for the manufacture of such agricultural and other machinery as are being used in the north-west and mills for the completion of the finished steel products for use in the western part of the United States and laboratories for the manufacture of munitions of war in building railroads, ships, bridges and other essentials of the development of our country to its greatest strength,

*Be It Resolved,* That the Council of Defense of the State of North Dakota request the legislature of the State of North Dakota now in session to formulate a memorial to congress calling the attention of congress to the above condition and asking that our national legislature immediately take steps to use and further develop for the above purposes our great natural resource now jointly owned by the people, the state and the nation.

*To the Senate of the State of North Dakota:*

The undersigned, members of the Woman's Christian Temperance Union of Amenia, North Dakota, respectfully petition that at the special session of the Legislative Assembly to meet January 23rd, 1918, the proposed Constitutional Amendment providing National Prohibition be ratified by the Legislature of the State of North Dakota, thereby placing the State among the first to endorse National Prohibition, as it was among the first to adopt State-wide Prohibition.

MRS. ROBERT B. REED,  
And 17 Others.

*To the Senate of the State of North Dakota :*

The undersigned, citizens of Amenia and vicinity, North Dakota; respectively petition that at the special session of the Legislative Assembly to meet January 23rd, 1918, the proposed Constitutional Amendment providing National Prohibition be ratified by the Legislature of the State of North Dakota, thereby placing the State among the first to endorse National Prohibition, as it was among the first to adopt State-wide Prohibition.

WALTER R. REED,  
And 24 Others.

CAVALIER, N. D.  
January 19, 1918.

*To the Senators and Representatives from Pembina County, North Dakota :*

We, the undersigned hereby request that at the coming Session of the Legislature of the State of North Dakota that you do all you possibly can in the interests of National Prohibition.

HUGH GIBSON,  
And 18 Others.

*To the Senate :*

We, the undersigned, plead with you for the cause of prohibition and for the honor of the state to work and vote for the ratification of the Prohibition Amendment.

L. A. DODGE,  
And 11 Others.

We, the undersigned, citizens of North Dakota, hereby request that for the cause of Prohibition, and for the honor of the State that you do all in your power, at the extra Legislative session, beginning January 23rd, to work and vote for the ratification of the Prohibition Amendment.

E. F. MURPHY,  
And 51 Others.

## REPORTS OF STANDING COMMITTEES.

### REPORT OF SENATE COMMITTEE ON TEMPERANCE.

The Committee on Temperance made the following report :

*Mr. President :*

Your Committee on Temperance, to whom was referred :  
Senate Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

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

It is the sense of this committee that this resolution pass unanimously.

T. N. PUTNAM,  
Chairman.

Mr. Putnam moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

## REPORT OF SENATE COMMITTEE ON STATE AFFAIRS.

The Committee on State Affairs made the following report:

*Mr. President :*

Your Committee on State Affairs, to whom was referred:  
Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913 as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

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

Amend the title so as to read as follows: For an Act to amend and re-enact Section 1762 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 144 of the Session Laws for the year 1917, relating to maintaining Patients in the Hospital for the Insane.

Also amending the heading of the section to read as the above title.

Strike out all of lines sixteen, seventeen, eighteen, nineteen, twenty, twenty-one and twenty-two on page two of the printed bill and when so amended, recommended that the same do pass.

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved that the report of the committee be adopted, which motion prevailed, and the report of the committee was adopted.

*Mr. President :*

Your Committee on State Affairs, to whom was referred:  
Senate Bill No. 7.

A Resolution Urging and Requesting the United States Congress to Use All Honorable Means to Enact Into Law a Bill Guaranteeing the Farmers of the Northwest Actual Expenses Incurred in Complying with the Government's Request to Raise the Greatest Possible Amount of Wheat and Other Foodstuffs in Time of War; that the Government, Through the Congress, Guarantee the Farmers Not Less Than Six Dollars and Fifty Cents Per Acre in Case of Drought, Hail, or Other Accident to the Crop.

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

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

Mr. Hyland moved that the Committee on Mileage and Per Diem appointed at the last session be reappointed and that the mileage statement set forth on page 72 of Senate Journal for 1917 be considered the mileage of Senators at this session, except where the mileage has been changed, when the Senator affected may take the matter up for correction with the committee.

Which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF  
SENATE BILLS.

Mr. King introduced:

Senate Bill No. 12.

A Bill for an Act Providing for the Organization of the Active Militia of North Dakota.

Was read the first and second time and referred to the Committee on Military Affairs.

Mr. Gibbens introduced:

Senate Bill No. 13.

A Concurrent Resolution.

Was read the first and second time and referred to the Committee on Printing.

Mr. McCarten introduced:

Senate Bill No. 14.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

Was read the first and second time and referred to the Committee on Appropriations.

Mr. Rowe introduced:

Senate Bill No. 15.

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.

Was read the first and second time and referred to the Committee on Insurance.

Mr. Hamilton introduced:

Senate Bill No. 16.

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter 161 of the Session Laws of North Dakota for the Year 1915, Relating to Nets and Seines, Fish Houses and Manner of Taking Fish.

Was read the first and second time and referred to the Committee on Game and Fish.

Mr. Pendray introduced:

Senate Bill No. 17.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

Was read the first and second time and referred to the Committee on Appropriations.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 24, 1918.

*Mr. President:*

I have the honor to transmit herewith:

House Bill No. 8.

A Concurrent Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

Also House Bill No. 7.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Also House Bill No. 2.

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 23, 1918, to June 30, 1919, Both Inclusive.

Also House Bill No. 4.

A Concurrent Resolution.

Also House Bill No. 10.

A Bill for an Act Providing for the Organization of the Active Militia of North Dakota.

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

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr. Rowe moved that the Senate do now take a recess until 3:30 p. m.

Which motion prevailed and the Senate took a recess.

#### AFTER RECESS.

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

House Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

Was read the first and second time and referred to the Committee on Temperance.

House Bill No. 2.

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 23, 1918, to June 30, 1919, Both Inclusive.

Was read the first and second time and referred to the Committee on Appropriations.

House Bill No. 4.

A Concurrent Resolution.

Was read the first and second time and referred to the Committee on Military Affairs.

House Bill No. 7.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Was read the first and second time and referred to the Committee on Warehouse, Grain and Grain Grading.

House Bill No. 10.

A Bill for an Act Providing for the Organization of the Active Militia of North Dakota.

Was read the first and second time and referred to the Committee on Military Affairs.

The Senate returned to the sixth order of business.

#### REPORT OF SENATE COMMITTEE ON PUBLIC PRINTING.

The Committee on Public Printing made the following report:

*Mr. President:*

Your Committee on Public Printing, to whom was referred:  
Senate Bill No. 13.

A Concurrent Resolution.

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

P. J. MURPHY,  
Chairman.

Mr. Murphy moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

#### REPORT OF SENATE COMMITTEE ON TEMPERANCE.

The Committee on Temperance made the following report:

*Mr. President:*

Your Committee on Temperance, to whom was referred:

House Joint Resolution Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

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, and the report of the committee was adopted.

Courtesies of the floor were extended to:

Lester Briggie,

Leonard du Heaume,

Don Tracy,

S. J. Doyle, U. S. Marshal, Fargo;

Dorr H. Carroll, Minot, and

Peter Benson, Ryder.

Mr. Hyland moved that the senate do now adjourn.

Which motion prevailed and the senate adjourned.

W. J. PRATER,  
Secretary.

#### CALENDAR.

JANUARY 25, 1918.

Senate Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913 as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

Senate Bill No. 13.

A Concurrent Resolution.

House Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

## THIRD DAY

SENATE CHAMBER,  
BISMARCK, N. D.,  
January 25, 1918.

The Senate convened at 2 o'clock, the President presiding.

Prayer was offered by the Chaplain, Rev. Call.

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

## REFERENCE OF THE JOURNAL OF THE SENATE

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

Mr. President:

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

After line twenty-two, on page 4, insert the following: "and when so amended, recommend that the same do pass. Frank H. Hyland, Chairman. Mr. Hyland moved that the report be adopted, which motion prevailed and the report of the committee was adopted."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,  
Chairman.

Mr. Levang moved

That the report be adopted, which motion prevailed and the report of the committee was adopted.



## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, N. D.,  
January 25, 1918.

*Mr. President:*

I have the honor to transmit herewith:

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Also, House Bill No. 5,

A Bill for an Act Reinstating and Validating the Charters of Corporations Which Have Been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Also, House Bill No. 6,

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

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

W. D. AUSTIN,  
Chief Clerk.

## PETITIONS AND COMMUNICATIONS

Rolla, N. D., 245p, 1-34-18.

John Benson,

Senate, Bismarck, No. Dak.:

Two hundred and fifty Rolla citizens in mass meeting Saturday night last solemnly request the legislature to ratify federal amendment for national prohibition.

N. E. Koehler.

Chairman of Legislature,  
Bismarck, N. D.,

January 23, 1918.

Dear Sir:

In view of the pending ratification of the Federal Constitutional amendment on prohibition, we the members of the Plymouth Congregational Christian Endeavor Society of Fargo, N. D., express the wish that the action of the legislature be what is its noble and patriotic duty, namely: the ratification of the bill.

Signed,

Dorothy E. Bascom,  
Chairman Social Service Comm.,  
Fargo, N. D.

And 42 others.

Killdeer, N. D., Jan. 24, 1918.

Chief Clerk of Senate,  
Bismarck, N. D.,

WHEREAS, There seems to be some doubt that our leg-

islature will make provision for our absent soldier boys casting their ballots at the next elections and,

WHEREAS, It is only fair and just that they should have a right to vote in a government under whose care they have left friends, families and property,

BE IT RESOLVED, By us citizens representing various sections of Dunn county assembled at military headquarters at Dunn Center January 24th that we urge our legislature to give the boys who are risking their lives for liberties and comforts that we enjoy the same voting privilege as we have.

Seventy-five Dunn County patriots.

### REPORTS OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

*Mr. President:*

Your Committee on Appropriations to whom was referred Senate Bill No. 3.

A Bill for an Act making an appropriation for the Use of the Depositors' Guaranty Fund Commission.

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

In the printed bill after the words "A Bill" strike out all four lines of the title, and insert in lieu thereof the following words: "For an Act Making an Appropriation for the Use of the Depositors' Guarantee Fund Commission."

At the beginning of line three, section one of the printed bill, strike out the words "sums hereinafter named, only" and insert in lieu thereof the "sum of \$5000.00."

In line seven of section one, strike out the words "to wit" including the "period." and

At the beginning of line eight begin the word "For" with a small letter "f."

Strike out line eleven of Section One of the printed bill.

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved,

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

The Committee on Appropriations made the following report:

*Mr. President:*

Your Committee on Appropriations to whom was referred Senate Bill No. 17.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

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

In line one of the enacting clause strike out the word "Fifteenth."

And when so amended recommend the same do pass.

A. S. GIBBENS,

Chairman.

Mr. Gibbens moved,

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

Mr. Welford moved,

That Senate Bill No. 8 be re-referred to the Committee on  
Temperance.

Which motion prevailed and

The Bill was so re-referred.

#### INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Drown introduced

Senate Bill No. 18,

A Bill for an Act for the Purpose of Allowing the Showing  
in Public Places of Moving Pictures for Educational, Religious  
and Patriotic Purposes Upon the First Day of the Week.

Was read the first and second time and

Referred to the Committee on Education.

Mr. Mostad introduced

Senate Bill No. 19.

A Bill for an Act to Amend and Re-enact Sections 992, 993,  
995, 997, 998, 1002 and 1003 of the Compiled Laws of North  
Dakota for the Year 1913 Relating to Absent Voters and Pro-  
viding for the Voting of Soldiers and Sailors Engaged in the  
Military and Naval Service of the State of North Dakota and  
the United States.

Was read the first and second time and

Referred to the Committee on Elections.

Mr. Mostad introduced

Senate Bill No. 20,

An Act to Amend and Re-enact Sections 853 and 854 of  
the Compiled Laws of the State of North Dakota for the Year  
1913, Relating to Primary Elections.

Was read the first and second time and

Referred to the Committee on Elections.

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

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the  
Compiled Laws of the State of North Dakota for 1913.

Was read the first and second time and

Referred to the Committee on Agriculture and Committee  
on Judiciary.

House Bill No. 5.

A Bill for an Act Reinstating and Validating Charters of Corporations Which have been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Was read the first and second time and

Referred to the Committee on Judiciary.

House Bill No. 6.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

Was read the first and second time and

Referred to the Committee on State Affairs.

### THIRD READING OF HOUSE BILLS.

House Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

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. 2; absent and not voting. 3.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Hunt	Nelson, Richland
Beck	Hyland	Nelson, of Gd. Fks.
Benson	Jacobsen	Paulson
Cahill	King	Pendray
Carey	Kirkeide	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McCarten	Rowe
Gibbens	McGray	Sandstrom
Gronvold	McLean	Sikes
Haggart	Morkrid	Stenmo
Hamerly	Mortenson	Welford
Hamilton	Mostad	Wenstrom
Heckle	Murphy	Zieman
Hemmingsen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
McBride	Young	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Kretschmar	Martin

So the bill passed and the title was agreed to.

Mr. Rowe moved that the vote by which House Bill No. 8 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Gibbens moved that the Senate do now take a recess for 10 minutes.

Which motion prevailed, and the Senate took a recess.

#### AFTER RECESS.

The Senate returned to the sixth order of business.

#### REPORTS OF STANDING COMMITTEES.

The Committee on Engrossment made the following report:

*Mr. President:*

Your Committee on Engrossment have examined:

Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 144 of the Session Laws for the Year 1917, Relating to Maintaining Patients in the Hospital for the Insane

Also, Senate Bill No. 13.

A Concurrent Resolution, Pertaining to the Laws Passed at this Fifteenth Legislative Assembly in Extraordinary Session Assembled.

And find the same correctly engrossed.

C. D. KING,

Chairman.

Mr. King moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Military Committee made the following report:

*Mr. President:*

Your Military Committee to whom was referred Senate Bill No. 1, have had the same under consideration and recommend that the same be amended as follows:

Strike out all after the words "Senate Bill," and amend same by adding the following amendment; and after being so amended recommend same do pass:

"Military Committee introduced the following bill:

"A Bill for an Act to Provide for the Organization of Home-Guard units. The Qualification of Members Thereof.

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

"Section 1.—Home-Guard units may be organized. Qualifications.—To provide more adequate police protection in the State of North Dakota, in case of insurrection, tumult, riot or violation of the public peace, where the militia of the State, or a part thereof, is called forth under the constitution and the laws of the United States, it is hereby provided that voluntary Home-Guard units may be organized in villages and cities. Such units and all Home Guard units heretofore organized to be under the authority and command of the Governor of the State of North Dakota as provided by law

for the State Militia. Such Home-Guard units shall elect officers from among their number and no person shall be eligible to membership therein, except male citizens over fifteen years of age, who have been bona-fide residents of the counties in which said units may be organized for a period of not less than one year. Provided further that said Home Guard units shall not be subject to service outside of their county without their consent.

"Section 2. (Emergency). Whereas, an emergency exists in that the militia of the state has been mustered into the National Army and that the same is now without any military protection, and whereas, it is necessary for the public peace, health, and safety, that Home Guard units be organized. Therefore, this act shall be in full force and effect after its passage and approval."

C. O. HECKLE,  
Chairman.

Mr. Heckle moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Senate returned to the thirteenth order of business.

### THIRD READING OF SENATE BILLS.

Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the 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, 43; nays, 2; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Mostad
Beck	Hyland	Murphy
Benson	Jacobsen	Nelson, of Gd. Fks.
Cahill	King	Paulson
Carey	Kirkeide	Pendray
Drown	Kretschmar	Ployhar
Englund	Levang	Putnam
Ettestad	Lindstrom	Rowe
Gibbens	McBride	Sandstrom
Gronvold	McCarten	Sikes
Haggart	McGray	Stenmo
Hamerly	McLean	Wenstrom
Hamilton	Morkrid	Young
Heckle	Mortenson	Zieman
Hemmingsen		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Nelson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Porter	Welford

So the bill passed and the title was agreed to.

Mr. Gibbens moved that the vote by which Senate Bill No. 2 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 2.

A Bill for an Act to Amend and Re-enact Section 1762 of the Compiled Laws of North Dakota for the year 1913 as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

The question being on the emergency clause, the roll was called, and there were ayes, 42; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
AHen	Hemmingsen	Mostad
Beck	Hunt	Murphy
Benson	Jacobsen	Nelson, of Gd. Fks.
Cahill	King	Paulson
Carey	Kirkeide	Pendray
Drown	Kretschmar	Ployhar
Englund	Levang	Putnam
Ettestad	Lindstrom	Rowe
Gibbens	McBride	Sandstrom
Gronvold	McCarten	Sikes
Haggart	McGray	Stenmo
Hamerly	McLean	Wenstrom
Hamilton	Morkrid	Young
Heckle	Mortenson	Zieman

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Martin	Nelson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Porter	Welford
Hyland		

So the emergency clause passed.

Mr. Gibbens moved that the vote by which the emergency clause passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 13.

A Concurrent Resolution.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Murphy
Beck	Hyland	Nelson, Richland
Benson	Jacobsen	Nelson, of Gd. Fks.
Cahill	King	Paulson
Carey	Kirkeide	Pendray
Drown	Kretschmar	Ployhar
Englund	Levang	Porter
Ettestad	Lindstrom	Putnam
Gibbens	McBride	Rowe
Gronvold	McCarten	Sandstrom
Haggart	McGray	Sikes
Hamerly	McLean	Stenmo
Hamilton	Martin	Welford
Heckle	Morkrid	Wenstrom
Hemmingsen	Mortenson	Young
	Mostad	Zieman

Mr. Ellingson was absent and not voting.

So the bill passed and the title was agreed to.

Mr. Gibbens moved that the vote by which Senate Bill No. 13 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, N. D.,  
January 25, 1918.

*Mr. President:*

I have the honor to return herewith the following concurrent resolution, relating to the Extraordinary Session, which the House has amended to read as follows:

WHEREAS, There is imperative need of amending the Seed Grain Laws allowing county commissioners more latitude in bonding counties for seed grain and feed for needy farmers; also to legalize and incorporate the Home Guards of the State of North Dakota into the organized state militia under the proper military authority of the State in accordance with the constitution; also to pass a moratorium law for the protection of the property of absent soldiers; also making an appropriation for the North Dakota Defense Council; also ratification of the Federal Prohibition Amendment to the Federal Constitution; also for the purpose of amending the Grain Grading Law, also an appropriation for the Insane Hospital at Jamestown and the State Bank Depository Guaranty Law; also the curative statute relative to corporations; and such relative measures necessary for the proper protection of our soldiers at home and abroad; and for perfect cooperation of this State with our Federal Government in the vigorous prosecution of this world war toward a final victorious conclusion;



WHEREAS, It is necessary that the expenses of this extraordinary session of this Legislature be kept at a minimum,

*Be It Therefore Resolved*, By the Senate of the State of North Dakota, the House of Representatives concurring therein; that the Legislature enact laws covering only the above mentioned subjects recommended by the Governor in his message delivered to the joint assembly of the Senate and House of Representatives.

*Be It Further Resolved*, That, when the above mentioned subjects are disposed of by this Legislature, that said Legislature do then adjourn;

And, further, that we pledge ourselves to the effort of finishing our task and closing this session on its fourth legislative day, January 26th, 1918.

And passed as amended.

Very respectfully,

W. D. AUSTIN,

Chief Clerk.

Mr. Heckle moved that the Senate do now concur in the amendment made by the House to Senate Concurrent Resolution.

Which motion was duly seconded.

Mr. Hyland moved as an amendment that the Senate do not concur, and that the President appoint a joint committee for further conference.

Which motion prevailed.

The question being on the original motion as amended.

The motion prevailed.

Mr. Jacobsen moved that the President appoint a conference committee of three to confer with a like committee to be appointed by the House.

Which motion prevailed.

And the President appointed as such committee Messrs. Hyland, Wenstrom and Heckle.

Mr. Ployhar moved that the Senate do now take a recess for five minutes.

Which motion prevailed.

And the Senate took a recess.

#### AFTER RECESS.

#### MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, N. D.,  
January 25, 1918.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as a Conference Committee on the Concurrent Resolution, Representatives Maddock of Mountrail, Turner and Mees.

Also,

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 9.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

Also, House Bill No. 14.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

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

W. D. AUSTIN,  
Chief Clerk.

The Senate returned to the Fourteenth Order of Business.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

House Bill No. 9.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

Was read the first and second time and referred to the Committee on Judiciary.

House Bill No. 14.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

Was read the first and second time and referred to the Committee on Appropriations.

The Senate returned to the Seventh Order of Business.

*Mr. President:*

Your Committee appointed to act with a like Committee from the House, having under consideration the Heckle Resolution relating to limiting legislation, beg leave to report that the House recedes from its last amendment wherein the following language is used:

"And, further, that we pledge ourselves to the effort of finishing our task and closing this session on its fourth legislative day, January 26th, 1918."

For the Senate:

FRANK H. HYLAND,  
C. O. HECKLE,  
J. A. WENSTROM.

For the House:

WALTER J. MADDOCK,  
E. W. MEES,  
C. C. TURNER.

Mr. Hyland moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

Courtesies of the floor were extended to:

J. P. Lamb, Michigan, N. D.;

Sander Pederson, Lakota, N. D., and

Albert Goldammer, Lakota, N. D.

Mr. Hyland moved that the Senate do now take a recess until 10 o'clock a. m., January 26, 1918.

Which motion prevailed.

W. J. PRATER,  
Secretary.

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THIRD DAY AFTER RECESS AND  
FOURTH DAY.

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SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 26, 1918.

The Senate convened at 10 o'clock a. m., pursuant to adjournment, the President presiding.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 26, 1918.

