STATE OF NORTH DAKOTA

JOURNAL OF THE SENATE

of the

SIXTEENTH SESSION

of the

LEGISLATIVE ASSEMBLY

Begun and held at the Capitol at Bismarck, January, 7 to March 1, 1919, Inclusive

BISMARCE TRIBUNE, STATE PRINTERS

SENATE MEMBERS

| | Name | County | |
|----|--------------------|-------------|-------------|
| 1 | Walter Welford | Pembina | Neche |
| 2 | John E. Fleckten | | |
| 3 | Christ Levang | | Adams |
| 4 | P. J. Murphy | | |
| 5 | J. P. Hemmingsen | Grand Forks | Shawnee |
| 6 | W. S. Whitman | | |
| 7 | Albert Stenmo | Grand Forks | Grand Forks |
| 8 | H. H. McNair | Traill | Portland |
| 9 | Gilbert W. Haggart | | |
| 10 | A. G. Storstad | Cass | Horace |
| 11 | Chas. E. Drown | | |
| 12 | E. M. Nelson | | |
| 13 | Richard McCarten | | |
| 14 | Peter A. Berg | Ransom | Englevale |
| 15 | Frank E. Ployhar | | |
| 16 | John L. Miklethun | | |
| 17 | C. I. Morkrid | | |
| 18 | W. H. Porter | | |
| 19 | John W. Benson | | |
| 20 | William J. Church | | |
| 21 | Frank H. Hyland | | |
| 22 | A. S. Bibbens | | |
| 23 | Thomas Pendray | | |
| 24 | E. A. Bowman | | |
| 25 | William Zieman | | |
| 26 | C. A. Ward | | |
| 27 | Carrol D. King | | |
| 28 | A. M. Hagan | | |
| 29 | Thorwald Mostad | | |
| 30 | F. W. Mees | | |
| 31 | M. L. McBride | | |
| 32 | 0. H. Olson | | |
| 33 | James A. Wenstrom | Wells | Dover |
| 24 | E. H. Kendall | McHenry | Norwich |
| 35 | John A. Beck | Sheridan | McClusky |
| 36 | John Weber | | |
| 37 | C. W. Carey | | |
| 38 | C. H. Noltimier | | |
| 39 | Geo. F. Hunt | | |
| | n | | Beach |
| 40 | Ralph Ingerson | | |
| 41 | Morten Mortenson | | |
| 42 | Andrew Oksendahl | | |
| 43 | Edward Hamerly | | |
| 14 | E. H. Sikes | Mountrail | Stanley |
| | | | |

| | Name | County | Address |
|----|------------------|--------------------|----------------|
| 45 | Ole Ettestad | .McHenry | Balfour |
| 46 | R. L. Fraser | . McLean | Garrison |
| 47 | J. I. Cahill | .Grant | Leith |
| 48 | A. A. Liederbach | . Mercer, Oliver & | Dunn Killdeer |
| 49 | H. P. Jacobsen | . Adams, Hettinge | r & Sioux Mott |

HOUSE MEMBERS

| Di | st. County | NamePaul Johnson | Address |
|----------|---------------|---------------------|--------------|
| 1 | Pembina | Paul Johnson | Mountain |
| 1 | Pembina | J. J. O'Connor | Neche |
| 1 | | William Pleasa | |
| 2 | | J. H. Burkhart | |
| 3 | Part of Walsh | Henning Gunha | as Edinburg |
| 3 | Part of Walsh | Alex Ferguson | Lankin |
| 4 | | W. R. Johnston | |
| 5 | | orksP. G. Hanson | |
| 6 | | orksJ. F. T. O'Conn | |
| 7 | | orksO. B. Burtness. | |
| 8 | | Ole O. Moen . | |
| 8 | | Oscar R. Nesv | |
| 8 | | Henry Strom | |
| 9 | | Ole L. Engen | |
| 9 | | Henry J. Rusch | |
| 9 | | L. L. Twitchell | |
| 10 | | F. R. Johnson | |
| 10 | | Elling Seversor | |
| 11 | Part of Case | Peter McLaugh | lin Hunter |
| 11 | | Robert Wadeso | |
| 12 | | H. B. Durkee | |
| 12 | | C. Ness | |
| 13 | | Nels Petterson | |
| 13 | | Frank Riba | |
| 000 | | | |
| 14 | | Fred. J. Nims | |
| 14 15 | | Burl Carr | |
| 155 | | | |
| 16 | | sS. W. Johnson | |
| 16 | | sS. R. Klein | |
| 16 | | s William Bjerke | |
| 17 | | Lars O. Fredric | |
| 17 | | F. W. Keitzman | |
| 18 | | C. B. Hammon | |
| 18 | | Jos. McGauvra | |
| 18 | | John Reid | |
| 19 | | Joseph Renaulo | |
| 19 | | James McManu | |
| 20 | | John R. Maddoo | |
| 20 | | John F. Randa | |
| 21 | Ramsey | | Brocket |
| 21 | Ramsey | Adolph Mikkels | sonGarske |
| 21 | Ramsey | Martin Olsen . | Devils Lake |
| 22 | Towner | A. J. McLarty | Starkweather |
| 22 | Towner | J. W. Dungan | Cando |
| 23 | Stutsman | John U. Hemm | iJamestown |
| | | | |

| Dist | . County | Name | Address |
|------|--|-------------------|----------------|
| 23 | Stutsman | L. H. Larson . | Courtenay |
| 23 | Stutsman | | |
| 23 | Stutsman | N. E. Whipple | Jamestown |
| 24 | LaMoure | James Brady . | Jud |
| 24 | LaMoure | John Kelder . | Verona |
| 25 | Dickey | Robert H. Johns | sonFullerton |
| 25 | Dickey | A. S. Marshal | Forbes |
| 26 | Emmons and Kidder | | |
| 26 | Emmons and Kidder | | |
| 26 | Emmons and Kidder | | |
| 26 | Emmons and Kidder | | |
| 27 | Burleigh | | |
| 27 | Burleigh | | |
| 27 | Burleigh | | |
| 28 | Bottineau | | |
| 29 | Part of Ward | | |
| 29 | Part of Ward | | |
| 29 | Part of Ward | | |
| 30 | Morton | | |
| 30 | Morton | | |
| 30 | Morton | | |
| 31 | Stark | | |
| 31 | Stark | | |
| 31 | Stark | | |
| 32 | Eddy and Foster | | |
| 32 | Eddy and Foster | | |
| 33 | Wells | | |
| 33 | Wells | Roy B. Weld . | Chaseley |
| 34 | Part of McHenry | F. E. Lazier | Barton |
| 35 | Sheridan | John Nathan . | Goodrich |
| 36 | McIntosh and Logan | T. T. Donner . | Danzig |
| 36 | McIntosh and Logan | Henry Nathan | Lehr |
| 36 | McIntosh and Logan | Herman Hardt | Napoleon |
| 37 | | | |
| 37 | Part of Richland | William E. Kı | uegerHankinson |
| 38 | | | |
| 35 | | B. D. Arnold. | |
| | Golden Valley & | Slope Gust Wog | |
| | | | DeSart |
| 4 | The second contract of | | |
| 4 | | | |
| 4 | | | |
| 4 | | | |
| 4 | 1 Williams and McKe | nzieJ. K. Brostue | enCharbonneau |

| 41 | Williams and McKenzie. Kristian Hall Wildrose |
|----|---|
| 41 | Williams and McKenzie. Robert Byrne Arnegard |
| 41 | Williams and McKenzie. Fred Eckert Williston |
| 42 | PierceL. A. LarsonTunbridge |
| 42 | Pierce |
| 43 | Renville |
| 44 | Mountrail Frank J. Haines White Earth |
| 44 | Mountrail Walter J. Maddock Plaza |
| 45 | Part of McHenry E. E. Bryans Voltaire |
| 46 | McLean A. L. Maxwell Turtle Lake |
| 46 | McLean |
| 46 | McLean |
| 47 | Grant |
| 47 | Grant J. Ivers Elgin |
| 48 | Mercer, Oliver and Dunn J. A. Harris Stanton |
| 48 | Mercer, Oliver and Dunn E. W. Herbert Dunn Center |
| 48 | Mercer, Oliver and Dunn R. H. Walker Yucca |
| 49 | Adams, Hettinger and O. H. Opland |
| | Sioux |
| | H. O. Bratsberg Reeder |

Journal of the Senate

Sixteenth Legislative Assembly

FIRST DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 7, 1919.

At the hour of 12 o'clock meridian, being the day and hour appointed by law for the convening of the Sixteenth Legislative Assembly, members of the Senate assembled in the Senate Chamber, and were called to order by Secretary W. J. Prater.

Prayer was offered by the Chaplain, Rev. Hutcheson.

Mr. Welford moved that a committee of three be named to escort the Lieutenant-Governor-elect to the Senate Chamber, which motion prevailed and the secretary named Messrs. Welford, Jacobsen and Hemmingsen.

BISMARCK, NORTH DAKOTA, January 7, 1919.

Mr. W. J. Prater, Secretary of the Senate, Sixteenth Legislative Assembly, Bismarck, North Dakota.

Dear Sir: I hereby certify that the following is, according to the records of my office, a true and correct list of the names and addresses of those duly qualified as members of the Sennate of the Sixteenth Legislative Assembly of the State of North Dakota:

| Name. | County. | Postoffice. |
|---------------|-------------------|-------------|
| Walter Welf | ordPembina | Neche |
| John E. Flec | ktenWard | Niobe |
| Christ Levan | gWalsh | Adams |
| P. J. Murphy | yWalsh | Grafton |
| J. P. Hemm | ingsenGrand Forks | Shawnee |
| W. S. Whitn | nan Grand Forks | Grand Forks |
| Albert Stenn | no Grand Forks | Grand Forks |
| H. H. McNai | rTraill | Portland |
| Gilbert W. I | HaggartCass | Fargo |
| A. G. Storsta | nd Cass | Horace |
| Chas. E. Dro | own Cass | Page |
| E. M. Nelson | Richland | Fairmount |

| Name. | County. | Postoffice. |
|-------------------|--|--------------|
| Richard McCarten | Sargent | Cogewall |
| Peter A Berg | Ransom | Englovala |
| Frank E Ployber | Barnes | Vallay City |
| John L. Miklethun | Griggs | Wimbledon |
| C. I. Morkrid | Nelson | Patarshurg |
| W. H. Porter | Cavalier | Calvin |
| | Rolette | |
| | Benson | |
| | Ramsey | |
| | Towner | |
| | Stutsman | |
| E. A. Bowman | LaMoure | Kulm |
| William Zieman | Dickey | Oakes |
| | Emmons | |
| | | Menoken |
| A. M. Hagan | Bottineau | Westhope |
| Thorwald Mostad | | Minot |
| F. W. Mees | Morton | Glen Ullin |
| M. L. McBride | Stark | Dickinson |
| O. H. Olson | Eddy | New Rockford |
| James A. Wenstr | omWells | Dover |
| E .H. Kendall | McHenry | Norwick |
| John A. Beck | Sheridan | McClusky |
| John Weber | McIntosh | Wishek |
| C. W. Carey | Richland | Lidgerwood |
| C. H. Noltimier | Barnes | Valley City |
| Geo. F. Hunt | Golden Valley . | Beach |
| Ralph Ingerson | Burke | Flaxton |
| Morten Mortenson | Williams | Hofflund |
| | | Tunbridge |
| Edward Hamerly | Renville | Sherwood |
| E. H. Sikes | Mountrail | Stanley |
| Ole Ettestad | McHenry | Balfour |
| R. L. Fraser | McLean | Garrison |
| J. I. Cahill | Grant | Leith |
| | | Killdeer |
| H. P. Jacobsen. | Hettinger | Mott |
| | THE RESERVE OF THE PARTY OF THE | |

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota, this 7th day of January, 1919.

THOMAS HALL, Secretary of State.

Mr. Pendray moved that a committee of three be appointed by the secretary to escort Chief Justice Christianson to the Senate Chamber, which motion prevailed, and the secretary appointed as such committee Messrs. Pendray, Carey and Benson.

The oath of office was then administered to Lieutenant-Covernor-elect Howard R. Wood.

The roll of the holdover Senators was called and the following responded to their names:

Beck, Benson, Cahill, Carey, Drown, Ettestad, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Jacobsen, King, Levang, McBride, McCarten, Mortenson, Mostad, Pendray, Ployhar, Stenmo, Welford, Wenstrom, Zieman.

The roll of the Senators-elect was called and the following

responded to their names:

Bowman, Church, Fleckten. Fraser, Gibbens, Hagan, Ingerson, Keldall, Liederbach, McNair, Mees, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Porter, Sikes, Storstad, Ward, Weber, Whitman.

Chief Justice Christianson adminstered the oath of office

to the above named Senators-elect.

Mr. Drown nominated W. J. Prater for the office of secretary of the Senate. There being no further nomiations the roll

was called and those who voted for Mr. Prater were:

Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendail, King, Levang, Liederbach, McCarten, McNair, Mees, Morten-son, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman,

Absent and not voting: McBride, Berg and Morkrid.

The President administered the oath of office to the Sec-

retary-elect W. J. Prater.

Mr. King moved that Mr. McCarten be elected President pro tem of the Senate, which motion prevailed, and Mr. McCarten was elected President pro tem.

Mr. Benson nominated O. K. Lageson for Sergeant at Arms of the Senate. There being no further nominations the roll was called and those who voted for Mr. Lageson were:

Beck, Benson, Bowman, Cahill, Carey, Church, Drown, ly. Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, McBride, and Morkrid.

The President administered the oath of office to Sergeant at Arms-elect, O. K. Lageson.

Mr. Bowman moved that the rules of the last Senate be in force until new rules are adopted.

Which motion prevailed.

Mr. Mostad moved that all absent Senators be excused.

Which motion prevailed and they were excused.

Mr. Wenstrom moved that the President appoint a committee of four to act as a committee on Commitee Appointments.

Mr. McNair nominated as employees of the Senate:

| Assistant Secretary | M A Stanley |
|---------------------------------------|--------------------|
| Desk Stenographer | |
| Doorkeeper | |
| Enrolling and Engrossing Clerk | |
| Ass't. Enrolling and Engrossing Clerk | |
| Bill Recording Clerk | A. W. Luehrs |
| Bill Room Clerk | H. A. Thomas |
| Bill Messenger | Nels Grorum |
| Messenger and Post Master | M. E. Batterbury |
| Chaplains | Bismarck Ministers |
| Mailing Clerk | Reuben Harper |
| Cloak Room Attendant | |
| Clerk, Appropriations | Carl Hugo Carlson |

| Clerk, State Affairs | Carl Wallin |
|----------------------|--|
| Clerk, Judiciary | |
| Committee Clerk | |
| Janitor | |
| Janitor | |
| Page | |
| Page | |
| Page | |
| Stenographer | |
| | The state of the s |

There being no other nominations the roll was called and those who voted in the affirmative were:

Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Etterstad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, McBride, and Morkrid.

The President administered the oath of office to:

| Assistant Secretary | M. A. Stanley |
|---------------------------------------|--------------------|
| Desk Stonegrapher | |
| | |
| Doorkeeper | |
| Enrolling and Engrossing Clerk | Will H. Wright |
| Ass't. Enrolling and Engrossing Clerk | J. P. Simons |
| Bill Recording Clerk | |
| Bill Room Clerk | |
| Messenger and Post Master | |
| Cloak Room Attendant | |
| | |
| Clerk, Appropriations | |
| Clerk, State Affairs | Carl Wallin |
| Clerk, Judiciary | John W. Clark |
| Committee Clerk | C. L. Seibel |
| Janitor | C. W. Sherwin |
| Janitor | Jack Roth Schiller |
| Page | Guy Grove |
| Page | |
| Page | |
| Stenographer | |
| | |
| Stenographer | |
| Stenographer | Miss Hoffman |
| Stenographer | Rose McDonnell |
| | |

Mr. Benson moved that the President appoint a committee of three to act with a like committee of the House to wait upon the Governor to ascertain at what time he desired to present his message to the Legislature in joint session.

Which motion prevailed.

The President appointed as such committee, Messrs. Benson, Beck and Levang.

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

Which motion prevailed.

The President appointed as such committee Messrs. Cahill,

Hyland and Storstad.

Mr. McCarten moved that a committee of three be appointed 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. McCarten, Gibbens and Ettestad.

Mr. Cahill moved the adoption of the following report:

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

Mr. Hemmingson moved that the Senate recess subject to the call of the President.

Which motion prevailed.

AFTER RECESS

Senate convened pursuant to recess taken.

Mr. McCarten moved the adoption of the following report: Mr. President: Your committee appointed to notify the Governor that the Senate is organized and ready to receive any communication he may have to make to the Senate, report that they have performed their duty.

Mr. Cahill moved that the Senate do now proceed to the selection of their seats for the session, which motion prevailed.

The President appointed as members of the committee on committee appointments Messrs. Wenstrom, Welford, Stenmo and Hagen.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, January 7, 1919.

Mr. President: I have the honor to inform you that the Speaker has appointed as a joint committee of three from the House to meet with a like committee from the Senate to make arrangements for the Joint Session, Messrs. Patterson, Nesvick and Hanson.

> (Signed) GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Hanson moved the adoption of the following report:

Mr. President: The committee named to wait upon the Governor beg leave to report that the Governor would be eased to deliver his message to the two houses in joint session at 2:30 p. m., January 8, 1919, which motion prevailed and the report was adopted.

Mr. Cahill moved that the committee appointed to wait upon the Governor be made a permanent committee to ar-

range for the joint session, which motion prevailed.

Mr. McNair moved that the Senate do now take a recess until 1:30 p. m. tomorrow, which motion prevailed, and the Senate took a recess.

W. J. PRATER, Secretary.

FIRST DAY AFTER RECESS, AND SECOND DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 8, 1919.

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

The President appointed as Committee on Rules, Messrs.

Sikes, Levang, Mees, Fraser, Cahill, McCarten, Jacobsen. The President appointed as Committee on Elections, Messrs, Hagan, Hunt, Mostad, Stenmo, Olson, Fleckten, Mees, Porter, McBride.

The President appointed as a Temporary Committee on the correction and revision of the journal, Messrs. Bowman Liederbach, Kendall.

Message from the Governor.

To the Sixteenth Legislative Assembly of the State of North Dakota:

I transmit herewith the Financial Statement and Report of the North Dakota State Fair Association of Fargo for the years 1917 and 1918.

Reports of other Fair Associations are not complete and will be submitted when received.

Respectfully submitted.

LYNN J. FRAZIER, Governor.

Mr. King moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

SECOND DAY

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

Prayer was offered by the Chaplain Rev. Hutcheson.

Roll call.

All members present except Senator Berg, who was excused.

Mr. Hyland moved that the report of the committee on the

correction and revision of the journal be deferred, which motion prevailed.

Mr. Cahill moved that all absent Senators be excused, which motion prevailed.

Mr. King moved that a committee of three be appointed to make arrangements for the taking of the photographs and arranging large picture of the members of the Senate, which motion prevailed, and the President appointed as such committee Messrs. King, Liederbach and Murphy.

mittee Messrs. King, Liederbach and Murphy.

Mr. Levang moved that the Senate do now take a recess subject to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

A committe from the House announced that the House was awaiting to receive the Senate in joint session to receive the message from Governor, Hon. Lynn J. Frazier.

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

The following joint resolution introduced by Senator Church was adopted by a standing vote of the joint assembly.

BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES IN JOINT SESSION ASSEMBLED:

That, we, the members of the Sixteenth Legislative Assembly of the State of North Dakota, have learned with deep regret that Theodore Roosevelt, former president of the United States and once a resident of this state, whose pioneer logachin now stands upon the Capitol grounds, has departed from this life.

In his years of Public activity we gladly remember the things he gave to the nation that will be of enduring good.

Theodore Roosevelt encouraged vigorous manhood. He inspired men with a desire for achievement, and was himself the living embodiment of untiring activity.

He helped to arouse the public conscience and to inform the public mind as to the social and industrial injustice of the times.

He exercised at all times the right of full and free discussion of governmental affairs, upholding without restraint and without fear the inherent right of the citizen to speak and write concerning the government, of which he is a part, whatever words of commendation, censure or counsel seemed to him proper to the time and to the occasion.

The exercise of these qualities confers a lasting benefit upon mankind, and for such attributes we desire to remember Theodore Roosevelt at this time, and to place a memorial of him upon the permanent records of this Legislative Assembly.

THEREFORE, BE IT FURTHER RESOLVED: That these resolutions be spread at large upon the Journal of each House of the Assembly; that the Secretary of State be instructed to send one engrossed copy of same to the bereaved family, and that as a mark of respect to the memory of Theodore Rooselt, this joint assembly, after retiring to their respective chambers, do stand in recess until 1:30 o'clock p. m. tomorrow, January 9th, 1919.

The Senate reassembled, the President presiding.

PRESENTATION OF PETITIONS AND COMMUNICATIONS

January 6, 1919.