*Mr. President:*

I have the honor to transmit herewith:

House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

Also House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

• Also House Bill No. 13.

A Bill for an Act to Amend and Re-Enact Section 17 of Chapter 172, Laws of 1915.

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

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

## REPORTS OF STANDING COMMITTEES.

The Committee on Appropriations made the following report:

*Mr. President:*

Your Committee on Appropriations, to whom was referred:

House Bill No. 14.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

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

In line one of the enacting clause strike out the word "Fifteenth."

In line six of Section 1 insert the following: "said sum to be paid out on warrants and vouchers as approved and allowed according to law."

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Appropriations made the following report:

*Mr. President:*

Your Committee on Appropriations, to whom was referred:

House Bill No. 2.

A Bill for an Act Making an Appropriation for the Use of the Depositors' Guarantee Fund Commission."

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

In the printed bill after the words, "A Bill," strike out all four lines of the title, and insert in lieu thereof the following words: "For an Act Making an Appropriation for the Use of the Depositors' Guarantee Fund Commission."

At the beginning of the line three, Section 1 of the printed bill, strike out the words, "sums hereinafter named, only" and insert in lieu thereof the "sum of \$5,000.00."

In line seven of section 1 strike out the words "to-wit" including the "period." And at the beginning of line eight begin the word "For" with a small letter "f."

Strike out line 11 of section 1 of the printed bill, and insert in lieu thereof the following: "said sum to be paid out on warrants and vouchers as approved and allowed according to law."

And when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Insurance made the following report:

*Mr. President:*

Your Committee on Insurance to whom was referred;

Senate Bill No. 15.

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.

Have had the same under consideration and owing to the Heckle concurrent resolution, return this bill without recommendation.

JOHN E. PAULSON,  
Chairman.

Mr. Paulson moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

The Committee on Railroads made the following report:

*Mr. Speaker:*

Your Committee on Railroads to whom was referred;

Senate Bill No. 10.

A Bill for an Act to Divide All Railroads in the State of North Dakota Into Sections for the Repair and Maintenance of the Roadbed and Tracks and Limit the Number of Miles in Each Section.

Have had the same under consideration and return without recommendation, for the reason that its subject is barred by concurrent resolution already adopted by this Senate.

HENRY McLEAN,  
Chairman.

Mr. McLean moved that the report be adopted.

The report of the committee was adopted.

The Committee on Railroads made the following report:

*Mr. President:*

Your Committee on Railroads to whom was referred;

Senate Bill No. 9.

A Bill for an Act to Provide for the Erection and Use of Car Repair Shops at Division Points Maintained Within This State by Corporations or Persons Engaged as Common Carriers in the Transportation by Steam Railroad of Passengers or Property.

Have had the same under consideration and return without recommendation for the reason that its subject is barred by Concurrent Resolution already adopted by this Senate.

HENRY McLEAN,  
Chairman.

Mr. McLean moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

The Committee on Game and Fish made the following report:

*Mr. President:*

Your Committee on Game and Fish to whom was referred;

## Senate Bill No. 16.

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter 161 of the Session Laws of North Dakota for the Year 1915, Relating to Nets and Seines, Fish Houses and Manner of Taking Fish.

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

L. O. SANDSTROM,  
Chairman.

Mr. Sandstrom moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

The committee on Engrossment made the following report:

*Mr. President:*

Your Committee on Engrossment have examined:

## Senate Bill No. 1.

A Bill for an Act to Provide for the Organization of Home Guard units. The qualification of members thereof.

And find the same correctly engrossed.

C. D. KING,  
Chairman.

Mr. King moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

Mr. Gibbens moved that Senate Bills 3 and 17 be re-referred to the Committee on Appropriations.

Which motion prevailed and the bills were so re-referred.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS.

## House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

Was read the first and second time and referred to the Committee on State Affairs.

## House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

Was read the first and second time and referred to the Committee on Appropriations.

## House Bill No. 13.

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.

Was read the first and second time and referred to the Committee on Insurance.

Mr. Gibbens moved that Senate Bill No. 14 be re-referred from the Committee on Appropriations to the Committee on State Affairs.

Which motion prevailed and the bill was so referred.

Mr. Kretschmar moved that the Senate take a recess until 1:30 o'clock p. m.

Which motion prevailed and the Senate took a recess.

#### AFTER RECESS.

The Senate convened at 1:30 o'clock p. m. pursuant to recess taken. The president presiding.

The Senate returned to the Sixth order of business.

Reports of Standing Committees.

*Mr. President:*

Your Committee on Agriculture to which was referred House Bill No. 1 have had the same under consideration and recommend that the same be amended as follows:

Be it amended as follows by striking out everything after the word "A Bill," and insert in lieu thereof the following: "A bill for an Act to Amend Sections 3471, 3472, 3473, 3476, 3477, 3478, 3479, 3480, 3481, 3482, 3483, 3484, 3485, 3486, 3487 and 3488, of the Compiled Laws of North Dakota for the year 1913, authorizing counties to issue bonds and warrants to procure seed grain and feed for needy inhabitants therein," and making an appropriation therefor.

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

Section 1. Amendment.) That Section 3471 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

Section 3471. Bonds Authorized. Petition for. Time to run. In any county of the state where the crops for any preceding year have been a total or partial failure by reason of drouth, hail or other cause, it shall be lawful for the board of county commissioners of such county to issue the bonds of the county under and pursuant to the provisions of this article, and with the proceeds derived from the sale thereof, to purchase seed grain and feed for the inhabitants thereof who are in need of seed grain and feed, and are unable to procure the same, whenever said board shall be petitioned in writing so to do by not less than one hundred freeholders resident in the county; and said board at a meeting called as hereinafter provided to consider said petition, shall by a majority vote determine that the prayer of the petitioners should be granted; provided, that all such petitions shall be filed with the county auditor, on or before the first day of April; and thereupon it shall be the duty of said officer to forthwith call a meeting of the board of county commissioners of his county to consider said petition; and provided, further, that the total amounts of bonds issued by any county under the provisions of this article shall not, with the then existing indebtedness of the county, exceed the limit of indebtedness fixed by the constitution in such case; that said bonds shall be in denominations of from one hundred to five hundred dollars; shall bear a rate of interest not exceeding six per cent per annum,

payable semi-annually at such place and times as shall be determined by the board, and that all bonds issued under the provisions of this article shall become due and payable in not less than one nor more than five years from the date thereof, the date of maturity to be fixed by the county board at the time of the issuance thereof, with the above limitation.

Section 2. Amendment.) That Section 3472 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

Section 3472. Bonds, how executed. Such bonds shall be signed by the chairman of the board of county commissioners and be attested by the county auditor, who shall affix the seal of the county thereto and shall have indorsed thereon a certificate signed by the county auditor, stating that said bonds are issued pursuant to law and are within the debt limit.

Section 3. Amendment.) That section 3473 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

Section 3473. Bonds, how sold. It shall be the duty of said board to receive sealed proposals for the purchase of said bonds after giving notice of ten days in three newspapers of general daily circulation, published as follows: One in the city of St. Paul, in the state of Minnesota; one in the city of Bismarck, in the state of North Dakota; and one in the county where the bonds are to be issued, if there be one published in such county; if not, then publication may be made in a weekly paper published in said county, if there be one so published, and said bonds shall be sold to the highest bidder for cash; provided, the same shall not be sold for less than their par value; and, provided, further, that the said county may reject all bids and postpone the sale of said bonds for a time not exceeding fifteen days; provided that the notice herein provided for shall be given immediately after it has been determined to issue bonds.

The board may at its option require the commissioner of agriculture and labor to act for and on their behalf in the sale of such bonds, and in such event said commissioner shall forthwith proceed to dispose of said bonds in the same manner as herein required of the board of county commissioners.

Section 4. Amendment). That section 3476 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

Section 3476. Tax levied for sinking fund. Bonds registered. For the purpose of securing prompt payment of the principal and interest of said bonds, there shall be levied by the board of county commissioners at the time and in the manner other taxes are levied, such sums as shall be sufficient to pay such interest, and in addition thereto a sinking fund tax shall be annually levied sufficient to pay and retire said bonds at their maturity, and it shall be the duty of the county treasurer to pay promptly the interest upon the said bonds as the same shall fall due. No tax or fund provided for the payment of such bonds, either principal or interest, shall at any time be used for any other purpose; provided, however, that the board of county com-



missioners may deposit any part or portion of the sinking fund herein provided for, in any bank furnishing satisfactory security to the state of North Dakota, which shall furnish to the county a bond of indemnity to be approved by the board, and receive interest on the same, which shall be credited to the sinking fund. It shall be the duty of the treasurer when said bond or any coupons attached thereto are paid, to cancel the same by writing upon the face thereof the word "paid," and the date of payment. Before the bonds are delivered to the purchaser, the treasurer of the county shall register them in a book to be provided for that purpose, known as the bond register, in which register he shall enter the number of each bond, its date, date of maturity, amount, rate of interest, to whom and where payable; provided that said treasurer shall receive a per centum at the discretion of the county commissioners, not to exceed one per cent, for the receiving and disbursing of the amount received from the sale of said bonds, said per centum to be covered into the treasury as a part of the salary fund. The board of county commissioners may issue warrants instead of bonds, if in their judgment the best interests of the county are thereby served, provided that such warrants shall not be issued in any amount to exceed five per cent of the assessed valuation of such county.

Section 5. Amendment). That Section 3477 of the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted so as to read as follows:

Section 3477. Proceeds used exclusively to purchase seed grain and feed. The fund arising from the sale of said bonds shall be applied exclusively by the said board for the purchase of seed grain and feed, for residents of the state who farm land within the county who are unable to procure the same; provided that the county commissioners shall determine the amount of seed and feed or either, which each applicant shall receive, and provided further that the county auditor shall issue to each applicant an order for the number of bushels of each kind of seed grain, together with the amount of feed, that has been allowed by the board, to be furnished to any one person; provided, further, that in any county in which it is necessary to procure seed grain under the provisions of this article, and the parties taking advantage of the same are unable to obtain feed for their stock for the putting in of said seed grain, the county commissioners may, in their discretion, purchase and deliver to such parties who are unable to procure in any other way, such amount of feed as well in their judgment enable said parties to put in their seed; such feed to be furnished at actual cost, the amount to be paid for such feed to become a part of the seed lien on the crop raised from the seed furnished to such party under the provisions of this article.

Section 6. Amendment). That Section 3478 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

Section 3478. Commissioners may issue warrants for purchase. In providing for the purchase of seed grain and feed or either, the commissioners may in lieu of issuing bonds, order warrants drawn upon the general fund of the county to pay for the seed grain purchased under the general provisions of this article.

Section 7. Amendment). That Section 3479 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

Section 3479. Application for aid, how made. All persons entitled to, and wishing to avail themselves of the benefit of this article, shall file with the county auditor, on or before the twentieth day of March, an application duly sworn to before said county auditor, or some other officer authorized to administer oaths. Said application shall contain a true statement of the number of acres the applicant has plowed or prepared for seeding; how many acres the applicant intends to have plowed or prepared for seeding; how many bushels and what kind of grain he will require to seed the ground so prepared as aforesaid; how many bushels of grain the applicant harvested in the preceding year, and the amount and kind of grain and feed that he has in his possession; that the applicant has not procured and is not able to procure the necessary seed grain for the current year; that he desires the same for seed and feed and no other purpose, and that he will not sell or dispose of the same or any part thereof, but will use the same and the whole thereof in seeding the land prepared or to be prepared for crop; that the applicant will seed the wheat and rye before May 20th, and all other grain before June 10th, except grain sown for fodder purposes may be sown up to June 20th. Said application shall also contain a true and full description of all the real and personal property owned by the applicant, and the incumbrances thereon, and a true description by government subdivisions of the land upon which the applicant intends to sow said seed grain. All applications filed under the provisions of this article shall be consecutively numbered and shall be open to public inspection, and no application shall be considered by the board of county commissioners except such as have been made and filed in the manner prescribed in this section; provided, that the board of commissioners may in their discretion consider any application although made after the time so specified.

If the applicant is a renter the owner of the land shall sign the application with him, unless an exception is made by the county commissioners in such instances.

Section 8. Amendment). That Section 3480 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

Section 3480. Adjustment of application, county commissioners make. The board of county commissioners of each county issuing bonds or warrants under the provisions of this article are hereby appointed and constituted a board of examination and adjustment of the applications for seed grain and feed filed under the preceding section, and it shall be the duty of said board to meet at the county auditor's office on the first Tuesday in March, or as soon thereafter as possible, to examine and consider separately each application filed under the provisions of this article, and to determine who are entitled to the benefits thereof, and the amount to which each applicant is entitled, and said board shall on or before the twenty-fifth day of March, deliver and file with the county auditor its adjustment of the said applications, which shall be signed by the chairman of the board.

Section 9. Amendment). That Section 3481 of the Compiled Laws of North Dakota, for 1913, is hereby amended and re-enacted so as to read as follows:

Section 3481. Contract for repayment. Delinquent payments extended on tax list. Placed in judgment. The county auditor of each county shall as soon as the county commissions shall have performed the duty prescribed in the preceding sections, issue to each applicant demanding it an order for the number of bushels of each kind of seed grain and amount of feed which has been allowed to said applicant, unless otherwise directed by the board or the chairman thereof; provided, however, that said order shall not be delivered until said applicant shall have signed a contract in duplicate, which contract shall have the same force and effect as a promissory note, attested by the county auditor to the effect that said applicant for and in consideration of.....bushels of seed grain and.....  
.....of feed received from.....county, promise to pay to said county.....dollars, the amount of cost of said seed grain and feed; that said sum shall be taxable against all of the real property for which said seed and feed was furnished and all personal property of said applicant; that such tax shall be levied by said auditor and collected as other taxes are collected under the laws of this state; that the amount of such indebtedness shall become due and payable on the first day of October in each year, in which said seed grain and feed is furnished, together with interest on such amount from the date of the bonds provided for herein, and at the rate of not to exceed six per cent per annum, and if such indebtedness be not paid on or before the 15th day of October in that year it shall then be the duty of the county auditor of said county to cause the amount of said indebtedness to be entered upon the tax lists of said county then in the hands of the county treasurer as a tax against the land owned by the applicant for which said seed and feed was furnished, to be collected as other taxes are, and the sum so entered and levied shall be a lien upon the real estate owned by said person, for which said seed and feed was furnished, until said indebtedness is fully paid; when it shall be the duty of the proper officer to cancel the same; provided, that such indebtedness shall not be subject to the penalty provided for taxes, nor shall it bear a greater rate of interest than six per cent per annum.

Provided, further, that if the applicant is a renter, the owner of the land shall also sign the contract with him, except in case where an exception is made by an order of the board of county commissioners, and where the owner signed such contract, the county shall in addition have a lien upon all real estate of such owner upon which said seed and grain was sown.

If such indebtedness be not paid on or before November 1st of such year, or if the sheriff shall have reason to believe that any person who shall have received aid under this act is about to remove from the county, or is about to sell and dispose of his grain without first paying to the county the amount due, it shall be his duty to take and sell a sufficient amount of grain of such applicant to pay such indebtedness, including the cost of seizure, in the same

manner as now provided for the collection of taxes in Section 2166 of the Compiled Laws of North Dakota for 1913.

Provided, further, it shall be the duty of the county treasurer to deliver to the state's attorney a statement of all contracts which may remain unpaid on the first day of January following said year, and it shall be the duty of such state's attorney to immediately in behalf and in the name of such county to commence an action for the placing of such indebtedness in judgment, which judgment shall not in any manner abrogate any other lien which the county may have acquired under this act.

Section 10. Amendment.) That Section 3482 of the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted so as to read as follows:

Section 3482. Contract made first lien. Under the filing of the contracts provided for in Section 3480, the county shall acquire a just and valid lien upon the crops of grain and feed raised each year by the person receiving seed grain and feed to the amount of the sum then due to the county upon said contract, which shall as to the crops covered thereby have priority over all other liens and incumbrances thereon, except threshers and labor liens, and the filing of said contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of said lien, which shall continue in force until the amount covered by said contract is fully paid.

Section 11. Amendment). That Section 3483 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

Section 3483. One the first day of October following the furnishing of any seed or feed under the provisions of this act, the county treasurer shall mail to each person having obtained aid under the provisions of this act a statement of the amount which will be due upon his note on the date it becomes due, and as a part of such notice which shall be under the signature of the county treasurer, there shall be a permission to sell at any public market place sufficient of the crop covered by the county's lien to pay the amount so to become due, and a direction that the person purchasing the same shall take up such permission and remit the proceeds of the sale of such grain to the county treasurer of the county in which the grain was raised, and the person purchasing the same shall take up such permission and preserve the same and upon making remittance to the county treasurer the purchaser shall acquire title to the grain so purchased, free of the county's lien. Immediately upon receiving such remittance the county treasurer shall mail to the person whose note has thus been paid, a satisfaction of the county's lien, and shall note such satisfaction on all the appropriate records of the county. Any person buying any part of the crop of such person without taking up the permission to sell the same issued by the county treasurer shall be deemed to have taken the same subject to all rights of the county.

Section 12. Amendment). That Section 3484 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

Section 3484. Penalty for misuse of seed furnished. Any person or persons, who, contrary to the provisions of this

article, sell, transfer, take or carry away, or in any manner dispose of the seed grain and seed or any part thereof, furnished by the county under this act, or shall use or dispose of said seed grain and feed or any part thereof, for any other purpose than that of planting or sowing and feeding the same as stated in his application, or shall sell, transfer, take or carry away, or in any manner dispose of the crop, or any part thereof, produced from the sowing or planting of said seed grain, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than ten dollars, nor more than one hundred dollars, or may be imprisoned in the county jail for a term of not less than ninety days, and shall pay all the costs of prosecution, and whoever under any of the provisions herein shall be found guilty of false swearing shall be deemed to have committed perjury, and shall upon conviction suffer the pains and penalties of that crime. Upon the filing of said application in the office of the register of deeds and the sowing of the seed obtained thereunder, the title and right of possession to the growing crop and to the grain produced from said seed shall be in the county, which shall have furnished the seed, until the debt incurred for said seed shall have been paid, and any seizure thereof or interference therewith, except by the applicant and those in his employ, for the purpose of harvesting, threshing and marketing the same to pay the debt as aforesaid, shall be deemed a conversion thereof, and treble damages may be recovered against the person so converting the same by the county furnishing said seed.

Section 13. Amendment.) That Section 3485 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

Section 3485. Duty of officers to prosecute. It shall be the duty of the constables and town clerks of the towns, and the county commissioners, sheriffs and state's attorneys of the counties furnishing seed grain and feed under the provisions of this article, having any knowledge of the violation of its provisions, to make complaint thereof to a justice of the peace, and said justice shall thereupon issue a warrant for the arrest of the offender, and proceed to hear and determine the matter or to bind the offender over to appear before the district court, as the case may be.

Section 14. Amendment). That Section 3486 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

Section 3486. Commissioners advertise intention of distribution. The county commissioners of every county proposing to distribute seed grain and feed under the provisions of this article shall advertise such intention in such manner and for such length of time prior to the twentieth day of March as it is possible for them to do, giving notice that all applications must be filed with the county auditor, by the twentieth day of March; provided, that no distribution of seed grain and feed under the provisions of this article shall take place prior to the tenth day of March. If more seed grain is applied for than can be supplied by the commissioners under the provisions of this article, a pro rata distribution shall be made by them among those who shall have been found entitled to the benefits of this

article. The commissioners shall have the right to refuse any application which they may deem improper to grant, and they may revise their adjustment of applications at any time before final distribution.

Section 15. Amendment.) That Section 3487 of the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted so as to read as follows:

Section 3487. Grain furnished at cost. It shall be the duty of the commissioners providing seed grain and feed under the provisions of this article, to purchase the same at the lowest price at which suitable grain can be obtained, and to furnish the same to applicants at the actual cost thereof to the commissioners, with transportation and handling charges added, if any there be, and any person requiring or extorting from any applicant a greater price shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, as the court may determine.

Section 16. Amendment.) That Section 3488 of the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted so as to read as follows:

Section 3488. Sinking fund. All money received by the county treasurer in payment of debts incurred under the provisions of this article, shall be paid into, and become a part of the sinking fund herein provided for, and be used exclusively in the payment of bonds or warrants issued hereunder.

Section 17. Selection and Purchase of Grain and Feed. Immediately after the board of county commissioners has made an estimate of the amount of seed grain or feed or both required, it shall notify the commissioner of agriculture and labor, and he shall assist and co-operate with the board in procuring said grain and feed. The board may advertise for offers of seed grain or feed or both, in one or two newspapers within the county, and give the same such other publicity as it may deem advisable. Where price and quality are equal, preference shall be given to grain and feed offered for sale within the county.

The Board and the commissioner of agriculture and labor shall take samples from the grain offered which in their judgment is most suitable for seed, and shall transmit them to the state seed commissioner at the Agricultural College for analysis and germination test. The state seed commissioner shall make a prompt report of each test, classifying the samples as to their fitness for seed, which report shall be filed in the county auditor's office and in the office of the commissioner of agriculture and labor, and shall be open to public inspection.

No contract shall be made for any lot of seed grain which in its viability (growth power), its varietal purity, and its freedom from noxious seeds, is unsatisfactory for use as bulk seed for sowing the general crop.

After the grain has been delivered to the board of county commissioners a second test may be made, if in the opinion of the board of county commissioners time permits, before it is distributed to the farmers. In no event shall any grain be sold to the farmers by the county as seed which is unsuitable for the growing of the general crop.