To the Members of the Senate of the Sixteenth Legislative Assembly:

Sirs: I have the honor to transmit herewith certificate of M. L. Bean, Justice of the Peace, notice of contest, answer, depositions and exhibits, in re contest of D. H. Hamilton vs. E. H. Kendall for the office of State Senator from the Thirty-fourth Legislative District.

THOMAS HALL, Secretary of State.

Mr. Hagan moved that the matter of the contest of D. H. Hamilton against E. H. Kendall be referred to the committee cn elections, which motion prevailed and the matter was so referred.

The President administered the oath of office to Dorothy

Knowles, stenographer.

Mr. Church moved that the Senate do now take a recess until 1:30 p. m. tomorrow, which motion prevailed and the Senate took a recess.

W. J. PRATER, Secretary.

SECOND DAY AFTER RECESS, AND THIRD DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 9, 1919.

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

LIST OF COMMITTEES IN THE SENATE

The President announced the appointment of the following standing committees:

AGRICULTURE—Ettestad, Pendray, Ingerson, Carey, Hemmingsen, Mostad, Nelson, Kendall, Zieman, Beck, Morkrid.

APPORTIONMENT—Weber, Ettestad, Olson, Whitman, Porter, Murphy, Ingerson, Gibbens, Mostad, Hagan, Hunt, McBride, Benson, Welford, Haggart, Nelson, Sikes, Ployhar, King, Liederbach, Pendray, McNair, Zieman.

APPROPRIATIONS—McCarten, Levang, Sikes, Mortenson, Gibbens, Hamerly, Weber, Hunt, Jacobsen, Miklethun, Liederbach, Bowman, Beck, Hemmingsen, Kendall, Fleckten, Church. BANKS—Levang, Bowman, Wenstrom, Hagan, Mees, Cahill, Benson, Ingerson, Mostad, Jacobsen, Fraser, Ettestad, Miklethun, Ward, Fleckten.

CITIES AND MUNICIPAL CORPORATIONS—Bowman, Mees, Mostad, Cahill, Haggart, King, Whitman, McCarten, McBride, McNair, Stenmo.

CORPORATIONS, OTHER THAN MUNICIPAL—Olson, Storstad, Morkrid, McCarten, Drown, McBride, Berg, Noltimier, Kendall.

COUNTIES-Benson, Zieman, Pendray, Liederbach, Beck, Etterstad, Ingerson, Jacobsen, Fleckten, Miklethun, Hunt.

EDUCATION—Stenmo, Mortenson, McNair, Hunt, Gibbens, Hemmingsen, Storstad, Murphy, Zieman, Weber, Oksendahl.

ELECTIONS—Hagan, Hunt, Mostad, Stenmo, Olson, Fleckten, Mees, Porter, McBride.

ENROLLED AND ENGROSSED BILLS—Storstad, Church, Berg, Whitman, Oksendahl.

FEDERAL RELATION—Liederbach, Noltimier, Hamerly, Fraser, Morkrid, Ployhar, Zieman.

GAME AND FISH-Zieman, Oksendahl, Hamerly, Mortenson, Haggart, Weber, Fleckten, Hyland, Ward.

HIGHWAYS-King, Liederbach, Storstad, Nelson, Mortenson, Mostad, Haggart, Weber, Church, Ward, Murphy.

IMMIGRATION-Noltimier, Hemmingsen, Ward, Welford, Whitman, Stenmo, Hyland, Ingerson, Porter.

INDIAN AFFAIRS—Jacobsen, Morkrid, Kendall, Hagan, Liederbach.

INSURANCE—Welford, Olson, King, Wenstrom, Murphy, Levang, Ingerson, McNair, Weber, Miklethun, Mortenson.

IRRIGATION AND DRAINAGE—Church, Welford, Hemmingeson, Ettestad, Ployhar, McNair, Storstad, Whiman, Wenstrom.

JUDICIARY—Fraser, McNair, Benson, Welford, Mostad, Hagan, Church, McBride, Levang, Olson, Oksendahl, McCarten, Storstad, Ward, Wenstrom, Noltimier, Liederbach, Drown.

LIVESTOCK—Ward, Miklethun, Drown, Zieman, Nelson, Noltimier, Ettestad, Kendall, Stenmo, Carey, Benson, Hyland, Weber, Whitman, Beck.

MILITARY AFFAIRS—Berg, Sikes, Wenstrom, Welford, Kendall, Hamerly, Ployhar, Fraser, Hyland.

MINES AND MINERALS—Mees, Mostad, Bowman, Jacobsen, Fleckten, Hunt, McBride, Oksendahl, Mortenson.

PUBLIC HEALTH-Mortenson, Benson, Pendray, Nelson Wenstrom, Oksendahl, Porter, Hemmingsen, Stenmo.

PUBLIC LAND—Ingerson, Drown, Cahill, Zieman, Nelson, Hamerly, Bowman, Jacobsen, Weber, Porter, McCarten.

PUBLIC PRINTING—Hunt, Berg, Miklethun, Sikes, Ployhar, Olson, Levang, Murphy, Ettestad.

RAILROADS—Mostad, Cahill, Levang, Morkrid, Pendray, Ettestad, King, Nelson, Olson, McNair, Sikes, Ployhar, Ward, Kendall, McCarten, Berg, Benson.

REVISION AND CORRECTION JOURNAL-McNair, Liederbach, Porter.

RULES—Sikes, Levang, Mees, Fraser, Cahill, McCarten, Jacobsen.

STATE AFFAIRS—Cahill, Wenstrom, King, Sikes, Benson, Hunt, Hyland, Bowman, Olson, Liederbach, Welford, McNair, Mortenson, Mees, Hagan, Hamerly, Miklethun

STATISTICS—Hamerly, Hemmingsen, Weber, Whitman, Beck, Zieman, Carey.

TAXES AND LAWS—Pendray, Mees, Hunt, Cahill, Jacobsen, Fraser, Ettestad, Storstad, Zieman, Oksendahl, Hemmingsen.

TEMPERANCE—Hemmingsen, Pendray, Bowman, Olson, Gibbens, Church, Beck, Miklethun, Carey, Morkrid, Murphy.

WAREHOUSE AND GRAIN GRADING—Drown, Hagan, Olson, Pendray, Gibbens, Mostad, McNair, Carey, Church, Ward, Levang, Hamerly Ingerson, Kendall, Mees.

WAY AND MEANS—Wenstrom, Stenmo, Fraser, Bowman, Beck, Church, Pendray, Jacobsen, Drown, Fleckten, Storstad.

WOMEN SUFFRAGE-Morkrid, Fleckten, Benson, Hagan, Hyland, Stenmo, King.

MOTIONS AND RESOLUTION

Mr. Welford introduced the following concurrent resolution:

WHEREAS the United States entered the world war, not for purposes of conquest in its own behalf or in the behalf of any other nation, but solely for the purpose of helping to make this the last war, by creating a WORLD DEMOCRACY; and

WHEREAS the imperialistic ambitions of the Central Powers of Europe have been overthrown, and the Junker policy of commercial expansion by force no longer threatens the peace of the world; and

WHEREAS there are many indications that the effort will be made by the representatives of some of the allied powers at the coming peace conference to assume the roll of attempted world domination which drove the world into war with Germany; and

WHEREAS if this policy is permitted to prevail it may reestablish the very wrongs which made necessary the war with Germany, and in the end could only lead either to a resistless WORLD DESPOTISM, or to other wars; and

WHEREAS the fourteen points of President Wilson have been reasonably interpreted and sincerely adopted by the labor and democratic organizations in Great Britain, France, Italy, Russia, in the Orient, and among all neutral nations, as well as in the central territories of Europe; and

WHEREAS any effort to preserve and perpetuate any scheme of balance of power, or of delegating to any nation responsibility for the freedom of the seas, or for the administration of the affairs of alien countries, tends only to imperialism, to competition betweer "orld powers for special advantages to be granted to some countries and to be withheld from others; all of which would make a real world democracy impossible and tend to other wars for world dominion:

THEREFORE, BE IT RESOLVED by the LEGISLATIVE ASSEMBLY of the STATE OF NORTH DAKOTA, assembled in its sixteenth regular biennial session:

1. THAT we declare our unfaltering support of the fourteen points of President Wilson, as reasonably interpreted by the labor and the democratic forces of the world, and as involving a League of Nations;

Which shall be established by the consent of all countries, not by the conquest of any;

Which shall be governed by the elected representatives of all the peoples, not by the appointed spokesmen of the great private interests;

Which shall provide and protect equal opportunities and equal rights for the citizens of all nations in their international relations with each other:

Which shall especially protect the small nations and be the guardian of backward peoples, and shall restrain those of any one country who attempt to exploit the peoples or the resources of any other country;

Which shall have a sufficient military and naval force to police the seas, and to protect international boundary lines, and power to direct the disarmament of all nations and the demobilization of all armies not deemed necessary for the maintenance of domestic order.

2. THAT A COPY of these resolutions be cabled to President Wilson, and be transmitted to the representatives of the labor and democratic organizations of all countries.

THAT in the adoption and transmission of these resolutions, we solemnly pledge our support to PRESIDENT WIL-SON, and our co-operation with the labor and democratic or-ganizations of all countries, assuring them that the farmers of America, together with all organizations of labor, joint with our President in declaring that "we are fighting, not for anything for ourselves," but for the peace of the world under a world democracy.

Mr. Welford moved that the resolution be referred to appropriate committee, which motion prevailed, and the President referred the resolution to the committee on state affairs. INTRODUCTION, FIRST AND SECOND READING

SENATE BILLS

Mr. Fraser introduced Senate Bill No. 1. A bill for an act providing for the calling in and the payment of the expenses of the Judge of another Judicial District for the trial of civl actions in the District Court on the ground of prejudice of the trial Judge, and providing for an appropriation therefor.

Was read the first and second time and referred to the

committee on Judiciary.

Mr. Hamerly moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

THIRD DAY

The Senate convened at 2 o'clock p. m., the President pre-

Prayer was offered by the Chaplain Rev. Hutcheson.

Roll Call.

All members present except Senator Berg, who was excused. Mr. Church moved that a committee be appointed to draft suitable resolutions on the death of former Senator Kirkeide, which motion prevailed, and the President appointed as such committee Senator Church.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Jacobsen introduced Senate Bill No. 2. A bill for act providing for hearing petitions for letters of administration and probating of wills.

Was read the first and second time and referred to the

committee on Judiciary.

Mr. Jacobsen introduced Senate Bill No. 3. A bill for act to amend and re-enact Section 8659 of the Compiled Laws of North Dakota for the year 1913 relating to petition for letters of administration prescribing the contents and providing for hearing thereon.

Was read the first and second time and referred to the

committee on Judiciary.

Mr. Murphy introduced Senate Bill No. 4. A bill for an act providing for the service in a uniform manner and publication a uniform number of times of all notices, citations, process and orders, when the same are required by the Probate Code to be served or published, and to amend Sections 8557, 8734, 8770, 8772, 8774 and 8834, Compiled Laws of 1913.

Was read the first and second time and referred to the

committee on Judiciary.

The Senate returned to the third order of business.

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 1st

day and recommend that the same be corrected as follows: Page 1 line 38, correct the spelling of "Drown;" page 2 line 10, correct the spelling of "Frank H. Hyland;" line 19 page 2, correct spelling of "F. W. Mees;" page 2 line 23, put word "Norwich" in place of Dover; line 37, page 2, correct the spelling of name "Leiderbach;" Page 2 line 49, correct the spelling of the word Governor- elect; page 2 line 52, correct the spelling of the name "Drown;" page 3, line 2, correct the spelling of name "Gibbens"; page 3, line 7, correct the spelling of the word "to"; page 3, line 8, correct the spelling of the name "Drown" and the word "nominated;" page 3, line 11, correct the spelling of the name "Drown;" page 3, line 13, correct the spelling of the name "Kendall;" page 3, line 18, strike out and put in its place the following: "Absent and not voting McBride. Berg and Morkrid;" page 3, line 27, correct the spelling of the name "Drown;" page 3, line 29, correct the spelling of the name "Kendall" and add the following names: "King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson;" page 3, line 30, put a comma after the name "Murphy and Nelson;" page 3, line 47, correct the spelling of the word "doorkeeper"; page 3, line 48, correct the spelling of the name, "Will H. Wright"; page 4, line 5, correct the spelling of the name, "Both"; page 4, line 15, correct the spelling of of the name "Roth"; page 4, line 16, correct the spelling of the name "Drown"; page 4, line 20, correct the spelling of the name "Oksendahl"; page 4, line 28, correct the spelling of the name "Will H. Wright;" page 4, line 33, strike out line 33; page 4, line 45, correct the spelling of the name "Nettie Rukstad;" page 4, line 53, correct the spelling of the word "appointed:" page 5, line 26, omit the ffl" at the end of line; page 5, line 40, put the following: "Signed Geo. A. Totten, Jr. Chief Clerk"; page 5, line 47, correct the spelling of the word "Mr"; page 5, line 50, correct the spelling of the name "McNair."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee on revision and correction of the journal have carefully examined the Journal of the 1st day after recess and second day and recommend that the same be corrected as follows: Page 2, strike out lines No. "41 and 42" and add the following: "Write concerning the government, of which he is a part. whatever words of commendation. censure or counsel seemed to him proper to the time and to the occasion." Page 3, line 11, correct the spelling of the word "Mr."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate returned to the eighth order of business.

Mr. Bowman introduced the following concurrent resolution: BE IT RESOLVED by the Senate of the State of North Dakota, the House of Representatives concurring.

WHEREAS, There is now pending before the Senate of the

United States an amendment to the Federal Constitution, known as the Susan B. Anthony National Suffrage Amendment: and.

WHEREAS, The Legislative Assembly of the State of North Dakota believe that the same should be submitted to the states Union as an amendment to our Federal Constitution:

NOW, THEREFORE, BE IT RESOLVED, That the State of North Dakota through its Legislative Assembly, does herewith respectfully petition and urge the National Senate of the United States to favorably consider and early approve the said Susan B. Anthony National Suffrage Amendment; and.

' BE IT RESOLVED, That the Secretary of State be instructed to send a copy of these Resolutions to the Senators and Representatives of the state of North Dakota in Congress.

Br. Bowman moved that the resolution be referred to appropriate committee, which motion prevailed, and the resolution was referred to the committee on women suffrage.

Mr. Pendray moved that the Senate take a recess subject to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. Fraser introduced the following concurrent resolution:

WHEREAS. It is necessary to secure immediately committee rooms for both the Senate and the House of Representatives during the present session, therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING:

That the Board of Control be, and is hereby, instructed to secure immediately, a sufficient number of suitable rooms for the use of the committees of the House and Senate.

BE IT RESOLVED, That this resolution be enrolled and copies of it be filed by the chief clerk with the Board of Control.

The roll was called and those voting ayes were: Beck, Benson, Bowman, Cahill, Church, Ettestad, Fraser, Haggart. Hamerly, Hemmingsen, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Ployhar, Sikes, Storstad, Ward, Weber, Whitman, Zieman.

Absent and not voting: Berg, Carey, Drown, Fleckten, Gibbens, Hunt, Hagan, Kendall, McBride, McNair, Mees, Mostad, Olson, Pendray, Porter, Stenmo, Welford, Wenstrom.

So the resolution passed.

Mr. Whitmore introduced Senate Bill No. 5. A bill for an act to provide suitable monuments, memorials or tokens of appreciation of the men of North Dakota who entered the service of the United States in the war with Germany for Liberty, Justice, Humanity and Democracy.

Was read the first and second time and referred to the committee on appropriations,

The Senate returned to the sixth order of business.

The Committee.

ORDER OF DAILY BUSINESS

After calling the Senate to order the following order shall govern:

1. Prayer by the chaplain.

2. Calling the roll.

3. Reading and approval of the Journal.

4. Unfinished business.

- 5. Presentation of petitions and communications.
- 6. Reports of standing committees. 7. Reports of select committees. 8.

Motions and resolutions.

9. Introduction of bills, joint resolutions and memorials.

Consideration of messages from the House. 10.

First reading of Senate bills, joint resolutions and 11. memorials.

Secnd reading of the same. 12. Third reading of the same.

- 14. First reading of House bills, joint resolutions and memorials.
 - 15. Second reading of the same. Third reading of the same.
 - 17. Consideration of general orders.

RULES

The President shall take the chair at 2 o'clock P. M., or the hour to which the Senate was adjourned, and call the Senate to order, and if a quorum be present he shall direct the Journal of the preceding day to be read and mistakes or omissions, if any, corrected. He shall preserve order and decorum, and decide all questions of order, subject to an appeal to the Senate.

2. Eight members may have a call of the Senate, and compel the attendance of absent members, until the call be dispensed with by a constitutional majority.

3. Questions shall be put in this form: "As many as are of the opinion that (as the case may be) say aye," and after the affirmative voice is expressed, "As many as are of the contrary opinion say "no." If the President doubt, or a division be called for, the Senate shall divide; those in the affirmative of the question shall arise from their seats, and afterwards those in the negative.

4. All motions, except to adjourn, postpone or commit shall be reduced to writing if required by any member of the Senate.

Any motion may be withdrawn by consent of the Senate.

No member shall interrupt the business of the Senate while the Journal is being read, or when any member is speaking in debate, except on questions of privilege.

Bivery member present, when the question is put shall vote unless he shall, for a special cause, be excused by a two-thirds vote of the Senate present, but no member shall vote

thirds vote of the Senate present; but no member shall vote on any question in which he is directly or personally interested, or any case where he was not present when the question was put.

When any member is about to speak in debate, or debate on any matter in the Senate, he shall rise from his seat and respectfully address himself to 'Mr. President" and shall stand in his place until recognized by the chair, and shall confine himself to the question under debate, and avoid personalities

and the implication of improper motives.

8. When a question is under debate no motion shall be received except to adjourn, to lay on the table, to move for the previous question, to move to postpone to a day certain, to commit or amend, postpone indefinitely-which several motions shall have precedence in the order in which they are named and no motion to postpone to a day, certain, to commit, to postpone indefinitely, having been decided, shall be entertained on the same day and at the same stage of the bill or proposition.

When two members rise the President shall name the member to speak. No member shall speak more than twice on the same subject, without leave of the Senate, nor more than once until every member choosing to speak on the subject pending shall have spoken, nor shall any member occupy more than ten minutes at the first time, nor more than five minutes at the second time, without unanimous consent of the Senate; but in all cases the members who shall first address the chair shall speak first.

10. If any member, in speaking or otherwise, transgress the rules of the Senate, the presiding officer shall, or any member may, call him to order, and when a member shall be called to order by the President or a member of the Senate he shall sit down, and shall not proceed without the leave of the

Senate.

11. Every question of order shall be decided by the President, subject to an appeal to the Senate, and the President may call for a sense of the Senate on any question of order.

12. If any member be called to order by another member for words spoken the words excepted to shall immediately be taken down in writing, that the Senate may be better able to judge of the matter.

13. A motion to adjourn and to lay on the table shall be

decided without debate.

14. Any member may call for a division of the question, which shall be divided if it comprehends propositions in substance so distinct, that on being taken away a substantive proposition shall remain for the decision on the Senate. motion to strike out and insert shall be deemed divisible; but a motion to strike out being lost, shall preclude neither amendments nor motions to strike out and insert.

No motion shall be debated until the same shall be

seconded and stated by the President.

When the reading of a paper is called for and the same is objected to by any member, it shall be determined by the Senate.

17. The unfinished business in which the senate was engaged at the last proceeding adjournment, shall have the pref-

erence in the special order of the day.

18. Every bill and joint resolution shall be introduced on the report of a committee, or on a call for bills and joint resolutions, or by a motion for leave, unless objected to by one member of the Senate, which shall carry it over for one day; and such objection may be made at any time on or before the first reading is completed.

19. Every bill shall be read three several times, but the first and second reading, and those only, may be upon the same day; and a second reading may be by title of a bill, unless a reading at length be demanded. The first and third reada reading at length be demanded. ings shall be at length.

20. The first reading of a bill shall be for information, and the bill shall be presented and go to its second reading without further question.

21. Upon the second reading of a bill or joint resolution, the President shall refer it to its appropriate committee, un-

less the Senate upon motion, decide to refer the same to a select or other standing committee, or to committee of the whole Senate; if to the committee of the whole Senate, then it shall come up for consideration under the general order of the next day, unless otherwise ordered by the Senate.

No bill or joint resolution shall be committed or amended until it shall have been twice read; nor shall any such bill or joint resolution have its third reading and be put upon its final passage until at least one day after the same has been reported to the Senate by the committee to which the same has been referred; provided, that any bill or joint resolution may have its third reading and be put upon its final passage on the day the same is reported back, when so ordered by two-thirds of the members of the Senate present.

23. On the third reading of every bill or resolution, any amendment may be received and it may be recommitted at

any time previous to its final passage.

24. No bill shall be revised or amended, nor the provisions thereof extended or incorporated in any other bill by reference to its title only, but so much thereof as is revised, amended or extended or so incorporated, shall be re-enacted and published at length.

25. No bill shall become a law except by a vote of the majority of the members-elect in each house, nor unless on its

final passage, the vote be taken by ayes and nays, and the names of those voting be entered on the Journal.