Section 18. Any county that has issued any bonds or had any proceedings heretofore with a view of issuing its bonds under chapter 24 of the Political Code of the Compiled Laws of North Dakota for 1913, shall, upon the passage and approval of this act, come under, and proceed according to the provisions of this act. No bonds issued or proceeding, had heretofore under chapter 24 of the Political Code of the Compiled Laws for North Dakota for 1913, shall be invalidated or in any manner made void by this act.

Section 19. Appropriation. There is hereby appropriated out of any monies in the state treasury not otherwise appropriated, to the state seed commission the sum of two thousand dollars, or so much thereof as may be necessary, for analyses, tests, inspections, clerical assistance, and such other expenses which may be deemed necessary in making such tests.

Section 20. Emergency. Whereas, an emergency exists in that there has been a crop failure in many parts of the state, and no adequate relief is provided for by law; and whereas it is necessary for the immediate preservation of public peace, health, and safety, that immediate relief be given, therefore, this act shall take effect and be in force from and after its passage and approval.

And when so amended recommend that the same do pass.

A. J. KIRKEIDE,  
Chairman.

Mr. Kirkeide moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Judiciary made the following report:

*Mr. President:*

Your Committee on Judiciary, to whom was referred:

House Bill No. 5.

A Bill for an Act Reinstating and Validating Charters of Corporations Which have been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

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

Strike out everything after the words, "A Bill," and in lieu thereof insert the following:

"An Act to Amend and Re-Enact Section 4521 of the Compiled Laws of North Dakota of 1913 as Amended by Chapter 99 of the Session Laws of North Dakota for 1917.

"Section 1. That section 4521, Compiled Laws of North Dakota as amended by Chapter 99 of the Session Laws of North Dakota for 1917 is hereby amended and re-enacted to read as follows:

Section 4521. Corporations May Be Reinstated. How.) Any domestic corporation which is engaged in active business under its charter or any foreign corporation authorized to transact business in the State of North Dakota engaged in active business under its certificate of authority to transact business, failing to make said report as required by Section 4518 of this chapter, may be reinstated upon the records of the office of the Secretary of State upon the filing of complete annual cor-

poration reports as provided for by Section 4518 and the payment of a fee of \$2.50 and in addition thereto the payment of a fee of \$5.00 for such reinstatement; and filing in the office of the Secretary of State an affidavit stating the further fact that such corporation was at the time of such default and still is engaged in active business in the State of North Dakota. Said corporations shall be reinstated at any time upon filing said full and complete annual report within a period of six months from the time of cancellation as provided by Section 4518, and the payment of said fees; and at any time after the said six months upon filing of all and complete annual reports for all years in default with a fee of \$2.50 for each of said reports and the payment of \$15.00 for each and every year the said corporation has failed and neglected to file full and complete report.

And when so amended recommend the same do pass.

M. L. McBRIDE,  
Chairman.

Mr. McBride moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Judiciary made the following report:

*Mr. President:*

Your Committee on Judiciary, to whom was referred:

Senate Bill No. 5.

A Bill for an Act Reinstating and Validating the Charters of Corporations Which Have Been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

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

M. L. McBRIDE,  
Chairman.

Mr. McBride moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Insurance made the following report:

*Mr. President:*

Your Committee on Insurance, to whom was referred:

House Bill No. 13.

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.

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

JOHN E. PAULSON,  
Chairman.

Mr. Paulson moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Education made the following report:

*Mr. President:*

Your Committee on Education, to whom was referred:



Senate Bill No. 18,

A Bill for an Act for the Purpose of Allowing the Showing in Public Places of Moving Pictures for Educational, Religious and Patriotic Purposes Upon the First Day of the Week.

Have had the same under consideration and in view of the Heckle Concurrent Resolution expressly limiting the present Legislature to the consideration of certain specified subjects, have agreed to report the same without recommendation.

ALBERT STENMO,  
Chairman.

Mr. Stenmo moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on State Affairs made the following report :

*Mr. President :*

Your Committee on State Affairs, to whom was referred :

Senate Bill No. 14.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

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

FRANK H. HYLAND,  
Chairman.

Mr. Hyland moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES.

BISMARCK, NORTH DAKOTA,  
Bismarck, N. D., Jan. 26. 1918.

*Mr. President :*

I have the honor to inform you that the House has concurred in the Conference report on the Concurrent Resolution known as the Heckle resolution.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

#### REPORT OF SELECT COMMITTEE.

*Mr. President :*

Your committee appointed to draft resolutions, lamenting the death of Judge Cowan, beg leave to submit the following:

WHEREAS, It has pleased Him, in whose hands are all the issues of life, to remove from the scene of life's activities, and from those to whom he has ever been a loving husband and father, the Honorable John F. Cowan, of Ramsey County, a former Attorney General, and for many years Judge of the district court of the second Judicial district of the State of

North Dakota, who departed this life during the month of November, 1917, therefore we, the members of the Senate of the State of North Dakota, yielding unhesitatingly to the summary command of an omnipotent and adorable Deity, nevertheless, sincerely deplore the loss of one whose conscientious and considerable labor, as a private citizen and in the many official positions to which he was elevated, has contributed so materially to the development and progress of our society and State, and,

*Be It Further Resolved*, That we hereby extend to his bereaved and sorrowing family our heartfelt sympathy and condolence in this their great affliction, and we further respectfully request them to remember that our respect and admiration for Judge Cowan, invited, encouraged and enjoyed by reason of his uprightness and fidelity, impel us to beg leave to mourn with them their great loss.

We hold that in the greatest trials, sadness is ameliorated and sorrow is to some extent expelled by kindly sympathy, especially where the cause arises from the loss of a man of such unequalled courage, conviction and character, and we, therefore, trust that the State-wide sympathy as expressed by the members of the Senate will afford comfort and consolation to Judge Cowan's family and friends.

*Be It Further Resolved*, That these resolutions be embodied in the Journal of the Senate and that the Secretary of the Senate is hereby directed to forward a copy to Mrs. Cowan.

FRANK H. HYLAND,  
J. A. ENGLUND,  
D. H. HAMILTON.

Mr. Hyland moved that the resolution be adopted by a standing vote.

Which motion prevailed and the resolution was adopted.

*Mr. President:*

Your committee appointed for the purposes to presenting suitable resolutions in memory of the late Henry J. Linde respectfully present the following:

#### A CONCURRENT RESOLUTION

WHEREAS, It has pleased Him, in whose hands are all the issues of life, to remove from among us the Honorable Henry J. Linde late Attorney General of the State of North Dakota and formerly a member of both Houses of the legislative assembly, and

WHEREAS, In his death the State has lost an honored citizen and his family a devoted husband.

*Be It Therefore Resolved*, By the Senate of the State of North Dakota, the House of Representatives concurring therein; that we extend to his family in this their bereavement our sympathy and condolence; and

*Be It Further Resolved*, That these resolutions be printed in both houses of the legislative assembly and copy thereof forwarded to Mrs. Linde by the Secretary of the Senate.

E. H. SIKES,  
Chairman.

Mr. Sikes moved that the resolution be adopted by a standing vote.

Which motion prevailed and the resolution was adopted.

*Mr. President:*

Your Special Committee appointed to draft resolutions on the death of the late Senator Thoreson, beg leave to report as follows:

WHEREAS, The Hon. Martin Thoreson, Senator from the 38th Legislative District, Barnes County, North Dakota, and for many years a member of this body, has been removed from this earth by the Supreme Being who governs the affairs of men, and

WHEREAS, His colleagues, the members of the Senate, have heard with profound sorrow of his death.

*Be It Resolved*, That as a token of love and esteem for him, a copy of this resolution be engrossed and forwarded by the Secretary of the Senate to the widow of the late Senator Thoreson, and that as a tribute of respect for his memory the Senate adjourn.

Martin Thoreson was born in Norway in 1856. He came to North Dakota in 1882, and settled on a homestead near Pingal, Barnes County, where he resided until the time of his death. His wife and four children survive him. He was first elected to the legislature in 1904 and has served continuously since that time, three terms in the House of Representatives and two terms in the Senate.

FRANK E. PLOYHAR,  
Chairman.

F. T. GRONVOLD,  
R. McCARTEN.

Mr. Ployhar moved that the resolution be adopted by a standing vote.

Which motion prevailed and the resolution was adopted and the Senate adjourned.

#### FOURTH DAY.

##### SENATE CHAMBER,

Bismarck, N. D., Jan. 26, 1918.

The Senate, convened at 2 o'clock, the President presiding. Prayer was offered by the Chaplain, Rev. Postlethwaite.

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

#### REFERENCE OF THE JOURNAL OF THE SENATE

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

*Mr. President:*

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

Page one, line 21, correct spelling of "chairman."

Page two, line 5, insert "Jan. 25, 1918."

Page three, line 19, strike out the words "appropriating money" and insert the words "making an appropriation."

In line 20 strike out the words "Between the following."

Strike out all of lines 21 and 22.

On page eleven, line 31, strike out "makes the following" and in line 32 strike out the word "report."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,  
Chairman.

Mr. Levang moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

#### MOTIONS AND RESOLUTIONS.

Senator Thorwald Mostad introduced the following Concurrent resolution.

WHEREAS, Our country, in its war for the existence of popular government throughout the world, is called upon to exercise every energy and resource at its command and must above all things avoid waste and duplication of effort, and

WHEREAS, The State of North Dakota has within its borders vast and extraordinary resources now in the early stage of development in her lignite coal deposits which underlie much of the western half of the State tributary to three great transcontinental trunk lines of railroad and the great commercial waterway, the Missouri river,

WHEREAS, These resources could be used to further the efficiency and power of the American nation in carrying on the war by providing fuel for smelters for the reduction of iron ore and factories for the manufacture of such agricultural and other machinery as are being used in the northwest and mills for the completion of the finished steel products for use in the western part of the United States and laboratories for the manufacture of munitions of war in building railroads, ships, bridges and other essentials of the development of our country to its greatest strength,

*Be It Resolved*, That the Legislature of the State of North Dakota now in session concurrently by the Senate and the House of Representatives herewith call the attention of Congress to the facts above set forth and respectfully requests the members thereof to immediately take steps toward furthering the development and use for the above purposes of our great natural resources now jointly owned by the people, the State and the Nation, and the representatives and Senators of North Dakota are respectfully requested to call the attention of Congress to the above facts and conditions.

Mr. Welford moved that the resolution be adopted.

Which motion prevailed, and the resolution was adopted.

#### THIRD READING OF SENATE BILLS.

Mr. Jacobson moved that Senate Bill No. 1 be amended by inserting after the words "here to fore" in section 1 the words "or hereafter."

Which motion prevailed, and the bill was so amended.

Senate Bill No. 1.

A Bill for an Act to Provide for the Organization of Home

Guard Units; the Qualifications of Members Thereof, and Providing for the Furnishing of Equipments Therefor.

Was read the third time.

The question being on the final passage of the bill as amended, the roll was called, and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Richland
Beck	Jacobsen	Nelson, of Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McCarten	Sandstrom
Gronvold	McGray	Sikes
Haggart	McLean	Stenmo
Hamerly	Martin	Welford
Hamilton	Morkrid	Wenstrom
Heckle	Mortenson	Young
Hemmingsen	Mostad	Zieman
Hunt	Murphy	

Absent and not voting, Mr. Ellingson.

So the bill passed and the title was agreed to.

Mr. Paulson moved that the vote by which Senate Bill No. 1 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 1.

A Bill for an Act to Provide for the Organization of Home Guard Units; the Qualifications of Members Thereof, and Providing for the Furnishing of Equipments Therefor.

The question being on the emergency clause, the roll was called, and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Jacobsen	Nelson, Richland
Beck	King	Nelson, of Gd. Fks.
Benson	Kirkeide	Paulson
Cahill	Kretschmar	Pendray
Carey	Levang	Ployhar
Drown	Lindstrom	Porter
Ettestad	McBride	Putnam
Gibbens	McCarten	Rowe
Gronvold	McGray	Sandstrom
Haggart	McLean	Sikes
Hamerly	Martin	Stenmo
Hamilton	Morkrid	Welford
Heckle	Mortenson	Wenstrom
Hemmingsen	Mostad	Young
Hunt	Murphy	Zieman
Hyland		

Absent and not voting, Messrs. Ellingson and Englund.

So the emergency clause passed.

Mr. Paulson moved that the vote by which the emergency clause passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

### THIRD READING OF HOUSE BILLS.

House Bill No. 2.

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 23, 1918, to June 30, 1919, Both Inclusive.

Was read the third time.

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Richland
Beck	Jacobsen	Nelson, of Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McCarten	Sandstrom
Gronvold	McGray	Sikes
Haggart	McLean	Stenmo
Hamerly	Martin	Welford
Hamilton	Morkrid	Wenstrom
Heckle	Mortenson	Young
Hemmingsen	Mostad	Zieman
Hunt	Murphy	

Absent and not voting, Mr. Ellingson.

So the bill passed and the title was agreed to.

Mr. Gibbens moved that the vote by which House Bill No. 2 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 2.

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 23, 1918, to June 30, 1919, Both Inclusive.

The question being on the emergency clause, the roll was called, and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Benson	Carey
Beck	Cahill	Englund

Ettestad	Levang	Paulson
Gibbens	Lindstrom	Pendray
Gronvold	McBride	Ployhar
Haggart	McCarten	Porter
Hamerly	McGray	Putnam
Hamilton	McLean	Rowe
Heckle	Martin	Sandstrom
Hemmingsen	Morkrid	Sikes
Hunt	Mortenson	Stenmo
Hyland	Mostad	Welford
Jacobsen	Murphy	Wenstrom
King	Nelson, Richland	Young
Kirkeide	Nelson, of Gd. Fks.	Zieman
Kretschmar		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drown	Ellingson	

So the emergency clause passed.

Mr. Gibbens moved that the vote by which the emergency clause passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 14.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

Was read the third time.

The question being on the final passage of the bill as amended, the roll was called, and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Nelson, of Gd. Fks
Beck	Jacobsen	Paulson
Benson	King	Pendray
Cahill	Kirkeide	Ployhar
Carey	Kretschmar	Porter
Drown	Levang	Putnam
Englund	Lindstrom	Rowe
Ettestad	McBride	Sandstrom
Gibbens	McCarten	Sikes
Gronvold	McGray	Stenmo
Haggart	McLean	Welford
Hamerly	Martin	Wenstrom
Hamilton	Morkrid	Young
Heckle	Mortenson	Zieman
Hemmingsen	Nelson, Richland	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Mostad	Murphy
Hyland		

So the bill passed and the title was agreed to.

Mr. Paulson moved that the vote by which House Bill No. 14 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 14.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

The question being on the emergency clause, the roll was called, and there were ayes, 45; nays, 0; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Richland
Beck	Jacobsen	Nelson, of Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Ettestad	Lindstrom	Putnam
Gibbens	McBride	Rowe
Gronvold	McCarten	Sandstrom
Haggart	McGray	Sikes
Hamerly	McLean	Stenmo
Hamilton	Martin	Welford
Heckle	Morkrid	Wenstrom
Hemmingsen	Mortenson	Young
Hunt	Murphy	Zieman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Englund	Mostad

So the emergency clause passed.

Mr. Paulson moved that the vote by which the emergency clause passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 13.

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.

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, 0; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Englund	Hamilton
Beck	Ettestad	Heckle
Benson	Gibbens	Hemmingsen
Cahill	Gronvold	Hunt
Carey	Haggart	Hyland
Drown	Hamerly	Jacobsen



Messrs.	Messrs.	Messrs.
King	Morkrid	Putnam
Kirkeide	Mortenson	Rowe
Kretschmar	Murphy	Sandstrom
Levang	Nelson, Richland	Sikes
Lindstrom	Nelson, of Gd. Fks.	Stenmo
McBride	Paulson	Welford
McCarten	Pendray	Wenstrom
McGray	Ployhar	Young
McLean	Porter	Zieman
Martin		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Mostad	

So the bill passed and the title was agreed to.

Mr. Rowe moved that the vote by which House Bill No. 13 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 13.

A Bill for an Act to Amend and Re-Enact Section 17 of Chapter 172, Laws of 1915.

The question being on the emergency clause, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Richland
Beck	Jacobsen	Nelson, of Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McCarten	Sandstrom
Gronvold	McGray	Sikes
Haggart	McLean	Stenmo
Hamerly	Martin	Welford
Hamilton	Morkrid	Wenstrom
Heckle	Mortenson	Young
Hemmingsen	Mostad	Zieman
Hunt	Murphy	

Absent and not voting, Mr. Ellingson.

So the emergency clause passed.

Mr. Rowe moved that the vote by which the emergency clause passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 5.

A Bill for an Act Reinstating and Validating the Charters of Corporations Which Have Been Cancelled or Whose Author-

ity to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Was read the third time.

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Richland
Beck	Jacobsen	Nelson, Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McCarten	Sandstrom
Gronvold	McGray	Sikes
Haggart	McLean	Stenmo
Hamerly	Martin	Welford
Hamilton	Morkrid	Wenstrom
Heckle	Mortenson	Young
Hemmingsen	Murphy	Zieman
Hunt		

Absent and not voting:

Ellingson                      Mostad

So the bill passed and the title was agreed to.

Mr. Paulson moved that the vote by which House Bill No. 5 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 5.

A Bill for an Act Reinstating and Validating the Charters of Corporations Which Have Been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

The question being on the emergency clause, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hamilton	McCarten
Beck	Heckle	McGray
Benson	Hemmingsen	McLean
Cahill	Hunt	Martin
Carey	Hyland	Morkrid
Drown	Jacobsen	Mortenson
Englund	King	Mostad
Ettestad	Kirkeide	Murphy
Gibbens	Kretschmar	Nelson, Richland
Gronvold	Levang	Nelson, Gd. Fks.
Haggart	Lindstrom	Paulson
Hamerly	McBride	Pendray

Ployhar	Sandstrom	Wenstrom
Porter	Sikes	Young
Putnam	Stenmo	Zieman
Rowe	Welford	

Absent and not voting, Mr. Ellingson.

So the emergency clause passed.

Mr. Paulson moved that the vote by which the emergency clause passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Jacobsen moved that section 3481 of House Bill No. 1 be amended as follows:

In line 2 strike out the word "adjustment" and insert in lieu thereof the words, "in judgment."

In line 8 strike out the word "unless" and insert in lieu thereof the word "until."

In line 15 after the word "seed" insert the words "and feed."

In line 21 strike out the word "of" and insert in lieu thereof the words "not to exceed."

In lines 26 and 29 after the word "seed" insert the words "and feed."

In line 33 after the period following the word "annum" insert the following: "a duplicate of such contract shall be filed in the office of the register of deeds of said county."

In line 46 strike out the word "taking" and insert in lieu thereof the word "seizure."

Which motion prevailed, and the bill was so amended.

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Was read the third time.

The question being on the final passage of the bill as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Richland
Beck	Jacobsen	Nelson, Gd. Fks.
Benson	Kirkeide	Paulson
Carey	Kretschmar	Pendray
Cahill	Levang	Ployhar
Drown	Lindstrom	Porter
Englund	McBride	Putnam
Ettestad	McCarten	Rowe
Gibbens	McGray	Sandstrom
Gronvold	McLean	Sikes
Haggart	Martin	Stenmo
Hamerly	Morkrid	Welford
Hamilton	Mortenson	Wenstrom
Heckle	Mostad	Young
Hemmingsen	Murphy	Zieman
Hunt		

Absent and not voting :

Messrs.	Messrs.	Messrs.
Ellingson	King	

So the bill passed and the title was agreed to.

Mr. Kirkeide moved that the vote by which House Bill No. 1 passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

The question being on the emergency clause, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 2.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.
Allen	Jacobsen	Nelson, Richland
Beck	King	Nelson, Gd. Fks.
Benson	Kirkeide	Paulson
Cahill	Kretschmar	Pendray
Carey	Levang	Ployhar
Drown	Lindstrom	Porter
Englund	McBride	Putnam
Ettestad	McCarten	Rowe
Gibbens	McGray	Sandstrom
Gronvold	McLean	Sikes
Haggart	Martin	Stenmo
Hamilton	Morkrid	Welford
Heckle	Mortenson	Wenstrom
Hemmingsen	Mostad	Young
Hunt	Murphy	Zieman
Hyland		

Absent and not voting :

Messrs	Messrs	Messrs
Ellingson	Hamerly	

So the emergency clause passed.

Mr. Kirkeide moved that the vote by which the emergency clause passed be reconsidered, and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Welford moved that the Senate take a recess for 30 minutes.

Which motion prevailed.

#### AFTER RECESS.

The Senate reassembled pursuant to recess taken, the President presiding.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,  
January 26, 1918.

*Mr. President:*

I have the honor to transmit herewith:

House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission, and making an Appropriation Therefor.

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

Also,

*Mr. President:*

I have the honor to return herewith:

Senate Bill No. 13.

A Concurrent Resolution.

Which the House has passed unchanged.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

INTRODUCTION, FIRST AND SECOND READING OF  
HOUSE BILLS

House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission, and making an Appropriation Therefor.

Was read the first and second time and referred to the Committee on Elections.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, N. D.,  
January 26, 1918.

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate amendments to House Bills Nos. 2 and 14.

Also,

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to the late Henry J. Linde.

Also,

*Mr. President:*

I have the honor to inform you that the House refuses to concur in Senate amendments to House Bill No. 5 and ask that a conference committee be appointed, and the Speaker has ap-

pointed as such committee on the part of the House Messrs. Olson of Eddy, Arnold and Whipple.

Also,

*Mr. President:*

I have the honor to inform you that the House refuses to concur in Senate amendments to House Bill No. 1, and ask that a conference committee be appointed, and the Speaker has appointed as such committee on the part of the House Messrs. Hagan, Patterson and Maddock of Mountrail.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr. Jacobsen moved that the president appoint a conference committee of three to confer with a like committee of the House on House Bills Nos. 1 and 5.

Which motion prevailed, and the President appointed as such committee on House Bill No. 1 Messrs. Stenmo, Jacobsen and McCarten and on House Bill No. 5 Messrs. Drown, McBride and Sandstrom.

The Senate returned to the sixth order of business.

#### REPORT OF STANDING COMMITTEES

The Committee on Warehouse Grain and Grain Grading made the following report:

*Mr. President:*

Your Warehouse Grain and Grain Grading committee to whom was referred:

Senate Bill No. 4.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

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

Strike out everything after the word "being" on line two of the printed bill and substitute the following amendments:

An Act Creating a Uniform State Grade for Wheat, Oats, Barley, Flax and all other Grains, Seeds and Agricultural Products; Creating and Establishing the Office of State Inspector of Grades, Weights and Measures and providing for the appointment of deputies, and State Grain Inspector and providing for State Aid for Marketing Facilities and the Establishment of State-owned Marketing Places and Providing for Inspection of Licensed Warehouses by Competent Accountants, and Expert Grainmen, and Authorizing the Employment of such Accountants, and Making an Appropriation therefor; and Providing Penalties for the Violation of any of the Provisions of this Act.

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

Section 1. State Inspection of Grades, Weights and Measures. The Commissioners of Railroads, of North Dakota, shall appoint a member of the faculty of the North Dakota Agricultural College (who shall be an expert in the grading and weighing of all kinds of grain, seeds and other agricultural products) to be the State Inspector of Grades, Weights

and Measures and shall receive in addition to his other compensation the sum of \$1,000 per annum. It shall be the duty of said Inspector to proceed at once to define and establish proper grades and weights for grain, seeds and other agricultural products, also for flour meal and products made therefrom, which grades and weights shall be approved by the Commissioners of Railroads.

Section 2. Clerical Help. The Commissioners of Railroads shall authorize the employment of such clerical help as is necessary for carrying out the provisions of this Act, and determine the compensation to be paid for such service.

Section 3. Grades to be published. The State Inspector of Grades, Weights and Measures shall cause said formula or scale of grades, weights and measures to be published in not more than five newspapers of general circulation in the State of North Dakota, two of which shall be devoted to the benefits of agriculture and three shall be papers of general circulation.

The said standards of grades shall be published each year not later than August first.

Section 4. Deputy Inspectors. How Appointed. The State Inspector of Grades, Weights and Measures shall have power to appoint skilled and competent deputies, one of whom shall be designated Chief Deputy Grain Inspector, who shall be stationed at any town or place where grain, seed and other agricultural products are marketed; provided that the town or community where such deputy is stationed shall at their own expense provide a suitable building and scales for housing said deputies, the upkeep of said building, and scales shall be borne by the state out of the funds secured on account of fees collected for inspecting and weighing.

Section 5. Duties of Deputies, Grain Inspection. It shall be the duty of the deputy to weigh, inspect and grade all grain, seeds and produce that shall be offered for sale at said market place, and to issue a signed certificate stating the kind, grade and weight of such grain, seeds or produce; also the amount of dockage, if any, and such other facts as he may find relative to its condition. It shall also be the duty of said deputy to accurately sample and grade carload shipments destined for some central market either within or outside the State, and to make and attach a signed inspection certificate to a sealed package containing the sample, and forward same to a deputy in charge of said central market.

Section 6. Public Warehouse Inspectors. The Railroad Commissioners shall appoint such number of inspectors of public warehouses as may be necessary, who shall be men of expert and practical knowledge of the grain business; who shall visit the public warehouses in the state for the purpose of ascertaining whether a sufficient bond is in force to protect the holders of storage tickets for grain stored therein; whether such institution is amply protected by insurance; to advise with local managers and board of directors as to proper methods of accounting; to assist local warehousemen in making proper reports, and to enforce the rendering of annual or other reports required by the Railroad Commissioners; to see that all laws as regards public warehouses are complied with, and, to advise and assist local warehousemen in any way that will make for efficiency and for the safety of the grain marketing business of the state. Should such inspectors find any condition prevailing in any public ware-

house that would impair the safety of such institution, they shall report same to the Board of Railroad Commissioners and to the local board of directors of the institution in question. Failure to remedy such condition will empower the Board of Railroad Commissioners to suspend the license of such warehouse, or in extreme cases, if after full notice, and reasonable time being allowed to comply with the instructions of the Board of Railroad Commissioners such local warehouse refuses to remedy said complaint; the Board of Railroad Commissioners shall cancel the license of such warehouse.

Section 7. Central Markets. How Established. The Commissioners of Railroads may establish as they see fit central markets for the display of samples of grain, seeds and other agricultural products, and may install a deputy in charge of said central markets at the cities of Duluth, St. Paul and Minneapolis, in the State of Minnesota, also Superior, Wisconsin, Fargo, Fairmount Wahpeton, and Grand Forks, North Dakota, and such other stations as in the judgment of the Commissioners of Railroads shall be necessary to provide adequate marketing facilities; that said markets shall be open to any and all persons desiring to buy or sell on said market, and that the charges for said services shall be fixed and determined by said Commissioners of Railroads. They shall also establish uniform fees for grading, weighing, inspecting and selling. All of said fees so collected shall be paid into the treasury of the State of North Dakota. They shall also fix the salary or compensation to be paid to deputies and employees. They shall also provide a system of bonding said deputies and other employees. They shall also require that any and all persons purchasing or receiving grain on consignment at a central market shall give an indemnity bond in a sufficient sum to fully protect the seller against fraud or loss. They shall also formulate rules and regulations governing the conduct of all public warehouses where grain, seed and other agricultural produce is bought, sold or received for storage, and such warehouses shall be bonded in a sum sufficient to amply protect all persons transacting business with them against loss.

Section 8. Licenses for Buyers. Said State Inspector of Grades, Weights and Measures may with the approval of the Commissioners of Railroads, license as deputy inspector the buyer or agent of a privately owned warehouse, provided that said deputy inspector shall pass such examination as to competency as may be prescribed, and give a bond in a sufficient amount, as required according to regulations prescribed by the State Inspector of Grades, Weights and Measures.

All licenses issued to deputy inspectors in private warehouses shall be for the term of one year.

The conditions of such licenses shall require the holders thereof to well and truly fix grades and actual dockage of all grains inspected by them at their respective places of business and to correctly weigh the products so inspected and graded.

Section 9. Licenses Posted. Each licensee shall cause his license to be posted in a permanent and conspicuous place at his regular place of business, and shall not be authorized to inspect, grade, or weigh grain at other places, except with the approval of the Commissioners of Railroads.



Section 10. Fees for Licenses. The Inspector of Grades, Weights and measures, shall collect a fee of ten dollars (\$10.00 for each license issued. Licenses shall be subject to suspension by the Inspector of grades, weights and measures or his Chief Deputy for gross and willful violation of the provisions of this act or incompetency, and said Inspector shall at once notify the Board of Railroad Commissioners of such suspension and said Board shall at once hold a hearing and if the cause of such suspension is substantiated, the license of the licensee shall be cancelled, and all expenses caused by such hearing shall be paid from the State Public Grain Grading and Weighing Fund.

It shall be unlawful for any person operating a public warehouse to purchase, weigh, grade or inspect grain or seed who is not licensed as deputy inspector, provided that any person without a license may buy any article that has been graded, weighed and inspected by a Deputy State Inspector of Grades, Weights and Measures.

Section 11. Appeals. How Made. The State Inspector of Grades, Weights and Measures shall receive all appeals from the decision of all deputy inspectors under such rules as shall be approved by the Commissioners of Railroads for reinspection, and the State Inspector of Grades, Weights and Measures shall consider the flour and bread producing qualities where such final decision is necessary.

Section 12. Misdemeanor. Fines. Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and for the first offense shall pay a fine of not less than ten dollars and not more than one hundred dollars, or be confined in the county jail not less than ten days nor more than thirty days, or both such fine and imprisonment.

For each succeeding offense he shall pay a fine of not less than one hundred dollars, or more than five hundred dollars or be confined to the county jail not less than thirty days or more than ninety days, or both such fine and imprisonment.

Section 13. Appropriation. Inspection Fees. Warehouses. Any appropriations that have been heretofore made for the purpose of carrying out the provisions of this Act shall remain in full force and effect. The State Inspector of Grades, Weights and Measures may fix a fee for the grading, sampling, inspecting and weighing of grain and seed, by the chief deputy or the Deputy State Grain Inspectors, but no fee shall be charged by a licensed inspector of a privately owned warehouse. All fees collected by the Inspectors shall be turned in to the State Public Grain Grading and Weighing Fund.

Section 14. Emergency: and whereas it is necessary for the immediate preservation, public peace, health and safety that immediate relief be given, 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.

WALTER WELFORD,  
Chairman.

Mr. Welford moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

Mr. Welford moved that Senate rules be suspended and that

Senate Bill No. 4 be considered engrossed and put on its third reading and final passage.

Which motion prevailed.

Mr. Kerkiede moved that the Senate do now take a recess for 15 minutes.

Which motion prevailed.

#### AFTER RECESS.

The Senate reconvened pursuant to recess taken, the president presiding.

Mr. Welford moved that Senate Bill No. 4 be amended by inserting at the end of section No. 10, the following:

"Providing that the owner or owners of the elevator of which the license of the buyer has been suspended shall have the power to appoint a temporary buyer without a license pending such hearing."

Which motion prevailed and the bill was so amended.

Senate Bill No. 4.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63. of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Was read the third time.

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

The roll was called and there were ayes, 42; nays 1; absent and not voting 5.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hemmingsen	Mostad
Beck	Hunt	Murphy
Benson	Hyland	Paulson
Cahill	Jacobsen	Ployhar
Carey	King	Porter
Drown	Kirkeide	Putnam
Englund	Kretschmar	Rowe
Ettestad	Levang	Sandstrom
Gibbens	McBride	Sikes
Gronvold	McCarten	Stenmo
Haggart	McGray	Welford
Hamerly	McLean	Wenstrom
Hamilton	Morkrid	Young
Heckle	Mortenson	Zieman

Mr. Nelson of Grand Forks votes negative.

Absent and not voting:

Messrs	Messrs	Messrs
Ellingson	Martin	Pendray
Lindstrom	Nelson, Richland	

So the bill passed and the title was agreed to.

Mr. Paulson moved that the vote by which Senate Bill No. 4 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 4.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

The question being on the Emergency Clause.

The roll was called and there were ayes 38; nays, 1; absent and not voting 9.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hemmingsen	Paulson
Beck	Hunt	Ployhar
Benson	Hyland	Porter
Cahill	Jacobsen	Putnam
Carey	King	Rowe
Englund	Kirkeide	Sandstrom
Ettestad	Levang	Sikes
Gibbens	McGray	Stenmo
Gronvold	McLean	Welford
Haggart	Morkrid	Wenstrom
Hamerly	Mortenson	Young
Hamilton	Mostad	Zieman
Heckle	Murphy	

Mr. Nelson of Grand Forks voted negative.

Absent and not voting:

Messrs	Messrs	Messrs
Drown	Lindstrom	Martin
Ellingson	McBride	Nelson, Richland
Kretschmar	McCarten	Pendray

So the emergency clause passed.

Mr. Paulson moved that the vote by which the emergency clause passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### THE SENATE RETURNED TO THE NINTH ORDER OF BUSINESS.

Introduction, first and second reading of Senate Bills.

The Committee on State Affairs introduced,

Senate Bill No. 21.

A Bill for an Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.

Was read the first and second time and referred to the Committee on Judiciary.

Mr. Rowe moved that the Senate do now take a recess until 10 o'clock a. m January 28, 1918.

Which motion prevailed and the senate took a recess.

W. J. PRATER,  
Secretary.

FIFTH DAY AFTER RECESS AND  
SIXTH DAY.

SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 28, 1918.

The Senate convened at 10 o'clock a. m., pursuant to recess taken, the President presiding.

Mr. Ployhar moved that the Senate do now take a recess until 1 o'clock p. m.

Which motion prevailed and the Senate took a recess.

The Senate convened at 1 o'clock p. m., pursuant to recess taken, the President presiding.

REPORTS OF STANDING COMMITTEES.

The Committee on Judiciary made the following report:

*Mr. President:*

Your Committee on Judiciary, to whom was referred:

House Bill No. 9.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

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

Strike out everything after the words "A Bill" and insert the following:

An Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

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

Section I. No proceeding by action or otherwise shall be had or taken in this State for the foreclosure of a mortgage or other lien on real or personal property or for the cancellation of an executory contract for the sale of land or for

the recovery of any indebtedness against any person in the active military service of the United States as hereinafter defined during the time the United States is engaged in the present war and for an additional period of one year, and during such time no further proceeding shall be taken in any action or proceeding that is pending at the time of the taking effect of this Act in which such a person is a party over the objection of such party, his attorney or any person interested on his behalf, nor shall any judgment against such person in the military service be enforced against him or his property during said period.

Section II. The term "person in the Active Military Service of the United States" within the meaning of this Act, means any person who is actually called to service and is under the direction and command of the military authorities of the United States in any line of military duty that presents him from attending to his own ordinary business affairs, but it does not include a person only temporarily or incidentally engaged in some special or temporary service.

Section III. Any proceeding against any such person in the active military service of the United States, shall be treated as absolutely void, at the election of such person, and upon proper application to vacate the same within the period mentioned in Section 1 hereof, it shall be vacated and declared void as a matter of course; provided, however, if such proceedings were taken in good faith without knowledge of the fact that the person proceeded against was so in the service of the United States, then the person so proceeding shall not be liable to any damages on account of taking such proceedings and shall be subject to no penalties on account thereof, except that he shall be liable to account to the person so proceeded against in such way as to equitably restore such person to the position he would be in if such proceedings had not been taken.

Section IV. Notwithstanding anything in this Act to the contrary, provided, in such case it shall be made to appear to a district court of this state that the property of a person so engaged in the active military service of the United States, subject to liens or to seizure under execution is of such character or so situate that it is liable to become wasted and depreciated in value, or for any reason should be disposed of, the court shall make his order that the person in possession of such property, or such relatives of the owner as it shall deem proper, be cited to appear before it and upon such appearance the court shall diligently and informally and with a view to avoiding expense, inquire into the situation, and if upon such inquiry the court is satisfied that such property will depreciate in value, or that the interests of the parties require that it should be disposed of, it shall make an order that upon giving bond with sufficient surety, to be approved by the clerk of said court, to indemnify the owner for the value of the property in case it shall ever be adjudged that such foreclosure or seizure was not for a valid existing debt, which bond shall be filed in the office of the clerk of said court, then such mortgage or other lien may be foreclosed, or such property may be taken on execution, as the case may be, but the judgment in any such foreclosure proceeding shall not be taken to have established the validity or amount of the debt for foreclosure of which such action was had, but such question shall be open to determination

in any action on such bond, provided, however, to recover on such bond the owner must bring his action within the period mentioned in Section 1 of this Act.

Section V. In any character of proceeding that may come before the County Court or any other court of the State for the administration of estates, or for any other purpose in which there are parties who do not make appearance it shall be the duty of such court of its own motion to diligently inquire and ascertain whether any of such parties are in the active military service of the United States, and if it appears that they are or probably are in such service, and that they have any probable substantial rights involved in such proceeding, then the court shall stay the closing of the proceeding or shall segregate the right of such party leaving such right undetermined, or make such other appropriate disposition of the proceeding as will, under the circumstances thereof, serve to protect the rights of such parties, and the court may in any appropriate case require any other party to such proceeding to give bond with sufficient surety for the protection of the rights of such person.

Section VI. All taxes, whether on real or personal property, now due or hereafter to become due on property owned by any person in the active military service of the United States, shall be held in abeyance and no proceedings taken for the collection thereof until the expiration of the period mentioned in Section 1, of this Act.

To obtain the benefits of this Section it shall be necessary for some person on behalf of such person in the military service, to file with the Treasurer of the appropriate county, an affidavit to the effect that the person against whom such taxes are charged is in such active military service, which affidavit shall be filed at or before the time when taxes become delinquent, and upon the filing thereof the Treasurer shall make a notation upon his records to the effect that the collection of such taxes is suspended on account of the military service of the taxpayer. But nothing herein shall be taken as preventing the right of the Treasurer to receive payment of such taxes whenever offered.

Section VII. In any action or proceeding sought to be taken after the close of the period provided for in Section 1 of this Act, the period of such military service shall be excluded in computing the statutory limitation.

Section VIII. Nothing in this Act provided shall be construed as limiting the right of any person in the active military service of the United States to maintain on his own behalf any action in any court, or to make appearance and give consent to the maintenance of any action or proceeding against him, or to waive by express agreement any right or privilege granted hereby.

Section IX. Whereas, large numbers of the citizens of the state are now absent from the state in the military service of the United States, it is necessary for the immediate preservation of the public peace, health and safety that the provisions of this Act become operative at once after its passage and approval.

It is hereby provided that the same shall take effect and be in force from the time of its approval by the Governor.

And when so amended recommend the same do pass.

M. L. McBRIDE,  
Chairman.

Mr. McBride moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Appropriations, to whom was referred:  
House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

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

At the end of line 12, section 1 of the engrossed bill strike out the figures "\$11,000.00" and insert in lieu thereof the figures "\$13,300.00."

At the end of line 13 of section 1 strike out the figures "\$500.00" and insert in lieu thereof the figures "\$700.00."

At the end of line 16, section 1, strike out the figures "\$12,000.00" and insert in lieu thereof the figures "\$14,000.00," and when so amended recommend the same do pass.

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Agriculture made the following report:

*Mr. President:*

Your Committee on Agriculture, to whom was referred:

Senate Bill No. 6.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Have had the same under consideration and as this bill contains the same subject as House Bill No. 1 which has already passed both houses, we therefore recommend that the same be indefinitely postponed.

A. J. KIRKEIDE,  
Chairman.

Mr. Kirkeide moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Judiciary made the following report:

*Mr. President:*

Your Committee on Judiciary, to whom was referred:

Senate Bill No. 21.

A Bill for an Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.

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

M. L. McBRIDE,  
Chairman.

Mr. McBride moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Judiciary made the following report:

*Mr. President:*

Your Committee on Judiciary, to whom was referred:

Senate Bill No. 11.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

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

M. L. McBRIDE,  
Chairman.

Mr. McBride moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,

BISMARCK, NORTH DAKOTA,

January 28, 1918.

*Mr. President:*

I have the honor to inform you that the House has concurred in the Conference Committee's report on House Bill No. 5.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

#### REPORT OF SELECT COMMITTEE.

*Mr. President:*

Your Conference Committee appointed to confer on:

House Bill No. 5.

A Bill for an Act Reinstating and Validating Charters of Corporations Which have been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Submits the following report:

That your committee met with a like committee from the House and have recommended that the House accept the Senate amendment.

For the House:

O. H. OLSON,  
B. D. ARNOLD,  
N. E. WHIPPLE.

For the Senate:

CHAS. E. DROWN,  
M. L. McBRIDE,  
L. P. SANDSTROM.

Mr. McBride moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.



## MOTIONS AND RESOLUTIONS.

Mr. Sandstrom moved that the vote by which the committee report on Senate Bill No. 16 was adopted be reconsidered.

Which motion prevailed.

Mr. Sandstrom moved that Senate Bill No. 16 be re-referred to the Committee on Game and Fish.

Which motion prevailed, and the bill was so referred.

## CONCURRENT RESOLUTION.

Introduced by Mr. Gibbens.

WHEREAS, The Permanent Journals of the House and Senate for this Special Session of the Fifteenth Legislative Assembly will be comparatively small, and,

WHEREAS, The binding required by law for said Journals is of such quality and it would seem of greater expense than necessary for the binding of the Journals for this Special Session of the Fifteenth Legislative Assembly, on account of the brevity of said Journals, therefore,

*Be It Resolved*, By the Senate of the State of North Dakota, the House of Representatives concurring therein, that the Permanent Journals of this Special Session of the Fifteenth Legislative Assembly be wire stitched and paper bound, quality and weight of cover paper to be similar to that now used for printing of departmental reports.

Mr. Gibbens moved that the Concurrent Resolution be adopted.

Which motion prevailed, and the resolution was adopted.

The Committee on State Affairs made the following report :

*Mr. President :*

Your Committee on State Affairs, to whom was referred :

House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

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

Amend Section 1 of House Bill No. 11 to read as follows:

There is hereby created a council to be known as the North Dakota Council of Defense, to consist of the Governor and thirteen other members, one of which members shall be the Attorney General, and one to be appointed from each judicial district of the state, by the presiding judge thereof, with the consent and approval of the Governor, such appointee to be an elector of the judicial district from which appointed, and to hold office during the pleasure of the Governor. Immediately after their appointment the members of the council shall meet at the office of the Governor and organize by electing a Secretary. The Governor shall be the chairman of said Council of Defense.

Amend Section 2, as follows:

Strike out the words "chairman and" at the beginning of the fourth line of the section in the enrolled bill. Insert

in the fifth line after the word "as" the word "he", strike out the word "they", immediately following and add the letter "s" to the word "devote" immediately following. Add to the end of the Section the words "in the discretion of the council as hereinafter provided."

Amend Section 3, as follows:

Strike out the word "the" and the balance of lines 1, 2, 3, 4, 5, 6, 7 and 8, and the letters "poses" in line nine of the enrolled bill.

Strike out in line four of paragraph two of the section of the bill after the word "use", the balance of the line, and strike out all of line five up to the word "production", and strike out the word "of" at the end of line five and the words "lignite coal" at the beginning of line six.

At the end of paragraph three of the Section add the words "whenever necessity exists therefor".