26. The presiding officer shall, in the presence of the Senate, sign all bills and joint resolutions passed by the Senate. Immediately before such signing their title shall be publicly read, and the fact of signing shall be at once entered on the Journal.

No bills for the appropriation of money, except for the expenses of the Legislative session shall be introduced after the twenty-fifth day of the session, except by two-thirds vote of the Senate. All appropriation bills shall be reported back to the Senate by the committee to which they are referred not later than the thirty-fifth day of the session, unless upon the application of the committee, an extension of time is granted. No bills shall be introduced in the Senate after the granted. No bills shall be introduced in the Senate after the thirty-fifth day of the session, except by two-thirds vote. Every bill, or resolution, referred to a committee, except appropriation bills, must be returned to the Senate with the committee's report thereon, not later than the seventh day after it is referred unless, upon application of the committee, an extension of time is granted within which to consider it. In case the same is not reported on the seventh day after it is referred, and such time is not extended, it shall go automatically on the calendar of bills without recommendation.

28. In filling blanks the largest sum and longest time shall be first put. When a motion or question has been decided in the negative or affirmative, any member having voted with the prevailing side may move a reconsideration on the same or following day, but when a motion to reconsider is laid on the table, a motion to reconsider cannot again be made.

29. Before acting on executive business the Senate cham-ber shall be cleared, by the direction of the President, of all persons except members, the chief clerk and sergeant-at-arms to be sworn.

No standing rule or order of the Senate shall be reconsidered or suspended, except by a vote of two-thirds of the

members-elect, and no motion to suspend the rules and pass a bill shall be entertained except by unanimous consent, unless the bill has first been printed and considered by a committee.

- The rules of parliamentary practice comprised of "Reed's Parliamentary Rules" shall govern the Senate in all cases to which they are applicable, and in which they are not inconsistent with the standing rules and order of the Senate, and the joint rules of the Senate and House of Representatives.
- When the ayes and nays shall be called for by onesixth of the members present each member called upon shall, unless for special reasons he be excused by the Senate, declare openly and without debate, his assent or dissent to the question. In taking the ayes and nays upon the call of the House, the names of the members shall be taken alphabetically.

33. In the absence of the President of the Senate, of his refusal to act, the President pro tempore shall exercise all rights and prerogatives of the President for the time being.

34. All bills and joint resolutions, after the second reading, shall be printed, unless otherwise ordered by the Senate.

35. There shall be appointed by the President of the Senate

the following standing committees:

On judiciary, to consist of eighteen members.

On education, to consist of fifteen members.

On elections, to consist of nine members.

On appropriations to consists of seventeen members.

On railroads, to consist of thirteen members.

On state affairs, to consist of eighteen members.

On public lands, to consist of nine members.

On ways and means, to consist of eleven members.

On agriculture, to consist of eleven members.

On warehousing, grain and grain grading, to consist of eleven members.

On counties, to consist of seven members.

On engrossed and enrolled bills, to consist of five members. On banks and banking, to consist of fifteen members.

On cities and municipal corporations, to consist of eleven members.

On Indian affairs, to consist of five members.

On statistics, to consist of seven members.

On federal relations, to consist of seven members.

On insurance, to consist of eleven members.

On public printing, to consist of nine members.

On public health, to consist of nine members.

On temperance, to consist of eleven members.

On mines and minerals, to consist of nine members.

On rules, to consist of seven members.

On immigration, to consist of nine members.

On highways, bridges and ferries, to consist of eleven members.

On irrigation and drainage, to consist of nine members.

On apportionment, to consist of twenty-three members.

On corporations other than municipal, to consist of nine members.

On military affairs, to consist of nine members.

On woman suffrage, to consist of eleven members.

On game and fish, to consist of nine members.

On live stock and animal husbandry, to consist of eleven members.

On taxes and taxation, to consist of eleven members.

On revision and correction of the Journal, to consist of three members.

Also joint committees on the following subject:
On public buildings, to consist of five members.

On charitable institutions, to consist of five members.

On penal institutions, to consist of seven members.

On educational institutions, to consist of seven members.

On state library, to consist of five members. On joint rules, to consist of seven members.

36. A quorum for the transaction of business shall consist of a majority of members elected to the Senate.

37. No person shall be admitted within the bar of the Senate except the executive, members and officers of the House, state officers, judges of the Supreme Court and District Courts, members of Congress, those who have been members of Congress, and the Legislative Assembly, members of the constitutional convention, and all federal officials of the state, except by a vote of the Senate.

38. Members of the Senate introducing bills in the nature of amendments to laws now existing shall designate in the title of such amendatory Act the title of the Act and shall have printed at length in the bill the section or sections to

be amended.

39. All nominations from the executive shall be opened and read immediately in executive session and then be referred to their appropriate committees, unless otherwise ordered; and the final question on every nomination shall be: "Will the Senate advise and consent to the nomination?" which question shall not be put on the same day on which the nomination is received, nor on the day on which it may be reported by a committee, unless by unanimous consent.

40. All bills reported from committees with amendments shall be engrossed before being read the third time and placed

upon final passage.

41. All reports of special committees and motions to discharge a committee from the consideration of a subject, and all subjects from which a committee shall be discharged and all reports of standing committees recommending that a bill be indefinitely postponed, except reports made the last two days of the session, shall lie over one day for consideration unless, by unanimous consent the Senate shall otherwise direct.

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

without leave.

43. The sergeant-at-arms of the Senate, under the direction of the presiding officer, shall be the executive officer of the body for the enforcement of all rules made by the committee on rules, for the regulation of the Senate wing of the Capitol. The Senate floor shall be at all times under his immediate supervision, and he shall see that the various subordinate officers perform the duties to which they are especially assigned.

44. When a member rises to explain his vote upon any measure before the Senate, while the roll call is in progress, his words shall, at his request, be taken down by the stenographer and printed in the Journal; and upon request a

member may have his remark upon any question taken and extended on the record.

- 45. Upon a majority vote of the Senate the presiding officer shall refuse to sign any bill which may have passed the Senate and which the House shall have refused to return for further consideration on being properly requested so to do.
- 46. The chairman of any committee to whom a bill or resolution has been referred, shall if so ordered, by a vote of the majority of the Senate present, report such bill or resolution back to the Senate forthwith.

The Senate returned to the seventh order of business.

Mr. President: Your Special Committee appointed to draft resolutions on the death of the late Senator A. J. Kirkeide, beg leave to report as follows:

Whereas, The Hon. A. J. Kirkeide, Senator from the 20th district, Benson 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 Kirkeide, and that as a tribute of respect for his memory the Senate adjourn.

Senator A. J. Kirkeide was born in Stryn Norford, Norway, in 1860 and came to North Dakota in May 1882, settling on a homestead near Churches Ferry, Benson Co., shortly after, where he resided until the time of his death. His wife and six children surviving him, one of whom J. R. is in Mesopotania serving with the Canadian Contigent in the past war.

In life he was a staunch republican and was closely connected with the growth of Benson County, in which he resided and also of Ramsey County serving as Commissioner of Benson County for eight years and also in this Body for two terms having been elected to the Senate for the term of the 8th, 9th, 14th and 15th Legislative Assembly.

W. J. CHURCH, Chairman.

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

W. J. PRATER, Secretary.

FOURTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 10, 1919.

The Senate convened at 2 o'clock p. m., the President presid-

Prayer was offered by the Chaplain, Rev. Hutcheson. Roll Call.

All members present except Berg and Gibbens.

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 2nd day after recess and 3rd day and recommend that the same be corrected as follows: Page 1, line 12, correct the spelling of the name "Weber;" page 1, line 13, correct the spelling of the name "Hagan;" page, 1, line 14, correct the spelling of the name "Sikes;" page 1, line 16, correct the spelling of the the name "Sikes;" page 1, line 16, correct the spelling of the name "Sikes;" page 1, line 17, correct the spelling of the name "Weber;" page 1, line 18, correct the spelling of the name "Kendall;" page 1, line 19, correct the spelling of the name "Hagan;" page 1, line 26, correct the spelling of the name "Berg;" page 1, line 28, correct the spelling of the name "Mortenson;" page 1, line 30, correct the spelling of the name "Mortenson;" page 1, line 31, correct the spelling of the name "Weber;" page 1, line 32, correct the spelling of the name "Weber;" page 1, line 32, correct the spelling of the name "Hagan;" page 1, line 36, correct the spelling of the name "Noltimier;" page 1, line 37, correct the spelling of the name "Zieman;" page 1, line 39, correct the spelling of the name "Weber;" page 2, line 2, correct the spelling of the name "Weber;" page 2, line 3, take out the name "Ingerson" and insert the name "Noltimier;" page 2, line 4, take out the name "Noltimier" and insert the name "Ingerson;" page 2, line 5, correct the spelling of the name "Hagan;" page 2, line 8, correct the spelling of the name "Weber;" page 2, line 13, correct the spelling of the name "Hagan;" page 2, line 17, correct the spelling of the name "Weber;" page 2, line 18, correct the spelling of the name "Sikes;" and put a comma after the name "Welford;" page 2, line 20, correct the spelling of the name

"Mees;" page 2, line 22, put a comma after the name "Nelson;" page 2, line 25, correct the spelling of the names "Hamerly" and "Weber;" page 2, line 26, correct the spelling of the name "Sikes;" page 2, line 33, correct the spelling of the name "Sikes" page 2, line 35, correct the spelling of the name "Sikes;" page 2, line 37, correct the spelling of the name "Hagan:" page 2, line 38, correct the spelling of the name "Weber;" page page 2, line 38, correct the spelling of the name "Weber;" page 2, line 41, correct the spelling of the name "Storstad;" page 2, line 45, correct the spelling of the name "Hagan;" page 2, line 50, correct the spelling of the name "Hagan;" page 3, line 5, correct the spelling of the word "ambitions;" page 4, line 16, take out the word "and" and put in the word "of;" page 4, line 26, correct the spelling of the word "Rev.;" page 4, line 51, take out the word "and" and put in the word "or;" page 5, line 10, correct the spelling of the word "to;" page 5, line 9, correct the spelling of the word "spelling;" page 5, line 21, correct the spelling of the word "Doorkeeper;" page 5, line 25, correct the spelling of the name "Oksendahl;" page 5, line 45. put in the word "to" between the words "seemed" and "him;" page 5, line 57, take out the word "know" and put in the word "now," between the words "is" and "pending;" page 6, line 34, correct the spelling of the name "Beck;" page 6, line 41. correct the spelling of the name "Hagan;" page 6, after line 51, insert the following: "The committee on rules made the following report: Mr. President, your committee on rules have had the same under consideration and recommend that the rules adopted by the 1917 session be adopted by the 16th Legislative Assembly, amended as follows: E. H. Sikes, Chairman, Mr. Sikes moved that the report be adopted, which motion prevailed and report was adopted;" page 7, line 25, omit the comma after the word "questions" and change the word "or" to "of;" page 7, line 38, correct the spelling of the word "reduced;" page 7, line 39, put a period after the word "Senate;" page 7, take out line 40; page 7, after line 54, put in the following: "and the implications of improper motives;" page 8, line 4, correct the spelling of the word "indefinitely;" page 9, line 32, correct the spelling of the word "ayes;" page 9, line 48, correct the spelling of the word "referred;" page 10, line 3, change the word "it" to "is;" page 11, line 3, correct the spelling of the word "members;" page 11, line 23, take out the word "question" and put in the word "quorum;" page 11, line 28, correct the spelling of the word "Congress;" page 11, line 34, take out the word "a" between the words "such" and "amendatory;" page 11, line 35, correct the spelling of the word "sections;" page 11, line 56, correct the spelling of the word "officer;" page 12, line 19, after the word "which" put in the following: "may have passed the Senate and which the House;" page 12, take out all of joint rules; take out all of page 13; page 14, line 14, correct the spelling of the word "Kirkeide."

And when so corrected recommend that the same be approved.

H. H. McNair, Chairman. Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE CHAMBER

Bismarck, N. D., January 9, 1919.

Mr. President: I have the honor to inform you that the Speaker has appointed a committee of three for the purpose

of considering and determining the number of Journals and Bills to be printed daily and the manner in which the latter shall be distributed, and requests that the Senate appoint a like committee. The Speaker has appointed as the House committee Messrs. Keitzman, Reishus and Maddock of Mountrail. Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

January 9, 1919.

HON. W. J. PRATER,

Secretary of the Senate:

I have the honor to transmit certificates in re-Constitutional Amendments proposed by the Fifteenth Legislative Assembly and by it referred to the Sixteenth Legislative Assembly;

Constitutional Amendments proposed by the Fourteenth Legislative Assembly agreed to by the Fifteenth Legislative Assembly and submitted to the people at the last general election:

Constitutional Amendments proposed by Initiative Petition and voted upon, by the people at the last general election.

THOMAS HALL, Secretary of State.

OFFICE OF THE SECRETARY OF STATE

BISMARCK, NORTH DAKOTA,

January 9, 1919.

To the Members of the Sixteenth Legislative Assembly of the State of North Dakota.

Sirs: I, Thomas Hall, Secretary of State of the State of North Dakota, do hereby certify that the following proposed amendments to the Constitution of the State of North Dakota, were passed by the Fifteenth Legislative Assembly, were published as provided by law, and are now submitted to the Sixteenth Legislative Assembly, for rejection or approval.

Respectfully submitted, Thomas Hall, Secretary of State.

PROPOSED CONSTITUTIONAL AMENDMENTS

Elective Franchise to Women, and Changing Requirements as to Residents.

To Amend Section 121 of Article 5 of the Constitution by omitting the words, male, six months, and ninety, and by adding the words and figures, 90 days and 30.

Chapter 89, Session Laws 1917. (S. B. No. 13—Lindstrom)

A CONCURRENT RESOLUTION:

For an Amendment to the Constitution Providing for the Elective Franchise.

Be it Resolved by the Senate of the State of North Dakota,

the House of Representatives concurring:

That the following proposed amendment to Section 121 of Article 5 of the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said State be published, and upon agreement by the Legislature so chosen next, as aforesaid, to be by said last mentioned Legislative Assembly submitted to

the qualified electors of the State for approval or rejection at the general election in the year 1920 in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment. That Section 121 of Article 5 of the Constitution of North Dakota, as amended by Article 2 of the Amendments to the said Constitution shall be and is hereby amended and re-enacted to read as follows:

Sec. 121. Every person of the age of twenty-one years or upward, belonging to either of the following classes, who shall have resided in the state one year and in the county 90 days and in the precinct 30 days next preceding any election shall be a 'qualified elector at such election. First, Citizens of the United States; second, Civilized persons of Indian descent, who shall have severed their tribal relations two years next preceding such election.

Changing Name of State Reform School to State Training School

To amend Section 215 of Article 19 of the Constitution by omitting the word, Reform, and by adding the word, Training. Chapter 86, Session Laws 1917.

(H. B. No. 346—Harris.)

A CONCURRENT RESOLUTION:

Amending the Constitution of the State of North Dakota, Changing the Name of the State Reform School, located at Mandan, in the County of Morton, to that of State Training school.

Be it Enacted by the House of Representatives of the State of North Dakota, the Senate concurring:

That the following proposed amendment to Section 215 of the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said state to be by said last mentioned Legislative Assembly submitted to the qualified electors of the state for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Amendment. Article 19, Section 215 of the Constitution of the State of North Dakota is amended so as to read as follows:

Sec. 215. The following public institutions of the state are permanently located at the places hereinafter named, each to have the lands specifically granted to it by the United States in the act of Congress approved February 22, 1889, to be disposed of and used in such manner as the legislative assembly may prescribe subject to the limitations provided in the article on school and public lands contained in this constitution.

First: The seat of government at the City of Bismarck in the County of Burleigh.

Second: The State University and School of Mines at the City of Grand Forks, in the County of Grand Forks.

Third: The Agricultural College at the City of Fargo, in the County of Cass.

Fourth: A State Normal School at the City of Valley City, in the County of Barnes, and the Legislative Assembly in apportioning the grant of eighty thousand acres of land for hormal schools made in the act of Congress referred to shall grant to the said Normal School at Valley City, as aforemen-

tioned, fifty thousand (50,000) acres, and said lands are hereby appropriated to said institution for that purpose.

Fifth: The school for the Deaf and Dumb of North Dakota at the City of Devils Lake, in the County of Ramsey.

Sixth: A State Training School at the city of Mandan, in the County of Morton.

Seventh: A state Normal School at the City of Mayville, in the County of Traill, and the legislative assembly in apportioning the grant of lands made by Congress in the act aforesaid for state normal schools, shall assign thirty thousand (30,000) acres to the institution hereby located at Mayville, and said lands are hereby appropriated for said purpose.

Eighth: A State Hospital for the Insane at the City of Jamestown, in the County of Stutsman. And the legislative assembly shall appropriate twenty thousand acres of the grant of lands made by the act of congress aforesaid for other educational and charitable institutions for the benefit and for the endowment of said institution, and there shall be located at or near the City of Grafton, in the County of Walsh, an institution for the feeble-minded, on the grounds purchased by the Secretary of the Interior for a penitentiary building.

Exemption of Farm Improvements from Taxation.

To amend Section 177 of Article 11 of the Constitution by omitting the words, but plowing shall not be considered as an improvement or add to the value of land for the purpose of assessment, and by adding the words, and the amendments thereto, but the Legislative Assembly shall have the power to exempt from taxation any and all improvements on farm property.

Chapter 92, Session Laws 1917.

(S. B. No. 42-Hamilton.)

A CONCURRENT RESOLUTION:

Amending the Constitution of the State of North Dakota, Relating to the Taxes of Improvements on Land.

Be it Resolved by the Senate of the State of North Dakota,

The House of Representatives concurring:

That the following proposed amendment to Section 177 of the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said state, to be by the last mentioned Legislative Assembly submitted to the qualified electors for approval or rejection in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

Sec. 1. Amendment. Article 11 of Section 177 of the Constitution of the State of North Dakota is hereby amended so as to read as follows:

Sec. 177. All improvements on land shall be assessed in accordance with Section 179 and the amendments thereto, but the Legislative Assembly shall have the power to exempt from taxation any and all improvements on farm property. Preventing Investment of School Funds in Bonds of Other

Preventing Investment of School Funds in Bonds of Other States, and Authorizing Loans on Farm Lands Up to One-

Half of the Value of the Lands.

To amend Section 162 of Article 9 of the Constitution by omiting the words, bonds of other states, provided, such states have never repudiated any of their indebtedness, and the word, one-third, and by adding the words, one-half. Chapter 94, Session Laws 1917. (H. B. No. 165—Lathrop.)

Investment of School Funds

A CONCURRENT RESOLUTION:

Amending the Constitution of the State of North Dakota, Relating to the Investment of School Funds.

Be it Resolved by the House of Representatives of the State

of North Dakota the Senate concurring:

That the following amendment to the Constitution of the State of North Dakota be agreed to and referred to the Legislative Assembly to be chosen at the next general election, and if approved, to be by them submitted to the qualified electors of the State for approval or rejection in accordance with Section 202 of the Constitution of the State of North Dakota.

That Section 163 of the Consitution of the Amendment. State of North Dakota. (As amended by Article VIII of amendments to said Constitution), be now amended so as to

read as follows:

Sec. 162. The moneys of the permanent school funds and other educational funds shall be invested only in bonds of school corporations, or of counties, or of townships, or of municipalities within the state, or bonds issued for the construction of drains under authority of law within the state, bonds of the United States, bonds of the State of North Dakota, or on first mortgages on farm lands in this state, not exceeding in amount one-half of the actual value of any subdivision on which the same may be loaned such value to be determined by the board of appraisal of school lands.

OFFICE OF THE SECRETARY OF STATE

BISMARCK, NORTH DAKOTA, January 9th, 1919.

To the Members of the Sixteenth Legislative Assembly of the State of North Dakota:

I. Thomas Hall, Secretary of State of the State of North Dakota, do hereby certify that the following Constitutional Amendments were passed by the Fourteenth Legislative Assembly and by it referred to the Fifteenth Legislative Assembly, and having been agreed to were submitted to the qualified electors of the State at the General Election, held November 5th, 1918, and each of them were found to have been approved by the electors of the State, as shown by the certificate issued by the State Board of Canvassers on the 9th day of December, 1918.

Very respectfully, THOMAS HALL, Secretary of State.

CONSTITUTIONAL AND STATUTORY AMENDMENTS Senate Bill No. 131, Fifteenth Legislative Assembly, introduced by Mr. Cahill:

Limiting Voting Powers of Stockholders in Co-Operative Corporations

To amend Section 135 in Article 7 by adding the words: Provided, any co-operative corporation may adopt by-laws limiting the voting powers of its stockholders. Shall Section 135, of Article 7, of the Constitution of the

State of North Dakota be amended to read as follows:

Section 135. In all elections for directors or managers of a corporation, each member or shareholder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer, Provided, any co-operative corporation may adopt by-laws limiting the voting power of its stockholders.

A majority of the voters voting on said proposed amend-ment, having voted in favor of the adoption of the said amendment, the said proposed amendment is hereby duly

declared carried and adopted, approved and ratified.