Add as a separate paragraph following Section three, the following: "They shall further have power and it shall be their duty to make and promulgate from time to time rules and regulations for the promotion and preservation of the public peace, safety and welfare, and to require all county and municipal officers to perform the duties laid upon them by the laws of the state or the United States, and to suspend such officers from office in case of refusal or neglect to perform such duties, and they may prescribe rules and regulations under which the citizens of this state, not a part of the active militia may organize, carry arms and drill in preparation for the public defense and the preservation of the peace of the state. They may also from time to time, as the exigencies of the occasion shall require, make and promulgate rules and regulations to assist the government of the United States in carrying out and enforcing its laws and regulations relative to the conduct of the war."

By adding a further paragraph to said Section three as follows: "Each member of the council shall possess the same powers as the sheriffs of the several counties and may exercise such powers in any part of the state, separately or in conjunction with other police officers. It shall be the duty of all police officers of the state to act under the direction of the council and assist it in the carrying out of its orders, and upon call for assistance to aid any member of the council in exercising any of the powers or authority hereby conferred."

Amend Section four of the bill as follows:

By striking out the entire section.

Amend Section five as follows:

Change number of Section five to Section four.

In line twelve of the bill strike out the word "seven" and insert the word "six" in lieu thereof.

Add a new section to be numbered five, reading as follows:

Section Five—At the first meeting of the council it shall elect one of its members vice-chairman who shall preside at its meetings whenever the Governor is unable to attend, and shall from time to time provide for such clerical and other assistance as shall be necessary to the proper performance of its duties, the expense thereof to be audited and paid as other charges against the state are audited and paid. The

council shall hold such meetings as shall be necessary for the proper performance of its duties, which meetings shall be held at Bismarck, unless to meet the exigencies of some special occasion a meeting shall be specially called for some other place in the state. Meetings of the council may be called by the Governor, or by three members upon such notice as shall be practicable under the exigencies of the particular occasion, and the council may at any meeting provide for stated future meetings.

Amend Section six as follows:

Strike out of the section all of lines four and five and insert the following: "Said Council of Defense is created for the duration of the war in which the United States is now engaged, and for the period of six months thereafter; provided, however, the Governor may if in his judgment the public interest demands, extend the duration thereof by proclamation from time to time made."

Add a new paragraph to Section six, reading as follows: "If in the opinion of the council the work of the Secretary requires an unreasonable expenditure of time as compared with the time spent by the other members of the council, it may allow him a compensation not exceeding seven dollars and fifty cents a day for such time as it finds he should be compensated for.

Amendment to Section seven.

Strike out the word "twenty" in line two of said Section and insert the word "fifteen", and strike out the word "five" in line three of said Section.

And when so amended recommend the same do pass.

FRANK H. HYLAND,

Chairman.

Mr. Hyland moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

Mr. Rowe moved that the Senate do now adjourn.

#### SIXTH DAY.

SENATE CHAMBER,

BISMARCK, NORTH DAKOTA.

January 28, 1918.

The Senate convened at 2 o'clock, the President presiding.

Prayer was offered by the Chaplain, Rev. Svore.

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

#### REFERENCE OF THE JOURNAL OF THE SENATE.

The Committee on Revision and Correction of the Journal made the following report:

*Mr. President:*

Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the fourth day and recommend that the same be corrected as follows:

After line 13, page 1, insert the words "Mr. President."

In line 2 of section 3473 correct the spelling of the word "receive."

In line 25 of section 3479 strike out the word "thereof" and insert in lieu thereof the word "thereon."

In line 26 of section 3479 strike out the word "of" and insert in lieu thereof the word "by."

In line 38, page 15, correct the spelling of the name "Heckle."

In line 27, page 17, correct the spelling of "F. T. Gronvold."

In line 27, page 19, strike out the words "as amended."

In line 26, page 20, insert the name "Englund."

In line —, page 20, strike out the word "England" and insert in lieu thereof the name "Ellingson."

In line 28, page 21, insert the words "as amended."

In line 57, page 29, correct the spelling of the word "Complied."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,  
Chairman.

Mr. Levang moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Revision and Correction of the Journal made the following report:

Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the first day and recommend that the same be further corrected as follows:

Commencing on page 2 change the page heads from "House Journal" to "Senate Journal."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,  
Chairman.

Mr. Levang moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

#### REPORTS OF STANDING COMMITTEES.

The Committee on Game on Fish made the following report:  
Your Committee on Game and Fish, to whom was referred:

Senate Bill No. 16.

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter 161 of the Session Laws of North Dakota for the Year 1915, Relating to Nets and Seines, Fish Houses and Manner of Taking Fish.

Have had the same under consideration and report the same without recommendation.

L. P. SANDSTROM,  
Chairman.

Mr. Sandstrom moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

#### THIRD READING OF SENATE BILLS

Senate Bill No. 21.

A Bill for an Act Defining the Crime of Sabotage and Prescribing the 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, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Murphy
Beck	Hyland	Nelson, Richland
Benson	King	Nelson, Gd. Fks.
Carey	Kirkeide	Paulson
Cahill	Kretschmar	Pendray
Drown	Levang	Ployhar
Englund	Lindstrom	Porter
Ettestad	McBride	Putnam
Gibbens	McGray	Rowe
Gronvold	McLean	Sandstrom
Haggart	Martin	Sikes
Hamerly	Morkrid	Welford
Heckle	Mortenson	Young
Hemmingsen	Mostad	Zieman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Jacobsen	Stenmo
Hamilton	McCarten	Wenstrom

So the bill passed and the title was agreed to.

Mr. McGray moved that the vote by which Senate Bill No. 21 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 21.

A Bill for an Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.

The question being on the emergency clause.

The roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Murphy
Beck	Hyland	Nelson, Richland
Benson	King	Nelson, Gd. Fks.
Carey	Kirkeide	Paulson
Cahill	Kretschmar	Pendray
Drown	Levang	Ployhar
Englund	Lindstrom	Porter
Ettestad	McBride	Putnam
Gibbens	McGray	Rowe
Gronvold	McLean	Sandstrom
Haggart	Martin	Welford
Hamerly	Morkrid	Wenstrom
Heckle	Mortenson	Young
Hemmingsen	Mostad	Zieman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Jacobsen	Sikes
Hamilton	McCarten	Stenmo

So the emergency clause passed.

Mr. McGray moved that the vote by which emergency clause passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January, 28, 1918.

I have the honor to inform you that the House has concurred in the senate concurrent resolution relating to the printing of the Permanent Journal.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

#### THIRD READING OF HOUSE BILLS.

House Bill No. 9.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

Was read the third time.

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

The roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Nelson, Richland
Beck	Hyland	Nelson, Gd. Fks.
Benson	King	Paulson
Carey	Kirkeide	Pendray
Cahill	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McLean	Sandstrom
Gronvold	McGray	Sikes
Haggart	Martin	Welford
Hamerly	Morkrid	Wenstrom
Hamilton	Mortenson	Young
Heckle	Mostad	Zieman
Hemmingsen	Murphy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	McCarten	Stenmo
Jacobsen		

So the bill passed and the title was agreed to.

Mr. Gibbens moved that the vote by which House Bill No. 9 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 9.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

The question being on the emergency clause.

The roll was called and there were ayes, 44; nays, 0; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Nelson, Richland
Beck	Hyland	Nelson, Gd. Fks.
Benson	King	Paulson
Carey	Kirkreide	Pendray
Cahill	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McGray	Sandstrom
Gronvold	McLean	Sikes
Haggart	Martin	Welford
Hamerly	Morkrid	Wenstrom
Hamilton	Mortenson	Young
Heckle	Mostad	Zieman
Hemmingsen	Murphy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Jacobsen	Stenmo	Ellingson
McCarten		

So the emergency clause passed.

Mr. Gibbens moved that the vote by which emergency clause passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

Was read the third time.

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

The roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Nelson, Richland
Beck	Hyland	Nelson, Gd. Fks.
Benson	King	Paulson
Carey	Kirkeide	Pendray
Cahill	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McGray	Sandstrom
Gronvold	McLean	Sikes
Haggart	Martin	Welford
Hamerly	Morkrid	Wenstrom
Hamilton	Mortenson	Young
Heckle	Mostad	Zieman
Hemmingsen	Murphy	

Absent and not voting :

Messrs.	Messrs.	Messrs.
Ellingson	McCarten	Stenmo
Jacobsen		

So the bill passed and the title was agreed to.

Mr. Drown moved that the vote by which House Bill No. 11 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended

The question being on the emergency clause.

The roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.
Allen	Hunt	Nelson, Richland
Beck	Hyland	Nelson, Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McGray	Sandstrom
Gronvold	McLean	Sikes
Haggart	Martin	Welford
Hamerly	Morkrid	Wenstrom
Hamilton	Mortenson	Young
Heckle	Mostad	Zieman
Hemmingsen	Murphy	

Absent and not voting :

Messrs.	Messrs.	Messrs.
Ellingson	McCarten	Stenmo
Jacobsen		



So the emergency clause passed.

Mr. Drown moved that the vote by which emergency clause passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Senate returned to the Sixth Order of Business.

The Committee on Engrossment made the following report:

*Mr. President:*

Your Committee on Engrossment have examined:

Senate Bill No. 13.

A Concurrent Resolution.

And find the same correctly enrolled.

C. D. KING,  
Chairman.

Mr. King moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

#### SIGNING OF BILLS.

The Secretary announced that the President was about to sign:

Senate Bill No. 13.

A Concurrent Resolution.

Also House Bill No. 14.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

Also House Bill No. 2.

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 23, 1918, to June 30, 1919, Both Inclusive.

Also, House Bill No. 5,

A Bill for an Act Reinstating and Validating the Charters of Corporations Which Have Been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Also House Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

Also House Bill No. 13.

A Bill for an Act to Amend and Re-enact Section 17, of Chapter 172, Laws of 1915.

And the President signed the same in the presence of the Senate.

Mr. Gibbens moved that House Bill No. 12 be amended by striking out the figures \$12,000 in line 2, Section 1, and insert in lieu thereof the figures \$14,000.

Which motion prevailed, and the bill was so amended.

## THIRD READING OF HOUSE BILLS.

## House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

Was read the third time.

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

The roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Nelson, Gd. Fks.
Beck	Hyland	Nelson, Richland
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McGray	Sandstrom
Gronvold	McLean	Sikes
Haggart	Martin	Welford
Hamerly	Morkrid	Wenstrom
Hamilton	Mortenson	Young
Heckle	Mostad	Zieman
Hemmingsen	Murphy	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	McCarten	Stenmo
Jacobsen		

So the bill passed and the title was agreed to.

Mr. Gibbens moved that the vote by which House Bill No. 12 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

The question being on the emergency clause.

The roll was called and there were ayes, 44; nays, 0; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.—	Messrs.—	Messrs.—
Allen	Carey	Gibbens
Beck	Drown	Gronvold
Benson	Englund	Haggart
Cahill	Ettestad	Hamerly

Hamilton	McBride	Ployhar
Heckle	McGray	Porter
Hemmingsen	McLean	Putnam
Hunt	Martin	Rowe
Hyland	Morkrid	Sandstrom
Jacobsen	Mortenson	Sikes
King	Mostad	Welford
Kirkeide	Murphy	Wenstrom
Kretschmar	Nelson, Richland	Young
Levang	Paulson	Zieman
Lindstrom	Pendray	

Absent and not voting :

Messrs.	Messrs.	Messrs.
Ellingson	Nelson, of Gd. Fks.	Stenmo
McCarten		

So the bill passed and the title was agreed to

Mr. Gibbens moved that the vote by which emergency clause passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January, 28, 1918.

*Mr. President :*

I have the honor to inform you that the House has refused to concur in the Senate amendments to House Bill No. 11, and asks that a conference committee be appointed.

The Speaker has appointed as conferees on the part of the House, Messrs. Walton, Turner and Lageson.

Also,

*Mr. President :*

I have the honor to inform you that the House does not concur in the Senate amendments to House Bill No. 9, and asks that a conference committee be appointed.

The Speaker has appointed as conferees on the part of the House, Messrs. Kurtz, Lang and Sinclair.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr. Rowe moved that the President appoint a conference committee of three to act with a like committee of the House in consideration of House Bill No. 11.

Which motion prevailed, and the President appointed as such committee, Messrs. Heckle, Zieman and Porter.

Mr. Rowe moved that the Senate do now take a recess for 15 minutes.

Which motion prevailed.

AFTER RECESS.

The Senate convened pursuant to recess taken.

The President presiding.

Mr. McGray moved that a conference committee of three be appointed by the President to act with a like committee of the House on House Bill No. 9.

Which motion prevailed, and the President appointed as such committee, Messrs. Rowe, Cahill and McBride.

#### REPORTS OF STANDING COMMITTEES.

The Committee on Election made the following report:

*Mr. President:*

Your Committee on Election to whom was referred:

House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission, and making an Appropriation Therefor.

Also Senate Bill No. 19.

For an Act to Amend and Re-enact Sections 992, 993, 995, 997, 998, 1002 and 1003 of the Compiled Laws of North Dakota for the Year 1913 Relating to Absent Voters and Providing for the Voting of Soldiers and Sailors Engaged in the Military Service of the State of North Dakota and the United States.

Also Senate Bill No. 20.

An Act to Amend and Re-enact Sections 853 and 854 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Primary Elections.

Have had the same under consideration and recommend that the Senate appoint a committee of three members from the Senate to work with a like committee from the House for the purpose of drafting an Absent Soldiers Ballot.

Senate to request the House to appoint a committee of three to work in conjunction with the Senate committee on drafting said bill.

F. T. GRONVOLD,  
Chairman.

Mr. Gronvold moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

Mr. Gronvold moved that the President appoint a committee of three to act with a like committee of the House to draft a new bill to take the place of House Bill No. 17 and Senate Bills Nos. 19 and 20.

Which motion prevailed, and the President appointed as such committee, Messrs. Gronvold, Benson and Allen.

#### MESSAGE FROM THE HOUSE.

HOUSE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January, 28, 1918.

*Mr. President:*

I have the honor to inform you that the House has acquiesced in the Senate's request on House Bill No. 17 and

Senate Bills Nos. 19 and 20, and appointed as such committee on the part of the House, Messrs. Bowman, Cole and Weld of Wells.

Also,

*Mr. President:*

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

WHEREAS, Many farmers of North Dakota will require seed grain of many different varieties and

WHEREAS, It is painfully evident that seed corn, spring rye, barley, oats and forage seeds are being hoarded by special interests and

WHEREAS, The prices to be charged by the United States Licensed Seed Dealers have not been fixed, or regulated by the License Department of the United States Food Administration and

WHEREAS, There is a shortage in steel and it is imperative that as much as possible of the farm machinery now in use be conserved, and

WHEREAS, The repairs for farm machinery cost no more to manufacture than similar parts used in assembling new machinery,

*Therefore, Be It Resolved,* By the Legislature now assembled that the attention of the United States Department of Agriculture be called to the matter to the end that reasonable prices based upon cost to the United States licensed seed dealers, allowing a reasonable percentage over the cost for profit to dealers, be fixed now by the United States Food Administration and that the United States Department of Agriculture be urged to assemble and distribute all kinds of seeds at reasonable prices based upon cost. Failure to regulate the prices quickly will result in exorbitant prices that will cause a great decrease in the acreage to be seeded the coming spring in the Northwest, with the result that because of a consequent food shortage farmers will not be able to raise and fatten hogs and other stock thus increasing the acuteness of the meat shortage and retarding the development of diversified farming, and

*Be It Resolved,* By the Legislature now assembled that the United States Department of Agriculture and the Food Administration use their utmost influence on Congress to regulate prices on farm machinery, parts sold as repairs to be sold at not more than the proportionate cost of similar parts of new machinery plus the cost of distributing and a reasonable profit.

*And Be It Further Resolved,* That the Secretary of State be instructed to send a copy of these resolutions to the Secretary of the United States Department of Agriculture, the United States Food Administrator and to the President of the United States.

Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr. Gibbens moved that House Bill No. 12, passed by the Senate and messaged to the House be recalled.

Which motion prevailed.

Mr. Gibbens moved that the vote by which House Bill No. 12 was reconsidered and the motion to reconsider be laid on the table, be reconsidered.

Which motion prevailed.

Mr. Gibbens moved that the Senate do now reconsider the vote by which House Bill No. 12 was passed.

Which motion prevailed.

Mr. Gibbens moved that House Bill No. 12, be amended as follows: In line 2, Section 1, insert the words "five hundred" after the word "thousand", and in line 16, strike out the figures "\$14,000" and insert\* in lieu thereof the figures "\$14,500."

Which motion prevailed, and the bill was so amended.

### THIRD READING OF HOUSE BILLS.

House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

Was read the third time.

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

The roll was called and there were ayes, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Murphy
Beck	King	Nelson, Richland
Benson	Kirkeide	Nelson, of Gd. Fks.
Carey	Kretschmar	Paulson
Drown	Levang	Ployhar
Englund	Lindstrom	Putnam
Ettestad	McGray	Sandstrom
Gibbens	McLean	Sikes
Gronvold	Martin	Welford
Hamerly	Morkrid	Wenstrom
Hamilton	Mortenson	Young
Hemmingsen	Mostad	Zieman
Hunt		

Those absent and not voting were:

Messrs.	Messrs.	Messrs.
Cahill	Jacobsen	Porter
Ellingson	McBride	Rowe
Haggart	McCarten	Stenmo
Heckle	Pendray	

So the bill passed and the title was agreed to.

Mr. Gibbens moved that the vote by which House Bill No. 12 passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars

for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

The question being on the emergency clause.

The roll was called and there were ayes, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Murphy
Beck	King	Nelson, Richland
Benson	Kirkeide	Nelson, of Gd. Fks.
Carey	Kretschmar	Paulson
Drown	Levang	Ployhar
Englund	Lindstrom	Putnam
Ettestad	McGray	Sandstrom
Gibbens	McLean	Sikes
Gronvold	Martin	Welford
Hamerly	Morkrid	Wenstrom
Hamilton	Mortenson	Young
Hemmingsen	Mostad	Zieman
Hunt		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cahill	Jacobsen	Porter
Ellingson	McBride	Rowe
Haggart	McCarten	Stenmo
Heckle	Pendray	

So the emergency clause passed.

Mr. Gibbens moved that the vote by which emergency clause passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORTS OF STANDING COMMITTEES.

The Committee on Appropriation made the following report:

*Mr. President:*

Your Committee on Appropriation to whom was referred:

Senate Bill No. 17.

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.

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

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

The Committee on Appropriation made the following report:

*Mr. President:*

Your Committee on Appropriation to whom was referred:

## Senate Bill No. 3.

A Bill for an Act making an appropriation for the Use of the Depositors' Guaranty Fund Commission.

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

A. S. GIBBENS,  
Chairman.

Mr. Gibbens moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

Mr. Hyland moved that the Walton concurrent resolution relative to the fixing of price on seed and farm machinery be referred to the Committee on Federal Relations.

Which motion prevailed, and the resolution was so referred.

## REPORTS OF STANDING COMMITTEES.

The Committee on Federal Relations made the following report:

*Mr. President:*

Your Committee on Federal Relations to whom was referred:

A concurrent resolution passed by the House.

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

D. H. HAMILTON,  
Chairman.

Mr. Hamilton moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
BISMARCK, N. D.,  
January, 28, 1918.

*Mr. President:*

I have the honor to return herewith:

Senate Bill No. 4. -

A Bill for an Act to Amend and Re-enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Which the House has amended as follows:

That Section two be amended to read as follows:

Clerical Help. The State Inspector of Grades, Weights and Measures shall authorize the employment of such clerical help, including a chief and other deputy grain inspectors, as is necessary for carrying out his duties under the provisions of this Act and shall determine the compensation to be paid for such service, which compensation, together with traveling and other expenses of such State Inspector of Grades, Weights and Measures, his deputies and other clerical help, shall not exceed the sum of \$25,000 per annum, to be paid out of the state public grain grading and weighing fund on vouchers submitted to the state auditing board and approved by the State Inspector of Grades, Weights and Measures.



That Section 4 be amended by inserting between the words "measures" and "shall" in line 2 the following:

"Shall appoint and designate a chief deputy grain inspector who shall be stationed at the Agricultural College and" and strike out in lines two and three the words "one of whom shall be designated Chief Deputy Grain Inspector."

That Section 6 be amended by adding thereto following the words "The commissioners of railroads shall authorize the employment of such clerical help as is necessary for carrying out their duties under the provisions of this Act and determine the compensation to be paid for such service."

That in Section 10, line 4, the words "gross and wilful" be stricken out.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr. Welford moved that the Senate do now concur in House amendment to Senate Bill No. 4.

Which motion was duly seconded.

Mr. Kirkeide moved as an amendment that the Senate do not concur in House amendments to Senate Bill No. 4, and that the President appoint a conference committee of three to act, with a like committee from the House.

Which motion prevailed, and the President appointed as such committee: Messrs. Welford, Kirkeide and Nelson of Grand Forks.

#### REPORTS OF SELECT COMMITTEES.

*Mr. President:*

Your conference committee appointed to confer with a like committee from the House on House Bill No. 9, report that the House accedes to the amendments made by the Senate.

H. W. ROWE,  
M. L. McBRIDE,  
J. I. CAHILL.

Mr. Rowe moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

#### GENERAL ORDERS.

Mr. Ployhar moved that the Senate resolve itself into a Committee of the Whole for the consideration of general orders; which motion prevailed, and the Senate resolved itself into a Committee of the Whole.

The President called Mr. Rowe to the chair.

When the committee arose it submitted the following report:

*Mr. President:*

The Committee of the Whole have had under consideration:

Senate Bill No. 8.

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

And recommend that the same be indefinitely postponed.

H. J. ROWE,  
Chairman.

Mr. Rowe moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

*Mr. President :*

The Committee of the Whole have had under consideration :

Senate Bill No. 9.