Senate Bill No. 2, Fifteenth Legislative Assembly, introduced by Mr. Thoreson: Providing for State Tax on Lands for Purpose of Hail

Insurance Shall the Constitution of the State of North Dakota be

amended by adding the following section:

The Legislative Assembly may by law provide for the levy The Legislative Assembly may by law provide for the levy of a tax upon such lands as may be provided by law of the state for the purpose of creating a fund to insure the owners of growing crops against losses by hail; provided, that such tax shall not affect the tax of four mills levied by the Constitution. The legislative assembly may classify such lands of the state as may be provided by law, and divide the state into districts on such basis as shall seem just and necessary, and may vary the tax rates in such districts in accordance with the risk, in order to secure an equitable distribution of the burden of such tax among the owners of such land as may be provided by law.

A majority of the voters voting on said proposed amend-

A majority of the voters voting on said proposed amend-ment, having voted in favor of the adoption of the said amendment, the said proposed amendment is hereby duly declared carried and adopted, approved and ratified.

House Bill No. 366, Fifteenth Legislative Assembly, introduced by Mr. Hendrickson: Provides That No Law Shall Be Declared Unconstitutional

Unless at Least Four Judges So Decide

To Amend Section 89 by adding the words: Provided, how-ever, that in no case shall any legislative enactment or law of the State of North Dakota be declared unconstitutional unless at least four of the judges shall so decide. Shall Section 89 of the Constitution of the State of North

Dakota be amended to read as follows:

Section 89. The Supreme Court shall consist of five judges,
a majority of whom shall be necessary to form a quorum or pronounce a decision, but one or more of said judges, may adjourn the court from day to day or to a day certain, provided, however, that in no case shall any legislative enactment or law of the State of North Dakota be declared unconstitutional unless at least four of the judges shall so decide.

A majority of the voters voting on said proposed amendment, having voted in favor of the adoption of the said amendment, the said proposed amendment is hereby duly declared carried and adopted, approved and ratified.

OFFICE OF THE SECRETARY OF STATE

BISMARCK, NORTH DAKOTA, January 9th, 1919.

To the Members of the Sixteenth Legislative Assembly of the

State of North Dakota:

Sirs: I, Thomas Hall, Secretary of State of the State of North Dakota, do hereby certify that the following proposed amendments to the Constitution of the State of North Dakota, initiated by petition, were submitted to the people and were voted on at the General Election held November 5th, 1918: That there were 94,055 legal votes cast at such election and that each of the proposed amendments received the number for and against as set forth in the following statement and that the State Canvassing Board by a majority vote declared that each and every one of the following proposed amendments were adopted, approved and ratified by the electors of the State, as shown by the records and Certificate of the State Canvassing Board, issued on the 9th day of December, 1918.

Very respectfully, THOMAS HALL, Secretary of State.

Initiative and Referendum as Applied to Legislation To amend Section 25 in Article 2 as amended by Article 15 of Amendments:

Changing the number of electors required to propose any measure by initiative petition from, at least ten per cent of the legal voters to be secured in a majority of the counties of this state, TO, ten thousand electors at large; changing provision that initiative petition shall be filed with the Secretary of State not less than thirty days before any regular session of the Legislative Assembly; HE shall transmit the same to the Legislative Assembly as soon as it convenes, and requiring legislative action thereon, to provision that petition, shall be filed with the Secretary of State not less than ninety days before the election at which it is to be voted upon. Reduces the number of signers required for referendum petition from ten per cent of the legal voters of the state from a majority of the counties, to, seven thousand electors at large.

Provides for referendum on emergency measures and for special elections thereon.

Relates to circulation of petitions, and to publication in publicity pamphlet of all measures submitted to the electors. Places burden of proof upon party attacking petition. Provides that: No measure enacted or approved by a vote of the electors shall be repealed OR amended by the legislature except upon a yea and nay vote upon roll call of two-thirds of all the members elected to each house.

Shall Section 25 in Article 2 as Amended by Article 15 of Amendments be amended to read as follows:

Section 25 in Article 2 as Amended by Article 15 of Amendment. The legislative power of this State shall be vested in a legislature consisting of a senate and a house of representatives. The people, however, reserve the power, first, to propose measures and to enact or reject the same at the polls; second, to approve or reject at the polls any measure or any item, section, part or parts of any measure enacted by

the legislature.

The first power reserved is the initiative. Ten thousand electors at large may propose any measure by initiative petition. Every such petition shall contain the full text of the measure and shall be filed with the Secretary of State not

less than ninety days before the election at which it is to be voted upon.

The second power reserved is the referendum. Seven thousand electors at large may, by referendum petition, suspend the operation of any measure enacted by the legislature, except an emergency measure. But the filing of a referendum petition against one or more items, sections or parts of any measure, shall not prevent the remainder from going into effect. Such petition shall be filed with the Secretary of State not later than ninety days after the adjournment of the session of the legislature at which such measure was enacted.

Each measure initiated by or referred to the electors, shall be submitted by its ballot title, which shall be placed upon the ballot by the Secretary of State and shall be voted upon at any state-wide election designated in the petition, or at a special election called by the Governor. The result of the vote upon any measure shall be canvassed and declared by the board of canvassers.

Any measure, except an emergency measure, submitted to the electors of the state, shall become a law when approved by a majority of the votes cast thereon. And such law shall go into effect on the 30th day after the election, unless otherwise specified in the measure.

If a referendum petition is filed against an emergency measure, such measure shall be a law until voted upon by the electors. And if it is then rejected by a majority of the votes cast thereon, it shall be thereby repealed. Any such measure shall be submitted to the electors at a special election if so ordered by the Governor, or if the referendum petition filed against it shall be signed by thirty thousand electors at large. Such special election shall be called by the Governor, and shall be held not less than one hundred nor more than one hundred thirty days after the adjournment of the session of the legislature.

The Secretary of State shall pass upon each petition, and if he finds it insufficient, he shall notify the "Committee for the Petitioners" and allow twenty days for correction or amendment. All decisions of the Secretary of State in regard to any such petition shall be subject to review by the Supreme Court. But if the sufficiency of such petition is being reviewed at the time the ballot is prepared, the Secretary of State shall place the measure on the ballot and no subsequent decision shall invalidate such measure if it is at such election approved by a majority of the votes cast thereon. If proceedings are brought against any petition upon any ground, the burden of proof shall be upon the party attacking it.

No law shall be enacted limiting the number of copies of a petition which may be circulated. Such copies shall become part of the original petition when filed or attached thereto. Nor shall any law be enacted prohibiting any person from giving or receiving compensation for circulating the petitions, nor in any manner interfering with the freedom in securing signatures to petitions.

Each petition shall have printed thereon a ballot title, which shall fairly represent the subject matter of the measure, and the names of at least five electors who shall consti-

tute the "committee for the petitioners" and who shall repre-

sent and act for the petitioners.

All measures submitted to the electors shall be published by the state as follows: "The Secretary of State shall cause to be printed and mailed to each elector a publicity pamphlet, containing a copy of each measure together with its ballot title, to be submitted at any election. Any citizen, or the officers of any organization, may submit to the Secretary of State for publication in such pamphlet, arguments concerning any measure therein, upon first subscribing their names and addresses thereto and paying the fee therefor, which, until otherwise fixed by the legislature, shall be the sum of two hundred dollars per page."

sum of two hundred dollars per page."

The enacting clause of all measures initiated by the electors, shall be: "Be it enacted by the people of the State of North Dakota." In submitting measures to the electors, the Secretary of State and all other officials shall be guided by the election laws until additional legislation shall be provided.

If conflicting measures initiated by or referred to the electors shall be approved by a majority of the votes cast thereon, the one receiving the highest number of affirmative votes shall become the law.

The word "measure" as used herein, shall include any law or amendment thereto, resolution, legislative proposal or

enactment of any character.

The veto power of the Governor shall not extend to the measures initiated by or referred to the electors. No measure enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except upon a yea and nay vote upon roll call of two-thirds of all the members elected to each house.

This section shall be self executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no laws shall be enacted to hamper, restrict or impair the exercise of the rights herein reserved to the people.

Yes, 47,447; no, 32,598.

Emergency Measures

To Amend Section 67 in Article 2 by adding the words: Provided, however, that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the State, shall be declared an emergency measure. An emergency measure shall take effect and be in force from and after its passage and approval by the Governor. Shall Section 67 in Article 2 be amended to read as follows:

Section 67 in Article 2. No act of the Legislative Assembly shall take effect until July 1st after the close of the session, unless the legislature by a vote of two-thirds of the members present and voting, in each house, shall declare it an emergency measure, which declaration shall be set forth in the act, provided, however, that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the State, shall be declared an emergency measure. An emergency measure shall take effect and be in force from and after its passage and approval by the Governor.

Yes, 46,121; no, 32,507.

Constitutional Amendments To Amend Section 202 in Article 15 as amended by Article 16, of Amendments:

Changes method of adopting amendments to the constitu-tion proposed by the Legislative Assembly. Provides that when such amendment is agreed to by a majority of the members elected to each house, it shall be submitted to the electors, omits provision that proposed amendments shall be advertised for three months and referred to the next Legislative Assembly. Omits provision that amendments shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

Reduces the number of signers required to initiative petition to amend the constitution, from, at least twenty-five per cent of the legal voters in each of not less than one-half of the counties of the State, TO, twenty thousand electors at

large.

Changes the time of filing the petition from at least six months, to, at least one hundred and twenty days prior to the day of election.

Omits requirement that after being approved by the people amendment shall be submitted to the Legislative Assembly.

Provides that, all provisions of the constitution relating to the submission and adoption of measures by initiative petition, and on referendum petition shall apply to the submission and adoption of amendments to the constitution of the State.

Shall Section 202 in Article 15 as amended by Article 16 of Amendments be amended to read as follows:

Section 202 in Article 15 as amended by Article 16 of Amendment. Any amendment or amendments to the constitution of the State may be proposed in either house of the Legislature, and if the same shall be agreed to upon roll call by a majority of the members elected to each house, it shall be submitted to the electors and if a majority of the votes cast thereon are affirmative, such amendment shall be a part

of this constitution.

Amendments to the constitution of the State may also be proposed by an initiative petition of the electors; such petition shall be signed by twenty thousand electors at large and shall be filed with the Secretary of State at least one hundred twenty days prior to the election at which they are to be voted upon, and any amendment, or amendments so proposed, shall be submitted to the electors and become a part of the constitution, if a majority of the votes cast thereon are affirmative. All provisions of the constitution relating to the submission and adoption of measures by initiative petition, and on referendum petition shall apply to the submission and adoption of amendments to the constitution of the State.

Yes, 46,329; no. 33,572.

Taxation

To amend Section 176 of Article 11 as amended by Article 20 of Amendments by omitting the words,-and shall be levied and collected for public purposes only, and by adding the words, the Legislature may by law exempt any or all classes of personal property from taxation and within the meaning of this section; fixtures, buildings, and improve-ments of every character, whatsoever upon land shall be deemed personal property, and, except as restricted by this article, the Legislature may provide for raising revenue and fixing the situs of all property for the purpose of taxa-

Shall Section 176 in Article 11 as Amended by Article 20

of Amendments be amended to read as follows:

Section 176, in Article 11 as Amended by Article 20 of Amendment. Taxes shall be uniform upon the same class of property including franchises within the territorial limits of the authority levying the tax. The Legislature may by law exempt any or all classes of personal property from taxation and within the meaning of this section, fixtures, buildings and improvements of every character, whatsoever, upon land shall be deemed personal property. The property of the United States and of the State, county and municipal corporations and property used exclusively for school, religious, cemetery, charitable or other public purposes shall be exempt from taxation. Except as restricted by this Article, the Legislature may provide for raising revenue and fixing the situs of all property for the purpose of taxation. Provided that all taxes and exemptions in force when this amendment is adopted shall remain in force until otherwise provided by statute.

Yes, 46,833; no, 33,921.

Hail Indemnity

To amend Section 177 in Article 11, changes provision relating to assessment of improvements on land, to provision authorizing tax on lands for the purpose of indemnifying owners of growing crops against damages by read as fall.

Shall Section 177 in Article 11 be amended to read as fol-

lows:

Section 177 in Article 11. The Legislature may by law provide for the levy and collection of an acreage tax on lands within the State in addition to the limitations specified in Section 174 in Article 11 of the constitution. The proceeds of such tax shall be used to indemnify the owners of growing crops against damages by hail, provided that lands used exclusively for public roads, rights of way of common carriers, mining, manufacturing or pasturage may be exempt from such tax.

Yes, 49,878; no, 31,586.

Debt Limit

To amend Section 182 in Article 12, changes the debt limit from two hundred thousand dollars exclusive of what may be the debt of North Dakota at the time of the adoption of this constitution; by provision, that all bonds in excess of two million dollars shall be secured by first mortgages upon real estate in amounts not to exceed one-half of its value; or upon real and personal property of State owned utilities, enterprises or industries, in amounts, not exceeding its value, and provided, further, that the State shall not issue or guarantee bonds upon property of State owned utilities, enterprises or industries in excess of Ten Million Dollars.

Shall Section 182 in Article 12 be amended to read as follows:

Section 182 in Article 12. The State may issue or guarantee the payment of bonds, provided that all bonds in excess of two million dollars shall be secured by first mortgages upon real estate in amounts not to exceed one-half of its

value; or upon real and personal property of State-owned utilities, enterprises or industries, in amounts not exceeding its value, and, provided further, that the State shall not issue or guarantee bonds upon property of State-owned utilities, enterprises or industries in excess of ten million dollars.

No future indebtedness shall be incurred by the State unless evidenced by a bond issue, which shall be authorized by law for certain purposes, to be clearly defined. Every law authorizing a bond issue shall provide for levying an annual tax, or make other provisions, sufficient to pay the interest semi-annually, and the principal within thirty years from the passage of such law, and shall specially appropriate the proceeds of such tax, or of such other provisions, to the payment of said principal and interest, and such appropriation shall not be repealed nor the tax or other provisions discontinued until such debt, both principal and interest, shall have been paid. No debt in excess of the limit named herein shall be incurred, except for the purpose of repelling invasion, suppressing insurrection, defending the State in time of war or to provide for the public defense in case of threatened hostilities.

Yes, 46,275; no, 34,235.

Public Ownership of Industries

To amend Section 185 in Article 12 as amended by Article 18 of Amendment.

Authorizes the State, any county, or city, to make internal improvements; or to engage in any industry, enterprise, or business, not prohibited by Article 20 of the Constitution.

Shall Section 185 in Article 12 be amended to read as follows:

Section 185 in Article 12 as Amended by Article 18 of Amendment. The State, any county or city may make internal improvements and may engage in any industry, enterprise or business, not prohibited by Article 20 of the Constitution, but neither the State nor any political subdivision thereof shall otherwise loan or give its credit or make donations to or in aid of any individual, association or corporation except for reasonable support of the poor, nor subscribe to or become the owner of capital stock in any association or corporation.

Yes, 46,830; no, 32,574.

Referred to the Committee on State Affairs.

REPORT OF COMMITTEE ON ELECTION AND ELECTION PRIVILEGES

Mr. President: Your Committee on Election and Privileges, to whom was referred the matter of the contest of D. H. Hamilton vs. E. H. Kendall, from the Thirty-fourth Legislative District, has had the same under consideration and beg leave to report as follows:

That there was delivered by the Secretary of State to your Committee the following papers relative to the said contest,

to wit:

1. Notice of Contest, entitled "In the Legislative Assembly, State of North Dakota, Session of 1919. D. H. Hamilton, Contestant vs. E. H. Kendall, Contestee," together with proof of service thereof.

- 2. Answer of E. H. Kendall, Contestee, to said notice of contest.
- 3. The return of M. L. Bean, Justice of Peace in and for McHenry County, North Dakota, annexing thereto the depositions of Charles Fouts, County Auditor of McHenry County North, Dakota, and T. C. Ellis, County Judge of McHenry County, N. D., and also attaching thereto copies of Notice of Contest and Answer heretofore referred to. Application to the Justice of Peace for subpoenas for said witnesses. Notice to take depositions, subpoenas ducestecum directed to C. F. Fouts, County Auditor of McHenry County, North Dakota, subpoenas ducestecum, directed to T. C. Ellis, County Judge of McHenry County, North Dakota.
- 4. All of the original poll lists, poll books, tally lists and canvass of the election board, and certificates thereof, and a statement of ballots received and returned and further all of the ballots and other election papers of McHenry County for the Thirty-fourth Legislative District for the general election in the aforesaid district, county and state, held November 5, 1918.

That the official canvass of the votes cast for members of the Senate from said Thirty-fourth District indicated on the face thereof that E. H. Kendall had been duly elected,—he having received the largest number of votes cast for any candidate;

That the said D. H. Hamilton based his contest upon the contention that in certain precincts in said district, and in fact all of them, at the said election, that sundry votes were polled, sundry ballots cast, sundry legal votes rejected and sundry illegal votes received, and sundry ballots both legal and sufficient rejected, and illegal and insufficient were received and counted in various precincts, and sundry legal ballots were received and legal votes cast in the various precincts in favor of D. H. Hamilton, which were not counted for him, and which were counted for said E. H. Kendall, and which were not counted at all but were thrown out and disregarded by the various election boards in their canvass and All of the facts alleged by D. H. Hamilton were denied by E. H. Kendall, as will appear from the written proceedings in the case filed herewith and made a part of this report.

In short, it appears to your Committee, that Mr. D. H. Hamilton places his right to the office upon the proposition of the fraudulent conduct of the election throughout the county of McHenry, and Legislative District aforesaid, charges no fraud in particular instances, nor offers any testimony in support thereof, but renders necessary a practical recount of all the ballots cast at said election by your committee. The only question then to consider is how the vote stood between D. H. Hamilton and E. H. Kendall. Your Committee finds, as a matter of fact, that there was no fraud practiced by the contestants; that E. H. Kendall was duly and legally elected on the fifth day of November, 1918 to represent the Thirtyfourth Senatorial District in this Senate. Your Committee wishes it understood that there was no evidence before your Committee to warrant a charge of fraud between the election officials or against Mr. Kendall, nor Mr. Hamilton, the principals involved in this contest.

Your Committee, therefore, recommends that said E. H.

Kendall be seated as a member of this Senate from the Thirtyfourth Senatorial District.

Full minutes of the proceedings of your Committee are here-

to attached and made a part of this report.

A. M. Hagan, Chairman G. F. Hunt Thorwold Mostad Albert Stenmo O. H. Olson J. E. Fleckten W. H. Porter F. W. Mees M. L. McBride

Mr. Hagan moved that the report be adopted.

The roll was called and there were ayes, 46; nays 0, ausent

and not voting, 3.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Gibbens and Kendall.

Mr. President: Your Committee on Elections and Privileges begs leave to submit to the Senate the following minutes of our meeting and deliberations on the Hamilton-Kendall Contest.

The meeting of the committee was called at three o'clock p. m., January 8, 1919,/in the Committee Retiring room of the Senate in the Capitol Building. A. M. Hagan, Chairman called the meeting to order, and the committee being duly organized, and all the members thereof being present, upon motion duly seconded and carried said committee adjourned until nine o'clock a. m., Thursday, January 9, 1919 to the same place.

Committee met pursuant to said adjournment at the Senate Retirfing Room at nine o'clock a. m., Thursday, January 9, 1919. The meeting was called to order by A. M. Hagan, Chairman thereof, and all the members of said committee being present.

On motion, the Chairman appointed Albert Stenmo and F. W. Mees, members thereof, as clerks. Attorneys Campbell and Olsrud, representing Mr. Hamilton, and Horace Bagley,

representing Mr. Kendall.

On motion, Chairman called Mr. Thomas Hall, Secretary of the State of North Dakota, to identify the drygoods box containing all of the exhibits in the contest, and who explained to the committee that the reason the same was opened was because he opened the top to ascertain the contents thereof, as more fully shown by the examination of the Secretary of State attached in full herewith.

The Committee heard arguments from the attorneys in the

matter.

The ballots were then opened and the ballots counted with the following result:

D. H. Hamilton—549. E. H. Kendall—588.

Your Committee also found that included in this number of votes were thirty-one absent voters' ballots; that eight of these were cast for Mr. Hamilton and twenty-three for E. H. Kendall, and that inasmuch as the total deduction of these votes would make no change in the final result your Committee did not feel called upon to pass upon the legality of such ballots.

On motion, we went into executive session. Moved and seconded that this Committee report in favor of E. H. Kendall as a member of the Senate from the Thirty-fourth District, and a committee of three being appointed by the Chairman to draft such report. Carried.

Chairman appointed on such committee Messrs. McBride,

Mees and Stenmo.

Committee adjourned to meet at one o'clock p. m., Friday, January 10th, 1919 at the Retiring Room of the Senate in the Capitol.

Meeting called at one o'clock p. m., Friday, January 10th,

1919 at the Senate Retiring Room at the Capitol.

Chairman Hagan called the meeting to order. All present. Moved that the minutes of the clerk, as read, be approved. Carried.

The report of the special committee of three was read in full and adopted by unanimous vote.

Moved that the committee adjourn. Carried.