A Bill for an Act to Provide for the Erection and Use of Car Repair Shops at Division Points Maintained Within This State by Corporations or Persons Engaged as Common Carriers in the Transportation by Steam Railroad of Passengers or Property.

And recommend that the same be indefinitely postponed.

H. J. ROWE,

Chairman.

Mr. Rowe moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

*Mr. President :*

The Committee of the Whole have had under consideration :

Senate Bill No. 10.

A Bill for an Act to Divide All Railroads in the State of North Dakota Into Sections for the Repair and Maintenance of the Roadbed and Tracks and Limit the Number of Miles in Each Section.

And recommend that the same be indefinitely postponed.

H. J. ROWE,

Chairman.

Mr. Rowe moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

*Mr. President :*

The Committee of the Whole have had under consideration :

Senate Bill No. 15.

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.

And recommend that the same be indefinitely postponed.

H. J. ROWE,

Chairman.

Mr. Rowe moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

*Mr. President :*

The Committee of the Whole have had under consideration :

Senate Bill No. 18,

A Bill for an Act for the Purpose of Allowing the Showing in Public Places of Moving Pictures for Educational, Religious and Patriotic Purposes Upon the First Day of the Week.

And recommend that a committee consisting of Senators Drown, Hyland and King redraft the bill.

H. J. ROWE,

Chairman.

Mr. Rowe moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

*Mr. President:*

The Committee of the Whole have had under consideration:

Senate Bill No. 16.

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter 161 of the Session Laws of North Dakota for the Year 1915, Relating to Nets and Seines, Fish Houses and Manner of Taking Fish.

And recommend that the same be amended as follows:

In section 1, lines 8, 24 and 39 of the printed bill, after the words "Mouse River" insert "and Des Laes Lake or any other international stream."

And when so amended recommend the same do pass.

H. J. ROWE,  
Chairman.

Mr. Rowe moved that the report be adopted.

Which motion prevailed, and the report of the committee was adopted.

Mr. Kretschmar moved that the Senate do now take a recess until 10 o'clock, January 29, 1918.

Which motion prevailed, and the Senate took a recess.

W. J. PRATER,  
Secretary.

#### SENATE CALENDAR.

JANUARY 29, 1918.

Senate Bill No. 16.

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter 161 of the Session Laws of North Dakota for the Year 1915, Relating to Nets and Seines, Fish Houses and Manner of Taking Fish.

## SIXTH DAY AFTER RECESS AND SEVENTH DAY

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SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
January 29, 1918.

The Senate convened at 10 o'clock a. m. pursuant to recess taken, the President presiding.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
January 29, 1918.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed as conferees on the part of the House on Senate Bill No. 4, Messrs: Stair, Sinclair and Christianson.

Also,

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to Lignite Coal.

Very respectfully,

W. D. AUSTIN,  
Chief Clerk.

## REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your Committee on Conference to whom was referred Senate Bill No. 4, to confer with a like committee of the house have had the same under consideration and report as follows: That the House recede from its amendment of Section 2, and recommend that Section 2 be amended as follows: At the end of said section add the following: "The State Inspector of Grades, Weights and Measures shall name and select such clerical help as is authorized by the Commissioners of Railroads; provided such clerical help and other expenses shall not exceed the sum of \$15,000.00 per annum to be paid out of

the state public grain grading and weighing fund on vouchers submitted to the state auditing board and approved by the commissioners of railroads."

That the senate assent to the House Amendments of Section 4. That the House recede from its amendment of Section 6 and Section 10. And when so amended recommend that the report be adopted.

For the Senate:  
 A. J. KIRKEIDE,  
 WALTER WELFORD,  
 N. N. NELSON.  
 For the House:  
 L. L. STAIR,  
 C. I. CHRISTIANSON,  
 J. H. SINCLAIR.

Mr. Welford moved that the report be adopted. Which motion prevailed and the report of the committee was adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 4.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63. of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Was read the third time.

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

The roll was called and there were ayes, 43; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hunt	Murphy
Beck	Jacobsen	Nelson, Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Englund	Lindstrom	Putnam
Ettestad	McBride	Rowe
Gibbens	McCarten	Sandstrom
Gronvold	McLean	Sikes
Haggart	Martin	Stenmo
Hamerly	Morkrid	Welford
Hamilton	Mortenson	Wenstrom
Heckle	Mostad	Zieman
Hemmingsen		

Nelson, of Richland, voted in the negative.

Absent and not voting:

Messrs	Messrs	Messrs
Ellingson	McGray	Young
Hyland		

So the bill passed and the title was agreed to.

Mr. Welford moved that the vote by which Senate Bill No. 4 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## Senate Bill No. 4.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

The question being on the emergency clause.

The roll was called and there were ayes, 44, nays, 1; absent and not voting, 3

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Murphy
Beck	Jacobsen	Nelson, Gd. Fks.
Benson	King	Paulson
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Ployhar
Englund	Levang	Porter
Ettestad	Lindstrom	Putnam
Gibbens	McBride	Rowe
Gronvold	McCarten	Sandstrom
Haggart	McGray	Sikes
Hamerly	McLean	Stenmo
Hamilton	Martin	Welford
Heckle	Morkrid	Wenstrom
Hemmingsen	Mortenson	Zieman
Hunt	Mostad	

Nelson, of Richalnd, voted in the negative.

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drown	Ellingson	Young

So the emergency clause passed.

Mr. Welford moved that the vote by which the emergency clause passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your conference committee appointed to confer with a like committee from the House, have had under consideration House Bill No. 1, and recommend that the amended bill be amended as follows:

Section 1.—In Section 1 of the amended bill of the Senate change the words "one hundred" in lines 11 and 12 on page 9, of the House Journal, dated Saturday, Jan. 26, 1918, so as to read, in lieu thereof, "fifty".

In Section 1 of the amended bill of the Senate change the words "first day of April" in lines 17 on page 9, of the House Journal, dated Saturday, January 26, 1918, so as to read, in lieu thereof "the twenty-fifth day of February."

Section 1.—Amend Section 1 of the bill as amended by the Senate as shown on page 9 of House Journal dated January 26, 1918 by inserting in line 4 of Section 3471 after the words "it shall be lawful for," the following: "and it shall be the duty of."

Section 4.—Amend Section 3476 of the amended bill as shown on pages 10 and 11 of the Journal of the House, dated January 26, 1918, by inserting after the word "Bonds" on line 3 of page 11 of said Journal, the following: "as now provided by law for the issuance of warrants before this Act become effective, if in their judgment the best interests of the county are thereby served; provided, that such warrants shall not be issued in any amount to exceed 5 per cent of the assessed valuation of such county; provided, further, that such warrants shall not be sold below par; and provided, further, that such warrants shall not be term warrants."

Strike out the remainder of said section 3476 after the word "Bonds" in line 3 of page 11 of said section.

Section 3—Amendment to House Bill No. 1 as amended by the Senate in Section 3 as shown on Page 10 of the Journal of the House, dated, Saturday, Jan. 26, 1918. Strike out all of section 3473 commencing with the words section 3473. Bonds, How Sold, and insert in lieu thereof the following:

Section 3473.—Bonds, How Sold or Disposed of. Immediately after it has been determined to issue bonds or warrants for any county the County Auditor shall notify the Commissioner of Agriculture and Labor, giving full particulars. Thereupon, the Commissioner of Agriculture and Labor shall act for and on behalf of the Board of County Commissioners in the sale or disposition of any bonds to be sold. He shall receive sealed proposals for the purchase of such bonds or any part thereof, after giving at least ten days' notice in one leading daily newspaper within this state, in two leading daily newspapers without this state, at financial centers, and one newspaper within the county for which bonds are to be issued, together with such other publicity as in his discretion is deemed advisable. He shall sell the bonds of each county separately to the highest bidder for cash but he shall not sell them for less than par, and he may reject any or all bids or postpone the sale from time to time, not exceeding ten days, or in his discretion he may call for new bids, provided, however, that said Commissioner may sell or dispose of said bonds or any part thereof to the State of North Dakota or any Board thereof, without receiving proposals therefor, or giving notice, as hereinbefore provided, but he shall not sell them for less than par

Amendment to Section 5 as shown on Page 11 of the House Journal, dated January 26, 1918.

Strike out the word "person" as shown on line 15 of said section 5 and insert in lieu thereof, the word "applicant."

Strike out the balance of said section 5 after the word "person" as shown on said line 15.

Amendment to Section 6.—Insert at the end of section 6 as shown on page 11 of the House Journal dated January 26, 1918, after the word "article" the following: "provided, that such warrants shall not be sold below par and provided, further, that such warrants shall not be term warrants."

Amendment to Section 8.—Amend Section 8 of the bill as amended by the Senate as shown on page 12 of the Journal of the House dated January 26, 1918, by striking out the words, "on the first Tuesday in March" as shown on line 11 of said section 8 and insert in lieu thereof, the following: "within ten days after the filing of said petition."

Amendment to Section 9.—Amend Section 9 of the bill as

amended by the Senate as shown on pages 12 and 13 of the Journal of the House dated Jan. 26, 1918, as follows:

Strike out after the word "feed" on the top line of said page 13 down to and including the word "state" on line 6 of said page 13, being the following words, "that said sum shall be taxable against all of the real property for which said seed and feed was furnished and all personal property of said applicant; that such taxes shall be levied by said Auditor and collected as other taxes are collected under the laws of this state."

Strike out the word "tax" as shown on line 16 of said page 13 and insert in lieu thereof the word "lien."

Strike out the word "other" as shown on line 18 of said page 13.

Strike out after the word "annum" on line 25 of said page 13 the following words: "a duplicate of such contract shall be filed in the office of the Register of Deeds of said county."

Strike out the last paragraph of said section 9 commencing on line 45 with the words: "Provided, further, etc.," and insert in lieu thereof the following:

"It shall be the duty of the County Treasurer to collect said notes as they fall due and upon payment of the same to satisfy the lien in the office of the Register of Deeds and return the note to the debtor.

"It shall further be the duty of the County Treasurer to deliver to the State's Attorney a statement of all contracts which remain unpaid on the first day of January, following the said year, and it shall be the duty of the State's Attorney to immediately in behalf of and in the name of said county to commence an action for the placing of such indebtedness in judgment, or for the foreclosure of the lien securing any of said notes in accordance with the laws providing for the foreclosure of liens or of mortgages."

Section 10, House Journal Page 14.—Insert after the words "labor liens" on line 4, page 14, in section 10 of the amended bill, the following:

"The county shall in addition have a lien, if the owner of the real estate has signed the application and note, upon all real estate described in the application upon which said grain is to be sown, which shall have priority over all encumbrances except those existing at the time this act goes into effect. And the filing and recording of said contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of said lien upon said crops of grain and feed raised, and upon said land, which shall continue in force until the amount covered by said contract shall be fully paid."

Strike out after the words "labor liens" on line 4, page 14 of said section 10, the remaining words thereafter to the balance of the section.

Amendment of Section 11.—Amend Section 11 of the Bill as amended by the Senate as shown on page 14 of the Journal of the House, dated Jan. 26, 1918, as follows:

Strike out all of Section 11 as shown on said page 14, after the words "it becomes due" on line 9 of said section 11.

Insert after the words "Section 3483" in line 4 of said section 11, as shown on said page 14 the following: "Treasurer to give notice."



Amendment of Section 12.—Amend Section 12 of the Bill as amended by the Senate as shown on page 14 of the Journal of the House, dated January 26, 1918, as follows:

Strike out the word "ten" in line 16 of the said section 12, and insert in lieu thereof the word "fifty," and strike out the words "one hundred" in said line 16 of said section 12 and insert in lieu thereof the words "one thousand."

Insert after the word "crime" as shown on line 22 of said section 12 the word "and", and strike out the period, and change capital "U" to small "u".

Strike out after the word "thereunder" as shown on line 24 of said Section 12, the following words, down to the words "any seizure," as shown on line 4 of said section, on page 15, to-wit: "The title and right of possession to the growing crop and to the grain produced from said seed shall be in the county, which shall have furnished the seed until the debt incurred for said seed shall have been paid, and."

Strike out after the words "conversion thereof" as shown on line 8 of said page 15 the balance of said section, commencing with the words "and treble damages."

Amendment of Section 13.—Strike out all of Section 13 as shown on page 15 of the House Journal, dated Jan. 26, 1918.

Amendment of Section 14.—Change the words "Section 14" as shown on page 15 of the House Journal, dated Jan. 26, 1918, so as to read "Section 13."

Strike out after the word "distribution" in line 5 of said section 14, as shown on said page 15 all the words down to the words "If more seed grain," being the following words, to-wit: "The county commissioners of every county proposing to distribute seed grain and feed under the provisions of this article shall advertise such intention in such manner and for such length of time prior to the 20th day of March, as it is possible for them to do, giving notice that all applications must be filed with the County Auditor, by the twentieth day of March; provided, that no distribution of seed grain and feed under the provisions of this article shall take place prior to the tenth day of March," and insert in lieu thereof the following:—"Whenever a bond or warrant issue has been determined upon by the Board of County Commissioners, it shall be the duty of the County Auditor, forthwith, to give notice by mail of that fact to all farmers whose names appear on the assessment and tax lists, whether owners or renters, informing them that application blanks may be had from the County Auditor, and that assistance will be given by him in filling out said blanks."

Strike out after the words "Section 3486" as shown on line 4 of said Section 14 as shown on said page 15, to-wit: "Commissioners advertise intention of distribution," and insert in lieu thereof, the following: "County Auditor to notify farmers."

Amendment of Section 15.—Strike out the words "Section 15" of the bill as amended by the Senate as shown on page 15 of the House Journal, dated Jan. 26, 1918, and insert in lieu thereof the words "Section 14."

Insert at the end of said Section 15 as shown on page 15 after the words "may determine" the following: "Any official or any agent of any official, who conspires with others to make any profit directly or indirectly out of the transaction for himself or for them, or accepts or extorts from any applicant a

greater price than that authorized herein, shall be guilty of a felony, and upon conviction shall be sentenced to the penitentiary for a term of not less than one nor more than five years."

Amendment of Section 16.—Strike out the words "Section 16" of the bill as amended by the Senate as shown on page 16 of the House Journal dated Jan. 26, 1918, an insert in lieu thereof the words "Section 15."

Amendment of Section 17.—Strike out the words "Section 17" of the bill as amended by the Senate as shown by the Journal of the House on Page 16, dated Jan. 26, 1918, and insert in lieu thereof the words "Section 16."

Strike out in said section 17 as shown on said page 16 the word "may" in line 27 of said page 16, and insert in lieu thereof the word "shall."

Strike out in said section 17 as shown on said page 16 the words "Board of County Commissioners" as shown on line 28 of said page 16, and insert in lieu thereof the words "Commissioner of Agriculture and Labor."

Section 17.—Insert in the bill as amended by the Senate as shown in the House Journal dated Jan. 26, 1918, a section to be known as section 17 and to read as follows:

Section 17.—State Pays Bonds, When.) In case of failure by any county to pay either all or part of said bonds when they fall due, then the state shall at the next session of the legislature appropriate a sum sufficient to meet all such defaulted payments; and such county shall re-imburse the state for any sum so paid, within five years, with interest at 7 per cent per annum.

Section 19.—Insert in the bill as amended by the Senate and as shown in the House Journal dated Jan. 26, 1918, a new section to be known as section 19, to read as follows, to-wit:

Section 19.—Uniform Blanks.) The Commissioner of Agriculture and Labor shall prepare such uniform blanks as he shall deem necessary for the purposes of this Act and supply the same to the county auditor of any county issuing bonds.

Section 20.—Strike out the words "Section 19., as shown on page 16 of the House Journal dated Jan. 26, 1918, of the bill as amended by the Senate and insert in lieu thereof the words, "Section 20."

Strike out in said section 19 as shown on page 16 of said House Journal everything after and including the word "appropriation" and insert in lieu thereof the following: "Appropriations.—There is hereby appropriated from any moneys in the state treasury, not otherwise appropriated, to the Commissioner of Agriculture and Labor the sum of \$3,000.00 or so much thereof as may be necessary, and to the State Seed Commissioner the sum of \$1,000.00, or so much thereof as may be necessary, for analysis, tests, inspection, clerical assistance, traveling expenses, stationery, postage, express, and such other expenses as may be by them deemed necessary in carrying out the provisions of this Act.

Section 21.—Insert in the bill as amended by the Senate and as shown in the Journal of the House dated Jan. 26, 1918, a new section to be known as section 21 to read as follows:

Section 21.—Intention of the Act.) Whereas it is necessary and proper that the State of North Dakota in its sovereign capacity should enact suitable legislation to aid and assist

destitute and needy farmers, who by reason of drouth, rust, hail or other cause are unable to purchase seed grain or feed to farm lands within the State of North Dakota and whereas, it is necessary in the best interest of the state to protect such needy and destitute farmers, that aid be given as herein provided, therefore, it is the intention of this Act to give aid and assistance to such farmers and that this Act shall be liberally construed to effectuate that purpose and if for any reason any part or portion thereof shall be declared to be unconstitutional it shall not affect the other part or portion thereof

Section 22.—Section 20 of the bill as amended by the Senate as shown on page 16 of the House Journal dated Jan. 26, 1918; strike out the words "Section 20" and insert the words "Section 22" in the bill as amended by the Senate as shown on page 16 of the Journal of the House dated Jan. 26, 1918.

Amendment of Title.—An page 9 of the House Journal dated Jan. 26, 1918, in the title of the bill as amended by the Senate, strike out, the figures 3485 as shown on line 7 of page 9 of said Journal and insert after the word "therein" as shown on line 11 of said bill, the following, to-wit: "and providing for the issuance of bonds and warrants for seed grain by counties and aid by the state in respect thereto."

Senate Committee.

ALBERT STENMO,

R. McCARTEN,

H. P. JACOBSEN.

House Committee

A. M. HAGAN,

G. PATTERSON,

WALTER J. MADDOCK,

Mr. Stenmo moved that the report of the committee be adopted, which motion was duly seconded.

Mr. Kretschmar moved as a substitute motion that the Senate do not adopt the report of the committee, which motion was duly seconded.

A roll call was demanded.

The question being on the substitute motion to not adopt the report of the committee.

The roll was called and there were ayes, 23; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Nelson, Gd. Fks.
Beck	Kirkeide	Paulson
Carey	Kretschmar	Ployhar
Englund	McBride	Porter
Gibbens	McGray	Putnam
Gronvold	McLean	Rowe
Haggart	Murphy	Sandstrom
Heckle	Nelson, Richland	

Those voting in the negative were :

Messrs.	Messrs.	Messrs.
Benson	Jacobsen	Mostad
Cahill	King	Pendray
Drown	Levang	Sikes
Ettestad	Lindstrom	Stenmo
Hamerly	McCarten	Welford
Hamilton	Martin	Wenstrom
Hemmingsen	Morkrid	Zieman
Hunt	Mortenson	

Absent and not voting :

Messrs.	Messrs.	Messrs.
Ellingson	Young	

So the motion was lost.

The question being on the motion to adopt the report of the committee, roll call was demanded, and the roll was called and there were ayes, 23 ; nays, 23 ; absent and not voting, 2.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.
Benson	Jacobsen	Mostad
Cahill	King	Pendray
Drown	Levang	Sikes
Ettestad	Lindstrom	Stenmo
Hamerly	McCarten	Welford
Hamilton	Martin	Wenstrom
Hemmingsen	Morkrid	Zieman
Hunt	Mortenson	

Those voting in the negative were :

Messrs	Messrs	Messrs
Allen	Hyland	Nelson, of Gd. Fks.
Beck	Kirkeide	Paulson
Carey	Krefschmar	Ployhar
Englund	McBride	Porter
Gibbens	McGray	Putnam
Gronvold	McLean	Rowe
Haggart	Murphy	Sandstrom
Heckle	Nelson, Richland	

Absent and not voting :

Messrs.	Messrs.	Messrs.
Ellingson	Young	

So the motion is lost.

Mr. Kretschmar moved that the conference committee appointed on Senate Bill No. 1 be discharged, and that the President appoint a new conference committee of three to act with a like committee of the House.

Which motion prevailed and the President appointed as such committee Messrs. Beck, McBride and Porter.

MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to inform you that the House has appointed as conferees on the part of the House on House Bill No. 11, Messrs. Peterson of Towner, Miller and Sinclair.

Also,

*Mr. President:*

I have the honor to transmit herewith

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Which the House has passed as amended by the conference committee and your favorable consideration is respectfully requested.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 4.

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Which the House has passed as amended by the conference committee.

Also,

*Mr. President:*

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

JOINT RESOLUTION.

Introduced by J. F. T. O'Connor of Grand Forks.

WHEREAS, The House of Representatives of the United States has passed a proposed amendment to the Constitution of the United States extending equal suffrage to the women of our nation, and

WHEREAS, The proposed amendment is now before the Senate of the United States for consideration, and

WHEREAS, All the political parties in the State of North Dakota have declared in their platforms for equal suffrage, and

WHEREAS, Equal suffrage has been endorsed by the President of the United States,

*Therefore, Be It Resolved*, By the House of Representatives of the State of North Dakota, the Senate concurring therein, that our Senators in Congress be urged to vote for the equal suffrage amendment, and

*Be It Further Resolved*, That copies of the resolution be sent to our Senators and Representatives in Congress, to the President of the United States and to the Secretary of State for the United States of America.

Which the House adopted and your favorable consideration is respectfully requested.

Also,

*Mr. President:*

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

#### A CONCURRENT RESOLUTION

WHEREAS, This special session of the Fifteenth Legislative Assembly was called for the purpose of enacting war measures, and,

WHEREAS, Principal among these measures was the enactment of a broad state bonding act for the purpose of encouraging production of every possible pound of food for ourselves and our allies in this great struggle for democracy, and,

WHEREAS, It is important that the features of this bill become a common knowledge to the commissioners of the various counties and to the people of the state at large at the earliest possible moment,

THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of North Dakota, the Senate concurring therein, that there be printed two thousand copies of House Bill No. 1 as finally passed by this Legislature and placed for distribution with the Commissioner of Agriculture and Labor.

Which the House adopted and your favorable consideration is respectfully requested.

Very Respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr Hyland moved that the concurrent resolution with reference to printing 2,000 copies of House Bill No. 1 be referred to the committee on printing.

Which motion prevailed and the resolution was so referred.

Mr. Hamilton moved that Senate Bill No. 16 be considered engrossed and placed on its third reading and final passage.

Which motion prevailed.

#### THIRD READING OF SENATE BILLS

Senate Bill No. 16

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter of the Session Laws of North Dakota for the Year 1915, Relating to Nets and Seines, Fish Houses and Manner of Taking Fish.

Was read the third time.

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

The roll was called and there were ayes, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beck	Jacobsen	Nelson, of Gd. Fks
Cahill	King	Paulson
Carey	Kirkeide	Ployhar
Drown	Levang	Putnam
Englund	Lindstrom	Rowe
Ettestad	McGray	Sandstrom
Gibbens	McLean	Sikes
Hamerly	Morkrid	Stenmo
Hamilton	Mortenson	Welford
Heckle	Mostad	Wenstrom
Hemmingsen	Murphy	Young
Hunt	Nelson, Richland	Zieman
Hyland		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Allen	Haggart	Martin
Benson	Kretschmar	Pendray
Ellingson	McBride	Porter
Gronvold	McCarten	

So the bill passed and the title was agreed to.

Mr. Jacobsen moved that the vote by which Senate Bill No. 16 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Mr. Rowe moved that the Senate concur in the joint resolution of the House on equal suffrage.

The question being on the joint resolution on equal suffrage.

The roll was called and there were ayes, 34; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Beck	Hyland	Paulson
Cahill	King	Pendray
Carey	Kirkeide	Ployhar
Drown	Levang	Putnam
Englund	Lindstrom	Rowe
Ettestad	McGray	Sandstrom
Gibbens	Morkrid	Sikes
Hamerly	Mortenson	Stenmo
Hamilton	Mostad	Welford
Heckle	Murphy	Wenstrom
Hemmingsen	Nelson, Richland	Zieman
Hunt		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Jacobsen	McBride	Martin
Kretschmar	McLean	Nelson, Gd. Fks.

Absent and not voting:

Messrs.	Messrs.	Messrs.
Allen	Gronvold	Porter
Benson	Haggart	Young
Ellingson	McCarten	

So the joint resolution passed.

Mr. Rowe moved that the vote by which joint resolution passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORT OF SELECT COMMITTEES

*Mr. President :*

Your conference committee of three appointed to confer with a like committee from the house on House Bill No. 11 failed to agree.

C. O. HECKLE,  
Chairman  
C. H. PORTER,  
Wm. ZIEMAN.

Mr. Heckle moved that the report be adopted and the committee be discharged.

Which motion prevailed and the report of the committee was adopted.

Mr. McLean moved that the President appoint a committee of three to confer with a like committee of the House on House Bill No. 11.

Which motion prevailed and the president appointed as such committee Messrs. Gibbens, Mortenson and Sandstrom.

Mr. Ployhar offered the following resolution :

WHEREAS, The Legislature is now assembled in special session to enact legislation necessary during the emergency of the war, and

WHEREAS, The presence of officers and employees of the Senate of the last regular session of the Legislature has been necessary to expedite the work of the present special session and many of such former officers and employees have come long distances from their homes and regular occupations to undertake their duties in the Senate at great expense to themselves, and

WHEREAS, Their presence here and experienced services resulted in greatly expediting the business of the present special session,

THEREFORE, BE IT RESOLVED, that the officers and employees of the Senate be paid, in addition to their regular compensation mileage at the rate of ten cents per mile each way for every mile of necessary travel in going to the Capitol at Bismarck and returning from the same to their homes by the most usual route

The question being on the adoption of the resolution.

The roll was called and there were ayes, 36; nays, 1; absent and not voting, 11.

Those voting in the affirmative were :

Messrs.	Messrs.	Messrs.
Beck	Gibbens	Jacobsen
Cahill	Hamerly	King
Carey	Heckle	Kirkeide
Drown	Hemmingsen	Levang
Englund	Hunt	Lindstrom
Ettestad	Hyland	McBride



Messrs	Messrs	Messrs
McCarten	Nelson, Richland	Rowe
McGray	Nelson, Gd. Fks.	Sandstrom
McLean	Paulson	Sikes
Martin	Ployhar	Welford
Morkrid	Porter	Wenstrom
Murphy	Putnam	Zieman

Stenmo voted in the negative.

Absent and not voting:

Messrs.	Messrs.	Messrs.
Allen	Haggart	Mostad
Benson	Hamilton	Pendray
Ellingson	Kretschmar	Young
Gronvold	Mortenson	

So the resolution was adopted.

#### REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your committee appointed to amend or redraft Senate Bill No. 18 beg leave to submit the following amendment. Strike out everything after the word "A Bill" and insert the following:

For an Act Permitting the State Council of Defense to Show Motion Pictures on Sunday.

*Be It Enacted by the Legislative Assembly of the State of North Dakota.*

Section 1.—Any motion picture entertainment or lecture approved and directed by the State Council of Defense, is hereby permitted to be conducted on Sunday the first day of the week during the period of the war in which the United States is now engaged.

Section 2.—Emergency.) Whereas, an emergency exists in that, during the period of the present war it is necessary for the public peace and safety to inculcate lessons in patriotism, therefore this act shall take effect immediately after its passage and approval.

FRANK H. HYLAND,  
C. D. KING,  
CHAS. E. DROWN.

Mr. Drown moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

#### MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to inform you that the Speaker has appointed Messrs. Whipple, Martin and Christianson as conferees on House Bill No. 1.

Very Respectfully,  
W. D. AUSTIN,  
Chief Clerk.

Mr. Rowe moved that the Senate do now take a recess to 1:30 p. m.

Which motion prevailed and the Senate took a recess.

#### AFTER RECESS

The Senate reassembled pursuant to recess taken, the President presiding.

#### SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 9.

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

House Bill No. 12.

A Bill for an Act to Appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.

And the President signed the same in the presence of the Senate

Mr. Gronwald moved that the Senate do now adjourn.

Which motion prevailed and the Senate adjourned.

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#### SEVENTH DAY

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SENATE CHAMBER,  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

The Senate convened at 2 o'clock, the President presiding.

Prayer was offered by the Chaplain, Rev. Call.

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

#### REFERENCE OF THE JOURNAL OF THE SENATE

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

*Mr. President:*

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

Page 1, line 5, after the words "Fifth Day" insert the words "after recess and sixth day".

Page 4, after line 21 insert the word "Chairman".

Page 4 strike out line 31.

Page 4, line 44, strike out "16" and insert in lieu thereof "21". Strike out lines 45, 46, 47, and 48 and insert in lieu thereof the title of Senate Bill No. 21.

Page 8, line 36, strike out the word "Fifth" and insert word "Sixth" in lieu thereof.

Page 16, next to bottom line strike out "adjournment" and insert "recess taken".

Page 19, line 22, add the words "as amended."

Page 21, strike out line 7,

Page 22, line 20, strike out word "bill" and insert word "motion."

Line 21 after word "moved" insert the words "as an amendment."

And when so corrected recommend that the same be approved.

CHRIST LEVANG,  
Chairman.

Mr. Levang moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

#### PETITIONS AND COMMUNICATIONS

FARGO, NORTH DAKOTA,  
January 28, 1918.

President of the Senate,  
Bismarck, North Dakota.

The undersigned citizens of Fargo desire to protest most vigorously against any change in the state law in order to permit moving pictures to be shown on Sunday even under the guise of patriotism. The United States government is not asking for display of its patriotic war films on Sunday.

S. E. D. ANGELL,  
J. H. FINCH,  
W. J. CLAPP,  
H. F. EMERY,  
FRANK CHANEY,  
H. H. BECKWITH.

FARGO, NORTH DAKOTA,  
January 28, 1918.

President of the Senate,  
Bismarck, North Dakota.

Owing to protest by pastors of churches of Fargo the war films advertised for last Sunday's display here under the auspices of State Defense League were not allowed to be shown by State's Attorney Fowler. The congregation of the First Methodist Episcopal church by unanimous vote yesterday approved of this protest. The United States government is not asking to break down our most beneficial Sunday law in the name of patriotism and so we protest against the passage of any bill aimed at change in the present Sunday law regarding moving picture shows.

H. H. FROST,  
Pastor First Methodist Episcopal Church.

FARGO, NORTH DAKOTA,  
January 28, 1918.

President of the Senate,  
Bismarck, North Dakota.

We the officers and executive committee of the Fargo Federation of Churches wish to protest against the passage of any

bill which would permit the running of picture shows on Sunday even under the guise of patriotism.

H. F. EMERY,  
President,  
C. C. FORD,  
Secretary Executive Committee.  
J. P. FINCH,  
F. H. KLOMAN,  
O. S. FEETH,  
W. S. READ,  
P. H. FROST,  
THOMAS GRAHAM,  
R. A. BEARD.

FARGO, NORTH DAKOTA,  
January 29, 1918.

President of the Senate,  
Bismarck, North Dakota.

Best people Fargo oppose bill legalizing Sunday movies.  
Kill it.

SMITH STIMMEL,  
W. B. AUXER,  
A. N. BROWN,

FARGO, NORTH DAKOTA,  
January 28, 1918.

President of the Senate,  
Bismarck, North Dakota.

As president of Ministerial association of Fargo and in name of same. I wish to protest against contemplated legislation looking to opening moving picture places on Sundays. We are confident of backing of better elements of community. Please fight it.

HENRY F. PLOMAN,  
Dean of Esp. Cathedral.

#### REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your conference committee appointed on House Bill No. 1 report that they are unable to agree with the conference committee appointed by the House

J. A. BECK,  
M. L. MCBRIDE,  
C. H. PORTER.

Mr. Beck moved that the report be adopted and the committee discharged.

Which motion prevailed and the report of the committee was adopted.

Mr. McGray moved that the President appoint a committee of three to act with a like committee of the House on House Bill No. 1.

Which motion prevailed and the President appointed as such committee, Messrs. McGray, King and McLean.

Mr. Cahill moved that the Senate approve of any action taken by a committee appointed on conference with a like committee of the House when the report is unanimous.

Which motion was lost.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES.  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to return herewith,  
Senate Bill No. 16.

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter 161 of the Session Laws of North Dakota for the Year 1915. Relating to Nets and Seines, Fish Houses and Manner of Taking Fish.

Which the House has indefinitely postponed

Also,

*Mr. President:*

I have the honor to inform you that the Speaker appointed as conferees on House Bill No. 1, Messrs. Mees, Prater and Bowman.

Very Respectfully,  
W. D. AUSTIN,  
Chief Clerk.

Mr. Drown moved that Senate Bill No. 18 be considered engrossed and placed upon third reading and first passage.

Which motion prevailed.

Mr. Kretschmar moved that further consideration of Senate Bill No. 18 be indefinitely postponed.

Which motion prevailed .

Mr. Ployhar moved that the Senate do now take a recess subject to the call of the President.

Which motion prevailed.

## AFTER RECESS

The Senate reassembled at the call of the President.

## REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your Committee appointed to act with a like committee from the House to draft a new bill to take place of House Bill No. 17 report that we have failed to agree on a draft of a new bill, but have submitted proposed amendments to House Bill No. 17 to the Senate Committee on Election and Election Privileges.

F. T. GRONVOLD,  
H. W. ALLEN,  
JOHN N. BENSON.

Mr. Gronvold moved that the reported be adopted and the committee be discharged.

Which motion prevailed and the report of the committee was adopted.

Mr. Gronvold moved that House Bill 17 be referred to the committee on Elections.

Which motion prevailed and the Bill was so referred.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 1.

A Bill for an Act to Provide for the Organization of Home  
Guard units. The qualification of members thereof.

Which the House has indefinitely postponed.

Also,

*Mr. President:*

I have the honor to inform you that the Speaker has ap-  
pointed as conference committee on House Bill No. 11 Messrs.  
Kimbal, Erb and Mackoff.

Very Respectfully,

W. D. AUSTIN,  
Chief Clerk.

## REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your conference committee appointed to meet a like com-  
mittee from the House to consider House Bill No. 11, report  
that they are unable to agree and ask that another committee  
be appointed.

For the House:

C. P. PETERSON, Chairman.  
J. H. SINCLAIR,  
J. C. MILLER.

For the Senate:

A. S. GIBBENS,  
L. P. SANDSTROM,  
MORTEN MORTENSON.

Mr. Gibbens moved that the report be adopted and commit-  
tee discharged.

Which motion prevailed and the report of the committee was  
adopted.

Mr. Gibbens moved that the President appoint a committee  
of three to confer with a like committee of the House on  
House Bill No. 11.

Which motion prevailed and the President appointed as  
such committee Messrs. Pendray, Paulson and Putnam.

## REPORTS OF STANDING COMMITTEES

*Mr. President:*

Your committee on Election to whom was referred  
House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Ser-  
vice of the United States in Foreign Lands to Vote; Creating  
a Commission, and Making an Appropriation Therefor.

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

Strike out all after a bill and insert the following:

For an Act to Permit Electors in the Military Service of the United States Absent from Their Respective Counties to Vote at General Elections Other Than Primary and to Amend Section 1003 of the Compiled Laws of North Dakota for 1913, Relating to Ballots When Furnished the Auditor.

*Be It Enacted by the Legislative Assembly of the State of North Dakota.*

Section 1.—Absent Voter Who May Vote.) Any qualified elector of this state who is absent from the county in which he is an elector at any general election other than primary and engaged in the military or naval service of the United States may vote at such election as hereinafter provided.

Section 2.—Duty of County Auditors.) The County auditors of each county in this state must prepare, keep and maintain a general register of names of all persons of their respective counties who are engaged in the military or naval service of the United States and shall further keep and maintain a register of such persons who are qualified to vote in their respective counties at general elections other than primary.

Section 3.—Absent Voter Ballot, How Sent.) It shall be the duty of each county auditor, at least forty-five days before any general election other than primary, of his own accord and without application from any election, to send such absent voter ballot to such elector in the manner provided in Section 997 of the Compiled Laws of North Dakota for 1913; provided, however, that the enclosed envelope shall be duly stamped with return postage and the affidavit endorsed thereon may be made by such elector before his immediate commissioned commanding officer; and provided, further, that such affidavit need not have any venue if contrary to the military orders at the place where made.

Section 4.—Ballot and Canvassing.) Such absent voter shall make and subscribe such affidavit before his immediate commissioned commanding officer and shall thereupon, in the presence of such officer and of no other person, mark such ballot or ballots in the manner provided in Section 998 of the Compiled Laws of North Dakota for 1913; and the county auditor upon receipt of such envelope, shall proceed in the same manner as provided in Section 999 of the Compiled Laws of 1913 relating to absent voter ballots; provided, however, that if any such envelope is received by such county auditor too late to be forwarded to the proper voting precinct in time to be canvassed the same shall be retained by him and canvassed by the canvassing board of the county of such auditor at any time prior to the meeting of the state canvassing board or any adjourned meeting of said board where the same has been received by such auditor in time to canvass and transmit the results to the state canvassing board. In all other respects such absent voter ballots of electors engaged in the military service of the United States shall be treated in the same manner as now provided for the absent voter ballots.

Section 5.—That Section 1003 of the Compiled Laws of North

Dakota for 1913 be and the same is hereby amended and re-enacted so as to read as follows:

Section 1003. Ballots Furnished Auditor, When.) It shall be the duty of the secretary of state, county auditor, or any other officer by law required to prepare any general or primary election ballots, to prepare and have printed and deliver to the county auditor, at least forty-five days prior to the holding of any general election and fifteen days prior to the holding of any primary election a sufficient number of absent voter ballots provided for in Section 994 of the Compiled Laws of North Dakota for 1913 and in this act, for the use of all voters likely to be absent from such county on the day of such election.

Section 6.—Whereas, An emergency exists in that there is no provision whereby persons in the active military service of the United States, absent from their respective counties, and especially those in foreign countries, may vote, and whereas it is manifestly against public policy and endangers the peace, health and safety of the people of this state to deprive men engaged in the military service of the United State and devoting their lives to the defense of their country, of the right to vote, therefore, this act shall be in force from and after its passage and approval.

And when so amended recommend the same do pass.

F. T. GONVOLD,  
Chairman.

Mr. Gonvold moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

Mr. Gonvold moved that the rules be suspended and House Bill No. 17 be considered engrossed and placed upon its third reading and final passage.

Which motion prevailed.

Mr. Allen moved that House Bill 17 be amended by inserting in Section 2, line 5, after the word "Persons" the words "So engaged."

Which motion prevailed and the bill was so amended.

### THIRD READING OF HOUSE BILLS

House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission, and Making an Appropriation Therefor.

Was read the third time.

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

The roll was called and there were ayes, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Englund	Hamerly
Beck	Ettestad	Hamilton
Benson	Gibbens	Heckle
Carey	Gronvold	Hemmingsen
Drown	Haggart	Hunt



Messrs.	Messrs.	Messrs.
Hyland	Martin	Ployhar
Jacobsen	Morkrid	Porter
Kirkeide	Mortenson	Rowe
Kretschmar	Mostad	Sandstrom
Levang	Murphy	Welford
Lindstrom	Nelson, Richland	Wenstrom
McBride	Nelson, of Gd. Fks.	Zieman
McCarten		

Absent and not voting :

Messrs.	Messrs.	Messrs.
Cahill	McLean	Sikes
Ellingson	Paulson	Stenmo
King	Pendray	Young
McGray	Putnam	

So the bill passed and the title was agreed to.

Mr. Gronvold moved that the vote by which House Bill No. 17 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission, and Making an Appropriation Therefor.

The question being on the emergency clause.

The roll was called and there were ayes, 37; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hemmingsen	Mortenson
Beck	Hunt	Mostad
Benson	Hyland	Murphy
Carey	Jacobsen	Nelson, Richland
Drown	Kirkeide	Nelson, of Gd. Fks.
Englund	Kretschmar	Ployhar
Ettestad	Levang	Porter
Gibbens	Lindstrom	Rowe
Gronvold	McBride	Sandstrom
Haggart	McCarten	Welford
Hamerly	Martin	Wenstrom
Hamilton	Morkrid	Zieman
Heckle		

Absent and not voting :

Messrs.	Messrs.	Messrs.
Cahill	McLean	Sikes
Ellingson	Paulson	Stenmo
King	Pendray	Young
McGray	Putnam	

So the emergency clause passed.

Mr. Gronvold moved that the vote by which emergency clause passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## REPORTS OF SELECT COMMITTEES

*Mr. President :*

Your conference committee, appointed to confer with a like committee from the House upon House Bill No. 1 have had the same under consideration and recommend that the amended bill, as amended by the Senate, be amended as recommended by the first conference committee upon the said bill, except that that section designated as section 17 of the said first conference committee's report, the same being the section that the state pays bonds, be stricken from the report of said first conference committee.

That section 19 of the said report of the first conference committee thereon be changed so as to read section 17.

That that section designated in said first report as being section 20 be changed so as to read section 19.

That that section designated in said conference committee's report as section 21 be made to read section 20 and that that section in said first conference committee's report designated as section 22 be made to read section 21, the intention being to only strike from said first conference committee's report section 17 thereof, and when so amended, recommend the same do pass.

C. W. McGRAY,  
Chairman, Senate Committee.  
HENRY McLEAN,  
C. D. KING.  
F. W. MEES,  
Chairman, House Committee.  
FRANK G. PRATER,  
E. A. BOWMAN.

Mr. McGray moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

## THIRD READING OF HOUSE BILLS

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Was read the third time.

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

The roll was called and there were ayes, 40; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hamerly	McBride
Beck	Hamilton	McCarten
Benson	Hemmingsen	McGray
Cahill	Hunt	McLean
Carey	Hyland	Martin
Drown	Jacobsen	Morkrid
Ettestad	King	Mortenson
Gibbens	Kretschmar	Mostad
Gronvold	Levang	Murphy
Haggart	Lindstrom	Nelson, Richland

Messrs.	Messrs.	Messrs.
Nelson, of Gd. Fks.	Sandstrom	Welford
Ployhar	Sikes	Wenstrom
Porter	Stenmo	Zieman
Rowe		

Absent and not voting:

Messrs	Messrs	Messrs
Ellingson	Kirkeide	Putnam
Englund	Paulson	Young
Heckle	Pendray	

So the bill passed and the title was agreed to.

Mr. Rowe moved that the vote by which House Bill No. 1 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

The question being on the emergency clause.

The roll was called and there were ayes, 41; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hyland	Mostad
Beck	Jacobsen	Murphy
Benson	King	Nelson, Richland
Cahill	Kirkeide	Nelson, of Gd. Fks.
Carey	Kretschmar	Ployhar
Drown	Levang	Porter
Ettestad	Lindstrom	Rowe
Gibbens	McBride	Sandstrom
Gronvold	McCarten	Sikes
Haggart	McGray	Stenmo
Hamerly	McLean	Welford
Hamilton	Martin	Wenstrom
Hemmingsen	Morkrid	Zieman
Hunt	Mortenson	

Absent and not voting:

Messrs	Messrs	Messrs
Ellingson	Paulson	Putnam
Englund	Pendray	Young
Heckle		

So the emergency clause passed.

Mr. Rowe moved that the vote by which emergency clause passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 17.

House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission, and making an Appropriation Therefor.