A. M. Hagan, Chairman G. F. Hunt Thorwold Mostad Albert Stermo O. H. Olson J. E. Fleckten W. H. Porter F. W. Mees M. L. McBride

(Stenographer's Notes)

IN THE LEGISLATIVE ASSEMBLY, STATE OF NORTH DAKOTA, SESSION OF 1919

D. H. HAMILTON, Contestant,

E. H. KENDALL, Contestee.

The Committee was organized by the Chairman, Mr. Hagan and further appointing C. L. Seibel as Secretary of the Committee and Rose McDonnell as Stenographer of the Committee. The following members were present: Chairman Hagan, Hunt, Mostad, Stenmo, Olson, Fleckten, Porter, Mees and McBride.

The Chairman ordered that the Committee meet for the hearing of this contest on January 9th, at 9 a.m. in the Re-

tiring Room of the Senate Chamber.

At this time the contestant of the election appeared by his attorneys J. H. Ulsrud of Towner and Paul Campbell of Rugby. The contestee was present in person and represented by his counsel, Horace Bagley of Towner. At this time it was moved that the Committee adjourn until nine a. m. in the Retiring Room of the Senate on January 9th, for the purpose of further procedure.

The Committee convened at nine o'clock a. m., January 9th, and following is the record of the proceedings:

MR. HAGAN: You may explain how this box was re-

ceived by you two or three weeks ago.

MR. HALL: The grain man brought a box up to the office. -I mean the janitor rather,-this box here, and there was nothing on it to indicate what it was, nor anything of this kind, and I noticed there was a return card on it, saying it was sent in by a justice of the peace somewhere, and knowing the charcter of some of our justices, I thought possibly some fellow was going out of office and sent his supplies back here. I was curious to know what was in the box. We had the janitor get a crowbar and open it, and when we saw the character of the papers, we decided it was in this contest case of yours in Towner or McHenry County, and had it placed in the vault where it has been ever since. We didn't expect to receive contest papers in that way, for the Code provides for notices of that kind to be sent in by registered mail and we did not receive notice of this box. We did have an inquiry from some attorney asking that the box not be tampered with, but we had no notice from this Justice of the Peace.

MR. HAGAN: That notice you got after you had opened the box?

MR. HALL: About ten days after the box arrived we got a request from an attoney that the box not be tampered with, but we had already opened the box, and when we saw what was in it we placed it in the vault until you boys got it yesterday.

Well. I guess that is all. MR. HAGAN:

MR. MEES: I would like to ask to what extent did you

examine the box before you discovered what it contained?

MR. HALL: We took out the top cover and when we saw it was something in relation to the contest we didn't go any further.

MR. MEES: There is some paper on the upper side that would indicate the contents?

MR. HALL: When we saw what it was we let it go. didn't go any further.

MR. MEES: Then you are satisfied, Mr. Hall, that the contents of the box have not been tampered with?

MR. HALL: Yes, it has been in my vault ever since.

MR. CAMPBELL: You are sure they are exactly as they

were when received?

MR. HALL: Yes.

MR. CAMPBELL: I call attention that the address of this reads according to the statutes. That is the form of address? MR. HALL: Yes.

MR. CAMPBELL: And it is to be on the outside of the package for the purpose of showing you what it is, and avoid you opening it?

Yes. MR. HALL:

MR. HAGAN: But that wasn't on the outside?

MR. HALL: There wasn't anything on the outside any more than there is now. I didn't know if it had ballots or sausage in it.

MR. CAMPBELL: From what attorney was the inquiry made?

MR. HALL: I don't know. Mr. Duffy, my deputy, received it.

MR. BAGLEY: I made the inquiry.

MR. CAMPBELL: Are there any objections to the use of the contents of this box as evidence?

MR. HAGAN: If that is all, Mr. Hall is excused.

(There are no objections to the use of the contents of the box in question as evidence.)

MR. HAGAN: I will ask you attorneys what procedure you figure on in this case?

MR. CAMPBELL: If it please you gentlemen, I suggest that we offer this testimony as returned by the justice as evidence, and that the committee rule on whether it be accented or not, and upon its receipt that then a committee, consisting of such members as you may see fit, or the committee as a whole, be selected for the purpose of counting the ballots and upon objection to taking the ruling of that committee by either counsel that it be heard by the general committee and finally the matter decided upon. I suggest that method of procedure.

MR. McBRIDE: I don't see why we can't consider it as a committee as a whole, and count the ballots. We have all had experienced, must likely, in counting ballots, and we can all look them over together.

MR. OLSON: Would it not be,-I mean would it not facilitate it, get it done quicker, if we could group ourselves into three groups and take each township?

MR. McBRIDE: I think it will go pretty fast. It goes

pretty fast.

MR. OLSON: We might get through quicker if three took each township, and then if we got to some place where we thought there were irregularities the whole committee could act on it.

MR. CAMPBELL: The last contest of election I was in was with Judge Burr, and it was conducted according to rulings established by precedent. This proceeding is identical with proceedings in court, and Judge Burr took the ballots and laid out those about which there was no question, submitting the opposite ballots to the counsel for that party, and asking if they had any objections to the counting of the votes for the opponent, and then leaving those that were in question. Now, it was a very rapid procedure. MR. HAGAN: That was Mr. Olson's suggestion.
MR. OLSON: Something in that line.
MR. HAGAN: Are you ready to open up the be

Are you ready to open up the box?

MR. CAMPBELL: Yes. This time we present to the committee, and offer as evidence the return of the Justice, containing an original notice of contest, the answer of the contestee, the notice of taking of testimony and depositions, the subpoena and the evidence as taken and certified upon the Now if you are interested in reading or in having read the allegations of the contestant and contestee, I would suggest it be read and you can formulate some idea of the matter.

MR. HAGAN: You might read them (to Mr. McBride.)

MR. McBRIDE: Read the whole thing. MR. HAGAN: No it isn't necessary.

MR. McBRIDE: I was going to read the complaint and answer. Is that in here?

MR. CAMPBELL: Yes, in the notice of contest. You will find it later.

(Notice of contest read by Mr. McBride.)

MR. McBRIDE: This is answer to the contest of election.

(Reading of answer.)

MR. HAGAN: That is practically all the stuff.

MR. McBRIDE: Do you want to read the testimony of the witnesses?

MR. CAMPBELL: The testimony of these witnesses will only come up in the admission of this testimony in the investigation. Am I not correct, Mr. Bagley?

MR. BAGLEY: When the matter comes to any objection to the accepting of the ballots, then the consideration of this testimony as to where and from what source they got it, is proper, but I do not know there is any need where there is no question as to the regularity of the returns.

MR. HAGAN: Well, just at this time we might as well count the ballots, as they seem to tell the tale. Both sides

are charging fraud.

MR. BAGLEY: Two members of this committee should be appointed as clerks to keep the returns in the same manner as an election board. I would suggest that any ballots objected to be marked as an exhibit and laid to one side for future reference.

MR. CAMPBELL: That is a very good idea. We will desire some identification to eliminate any argument if we have any to make under general committee. And it will enable us to get at the matter better. At this time we offer in evidence the abstract of votes as made by the county canvassing board, and as identified by testimony taken. Now, are you going to use the same markings as the reporter used in connection with exhibits. You see these are all identified by the reporter.

MR. McBRIDE: They are already marked as exhibits so we don't need to mark them. That is the purpose of having

all this record made.

MR. HAGAN: On that committee for clerks, I appoint Mr. Mees and Mr. Stenmo. We will have to get more paper.

MR. CAMPBELL: This looks more frightful than it is. We have made these returns complete and intact and, of course, there are lots of returns there that are not ballots which we will consider, but we made the returns complete and intact so we can rapidly throw out what we do not need.

Mr. McBride, who was the first to be examined. I mean

the County Auditor?

MR. McBRIDE: Yes.

MR. CAMPBELL: And what is the first exhibit on his record there?

MR. McBRIDE: Number One.

MR. CAMPBELL: We offer in evidence Exhibit Number Five, from Willow Creek, Exhibit Number Five, the returns. MR. BAGLEY: There is no objection to any of these for-

mal exhibits as they appear in the transcript of the testimony

of the justice.

MR. CAMPBELL: Then we will offer the returns from the entire precinct in one body, from the entire district, I mean, the precincts of the entire district. The returns consist of poll books, the certificate of elections as made by the sundry and several election boards, and returned to the country canvassing boards.

MR. BAGLEY: No objection:

MR. CAMPBELL: Judge Bagley, I believe there were two of these that you interposed an objection to, were there not?

MR. BAGLEY: That was Deep River and Smoky Lake.

I have no intention of urging that objection at all.

MR. CAMPBELL: Then we offer the ballots and returns

made by the election board to the county judge, and as certified to and returned here by the Justice of Peace, as a whole. It is up to you fellows as to how you are going to do this counting.

MR. McBRIDE: Is there any special precinct over which there is dispute?

MR. CAMPBELL: No, there is no special precinct. Just a general proposition.

MR. McBRIDE: We can start according to the abstract.

MR. CAMPBELL: I would suggest that we take Willow Creek with the returns and start counting. What is the formal number?

MR. McBRIDE: Number One.
Mr. Fraser moved that the contest be dismissed and that
E. H. Kendall be seated as Senator from the 34th Legislative District.

The roll was called and there were ayes, 45; nays, 0, absent and not voting 4.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, mingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mor-tenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Nol-timier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Church, Gibbens, Kendall.

So E. H. Kendall was declared elected.

Mr. Ward moved that the Senate take a recess for five minutes.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. McNair nominated Harry Dence as proofreader, there being no further nominations, the roll was called and there

were ayes, 46; nays, 0, absent and not voting, 3.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Etterstad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman, Absent and not voting: Berg, Gibbens, Kendall.

So Harry Dence was declared elected.

Mr. Levang moved that the senate do now concur in the House resolution that a committee of three be appointed to determine the number of journals and bills to be printed each day, and that the President appoint such committee.

Which motion prevailed, and the President appointed as such

committee, Messrs. Levang, Murphy and Hunt.

Concurrent Resolution introduced by Mr. Whitman.

CONSTITUTOINAL AMENDMENT AUTHORIZING HOME RULE CHARTERS FOR CITIES

A concurrent resolution to amend the Constitution of the State of North Dakota by adding a section authorizing the cities of said state to adopt home rule charters.

BE IT RESOLVED BY THE SENATE OF THE STATE

OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the following amendment to the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said state, to be by the last named Legislative Assembly, submitted to the qualified electors for approval or rejection in accordance with the provisions of Sec. 202, of the Constitution of the State of North Dakota.

AMENDMENT TO THE CONSTITUTION

That the Constitution of the State of North Dakota be amended by adding the following sections:

Any city or village in this state may frame a charter for its own government as a city consistent with and subject to the laws of this state, as follows: A Board of 15 free-holders who shall be, and for the past five years shall have been, qualified voters thereof, shall be appointed by the District Judge of the Judicial District in which the city or village is situated for a term of 6 years, which Board shall, within 6 months after its appointment, return to the Chief Magistrate of said city or village, a draft of said charter, signed by the members of said Board, or a majority thereof. Such charter shall be submitted to the qualified voters of such city or village at the next election thereafter; and if foursevenths of the qualified voters voting at such election shall ratify the same, it shall, at the end of 30 days thereafter, become the charter of such city or village as a city and supercede any existing charter and amendments thereof. Duplicate certificates shall be made setting forth the charter proposed and its ratification, which shall be signed by the Mayor or Chief Executive of said city or village and authenticated by its corporate seal. One of said certificates shall be deposited in the office of the Secretary of State, and the other, after being recorded in the office of the Register of Deeds, for the county in which said city or village lies, shall be deposited among the archives of such city or village, and all courts shall take judicial notice thereof. Such charter so deposited may be amended by a proposal therefor made by the Board of 15 commissioners aforesaid, published for at least 30 days in three newspapers of general circulation in such city or village and accepted by three-fifths of the qualified voters of such city or village voting at the next election and not otherwise; but such charter shall always be in harmony with and such to the Constitution and Laws of the State of North Dakota; upon application 15 per cent of the legal voters of any such city or village, upon written petition, such commission shall submit to the vote of the people, proposed amendments to such character set forth in said petition.

The Board of Freeholders above provided for shall be permanent and all vacancies shall be filled by appointment in the same manner as the original Board was created and said Board shall always contain its full compliment of members. It shall be a feature of all such charters that there shall be a mayor or other chief executive and a legislative body of either one or two houses and if of two houses, at least one of them shall be elected by general vote of the electors. In submitting any such charter or amendment thereto to the qualified voters of such city or village, any altenate section or articles may be presented for the choice of the voters and may be voted on separately without prejudice to other

articles or sections of the charter or any amendments thereto; upon all matters properly embraced therein, the said charter provisions shall be paramount and controlling but no local charter, provision or ordinances, passed thereunder, shall supercede any general law of the state defining or punishing crimes or misdemeanors.

Referred to the Committee on State Affairs. Concurrent Resolution introduced by Mr. Whitman.

CONSTITUTIONAL AMENDMENT AUTHORIZING HOME RULE CHARTERS FOR CITIES

A concurrent resolution to amend the Constitution of the State of North Dakota by adding a section authorizing the cities of said state to adopt home rule charters.

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BE IT RESOLVED BY THE SENATE OF THE STATE
OF NORTH DAKOTA, THE HOUSE OF REPRESENTA-

TIVES CONCURRING:

That the following amendment to the Constitution of the State of North Dakota be referred to the Legislative Assembly to be chosen at the next general election in said state, to be by the last named Legislative Assembly, submitted to the qualified electors for approval or rejection in accordance with the provisions of Sec. 202 of the Constitution of the State of North Dakota.

AMENDMENT TO THE CONSTITUTION

That the Constitution of the State of North Dakota beamended by adding the following sections:

Laws may be enacted for the organization and government of cities and villages, which shall become effective in any city or village only when submitted to the electors thereof and approved by a majority of those voting thereon.

Any city may frame and adopt a charter for its own government in the following manner: The legislative authority of the city may by a two-thirds vote of its members, and, upon the petition of ten per cent of the qualified electors, shall forthwith provide by ordinance for the submission to the electors of the question: "Shall a commission be chosen to frame a charter?" The ordinance shall require that the question be submitted to the electors at the next regular municipal election, if one shall occur not less than sixty nor more than one hundred and twenty days after its passage, otherwise, at a special election to be called and held within the time aforesaid; the ballot containing such question shall also contain the names of candidates for members of the proposed commission, but without party designation.

Such candidates shall be nominated by petition which shall be signed by not less than two per cent of the qualified electors, and be filed with the election authorities at least thirty days before such election; provided, that in no case shall the signatures of more than one thousand (1000) qualified electors be required for the nomination of any candidate. If a majority of the electors voting on the question of choosing a commission shall vote in the affirmative, then the fifteen candidates receiving the highest number of votes shall constitute the charter commission and shall proceed to frame a charter.

Any charter so framed shall be submitted to the qualified electors of the city at an election to be held at a time to be determined by the charter commission, which shall be at least thirty days subsequent to its completion and distribution among the electors and not more than one year from the date-

of the election of the charter commission. Alternative provisions may also be submitted to be voted upon separately. The commission shall make provision for the distribution of copies of the proposed charter and of any alternative provisions to the qualified electors of the city not less than the charter down before the election at which it is noted as an electron of the city not less than thirty days before the election at which it is voted upon. Such proposed charter and such alternative provisions as are provided by a majority of the electors voting thereon shall become the organic law of such city at such time as may be fixed therein, and shall supersede any existing charter and all laws affecting the organization and government of such city which are in conflict therewith. Within thirty days after its approval the election authorities shall certify a copy of such charter to the secretary of state, who shall file the same as a public record in his office, and the same shall be published as an appendix to the session laws enacted by the legislature.

Amendments to any such charter may be framed and submitted by the charter commission in the same manner as provided in Sec. for framing and adopting a charter. Amendments may also be proposed by two-thirds of the legislative authority of the city, or by petition of ten per cent of the electors; and any such amendment, after due public hearing before such legislative authority, shall be submitted at a regular or special election as is provided for the submission of the question of choosing a charter commission. Copies of all proposed amendments shall be sent to the qualified electors. Any such amendment approved by a majority of the electors voting thereon shall become a part of the charter of the city at the time fixed in the amendment and shall be certified to and filed and published by the secretary of state as in the case of a charter.

The members of said charter commission shall be divided by lot into three classes of five in each class; the terms of Class 1 shall extend to the first city election; the terms of Class 2 for two years longer and Class 3, for four years longer and the successors to each class shall be elected at such city elections upon nominations as for the original election; vacancies shall be filled by the appointment of the legislative

body of the city.

Each city shall have and is hereby granted the authority to exercise all powers relating to municipal affairs; and no enumeration of powers in this constitution or any law shall be deemed to limit or restrict the general grant of authority hereby conferred; but this grant of authority shall not be deemed to limit or restrict the power of the legislature, in matters relating to state affairs, to enact general laws applicable alike to all cities of the state.

The following shall be deemed to be a part of the powers

conferred upon cities by this section:

(a) To levy, assess and collect taxes and to borrow money, within the limits prescribed by law; and to levy and collect

special assessments for benefits conferred;
(b) To furnish all local public services; to purchase, hire, construct, own, maintain, and operate or lease local public utilities; to acquire, by condemnation or otherwise, within or without the corporate limits, property necessary for any such purposes, subject to restrictions imposed by general law for the protection of other communities; and to grant local public utility franchises and regulate the exercise thereof;

(c) To make local public improvements and to acquire, by condemnation or otherwise, property within its corporate limits necessary for such improvements; and also to acquire an excess over that needed for any such improvement, and to sell or lease such excess property with restrictions, in order

to protect and preserve the improvement;

(d) To issue and sell bonds on the security of any such excess property, or of any public utility owned by the city, or of the revenues thereof, or of both, including in the case of a public utility, if deemed desirable by the city, a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate such utility;

(e) To provide a city manager and fix the powers and

authority thereof;

(f) To adopt and enforce within its limits local police, sanitary and other similar regulations. Provided however, that nothing herein contained shall be construed to take from the legislature, the power to provide for the regulation of public utilities both as to rates, service_and in all other matters but, in the absence of action by the legislature, the city shall possess such power.

General laws may be passed requiring reports from cities as to their transactions and financial condition, and providing for the examination of the vouchers by state officials, books and accounts of all municipal authorities, or of public under-

takings conducted by such authorities.

All elections and submissions of questions provided for in this article or in any charter or law adopted in accordance herewith shall be conducted by the election authorities provided by general laws.

Referred to the Committee on State Affairs.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Whitman introduced Senate Bill No. 6.

A bill for an act to repeal Section 5743 of the Compiled Laws of 1913 and to enact a law for the descent and succession of real and personal property and to establish and protect the right of the widow therein.

Was read the first and second time and referred to the

committee on Ways and Means.

The Senate returned to the ninth order of business.

Mr. Welford moved that a committee of three be appointed to draft suitable resolution on the death of the late Senator Jud LaMoure, which motion prevailed, and the President appointed as such committee Messrs. Welford, Gibbens and McCarten.

Mr. Hyland moved that on account of Senator Gibbens being absent on duty in connection with the Budget Board of which he is a member, that he be excused for the day from serving on this committee, which motion prevailed and the Senator was excused.

Mr. Wenstrom moved that all absent Senators be excused, which motion prevailed.

Mr. Jacobsen moved that the Senate recess subject to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. Cahill moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

FIFTH DAY

'SENATE CHAMBER,
BISMARCK, NOBTH DAKOTA,
January 11, 1919.

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

Prayer was offered by the Chaplain, Rev. Hutcheson. Roll Call.

All members present except Berg, Haggart, McBride, Ward, who were excused.

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 4th day and recommend that the same be corrected as follows: Page 1, line 13, put the word "day" after the word "second;" page 2, line 6, put the figure "2" after the word "page;" page 2, line 25, correct the spelling of the word "report;" page 4, line 27, correct the spelling of the word "school;" page 5, line 36, put the word "the" before the word "House;" page 6, line 36, omit the word "the" between the words "of" and "state;" page 6, line 41, change the word "of" to "at." between the word "state" and "the;" page 10, line 55, correct the spelling of the word "property;" page 14, line 6, correct the spelling of the word "property;" page 14, line 23, put the word "duly" between the word "been" and "elected;" page 15, line 56, change the figures "449 to 549;" page 18, line 25, correct the spelling of the word "exhibit;" page 21, line 2, correct the spelling of the word "exhibit;" page 21, line 24, change the word "of" to "or" between the words "city" and "village" and put a hyphen after the figure "4;" page 22, line 4, change the word "of" to "or" between the word "provision" and "ordinances;" page 23, line 31, correct the spelling of the word "concurring;" page 23, line 31, correct the spelling of the word "and;" page 23, line 51, correct the spelling of the word "and;" page 23, line 51, correct the spelling of the word "and;" page 23, line 51, correct the spelling of the word "and;" page 23, line 51, correct the spelling of the word "assess."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

Rev. Hutcheson, by unanimous consent, addressed the Senate on the subject of the fatherless children in France.