Also,

*Mr. President:*

I have the honor to return herewith

Senate Bill No. 21.

A Bill for an Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.

Which the House has amended as follows:

In line 17, section 1 after the word "Penitentiary" insert the following: "From one year to life" and in line 12, section 2, insert the following after the word "Than": "One year and not more than."

In line 1, section 4, after the word "Whereas" insert the following: "The County is engaged in war and great danger exists that efforts will be made to destroy its food supply."

Very Respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr. Allen moved that the Senate do now concur in House amendment to Senate Bill No. 21.

Which motion prevailed.

Senate Bill No. 21.

A Bill for an Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.

Was read the third time.

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

The roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hamilton	McGray
Beck	Hemmingsen	McLean
Benson	Hunt	Martin
Cahill	Hyland	Morkrid
Carey	Jacobsen	Mortenson
Drown	King	Mostad
Englund	Kirkeide	Murphy
Ettestad	Krøtschmar	Nelson, Richland
Gibbens	Levang	Nelson, of Gd. Fks
Gronvold	Lindstrom	Ployhar
Haggart	McBride	Porter
Hamerly	McCarten	Rowe

Messrs.	Messrs.	Messrs.
Sandstrom	Stenmo	Wenstrom
Sikes	Welford	Zieman

Absent and not voting:

Messrs	Messrs	Messrs
Ellingson	Paulson	Putnam
Heckle	Pendray	Young

So the bill passed and the title was agreed to.

Mr. McGray moved that the vote by which Senate Bill No. 21 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

*Mr. President:*

Your committee on public printing to whom was referred a concurrent resolution for the printing of two thousand copies of House Bill No. 1 have had the same under consideration and recommend that the same be amended as follows:

Strike out the words "a broad state bonding act" and insert in lieu thereof the word "laws."

And when so amended recommend that the Senate do concur therein.

P. J. MURPHY,  
Chairman.

Mr. Murphy moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

Mr. Hyland moved that the Senate stand as a mark of respect to the outgoing members.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to inform you that the House has concurred in the conference committee report to House Bill No. 1 and passed the bill as amended.

Very Respectfully,  
W. D. AUSTIN,  
Chief Clerk.

Mr. Jacobsen moved that the Senate do now take a recess for 15 minutes.

Which motion prevailed.

The Senate reassembled pursuant to recess taken, the president presiding.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
RISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to return herewith  
Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 144 of the Session Laws for the Year 1917, Relating to Maintaining Patients in the Hospital for the Insane

Which the House has passed unchanged.

Very Respectfully,  
W. D. AUSTIN,  
Chief Clerk.

## REPORTS OF STANDING COMMITTEES

Your committee on engrossment have examined:  
Senate Bill No. 21.

An Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.

Also,  
Senate Bill No. 4.

A Bill for an Act to Amend and Re-enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

And find the same correctly engrossed.

C. D. KING,  
Chairman.

Mr. King moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

## SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 21.

An Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.

Senate Bill No. 4.

A Bill for an Act to Amend and Re-enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

House Bill No. 17.

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission and Making an Appropriation Therefor.

Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913 as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

And the President signed the same in the presence of the Senate.

#### MOTIONS AND RESOLUTIONS

Mr. Gibbens moved that Messrs. King, McGray and Allen be appointed as a committee for the correction and revision of the Journal for the last day.

Which motion prevailed.

#### REPORTS OF STANDING COMMITTEES

*Mr. President:*

Your committee on Engrossment have examined:

Senate Bill No. 2.

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913 as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

And find the same correctly engrossed.

C. D. KING,  
Chairman.

Mr. King moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

#### REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your conference committee on House Bill No. 11, as amended by the Senate, beg leave to report that they have agreed with the Senate committee upon the following:

That in Section 1 of the said amended House Bill No. 11, in line four after the word appointed insert "by the Governor." In line five after the word "state" strike out the following "by the presiding Judge thereof, with the approval and consent of the Governor."

In Section 3 on page 2 on line five in the separate paragraph added by the amended bill strike out all of the following: "and to require all county and municipal officers to perform the duties laid upon them by the laws of the state or the United States, and to suspend such officers from office in case of refusal or neglect to perform such duties," and in the same paragraph in line eleven after the word "organize," strike out the comma and insert a period in its place, and in the same paragraph in the same line after the word "organize" strike out the following: "carry arms and drill in preparation for the public defense and the preservation of the peace of the state," and in the same Section 3, paragraph 2 on page 2 of the same amended bill on line five of the said paragraph 2, Section 3, after the word "officers" strike out the following: "it shall be the duty of all police officers of the state to act under the direction of the council and assist it in the carrying out of its orders, and upon call for assistance to aid any member of the council in exercising any of the powers or authority hereby conferred."

After Section 7 add the following:

Section 8. The provisions of the within act are hereby declared to be severable and not inter-dependent and if one

of the provisions shall be declared unconstitutional such declaration shall not affect the constitutionality of any other provision of the said act.

Change Section 8 to Section 9.

And when so amended recommend that the same do pass.

THOMAS PENDRAY,  
JOHN E. PAULSON,  
T. N. PUTNAM,

PORTER KIMBALL,  
Chairman.

J. E. ERB,  
H. A. MACKOFF,

Mr. Pendray moved that the report be adopted.

Which motion prevailed and the report of the committee was adopted.

### THIRD READING OF HOUSE BILLS

House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

Was read the third time.

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

The roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Allen	Hyland	Murphy
Beck	Jacobsen	Nelson, Gd. Fks.
Benson	King	Nelson, Richland
Cahill	Kirkeide	Pendray
Carey	Kretschmar	Paulson
Drown	Levang	Ployhar
Englund	Lindstrom	Porter
Ettestad	McBride	Putnam
Gibbens	McCarten	Sandstrom
Gronvold	McGray	Sikes
Haggart	McLean	Stenmo
Hamerly	Morkrid	Welford
Heckle	Mortenson	Wenstrom
Hemmingsen	Mostad	Zleman

Absent and not voting:

Messrs	Messrs	Messrs
Ellingson	Hunt	Rowe
Hamilton	Martin	Young

So the bill passed and the title was agreed to.



Mr. Cahill moved that the vote by which House Bill No. 11 passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

The question being on the emergency clause.

The roll was called and there were ayes, 42; nays, 0; absent and not voting, 6.

Those voting in the affirmative were:

Messrs	Messrs	Messrs
Allen	Hyland	Murphy
Beck	Jacobsen	Nelson, Richland
Benson	King	Nelson, of Gd. Fks.
Cahill	Kirkeide	Paulson
Carey	Kretschmar	Pendray
Drown	Levang	Ployhar
Englund	Lindstrom	Porter
Ettestad	McBride	Putnam
Gibbens	McCarten	Sandstrom
Gronvold	McGray	Sikes
Haggart	McLean	Stenmo
Hamerly	Morkrid	Welford
Heckle	Mortenson	Wenstrom
Hemmingsen	Mostad	Zieman

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ellingson	Hunt	Rowe
Hamilton	Martin	Young

So the emergency clause passed.

Mr. Cahill moved that the vote by which emergency clause passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

## MOTIONS AND RESOLUTIONS

### RESOLUTION

Introduced by Mr. M. L. McBride

WHEREAS, There was passed at the Fifteenth Session of the Legislature House Bill No. 39 appearing in the Session Laws for 1917 under Chapter 136, and

WHEREAS, The Journal of the House of Representatives at page 1461 erroneously contains what is purported to be an amendment to said bill and as having been passed by the Senate as so amended, and

WHEREAS, The House of Representatives passed said bill with such purported amendment assuming that this Senate

had so amended and passed such bill. The record of the passage of such bill as amended will be found at page 1479 of said House Journal, and

WHEREAS, It is within the knowledge of the Members of the Senate and each individual Senator and it is so recorded correctly at page 1018-19 of the Senate Journal for the Fifteenth Legislative Assembly. That House Bill No. 39 as so amended by the Senate was not voted upon or adopted by the House of Representatives the amendment as adopted by the Senate having been reported incorrectly or changed in the House after same had been reported to said House, and

WHEREAS, Through such gross carelessness or fraud such bill was passed by the House different in form and meaning than same was passed in the Senate.

NOW THEREFORE BE IT RESOLVED, That this Senate do now severely condemn the practice by which this fraud was perpetrated upon the Senate and the people of the State of North Dakota in order that this practice may cease in the future and in order that the people may know that the laws of the State are made by the regular constituted Legislative Assembly and not by Clerks or employees of such assembly, and that the resolution be spread upon the Senate Journal.

Mr. McBride moved that the resolution be adopted.

Which motion prevailed and the resolution was adopted.

Mr. Allen introduced the following resolution:

WHEREAS, The taxation of Freight Line Companies was a question of public discussion during the political campaign of 1916, and

WHEREAS, Senate Bill No. 225 of the Fifteenth Legislative Assembly provided for the taxation of Freight Line Companies, and

WHEREAS, Said Senate Bill No. 225 was passed February 16th, 1917, by a vote of ayes, 44; nays, none; absent and not voting, 5; as shown on page 533 of the Senate Journal, and

WHEREAS, The House of Representatives did on March 1st, 1917, amend said Senate Bill No. 225, as shown on page 1446 of the House Journal, and

WHEREAS, The House of Representatives did on March 2nd, 1917, pass said Senate Bill No. 225 by a vote of Ayes, 111; nays, 2; absent and not voting, none, as shown on page 1541 of the House Journal, and

WHEREAS, A. E. Bowen, Chief Clerk of the House of Representatives, did during the closing hours of the session falsely report to the Senate that Senate Bill No. 225 had been indefinitely postponed, as shown on page 1109 of the Senate Journal, thereby defeating the action of both Houses in their efforts to provide a practical method for taxing Freight Line Companies,

NOW, THEREFORE, BE IT RESOLVED by the Senate that A. E. Bowen is hereby censured for his action in defeating Senate Bill No. 225 by making a false report to the Senate.

Mr. Allen moved that the resolution be adopted.

Which motion prevailed and the resolution was adopted.

MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES,  
BISMARCK, NORTH DAKOTA,  
Jan. 29, 1918.

*Mr. President:*

I have the honor to inform you that the house has concurred in the Conference Committee report on House Bill No. 11 and passed the bill as amended.

Very Respectfully,

W. D. AUSTIN,  
Chief Clerk.

Mr. Hyland moved that the Senate do now take a recess subject to the call of the President.

Which motion prevailed.

AFTER RECESS

The Senate reassembled pursuant to recess taken, the President presiding:

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 1.

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

House Bill No. 11.

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

And the President signed the same in the presence of the Senate.

Mr. King moved that the President appoint committees to notify the House and the Governor that the Senate is about to adjourn.

Which motion prevailed and the President appointed as a committee to notify the House, Mr. King and to notify the Governor Messrs. Stenmo and Benson.

Mr. King moved that the Senate do now adjourn sine die.

Which motion prevailed and the Senate adjourned sine die.

W. J. PRATER,  
Secretary.

## REPORTS OF SELECT COMMITTEES

*Mr. President:*

Your committee on revision and correction of the Journal for the last day made the following report:

On page 18 in line 42 change the name "John N. Benson" to "John W. Benson."

On page 19 line 45 change the word "Election" to "Elections."

On page 20 line 24 change the word "Election" to "Elector."

On page 25, line 25, change the word "County" to "Country."

And when so corrected is hereby approved.

C. D. KING,  
Chairman.

W. McGRAY,

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## RECORD OF BILLS IN THE SENATE

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### SENATE BILLS

**Senate Bill No. 1.—(England).**

A Bill for an Act to Provide for the Organization of Home Guard Units; the Qualifications of Members Thereof, and Providing for the Furnishing of Equipments Therefor.

Introduction, first and second reading, 11.

Reference, 11.

Reported back, 25.

Third reading, 43.

Passed, 49.

Received from the House.

Other action, 96.

Indefinitely postponed, 106.

**Senate Bill No. 2.—(Pendray).**

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913 as Amended by the 1917 Session Laws, Relating to Maintaining Patients in the Hospital for the Insane.

Introduction, first and second reading, 11.

Reference, 11.

Reported back, 25.

Third reading, 26.

Passed, 26.

Received from the House, 114.

**Senate Bill No. 3.—(Drown).**

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 23, 1918, to June 30, 1919, Both Dates Inclusive.

Introduction, first and second reading, 11.

Reference, 11, 34.

Reported back, 22.

Indefinitely postponed, 84.

**Senate Bill No. 4.—(Drown).**

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.

Introduction, first and second reading, 11.

Reference, 11.

Reported back, amended, 58, 62.

Third reading, 62, 89.

Passed, 62.

Reported back, amended, 84.

Other action, 85, 88, 97.

**Senate Bill No. 5.—(McCarten).**

A Bill for an Act Reinstating and Validating the Charters of Corporations Which Have Been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Introduction and first and second reading, 11.

Reference, 11.

Indefinitely postponed, 44.

**Senate Bill No. 6.—(Mortenson).**

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Introduction and first and second reading, 12.

Reference, 12.

Indefinitely postponed, 67.

**Senate Bill No. 7.—(Martin)**

A Resolution Urging and Requesting the United States Congress to Use All Honorable Means to Enact Into Law a Bill Guaranteeing the Farmers of the Northwest Actual Expenses Incurred in Complying with the Government's Request to Raise the Greatest Possible Amount of Wheat and Other Foodstuffs in Time of War; that the Government, Through the Congress, Guarantee the Farmers Not Less than Six Dollars and Fifty Cents Per Acres in Case of Drought, Hail, or Other Accident to the Crop.

Introduction, first and second reading, 12.

Reference, 12.

**Senate Bill No. 8.—(Welford)**

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.

Introduction, first and second reading, 12.

Reference, 12.

Indefinitely postponed, 85.

**Senate Bill No. 9.—(Martin)**

A Bill for an Act to Provide for the Erection and Use of Car Repair Shops at Division Points Maintained Within This State by Corporations of Persons Engaged as Common Carriers in the Transportation by Steam Railroad of Passengers or Property.

Introduction, first and second reading, 12.

Reference, 12.

Reported back, 33.

Indefinitely Postponed, 87.

**Senate Bill No. 10.—(Martin)**

A Bill for an Act to Divide All Railroads in the State of North Dakota Into Sections for the Repair and Maintenance of the Roadbed and Tracks and Limit the Number of Miles in Each Section.

Introduction, first and second reading, 12.

Reference, 12.

Reported back, 33.

Indefinitely postponed, 86.

**Senate Bill No. 11.—(Hemmingsen)**

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.

Introduction, first and second reading, 12.

Reference, 12.

Indefinitely postponed, 68.

**Senate Bill No. 12.—(King)**

A Bill for an Act Providing for the Organization of the Active Militia of North Dakota.

Introduction, first and second reading, 17.

Reference, 12.

**Senate Bill No. 13.—(Gibbens)**

A Concurrent Resolution.

Reference, 17.

Reported back, 25.

Third reading, 27.

Passed, 27.

Received from the House, 57.

**Senate Bill No. 14.—(McCarten)**

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

Introduction, first and second reading, 17.

Reference, 17, 35.

Indefinitely postponed, 45.

**Senate Bill No. 15.—(Rowe)**

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.

Introduction, first and second reading, 17.

Reference, 17.

Reported back, 33.

Indefinitely postponed 86.

**Senate Bill No. 16.—(Hamilton)**

A Bill for an Act to Amend and Re-Enact Sections 72, 77 and 80 of Chapter 161 of the Session Laws of North Dakota for the Year 1915, Relating to Nets and Seines, Fish Houses and the Manner of Taking Fish.  
 Introduction first and second reading, 17.  
 Reference 17.  
 Indefinitely postponed, 34.  
 Reference, 69.  
 Reported back, 72.  
 Other Action, 87, 98.  
 Passed, 99.  
 Indefinitely postponed, 105.

**Senate Bill No. 17.—(Pendray.)**

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.  
 Introduction first and second reading 17.  
 Reference, 17, 34.  
 Reported back, 23.  
 Indefinitely postponed, 83.

**Senate Bills No. 18.—(Drown).**

A Bill for an Act for the Purpose of Allowing the Showing in Public Places of Moving Pictures for Educational, Religious and Patriotic Purposes Upon the First Day of the Week.  
 Introduction, first and second reading, 23.  
 Reference 23.  
 Reported back, 45.  
 Other action, 86, 101, 105.

**Senate Bill No. 19.—(Mostad).**

A Bill for an Act to Amend and Re-enact Sections 992, 993, 995, 997, 998, 1002 and 1003 of the Compiled Laws of North Dakota for the Year 1913 Relating to Absent Voters and Providing for the Voting of Soldiers and Sailors Engaged in the Military and Naval Service of the State of North Dakota and the United States.  
 Introduction, first and second reading, 23.  
 Reference, 23.  
 Other action, 80.

**Senate Bill No. 20.—(Mostad).**

An Act to Amend and Re-Enact Sections 853 and 854 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Primary Elections.  
 Introduction, first and second reading, 23.  
 Reference, 23.  
 Other action, 80.

**Senate Bill No. 21.—**

A Bill for an Act Defining the Crime of Sabotage and Prescribing the Penalty Therefor.  
 Introduction, first and second reading, 63.  
 Reference, 63.  
 Reported back, 67.  
 Third reading, 72.  
 Passed, 73.  
 Other action, 112.  
 Passed, 112.



## HOUSE BILLS

### House Bill No. 1.—

A Bill for an Act to Amend and Re-Enact Article 24 of the Compiled Laws of the State of North Dakota for 1913.

Received from the House, 21.  
First and second reading, 23.  
Reference, 23.  
Reported back, amended, 35, 55.  
Passed, 55.  
Other action, 58, 90, 97, 98, 101, 104, 105, 110.  
Passed, 110.  
Other action, 113.

### House Bill No. 2.—(Walton)

A Bill for an Act Appropriating Money for the Use of the Depositors' Guaranty Fund Commission Between the Following Dates, to-wit: January 3, 1918, to June 30,

Received from the House, 18.  
First and second reading, 18.  
Reference, 18.  
Reported back, amended, 32.  
Passed, 50.  
Other action, 57.

### House Bill No. 4.—(Peterson of Towner)

A Concurrent Resolution.  
Received from the House, 18.  
First and second reading, 18.  
Reference, 18.

### House Bill No. 5.—(Olson of Bowman)

A Bill for an Act Reinstating and Validating the Charters of Corporations Which have Been Cancelled or Whose Authority to Transact Business in the State Has Been Forfeited for Failure to Make Annual Reports as Required by Law.

Received from the House, 21.  
First and second reading, 24.  
Reference, 24.  
Reported back, amended, 43.  
Passed, 53.  
Other action, 57, 58, 68.

### House Bill No. 6.—(Peterson of Towner)

A Bill for an Act to Amend and Re-Enact Section 1762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by the 1917 Session Laws, Relating to Maintaining to Patients in the Hospital for the Insane.

Received from the House, 21.  
First and second reading, 24.

**House Bill No. 7.—(Lageson)**

A Bill for an Act to Amend and Re-Enact Chapter 56, Page 63, of Session Laws of the State of North Dakota for 1917, Being Senate Bill No. 314.  
 Received from the House, 17.  
 First and second reading, 18.  
 Reference.

**House Bill No. 8.—(Harris)**

A Joint Resolution Ratifying a Proposed Amendment to the Constitution of the United States of America.  
 Received from the House, 17.  
 First and second reading, 18.  
 Reference, 18.  
 Reported back, 19.  
 Passed, 24.

**House Bill No. 9.—(Kurtz)**

A Bill for an Act Regulating the Civil Rights of Members of the Military and Naval Establishments of the United States Engaged in the Present War.  
 Received from the House, 30.  
 First and second reading, 30.  
 Reported back, amended, 64.  
 Passed, 74.  
 Other action, 85.

**House Bill No. 10.—(Walton)**

A Bill for an Act Providing for the Organization of the Active Militia of North Dakota.  
 Received from the House, 18.  
 First and second reading, 18.  
 Reference, 18.

**House Bill No. 11.—(Walton)**

A Bill for an Act Creating the North Dakota Council of Defense; Defining Its Powers and Duties, and Appropriating Money for Carrying Out the Purpose Thereof; and to Re-imburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.  
 Received from the House, 31.  
 First and second reading, 34.  
 Reference, 34.  
 Amended, 69.  
 Passed, 75.  
 Other action, 79, 97, 100, 106, 116.  
 Passed, 116.  
 Other action, 119.

**House Bill No. 12.—(Walton)**

A Bill for an Act to appropriate Twelve Thousand Dollars for the Expenses of the Legislative Department of the State Government, for the Extraordinary Session Beginning January 23, 1918.  
 Received from the House, 31.  
 First and second reading, 34.  
 Reference, 34.  
 Reported back, 67.  
 Passed, 78.  
 Other action, 81, 82.  
 Passed, 82.

**House Bill No. 13.**—(Church)

A Bill for an Act to Amend and Re-Enact Section 17, of Chapter 172, Laws of 1915.  
Received from the House, 31.  
First and second reading, 34.  
Reference, 34.  
Reported back, 44.  
Passed, 52.

**House Bill No. 14.**—(C. P. Peterson)

A Bill for an Act Giving a Credit to the State Hospital for the Insane for the Sum of Fifty Thousand Dollars.  
Received from the House, 30.  
First and second reading, 30.  
Reference, 30.  
Reported back, amended, 32.  
Passed, 51.  
Other action, 57.

**House Bill No. 17.**—(Patterson)

A Bill for an Act to Permit the Electors in the Military Service of the United States in Foreign Lands to Vote; Creating a Commission, and Making an Appropriation Therefor.  
Received from the House, 57.  
First and second reading, 57.  
Reference, 57.  
Other action, 80, 105, 106, 108.  
Passed, 108.  
Other action, 112.

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