The committee on Woman Suffrage made the following report:

Mr. President: Your committee on Woman Suffrage to whom was referred Concurrent Resolution to the United States Senate concerning the Susan B. Anthony National Suffrage Amendment, have had the same under consideration and recommend that the same do pass.

MORKRID, Chairman.

Mr. Morkrid moved that the report be adopted, which motion prevailed and the report was adopted. The committee on State Affairs made the following report:

Mr. President: Your committee on State Affairs have had under consideration the Concurrent Resolution relating to the fourteen peace points of Pres. Wilson and recommend that the same be amended as follows: In line eleven of page three, of the Journal for Jan. 9th, strike out the word "Allied;" in line nineteen, page three, strike out the word "of" and insert in lieu thereof the words "set forth by;" in line thirty-six, page three, strike out the word "of" and insert in lieu thereof the words, "set forth by;" in line fifty-seven, strike out the words "and be transmitted to the representatives of the," strike out all of the line fifty-eight, and insert in lieu thereof, "That a copy of these resolutions be cabled to Pres. Wilson,

and that the President be requested to submit a copy of this resolution to the Peace Conference, and ask that it be made a part of the minutes in the said Conference;" in line four, of page four, of the Journal of the Senate for Jan. 9th strike out the words, "the farmers of;" in line five, page four, strike out the words, "America, together with all organizations of Labor," and lieu thereof insert the words, "People of the State of North Dakota." And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF JOINT COMMITTEES

Mr. President: The Special Joint Committee, appointed by the President of the Senate and Speaker of the House of Representatives to determine and report on the number of bills, journals and calendars to be printed daily and the distribution of same, beg leave to submit the following concurrent resolution:

BE IT RESOLVED, That there be printed twelve hundred copies of the TemporaryJournal of each House, and five hundred copies of the Permanent Journals of each House, daily; five hundred copies of each Bill, and that no calendars of any kind be printed for either House this session.

That the Journal of either House be distributed by mail; that a copy of the Journal of either the House or the Senate, or a copy of any Bill may be procured by any person to be mailed him upon request made to the Bill clerk of the House

in which such bill originated.

That the mailing list for distribution in distributing said Temporary Journals shall be made up as follows: That each member of the House or Senate shall be entitled to place thereon the names of as many persons as each member may desire except that such number of persons shall not exceed six in all to whom the said Journals of both Houses shall be mailed daily; That in addition thereto there may be placed upon such mailing list all of the newspapers published in the State, all State Educational Institutions, all Classified High Schools, all Public Libraries, all Commercial Clubs, all Farmers' Clubs, all County Auditors, and all District Judges. That all bills and journals authorized by this resolution to be printed shall be delivered by the Printer direct to the Secretary of the Commission of Public Printing, who shall receipt therefor to the printer.

Also whenever any Farmers' Club, Women's Club, Commercial Club, County Auditor, or any public organization so request, their executive officer or secretary to put upon that mailing list and receive the journals as herein provided for during the session.

CHRIST LEVANG,
P. J. MURPHY,
G. F. HUNT,
Committee of the Senate.
F. W. KEITZMAN,
GEO. A. REISHUS
WALTER J. MADDOCK,
Committee of the House.

Mr. Levang moved that the report be adopted.

The roll was called and there were ayes, 44; nays, 0, absent and not voting 5.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Steumo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Church, Haggart, McBride, Ward.

So the report of the committee was adopted.

The President announced the appointment of the following standing committees:

CHARITABLE INSTITUTIONS—Gibbens, Miklethun, Weber, Hunt, Storstad.

EDUCATIONAL INSTITUTIONS—Oksendahl, Ingerson Church, Sikes, Stenmo.

PENAL INSTITUTIONS—Miklethun, Fleckten, Nelson, Welford, Beck.

PUBLIC BUILDINGS—Haggart, Zieman, Oksendahl, Weber, Ward.

JOINT RULES-Fleckten, Drown, Miklethun, Kendall, Hagan.

STATE LIBRARY—Kendall, Hamerly, Morkrid, Jacobsen, Levang.

Mr. Bowman moved that the rules be suspended, and that the Concurrent Resolution relating to the Susan B. Anthony National Suffrage amendment be considered engrossed, and placed upon its third reading and final passage.

The roll was called and there were ayes, 39; nays, 3, absent

and not voting, 7.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Stenmo, Storstad, Welford, Wenstrom, Whitman, Zieman.

Nays-Mees, Weber, Zieman.

Absent and not voting: Berg, Church, Haggart, Jacobsen, McBride, Sikes, Ward.

So the Concurrent Resolution passed.

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

Mr. Welford moved that the rules be suspended, and that the Concurrent Resolution relating to the fourteen peace points of President Wilson be considered engrossed, and placed upon its third reading and final passage.

The roll was called and there were ayes, 44; nays, 0, absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Church, Haggart, McBride, Ward.

So the Resolution passed.

Mr. Welford moved that the vote by which this resolution 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 subject to the call of the President, which motion prevailed and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. McCarten moved that the vote by which the report of the joint committee appointed to determine the number of Journals and Bills to be printed was adopted, be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Levang moved that the report of the joint committee appointed to determine the number of Journals and Bills to be printed, be amended by striking out the number 500 of permanent journals to be printed, and inserting in lieu thereof the number 350.

The roll was called and there were ayes, 44; nays, 0, absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Drown, Haggart, McBride, Ward.

So the report as amended was adopted.

Mr. Wenstrom moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary ...

SEVENTH DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
January 13, 1919.

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

Prayer was offered by the Chaplain, Rev. Hutcheson. Roll Call.

All members present except Berg, Carey, Mees, Olson, who were excused.

Courtesies of the floor were extended to Mr. and Mrs. J. P. Sunquist of Aneta, N. D.

COMMITTEE REPORTS

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 5th day and recommend that the same be corrected as follows: Page 1, line 5, put a hyphen at the end of line; page 1, line 38, correct the spelling of the word "same;" page 2, line 39, correct the spelling of the word "following;" page 2, line 41, change the figures "500" to the word "five.." page 2, line 43, change the figures "500" to the word "five;" page 3, line 24, correct the spelling of the name "Liederbach;" page 3, line 56, take out the name "Weber;" page 3, line 47, take the "comma" out after the word "considered" and put a comma after the word "engrossed;" page 4, line 10, take the comma out after the word "considered" and put a comma after the word "engrossed;" page 4, line 46, correct the spelling of the name "Liederbach."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 1.

A bill for an act providing for the calling in and the payment of the expenses of the judge of another judicial district for the trial of civil actions in the district court on the ground of prejudice of the trial judge, and providing for an appropriation therefor.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your committee to whom was referred the matter of making arrangements for the taking of photographs and arranging for a large picture of the Senate, have had the same under consideration and recommend that the Senate enter into the following contract:

CONTRACT

This contract entered into with the Holmboe Studio, party of the first part, and the State of North Dakota, party of the second part this day of January, 1919, ex-

pressly provides as follows, to-wit:

That said Holmboe Studio of Bismarck, N. Dak., said party of the first part, offers to take without charge, moving pictures of the House and Senate while in session, exhibit same to the legislature and to file one of such films with the State Historical Society, and further agrees at its own expense to file with said State Historical Society the indivdual photographs of the members of this, the 16th Legislative Assembly; and said party of the first part further agrees for the consideration of one dollar from each member of the House and the Senate to make a large group picture of the Senate members and a large group picture of the Senate members and hang each group picture in its respective chamber, as the property of the state of North Dakota.

For the above considerations and the further consideration that the photographs and films be of first-class material and good workmanship, the Holmboe Studio of Bismarck, party of the first part, is hereby designated as the sole and exclusive photographer for the 16th Legislative Assembly of the State of North Dakota.

Signed: Holmboe Studio, By F. HOLMBOE,

Party of the first part.

And recommend the same do pass.

C. D. KING, Chairman.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA,

January 13, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to Susan B. Anthony National Suffrage Amendment.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. McNair offered the following resolution:

WHEREAS, The Employment Committee of the Senate has created the following new positions for employees for the 16th General Assembly—

Bill Recording Clerk, Bill Messenger, Proof Reader,

And as the Code of North Dakota makes no provision for the payment of such employees.

BE IT RESOLVED, That such employees shall receive the sum of \$5.00 per day for their services.

And moved its adoption.

The roll was called and there were ayes, 44; nays none, absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall,

King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Mikklethun, Murphy, Nelson, Noltimier, Oksendahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Carey, Mees, Olson, Ward,

So the resolution was adopted.

Mr. Church moved that the Senate have cards printed of the Order of Business for use of the Senators, which motion was duly seconded.

Mr Hyland moved as an amendment that the Committee on Printing be authorized to have suitable cards in such number as they may deem advisable of the Order of Business printed for the use of the Senate, which motion prevailed.

The question being on the adoption of the motion as amended, vote being taken, the motion was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Drown introduced Senate Bill No. 14.

A bill for an act creating a uniform state grade for grain, seeds or other agricultural products; creating and establishing the office of State Inspector of Grades, Weights, and Measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or producing consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspector and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and providing for bonds from public warehouses to see up. powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks; experts and all other employees necessary to carry out the provisions of this act, and making an appropriation therefor; providing penalties for the violation of any of the provisions of this Act. and repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

Was read the first and second time and referred to the

committee on Warehouse and Grain Grading.

Mr. Haggart introduced Senate Bill 15.

A bill for an act amending and re-enacting Chapter 188 of of 1917, the same being an act providing for the inspection of the Session Laws of 1915 an Chapter of the Session Laws refining petroleum, petroleum products, illuminating oils, gasolines, and other low flash test petroleum products; providing for the establishment of ports or entry, appointment of deputies and inspectors, defining chemical tests, inspection fees; and providing appropriations for carrying out the provisions of the act.

Was read the first and second time and referred to the

committee on Ways and Means.

Mr. Haggart introduced Senate Bill No. 16.

A bill for an act appropriating moneys for students soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said building to be further utilized as herein set out.

Was read the first and second time and referred to the

committee on Appropriations.

Mr. Nelson introduced Senate Bill No. 17.

A bill for an act to amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913 as amended by Chapter 176 of the Session Laws of 1915 Prescribing Lawful Rates of Interest for any Legal Indebtedness. Defining Usury.

Was read the first and second time and referred to the

committee on Banks and Banking.

Mr. McCarten moved that the Senate do now go into executive session, which motion prevailed and the Senate went into executive session.

OPEN SESSION

The President announced the appointment to the State Board of Education of the Hon, L. H. Rockne, county superintendent of Renville County, for the unexpired term ending the first Tuesday in April 1919, to fill the vacancy occasioned by the expiration of the term of office as county superintendent of C. E. Cavett, and Hon. C. E. Cavett of Ransom county for the unexpired term ending the first Tuesday in April, 1919, to fill the vacancy occasioned by the resignation of Hon. A. A. Whittemore.

Mr. Hyland moved the Senate do now take a recess subjest to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

The President administered the oath of office to N. G. Grovon and Ruben Harper employees of the Senate.

Mr. Mostad moved that the Senate do now adjourn, which

motion pervailed and the Senate adjourned. W. J. PRATER. Secretary.

SENATE CALENDAR

January 13, 1919.

Third reading Senate Bill No. 1.

A bill for an act providing for the calling in and the payment of the expenses of the judge of another judicial district; for the trial of civil actions in the district court on the ground of prejudice of the trial judge, and providing for an appropriation therefor.

EIGHTH DAY

SENATE CHAMBER, HOUSE OF REPRESENTATIVES, January 14, 1919.

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

Prayer was offered by the Chaplain, Rev. Vermilya.

Roll Call.

All members present except Berg and Olson, who were excused.

The committee on reision 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 7th day and recommend that the same be corrected as follows: Page 1, line 1, change the word "sixth" to the word "seventh;" page 1, line 20, put the word "word" between "the" and "same;" page 2, line 37, correct the spelling of the name "Holmboe" and put a capital "F" in place of the capital "L;" page 2, put the following after the line 38 "and recommend the same do pass. C. D. King, Chairman. Mr. King moved that the report be adopted, which motion prevailed and the report was adopted;" page 2, line 46, correct the spelling of the name "Totten;" page 3, line 9, correct the spelling of the name "Liederbach;" page 3, line 17, put the word 'seconded" in place derbach;" page 3, line 11, put the word seconded in place of the word "recorded;" page 3, line 20, put the word "as" in place of the word "or" between the words "number" and "nay;" page 3, line 43, put a semicolon after the word "grain;" page 4, line 5, leave a blank space after the word "chapter; page 4, line 8, correct the spelling of the word "petroleum;" page 4, line 41, correct the spelling of the word "resignation;" page 4, line 48, correct the spelling of the name "Harper;" page 4, line 52, take out the word "Chamber" and put in the word "Calendar;" page 4, line 56, put a semicolon at the end of the line. And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrolling and Engrossing made the following report:

Mr. President: Your committee on Engrossed Bills to whom was referred Senate Bill No. 1. A bill for an act providing

for the calling in and the payment of the expenses of the judge of another judicial district for the trial of civil actions in the district court on the ground of prejudice of the trial judge, and providing for an appropriation therefor. Have had the same under consideration and find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The President called President Pro Tem. McCarten to the chair.

Mr. Ployhar introduced the following resolution:

WHEREAS, in view of the fact that there have been introduced in the House of Representatives, several measures of such vital import to the taxpayers of the state, that it is only fair and just that they should be given the widest possible publicity.

BE IT RESOLVED, That the secretary of the Senate be instructed to have two thousand extra copies each of House Bills No. 17 and 18 printed for the use of the members of the senate.

Mr. Ployhar moved that the report be adopted, which motion pravalled and the resolution was adopted.

Mr. McNair moved that the Senate do now take a recess subject to the call of the President, which motion prevailed.

AFTER RECESS

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

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. McNair introduced Senate Bill No. 18.

A bill for a act to amend and re-enact Sections 1 and 2 of Chapter 236 of the Laws of North Dakota for the year 1915 relative to the Board of Nurse Examiners of the State of North Dakota.

Was read the first and second time and referred to the committee on Public Health.

The Committee on State Affairs introduced Senate Bill No. 19.

A bill for an act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end to establish a business system operated by the state under the name of the Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management.

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

The Committee on State Affairs introduced Senate Bill No. 20.

A bill for an act declaring the purpose of the state of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the State, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

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

Mr. Miklethun introduced Senate Bill No. 21.

A bill for an act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

Was read the first and second time and referred to the

committee on Judiciary.

The Senate returned to the Seventh Order of Business.

RESOLUTION

MEMORIAL RESOLUTION RELATING TO THE DEATH OF JUDSON LA MOURE.

WHEREAS, Since the last session of this body, the State, in the death of Judson La Moure, has lost its most distinguished legislator, and best known citizen, one whose period of service in Territorial and State Legislature was almost continuous for a period of more than thirty-five years.

BE IT RESOLVED, That Judson La Moure, more than any other man, was closely identified with the history of the State, and more than any other man he was instrumental in the establishment, and development of its institutions.

For many years, as Chairman of the Committee on Appropriations, he helped direct the distribution of the revenues of the State, and his strong character and thorough knowledge of the functions of the various departments and the needs and scope of work of the State Institutions, enabled him to do this fearlessly and wisely.

A pioneer of the territory in the days when dangers, discomforts and vicissitudes were the lot of those who crossed its unsettled prairies, freighter. Indian agent, teacher, legislator, he kept abreast of the wonderful panoramic unfolding of a great commonwealth, and when he completed a generation of continuous public service his personality was permanently impressed upon the statutes and policies of the State.

RESOLVED FURTHER, That in the years to come when an imposing building shall be needed to house the relies, memorials and annals that illustrate the history and development of a great State, a chaplet should be placed therein, bearing the legend that Judson La Moure wrote into the laws, the Act that created the State Historical Society of North Dakota.

BE IT FURTHER RESOLVED, That copies of these resolutions, properly engrossed, signed and attested, be forwarded to the surviving members of the family, and one copy be filed in the archives of the State Historical Society.

WALTER WELFORD R. McCarten A. S. Girbens

Mr. Welford moved that the Resolution be adopted which motion prevailed and the resolution was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, Jan. 14, 1919

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 8.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota Relative to the Purposes for which Taxes Shall Be Levied and Collected, and Providing for the Exemption of Certain Personal Property from Assessment and Taxation, and Granting Power to the Legislature to Raise Revenue and to Fix the Situs of Property for the Purpose of Taxation; And Declaring that said Amendment has Become a Part of the Constitution of the State.

House Bill No. 9.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 10.

A Concurrent Resolution agreeing to a proposed Amendment to the Consitution of the State of North Dakota by providing for the future amendment thereof; and declaring that said Amendment has become a part of the Constitution of the State.

House Bill No. 11.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the assessment of improvements on land and authorizing a tax on lands for the purpose of indemnifying owners of growing crops against damages by hail; and declaring that said amendment has become a part of the Constitution of the State.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Mostad moved that the courtesies of the floor be extended to ex-Senator Allen, which motion prevailed.

Mr. Gibbens moved that the courtesies of the floor be extended to ex-Senator Pierce, and H. E. Taylor of Valley City. which motion prevailed.

THIRD READING OF SENATE BILLS

Mr. Cahill moved that Senate Bill No. 1 be re-referred to the committee for correction, which motion prevailed and the bill was re-referred to the Committee on Judiciary.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 8.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota Rela-

tive to the Purposes for which Taxes Shall Be Levied and Collected, and Providing for the Exemption of Certain Personal Property from Assessment and Taxation, and Granting Power to the Legislature to Raise Revenue and to Fix the Situs of Property for the Purpose of Taxation; And Declaring that said Amendment has Become a Part of the Constitution of the State.

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

House Bill No. 9.

A Concurrent Resolution agreeing to a proposed amend ment to the Constitution of the State of North Dakota by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property; and declaring that said amendment has become a part of the Constitution of the State.

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

House Bill No. 10.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing for the future amendment thereof; and declaring that said amendment has become a part of the Constitution of the State.

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

House Bill No. 11. A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the assessment of improvements on land and authorizing a tax on lands for the purpose of indemnifying owners of growing crops against damages by hail; and declaring that said Amendment has become a part of the Constitution of the State.

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

Mr. Wenstrom moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

NINTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 15, 1919

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

Prayer was offered by the Chaplain, Rev. Alfson. Roll Call.

All members present except Berg, Fraser, King, Pendray. who were excused.

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 8th day and recommend that the same be corrected as follows: Page 1, line 11, correct the spelling of the word "revision;" Page 1, line 19, put in the word "do" in place of the word "due;" page 2, line 2, change the word "or" to "of;" page 2, line 10, put a period after the word "Tem;" page 2 line 22, put the word "Mr." in front of the name 'McNair: page 2, line 26, put a period after the word "presiding;" page 2, line 49, put the word "an" between the words "for" and "act;" page 3, line 17, put a comma after the word "body;" page 4, line 20, change the word "and" to the word "was;" page 4, before line "1" put the following: "Message from the House;" page 4, line 15, correct the spelling of the word "the;" page 4, line 21, correct the spelling of the word "excess;" page 4 line 32, correct the spelling of the word "concurrent;" page 4, line 34, correct the spelling of the word "authorizing:" page 4, after line 38 put the following: "Which the House has passed and your favorable consideration is respectfully requested. Very respectfully, Geo. A. Totten. Jr., Chief Clerk;" page 5, line 36, change the word "chairman" to "secretary;" page 2, line 6; take out the following: "and when so amended recommend the same do pass." And when so corrected recommend that the same be approved. H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, N. D., January 14, 1919.

...Mr. Presidents I have the honor to transmit herewith the following bills:

House Bill No. 12.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by authorizing the state, any county or city, to make internal improvements, and to engage in any industry, enterprise or business not prohibited by Article 20 of the Constitution of the State of North Dakota; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 6.

A Concurrent Resolution agreeing to a proposed amendment of the Constitution of the State of North Dakota by changing the number of electors required to propose any measure by initiative petition; by changing the time in which the initiative petition may be filed, and the duties of the secretary of state with respect thereto; by reducing the number of signers required for referendum petitions; by providing for a referendum on emergency measures and for special elections thereon; by providing for the circulation of, and designating the force to be given, such petitions and the publicity to be given thereto and providing for repeal or amendment of such measures by the legislature: And declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 7.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the state, shall be declared an emergency measure, and providing that an emergency measure shall take effect and be in force from and after its passage and approval by the Governor: And declaring that said amendment has become a part of the Constitution of the State.

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

Very respectfuly.

GEORGE A. TOTTEN, JR., Chief Clerk.

The President announced the appointment as committee on mileage and per diem Messrs. Hunt, Whitman, Benson.

Mr. Levang moved that the Secretary of the Senate be instructed to have three hundred additional copies of the temporary Journal printed.

The roll was called and there were ayes, 46; nays, none; absent and not voting, 3.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, King, Pendray.

So the motion prevailed.

Mr. Levang moved that the Secretary be instructed to have two thousand each additional copies of Senate Bills Nos. 19 and 20 printed for the use of the Senate.

The roil was called and there were ayes, 44; nays, none;

absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Gibbens Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingersol, Jacobson, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berk, Cahill, Fraser, King and Pendray.

So the motion prevailed.

Concurrent resolution introduced by Mr. Bowman,

WHEREAS, Dr. John H. Worst performed with honor and fidelity, the duty of President of the State Agricultural College of the State of North Dakota, for more than twenty years, and

WHEREAS, he at all times served the interest of the common men and women of this State and worked for the promotion of their happiness and prosperity, and opposed the special interests that prey upon the needs of our people, and

WHEREAS, he refused to interefere or deny the right of academic freedom of thought or speech, and

WHEREAS, as a teacher he taught truth without fear or favor, and as President of the Agricultural College administered his office with firm and impartial justice, and

WHEREAS, his services to this State as President of the Agricultural College, teacher in our schools, and citizen, are worthy of the highest commendation and honor, now therefore.

BE IT RESOLVED, By the Senate and the House of Representatives concurring, that we petition, recommend and earnestly request the State Board of Regents to create the office of President Emeritus of the State Agricultural College, and to appoint DR. JOHN H. WORST, President Emeritus thereof; and that a copy of this Resolution be forwarded to the members of the Board of Regents and to Dr. John H. Worst.

Referred to Committee on Ways and Means.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Drown introduced Senate Bill No. 22.

A bill for an act, relating to corporate powers of annuity, safe deposit and trust companies.

Was read the first and second time and referred to the committee on Ways and Means.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 6.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the number of electors required to propose any measure by initiative petition; by changing the time in which the initiative petition may be filed, and the duties of the secretary of state with respect thereto; by reducing the num-

ber of signers required for referendum petitions; by providing for a referendum on emergency measures and for special elections thereon; by providing for the circulation of, and designating the force to be given, such petitions and the publicity to be given thereto and providing for repeal amendment of such measures by the legislature: And declaring that said amendment has become a part of the Constitution of the State.

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

House Bill No. 7.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the state, shall be declared an emergency measure, and providing that an emergency measure shall take effect and be in force from and after its passage and approval by the Governor: And declaring that said amendment has become a part of the Constitution of the State.

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

House Bill No. 12.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by authorizing the state, any county or city, to make internal improvements, and to engage in any industry, enterprise or business not prohibited by Article 20 of the Constitution of the State of North Dakota; and declaring that said amendment has become a part of the Constitution of the State.

Was read the first and second time and referred to the

committee on State Affairs.

Mr. Welford moved that the Senate do now go into executive session, which motion prevailed, and the Senate went into executive session.

OPEN SESSION

The President announced that the matter contained in the sealed message from the Governor was referred to the Com-

mittee on State Affairs.

Mr. McNair moved that the Senate do now take a recess for 20 minutes, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

Courtesies of the floor were extended to John Sleight of Tapfen, Rev. Ludvig Seiber and Geo. Engel of McClusky; G. G. Mantz of Lincoln Valley, Robert Dunn of Center, Alfred Johnson and P. C. Anderson of Leith, Peter Schlosser of Carson, Conrad Slagerman of Bathgate, E. R. Sinkler of Minot, David Pross and J. J. Jones of Fessenden, R. D. John-son, J. E. Bryans and J. C. Peters of Mohall, John Beal of Kintyre, T. P. Lee of Braddock and James Frederick.

Mr. Drown moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

TENTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 16, 1919.

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

Prayer was offered by the Chaplain, Rev. Alfson.

All members present except Berg, Carey, Hyland, King, Mortenson and Pendray who were excused.

The President administered the oath of office to Harry Dence, Senate proof reader.

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 9th day and recommend that the same be corrected as follows: Page 1, line 32, correct the spelling of the word "Jr.;" page 3, line 6, correct the spelling of the name "Kendall;" page 3, line 9, take out the following name "Welford, Wenstrom, Whitman Zieman" and put in the following names "Ployhar, Porter, Sikes, Stenmo, Storstad;" page 3, line 22, correct the spelling of the word "people";; page 3, line 28, change the word "of" to "to" between the words "services" and "this;" page 3, line 39, correct the spelling of the word "Ways;" page 3, line 50, change the word "of" to "to" between the words "Amendment" and "the;" page 4, line 37; correct the spelling of the word "contained;" page 4, line 45, correct the spelling of the name "Tappen;" page 4, line 50, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the name "Beal;" page 4, line 51, correct the spelling of the line Beal;" page 4, line 51, correct the spelling of the line Beal;" page 4, line 51, correct the spelling of the line Beal;" page 4, line 51, correct the spelling of the line Beal;" page 4, line 51, correct the spelling of the line Beal; line Beal; line Beal; line B

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report 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. 6.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the number of electors required to propose any measure by initiative petition; by changing the time in which the initiative petition may be filed, and the duties of the secretary of state with respect thereto; by reducing the number of signers required for referendum petitions; by provid-

ing for a referendum on emergency measures and for special elections thereon; by providing for the circulation of, and designating the force to be given, such petitions and the publicity to be given thereto and providing for repeal or amendment of such measures by the legislature: And declaring that said amendment has become a part of the Constitution of the State.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 7.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the state, shall be declared an emergency measure, and providing that an emergency measure shall take effect and be in force from and after its passage and approval by the Governor: And declaring that said amendment has become a part of the Constitution of the State.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 8.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the purposes for which taxes shall be levied and collected, and providing for the exemption of certain personal property from assessment and taxation, and granting power to the Legislature to raise revenue and to fix the situs of property for the purpose of taxation; and declaring that said Amendment has become a part of the Constitution of the State.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 9.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property; and declaring that said amendment has become a part of the Constitution of the State.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 10.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing for the future amendment thereof; and declaring that said amendment has become a part of the Constitution of the State.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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 Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the assessment of improvements on land and authorizing a tax on land for the purpose of indemnifying owners of growing crops against damages by hail; and declaring that said amendment has become a part of the Constitution of the State.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 12.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by authorizing the state, any county or city, to make internal improvements, and to engage in any industry, enterprise or business not prohibited by Article 20 of the Constitution of the State of North Dakota; and declaring that said amendment has become a part of the Constitution of the State.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA,

January 16, 1919.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 19.

A bill for an act to amend and re-enact Sections 3481 and 3482 of the Compiled Laws of North Dakota for the year 1913 as amended by Sections nine and ten of Chapter thirteen of the laws of North Dakota for the year 1918 relating to the issuance of bonds and warrants to procure seed grain and feed.

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

Very respectfully,

GEORGE A. TOTTEN, JR., Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILL

House Bill No. 19.

A bill for an act to amend and re-enact Sections 3481 and 3482 of the Compiled Laws of North Dakota for the year 1913 as amended by Sections nine and ten of Chapter thirteen of the laws of North Dakota for the year 1918 relating to the issuance of bonds and warrants to procure seed grain and feed.

Was read the first and second time and referred to the committee on Ways and Means.

Mr. Bowman moved that the Senate do now take a recess subject to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

The Senate returned to Sixth Order of Business.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred a Concurrent Resolution introduced by Mr. E. A. Bowman, have had the same under consideration and recommend that the same do pass.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 19.

A bill for an act to amend and re-enact Sections 3481 and 3482 of the Compiled Laws of North Dakota for the year 1913 as amended by Sections nine and ten of Chapter thirteen of the laws of North Dakota for the year 1918 relating to the issuance of bonds and warrants to procure seed grain and feed.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber
BISMARCK, NORTH DAKOTA,
January 16, 1919.

Mr. President: I have the honor to transmit herewith the following bill:

TENTH DAY AFTER RECESS AND ELEVENTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 17, 1919.

The Senate convened at 1:30 p. m. pursuant to recess taken: The Senate returned to the fifth order of business.

The Budget committee made its report, and asked that it be received.

Mr. Gibbens moved that the report be received which motion prevailed and the report of the committee was received.

Mr. Cahill moved that the Senate do now go into executive session, which motion prevailed and the Senate went into executive session.

OPEN SESSION

The president announced the appointment as members of the Board of Regents:

Hon. C. E. Vermilya of Burleigh county, for the unexpired term beginning August 25, 1917 and ending July 1, 1919.

Geo. A. Totten of Bowman county, for the term beginning August 31, 1917 and ending July 1, 1923.

Robert Muir of Towner county, for the term beginning August 31, 1917 and ending July 1, 1923.

Roscoe Beighle of Ward county, for the term beginning July 1, 1919 and ending July 1, 1925.

C. E. Vermilya of Burleigh county, for the term beginning July 1, 1919 and ending July 1, 1925.

Mr. Mees moved that the Senate do now adjourn, which motion prevailed and the senate adjourned.

ELEVENTH DAY

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the Chaplain, Rev. Alfson. Roll Call.

All members present except Berg, Carey, Mortenson, Pendray, who were excused.

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 10th day and find the same to be correct, and recommend that the same be approved.

H. H. McNAIR, Chairman.

the Legislature to raise revenue and to fix the situs of property for the purpose of taxation; and declaring that said Amendment has become a part of the Constitution of the State.

House Bill No. 9.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 10.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing for the future amendment thereof; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 11.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the assessment of improvements on land and authorizing a tax on land for the purpose of indemnifying owners of growing crops against damages by hail; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 12,

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by authorizing the state, any county or city, to make internal improvements, and to engage in any industry, enterprise or business not prohibited by Article 20 of the Constitution of the State of North Dakota; and declaring that said amendment has become a part of the Constitution of the State.

TENTH DAY AFTER RECESS AND ELEVENTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 17, 1919.

The Senate convened at 1:30 p.m. pursuant to recess taken: The Senate returned to the fifth order of business.

The Budget committee made its report, and asked that it be received.

Mr. Gibbens moved that the report be received which motion prevailed and the report of the committee was received.

Mr. Cahill moved that the Senate do now go into executive session, which motion prevailed and the Senate went into executive session.

OPEN SESSION

The president announced the appointment as members of the Board of Regents:

Hon. C. E. Vermilya of Burleigh county, for the unexpired term beginning August 25, 1917 and ending July 1, 1919.

Geo. A. Totten of Bowman county, for the term beginning August 31, 1917 and ending July 1, 1923.

Robert Muir of Towner county, for the term beginning August 31, 1917 and ending July 1, 1923.

Roscoe Beighle of Ward county, for the term beginning July 1, 1919 and ending July 1, 1925.

C. E. Vermilya of Burleigh county, for the term beginning July 1, 1919 and ending July 1, 1925.

Mr. Mees moved that the Senate do now adjourn, which motion prevailed and the senate adjourned.

ELEVENTH DAY

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the Chaplain, Rev. Alfson. Roll Call.

All members present except Berg, Carey, Mortenson, Pendray, who were excused.

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 10th day and find the same to be correct, and recommend that the same be approved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 1.

A bill for an act providing for the calling in and the payment of the expenses of the Judge of another Judicial District for the trial of civil actions in the District Court on the ground of prejudice of the trial Judge, and providing for an appropriation therefor.

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

That everything after the words A Bill, be struck out, and the following be inserted in lieu thereof. For an Act to Amend and Re-enact Section 7644 of the Compiled Laws of North Dakota for the year 1913, relating to change of Judges in Civil action in the District Court for prejudice or bias of Judge thereof; providing for the calling in of another Judge of another judicial district, and the payment of his expenses, and the discharge of Jurors therein.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. FOR PREJUDICE OR BIAS. When either party to a civil action pending in any of the district courts of the state shall after issue joined and before the opening of any regular, special or adjourned term at which the cause is to be tried file an affidavit stating that he has reason to believe and does believe that he cannot have a fair and impartial trial or hearing before the judge of the district court by reason of the prejudice or bias of such judge, the court shall proceed no further in the action and shall thereupon be disqualified to do any further act in said cause.

SECTION 2. AFFIDAVIT OF PREJUDICE. BY WHOM MADE. Such affidavit shall be made by the party to the action desiring such change of trial judge or by his attorney.

SECTION 3. AFFIDAVIT TO BE FILED. Such affidavit with two copies thereof shall be filed with the clerk of the court in which the action is pending. Upon the filing of such affidavit the clerk shall immediately give notice thereof to the Judge so disqualified by delivering to him a copy of such affidavit. Said clerk shall promptly forward to the clerk of the state supreme court a copy of such affidavit.

SECTION 4. THE SUPREME COURT TO DESIGNATE TRIAL JUDGE. The Supreme Court shall upon receipt of such affidavit of prejudice from the clerk of the district court designate a district judge to act in the place and stead of the judge disqualified.

SECTION 5. EXPENSES OF JUDGE. Any judge of the district court designated by the Supreme Court to act in said cause shall as soon as possible after receiving such notice from the Supreme Court and during said term, unless otherwise agreed by the parties to said action, proceed with the trial of said cause, first giving reasonable notice of the date of trial to the parties to said action or their attorneys, and the actual expenses of such incoming judge shall upon the furnishing of a voucher therefor by said judge to the state

auditor be approved for payment and paid by the state treas-

urer out of the general fund.

SECTION 6. JURORS NOT TO BE EXCUSED BY DIS-QUALIFIED JUDGE. After the filing of such affidavit of prejudice with the clerk of the district court no juror shall be excused except for good cause shown to the incoming judge and by such incoming judge. SECTION 7. NUMBER OF CHANGES ALLOWED. Not

SECTION 7. NUMBER OF CHANGES ALLOWED. Not more than one change shall be granted on the application of

either party.

And when so amended recommend the same do pass.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

Mr. Hyland moved that the reading of the report of the committee on Mileage and Per Diem be dispensed with, and that the report be printed in the journal, which motion prevailed.

Mr. President: Your committee on Mileage and Per Diem submit the following report:

| Dis- trict Name and Address | N. P. | S00 | G. N. | Mil. | Team | To- tal |
|---|------------|-----|-------|--------|--------|------------|
| 17 C. I. Morkrid, Petersburg. | 390 | | 252 | | 22 | 664 |
| 16 J. L. Miklethun, Wimbledon | 300 | | | *** | 16 | 316 |
| 46 R L Fraser Garrison | | 156 | | | 10 | 156 |
| 32 O. H. Olson, New Rockford | 326 | | | | 23 | 346 |
| 28 A. M. Hagan, Westhope | 390 | | 480 | | 5 | 875 |
| 24 E. A. Bowman, Kulm | | 220 | | | | 220 |
| 7 A. Stenmo, Grand Forks | 348 | | 108 | | 12 | 468 |
| 6 W. S. Whitman, Grand Forks | 390 | | 160 | | | 550 |
| 21 F. H. Hyland, Devils Lake. | 390 | | 336 | | | 726 |
| 49 H P Jacobson Mott | 268 | *** | *** | *** | | 268 |
| 9 G. W. Haggart, Fargo 31 M. L. McBr.de, Dickinson | 390 | | | | | 390 |
| 31 M. L. McBr.de, Dickinson | 230 | 111 | | | *22 | 230 |
| 25 W. Zieman, Oakes | 222 | 312 | 200 | *** | 16 | 328 |
| 34 E. H. Kendall, Norwich | 390 | *** | 544 | | 4 | 938 |
| 10 A. G. Storstad, Horace | 412 | *** | 440 | *** | 6 | 418 |
| 18 W. H. Porter, Calvin | 390 | *** | 418 | | * ** | 808 |
| 20 W. J. Church, York | 390 416 | | 412 | *** | 27 | 829 |
| 35 J. A. Beck, McClusky 11 C. E. Drown, Page | 388 | *** | 84 | *** | 25 | 416 |
| | 900 | 404 | 01 | *** | 20 | 424 |
| 37 C. W. Carey, Lidgerwood 45 Ole Ettestad, Balfcur | | 288 | | 1000 | 8 | 296 |
| 2 J. E. Fleckten, Niobe | | 420 | 110 | | 0 | 530 |
| 39 G. F. Hunt, Beach | 360 | | *** | | 10 | 370 |
| 40 Ralph Ingerson, Flaxton | 512 | 280 | | Take 1 | 6 | 798 |
| 2 H U McNair Portland | 390 | | 122 | | 7 | 519 |
| 4 P. J. Murthy, Grafton | 388 | | 280 | | | 668 |
| 4 P. J. Murphy, Grafton 38 C. H. Noltimier, Valley City 42 A. Oksendahl, Tunbridge 15 F. E. Ployhar, Valley City. 36 John Weber, Wishek | 274 | | | | 12 | 286 |
| 42 A. Oksendahl, Tunbridge | 388 | | 448 | | 10 | 846 |
| 15 F. E. Ployhar, Valley City. | 274 | | *** | | | 274 |
| 36 John Weber, Wishek | *** | 160 | | *** | 8 | 168 |
| Zb C. A. Waru, Hazerton | 92 | | | | 14 | 106 |
| 30 F. W. Mees, Glen Ullin | 140 | *** | 222 | *** | *** | 140 |
| 5 J. P. Hemmingson, Shawnee | 388 | | 226 | *** | 1 | 615 |
| 22 A. S. Gibbens, Cando | 388 | ::: | 402 | *** | 20 | 810 |
| 13 Richard McCarten, Cogswell | *** | 344 | 111 | *** | *** | 344 |
| 44 E. H. Sikes, Stanley | 010 | 382 | 101 | 101 | *** | 490 |
| 47 J. I. Cahill, Leith | 216 774 | | *** | 24 | 100 | 240 |
| 1 Walter Welford, Neche | 1119 | | | | 12 | 786 |
| 12 Edward M. Nelson, Fair- | 388 | | | 120 | 10 | 518 |
| 33 J. A. Wenstrom, Dover | 310 | 111 | *** | 120 | 2 | 312 |
| | 388 | | 458 | | *** | 846 |
| 19 John W. Benson, Rolette 48 A. A. Liederbach, Killdeer | | | 200 | | 12 | 266 |
| 43 E. Fiamerly, Sherwood | 201 | 382 | 162 | | . 14 | 558 |
| 29 Thorwald Mostad, Minot | | 382 | | - | | 382 |
| 3 Christ I evang. Adams | 388 | | 287 | | | 675 |
| 27 C. D. King, Menoken | 30 | | *** | | *** | 30 |
| 41 Morten Mortenson, Hofflund | | 382 | 164 | | 30 | 567 |
| | | CE | HIEN | T CT | nairma | m |
| G. F. Hunt, Chairman. | | | | | | |

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

MOTION AND RESOLUTION

The question being on the adoption of the Concurrent Resolution recommending the creation of the office of President Emeritus of the State Agricultural College and the appointment of Dr. John H. Worst, President Emeritus thereof.

The roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Ayes-Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Carey, Haggart, Mortenson, Pendray, Porter. -

So the resolution was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SEN-ATE BILLS

Mr. Hagan introduced Senate Bill No. 23.

A Bill for an act to prevent any foreclosure proceeding without first giving due notice to the mortgagor.

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

Mr. Mees introduced Senate Bill No. 24.

A Bill for an act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for Five Assistant Attorneys General, prescribing the bond and oath of office and fixing the salary therefor.

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

THIRD READING OF HOUSE BILLS

House Bill No. 19.

A Bill for an act to amend and re-enact Sections 3481 and 3482 of the Compiled Laws of North Dakota for the year 1913 as amended by Sectione nine and ten of Chapter thirteen of the laws of North Dakota for the year 1918 relating to the issuance of bonds and warrants to procure seed grain and feed.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Nottmier, Oksendall, Oken, Blocken, Borten, Cilca, Sterme, Storestad, sendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman. Absent and not voting: Berg, Carey, Mortenson, Pendray.

So the bill passed and the title was agreed to.

Mr. Mostad moved that the vote by which House Bill No. 19 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the emergency clause of House Bill No. 19, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman,

Absent and not voting: Berg, Carey, Hyland, Mortenson, Pendray.

So the emergency clause passed.

Mr. Levang 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. 6.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the number of electors required to propose any measure by initiative petition; by changing the time in which the initiative petition may be filed, and the duties of the secreta y of state with respect thereto; by reducing the number of agners required for referendum petitions; by providing for a re erendum on emergency measures and for special elections thereon; by providing for the circulation of, and designating the force to be given such petitions and the publicity to be given thereto and providing for repeal or amendment of such measures by the legislature: And declaring that said amendment has become a part of the Constitution of the State.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 45; mays, θ ; absent and not voting, 4.

Aves—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Carey, Mortenson, Pendray. So the bill passed and the title was agreed to.

Mr. Mostad moved that the vote by which House Bill No. 6 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 7.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the state, shall be declared an emergency measure; and providing that emergency measures shall take effect and be

in force from and after its passage and approval by the Governor: And declaring that said amendment has become a part of the Constitution of the State.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 33; nays, 12; absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Gibbens, Haggart, Hyland, Jacobsen, Kendall, Mc-Bride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Berg, Carey, Mortenson, Pendray. So the bill passed and the title was agreed to.

Mr. Cahill moved that the vote by which House Bill No. 7 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Jacobsen: I rise to explain my vote, and ask to have it entered in the journal: This proposed amendment to the constitution not having received a majority of the legal votes cast at the last general election, and therefore not being properly before this legislative assembly, I vote no.

House Bill No. 8.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the purposes for which taxes shall be jevied and collected, and providing for the exemption of certain personal property from assessment and taxation, and granting power to the Legislature to raise revenue and to fix the situs of property for the purpose of taxation; and declaring that said Amendment has become a part of the Constitution of the State.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Ayes—Benson, Bowman, Cahill, Church, Drown, Ettestad, Flechten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Stenno, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Berg, Carey, Mortenson, Pendray. So the bill passed and the title was agreed to.

Mr. Mees 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. Jacobsen: I rise to explain my vote, and ask to have it entered in the journal. This proposed amendment not having received a majority of all the legal votes cast at the last general election as provided by Section 202 of the constitution, therefore not being properly before the legislative assembly, I vote no.

House Bill No. 9.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by

changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property; and declaring that said amendment has become a part of the Constitution of the State.

Was read the third time The question being on the final passage of the bill; the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Ayes-Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mosson, King, Levang, Liederbach, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman. Nays—Beck, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman. Absent and not voting: Berg, Carey, Mortenson, Pendray. So the bill passed and the title was agreed to.

Mr. Cahill 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 pressiled.

on the table, which motion prevailed.

Mr. Bowman: I rise to explain my vote, and ask to have it entered in the journal. House Bill No. 9, having received a majority of all the legal votes cast thereon at the last general election according to Section 202 of the constitution, I vote aye.

Mr. Jacobsen: I rise to explain my vote, and ask to have it entered in the journal. For the reasons given on House Bills Nos. 7 and 8, I vote no.

House Bill No. 10.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing for the future amendment thereof; and declaring that said amendment has become a part of the Constitution of the State.

Was-read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Ayes—Benson, Bowman, Cahill, Church, Drown, Ettestad, Flecktén, Fraser, Hagan, Hamerly, Hemmingsen, Hunt. Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman,

Nays-Beck, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman. Absent and not voting: Berg, Carey, Mortenson, Pendray.

So the bill passed and the title was agreed to

Mr. Wenstrom moved that the vote by which House Bill No. 10 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Bowman: I rise to explain my vote, and ask that the same be entered in the journal. I make the same explanation as entered to House Bill No. 9, and vote aye.

Mr. Cahill: I rise to explain my vote and ask that it be entered in the journal. Referring to the same section of the law referring the constitutional amendments to the people, there seems to be a division of opinion, but believing that a man knowing what he is voting for wants that thing, and having received a majority of all the legal votes cast on that subject, I vote aye.

Mr. Ettestad: If I understand the constitution, and as I read it, all power is vested in the people. Now when I voted on this amendment I expressed my opinion either for or against. If I didn't vote on it, I do not think any one else has any right to express my opinion, and as the section provides they must receive a majority of all the legal votes cast, I understand the legal votes cast is the thing that is voted on.

A vote for the governor I do not think is a vote cast for the amendment, I ask to have this explanation entered in the journal, and vote age.

Mr. Jacobsen: I wish to explain my vote, and ask to have it entered in the journal. For the same reasons assigned on my vote on House Bills Nos. 7, 8 and others, I vote no.

House Bill No. 11.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the assessment of improvements on land and authorizing a tax on land for the purpose of indemnifying owners of growing crops against damages by hail; and declaring that said amendment has become a part of the Constitution of the State.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Carey, Mortenson, Pendray. So the bill passed and the title was agreed to.

Mr. Mostad 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.

Mr. Gibbens: I wish to explain my vote, and have it entered in the journal. This was one of the measures before the people, and received a majority of all the votes cast in my district in favor of it, and also received the constitutional requirement of all the votes cast in this state at the last general election, therefore I vote aye.

House Bill No. 12.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by authorizing the state, any county or city, to make internal improvements, and to engage in any industry, enterprise or business not prohibited by Article 20 of the Constitution of the State of North Dakota; and declaring that said amendment has become a part of the Constitution of the State.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Ayes-Benson, Bowman, Cahill, Church, Drown, Ettestad,

Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Berg, Carey, Mortenson, Pendray. So the bill passed and the title was agreed to.

Mr. Mees 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.

Mr. Bowman: I wish to explain my vote and ask to have it entered in the journal. In order that I may not have to make an explanation to my constituents who voted overwhelmingly in favor of this amendment, I vote aye.

Mr. Cahill: I rise to explain my vote, and ask to have it entered in the journal. I think that when the people by a majority of the votes cast on any question show by their votes they want that thing carried out, it is the duty of their representative to carry these things through as he is instructed, therefore I vote aye.

Mr. Welford moved that the Senate do now go into executive session, which motion prevailed and the Senate went into executive session.

OPEN SESSION

The president announced that the subject matter contained in the sealed message from the governor had been referred to the committee on State Affairs.

Courtesies of the floor were extended to Harry C. Wilbur, Fargo; Dr. A. Mc. G. Beede, Fort Yates; Mr. Lynch, Bottineau; D. V. Moore; Mr. and Mrs. Graf, Grand Rapids; Mike Shockman, Kulm; Henry Connor, Dunn Center; S. A. Smith, Beach; N. O. Brokke, Baxton; Ole Knutson, Grand Forks; Ole Tobiason, Thompson; B. O. Serbo, Grand Forks; C. O. Swenson, Albert Swenson and Nick Nelson of Northwood; Alex Donald, Glencoe; John Beal, Kintyre; Albert Goldammer, Sander Peterson, Lakota; Albert Loh, Leith; John Bodder, Elgin; J. F. Smith, Heil; W. L. Moyes, Cando.

Mr. Cahill moved that the Senate do now take a recess subject to the call of the president, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. Cahill moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR

January 18, 1919.

THIRD READING SENATE BILLS

Senate Bill No. 1.

A bill for an act to amend and re-enact Section 7644 of the Compiled Laws of North Dakota for the year 1913, relating to change of judges in civil action in the District Court for prejudice or bias of judge thereof; providing for the calling in of another judge of another judicial district, and the payment of his expenses, and the discharge of jurors therein.

TWELFTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 18, 1919.

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the Chaplain, Rev. Alfson.

Roll call.

All members present except Berg, Bowman, Carey, Fraser, Gibbens, Haggart, Hunt, Jacobson, Liederbach, McBride, Mc-Carten, Mortenson, Nelson, Noltimier, Pendray, Ployhar, who were excused.

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 10th day after recess and 11th day and recommend that the same be corrected as follows:

Page 3 line 36, change the name "McClusky" to the name

"Norwich".

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Your committee on Enrollment and En-

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report: Mr. President:

grossment have examined the following bills: Senate Bill No. 1.

A bill for an act to amend and re-enact Section 7644 of the Compiled Laws of North Dakota for the year 1913, relating to change of judges in civil action in the District Court for pre-judice or bias of judge thereof; providing for the calling in of another judge of another judicial district, and the payment of his expenses, and the discharge of jurors therein, and find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Banks and Banking made the following

report: Mr. President: Your committee on Banks and Banking to whom was referred House Bill No. 13.

A bill for an act regulating the rate of interest on indebtedness after maturity.

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

CHRIST LEVANG, Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report 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 to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

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

H. H. McNAIR, Ranking Chairman Pro Tem.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. McNair moved that the Judiciary committee be extended further time in the consideration of Senate Bills Nos. 2, 3 and 4, which motion prevailed.

Mr. McNair moved that the Journal of Tuesday, January 7, 1919, be corrected to read as follows:

In line 49 page 3 strike out the words "Ass't. Enrolling and Engrossing Clerk" and substitute the words "Journal Clerk".

In line 29 page 4 strike out the words "Ass't. Enrolling and Engrossing Clerk" and substitute the words "Journal Clerk." Which motion prevailed, and the journal was so corrected.

Mr. Wenstrom moved that an extension of time be granted the committee on Ways and Means in the consideration of Senate Bill No. 6, which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Pendray introduced Senate Bill No. 25.

A bill for an act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Was read the first and second time and referred to the committee on Highways.

Mr. Morkrid introduced Senate Bill No. 26.

A bill for an act to regulate the sale of berries and small fruit and the containers in which they are sold, and providing penalties for violation thereof.

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

Mr. McNair introduced Senate Bill No. 27.

A bill for an act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

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

THIRD READING OF SENATE BILLS

Senate Bill No. 1.

A bill for an act providing for the calling in and the payment of the expenses of the judge of another judicial district for the trial of civil actions in the district court on the ground of prejudice of the trial judge, and providing for an

appropriation therefor.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 28; nays, 4; absent and not voting, 17.

Ayes—Benson, Cahill, Church, Drown, Ettestad, Fleckten, Hagan, Hamerly, Hemmingsen, Ingerson, King, Levang, Mc-Nair, Mees, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Hyland, Kendall, Murphy, Porter. Absent and not voting: Beck, Berg, Bowman, Carey, Fraser, Gibbens, Haggart, Hunt, Jacobsen, Liederbach, McBride, McCarten, Mortenson, Nelson, Noltimier, Pendray, Ployhar.

So the bill passed and the title was agreed to.

Mr. Levang 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.

Mr. Welford moved that the Senate do now take a recess, subject to the call of the president, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

Courtesies of the floor were extended to Mrs. F. H. Hyland, Devils Lake; A. Zuber, J. A. Layne, Hampton Lyness, John Lloyd, John Pepple, Fessenden; H. H. Philips, Harvey; F. P. Hensel, Glen Ullin; Jas. F. Eliner, H. Ziegler, Hebron; James Traynor, Wm. Stiely, Mylo; Otto Simonson, Agate; Gust Marcuss, Rolette; C. T. Ulberg, Northwood; Mrs. N. O. Bropke, Buxton.

Mr. Hyland moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR

January 20, 1919.

THIRD READING SENATE BILLS

Senate Bill No. 21

A bill for an act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

THIRD READING HOUSE BILLS

House Bill No. 13.

A Concurrent Resolution agreeting to a proposed amendment to the Constitution of the State of North Dakota by providing for the future amendment thereof; and declaring that said amendment has become a part of the Constitution of the State.

FOURTEENTH DAY

SENATE CHAMBER, BISMARCK NORTH DAKOTA, January 20, 1919.

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the Chaplain, Rev. Alfson. Roll Call.

All members present except Berg, Bowman, Liederbach, Mortenson, Nelson, Noltimier, Pendray, who were excused.

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 12th day and recommend that the same be corrected as

Page 1 line 30, correct the spelling of the word "No."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 21.

A bill for an act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Joint Rules made the following report:

Mr. President: Your committee on Joint Rules to whom was referred for consideration the Joint Rules for the Senate and House of Representatives do recommend that the Joint Rules of the Fifteenth Legislative Assembly be adopted.

JOHN E. FLECKTEN, Chairman.

Mr. Fleckten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Levang moved that the secretary be instructed to have printed two hundred copies of the rules adopted by the Senate, including list of standing committees:

The roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes—Beck, Benson, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Bowman, Gibbens, Liederbach, Mortenson, Nelson, Noltimier, Pendray.

So the motion passed.

Mr. Levang moved that the committee on Banks and Banking be granted further time in the consideration of Senate Bill No. 17, which motion prevailed.

Mr. Cahill moved that the committee on State Affairs be granted further time in the consideration of Concurrent Resolutions authorizing Home Rule Charters for Cities, which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Jacobsen introduced Senate Bill No. 28.

A bill for an act providing for a bounty for wolves and coyotes, prescribing the method for payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year of 1917.

Was read the first and second time and referred to the committee on Ways and Means.

Senate Bill No. 21 was read the third time.

Mr. Cahill moved that further action on Senate Bill No. 21, be deferred for one day, and be made a special order of business for 3 o'clock p. m. January 21, 1919, which motion prevailed.

THIRD READING OF HOUSE BILLS

House Bill No. 13.

A bill for an act regulating the rate of interest on indebtedness after maturity.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 29; nays, 12; absent and not voting, 8.

Ayes—Benson, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Haggart, Hyland, Jacobsen, McBride, Murphy, Ployhar, Porter, Stenmo, Storstad, Whitman.

Absent and not voting: Berg, Bowman, Gibbens, Liederbach, Mortenson, Nelson, Noltimier, Pendray.

So the bill passed and the title was agreed to.

SIGNING OF BILLS

The secretary announced that the president was about to sign:

House Bill No. 6.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the number of electors required to propose any measure by initiative petition; by changing the time in which the initiative petition may be filed, and the duties of the secretary of state with respect thereto; by reducing the number of signers required for referendum petitions; by providing for a referendum on emergency measures and for special elections thereon; by providing for the circulation of, and designating the force to be given, such petitions and the publicity to be given thereto and providing for repeal or amendment of such measures by the legislature: And declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 7.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by providing that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the state, shall be declared an emergency measure; and providing that an emergency measure shall take effect and be in force from and after its passage and approval by the Governor: And declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 8.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the purposes for which taxes shall be levied and collected, and providing for the exemption of certain personal property from assessment and taxation, and granting power to the legislature to raise revenue and to fix the situs of property for the purpose of taxation; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 9.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgage on certain classes of property; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 10.

A Concurrent Resolution agreeing to a proposed amen'dment to the Constitution of the State of North Dakota by providing for the future amendment thereof; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 11.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota relative to the assessment of improvements on land and authorizing a tax on lands for the purpose of indemnifying owners of growing crops against damages by hail; and declaring that

said amendment has become a part of the Constitution of the State.

House Bill No. 12.

A Concurrent Resolution agreeing to a proposed amendment to the Constitution of the State of North Dakota by authorizing the state, any county or city, to make internal improvements, and to engage in any industry, enterprise or business not prohibited by Article 20 of the Constitution of the State of North Dakota; and declaring that said amendment has become a part of the Constitution of the State.

House Bill No. 19.

A bill for an act to amend and re-enact Sections 3481 and 3482 of the Compiled Laws of North Dakota for the year 1913 as amended by Sections nine and ten of Chapter thirteen of the laws of North Dakota for the year 1918 relating to the issuance of bonds and warrants to procure seed grain and feed.

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

Mr. Mees moved that the Senate do now take a recess, subject to the call of the president, which motion prevailed, and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

The Senate returned to the eleventh order of business.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Ingerson introduced Senate Bill No. 29.

A bill for an act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain county, township, municipal and other officers.

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

Courtesies of the floor were extended to: Wm. Zimmer-man, Beach; N. J. Deplazes, Welford; Hon. Porter Kimball, St. Paul, Minn.

Mr. Murphy moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR

January 21, 1919.

Special Order 3 p. m. Senate Bill No. 21.

A bill for an act to amend and re-anect Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

FIFTEENTH DAY

SENATE CHAMBER, BISMARCK NORTH DAKOTA, January 21, 1919.

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

Prayer was offered by the Chaplain Rev. Alfson.

Roll Call.

All members present except Berg, Liederbach, Mortenson, Nelson, Pendray, who were excused.

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 14th days and recommend that the same be corrected as follows:

On page 2, line 17, strike out the words "State Affairs"

and insert in lieu thereof the words "Banks and Banking."

And when so corrected recommend that same be approved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 23

A bill for an Act to prevent any foreclosure proceeding without first giving due notice to the mortgagor.

Have had the same under consideration and recommend that

the same be amended as follows:

After the word "mortgagor," in the title strike out the period, and add the following words, "or assigns, providing for the manner of service thereof."

On line one, strike out "foreclosure," and insert the word,

"foreclose."

On line three strike out the following words, "his heirs or assigns, and subsequent mortgages," and insert in lieu thereof the following words, "or his assigns."

On line nine, after the word "mortgagor," strike out the words "his heirs or assigns," and insert in lieu thereof the following words, "or assigns, as appears of record in the office of the Register of Deeds."

And when so amended recommend the same do pass.

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Health made the following report:

Mr. President: Your committee on Public Health to whom was referred Senate Bill No. 18,

A bill for an Act to amend and re-enact Sections one and two of Chapter 236 of the Laws of North Dakota for the yaer 1915, relative to the Board of Nurse Examiners of the State of North Dakota.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

JOHN W. BENSON, Chairman.

Mr. Cahill moved that the Senate do now go into executive session, which motion prevailed and the Senate went into executive session.

OPEN SESSION

In open session announcement was made of the confirmation of the appointment as members of the Tax Commission of Frank E. Packard for a term of six years beginning the first Monday in May, 1919, and George E. Wallace for a term of six years, beginning the first Monday in May, 1919.

Mr. Hunt moved that the report of the committee on mileage and per diem be corrected as to the mileage of Mr. Hagan so as to read N. P. 390, G. N. 540, team 10, total 940, which

motion prevailed, and the correction was made.

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

WHEREAS, The employment committee of the Senate has created the following new positions for the 16th General Assembly, Bill Room Clerk and Mailing Clerk, and as the Codes of North Dakota make no provision for the payment of such employees,

BE IT RESOLVED, That such employees shall receive the sum of \$5.00 each per day for their services.

The roll was called and there were ayes, 42, nays, none;

absent and not voting, 7.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly Hemmingsen, Hunt. Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Liederbach, McCarten, Mortenson, Nelson, Pendray. Ployhar.

So the resolution passed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Church introduced Senate Bill No. 30.

A bill for an Act amending and re-enacting Section 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the terms of the Supreme Court and the placing of cases on the Calendar thereof.

Was read the first and second time and referred to the

committee on Judiciary.

Mr. Wenstrom introduced Senate Bill No. 31,

A bill for an Act. making no form of vaccination or inoculation a conditon precedent to admission to any public or private school or college or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota 1913, and Conflicting provisions to this Act; Emergency.

Was read the first and second time and referred to the

committee on Public Health.

Mr. Cahill introduced Senate Bill No. 32.

A bill for an Act creating and establishing a State Fire Insurance Fund for State Fire Insurance on public buildings in the office of the Commissioner of Insurance, providing for the maintanence thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses, authorizing the Commissioner to purchase Insurance for the State Capitol and repealing all Acts in conflict herewith,

Was read the first and second time and referred to the

committee on Insurance.

Mr. Cahill moved that Senate Bill No. 21 be made a special order of business for 3 o'clock, January 22, 1919, which motion prevailed.

Mr. Bowman moved that the Senate do now take a recess subject to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

The Senate returned to the sixth order of business.

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

Mr. President: Your Committee on Warehouse and Grain Grading to whom was referred Senate Bill No. 14.

A bill for an Act creating a uniform state grade for grain. seeds or other agricultural products; creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inpector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all money due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor; and providing penalties for the violation of any of the provisions of this Act; and repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

Have had the same under consideration and recommend that

the same do pass.

CHAS. E. DROWN, Chairman.

Mr. Drown moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTION

Mr. Wenstrom moved that Senate Bill No. 28 be re-referred to the Committee on Livestock, which motion prevailed and the bill was so re-referred.

Courtesies of the floor were extended to B. N. Nelson, Fullerton; E. E. Casler, Ellendale; Chris. Stenso, Anton Olson, J. J. Bergstad, Balfour; H. Brooten, T. G. Glesne, Bergen; Frank Stacy, Voltaire; L. H. Steen, Kulm; N. Nelson, La-Moure; Paul Messne, Tolna; Nels Hagen, Pekin.

Mr. Hamerly moved that the Senate do now adjourn, which

motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, JANUARY 22, 1919.

Third read of Senate Bills Senate Bill No. 14.

A bill for an Act creating a uniform state grade for grain, seeds or other agricultural products; creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; auing public wateriouses to keep records of their business, at thorizing the fixing of a reasonable margin to be paid the producers of grain; providing for the inspection of public warehouses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor; and providing penalties for the violation of any of the provisions of this Act; and repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

SPECIAL ORDER, 3 P. M.

Senate Bill No. 21.

A bill for an act to amend and re-enact Section 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

SIXTEENTH DAY

SENATE CHAMBER, BISMARCK NORTH DAKOTA, January 22, 1919.

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the Chaplain Rev. Finwall.

Roll Call.

All members present except Berg, Liederbach, Mortenson and Nelson, who were excused.

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 15th day and find the same correct and recommend that the same be approved.

H. H. McNair, Chairman.

Mr. Mr. Nair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, Jan. 21, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 27.

A bill for an Act to amend and re-enact Section 477 of the Compiled Laws of North Dakota for the year 1913, relative to the Board of Pharmacy.

House Bill No. 22.

A bill for an Act providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, prescribing his duties, providing for the printing, publishing and distributing of Supreme Court reports and granting powers to the Supreme Court concerning the same and repealing all Acts inconsistent therewith.

House Bill No. 1.

A bill for an Act to fix and limit attorney's fees and all costs on the foreclosure of real estate mortgages.

House Bill No. 2.

A bill for an Act to amend and re-enact Section 6076 of the Compiled Laws of the State of North Dakota for the year 1913.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Cahill moved that Senate Bill No. 18 be re-referred to the committee on Temperance, which motion prevailed and the Bill was so referred.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 14.

A Bill for an Act creating a uniform state grade for grain, seeds or other agricultural products: creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountam and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets: requiring public warehouses to keen records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the payment of dockage having value: authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this act and making an appropriation therefor; and providing penalties for violation of any of the provisions of this Act: and repelling Section 3101, 3102, 3103, 3105, 3109, and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 23.

A bill for an Act to prevent any foreclosure proceeding without first giving due notice to the mortgager.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following re-

port:

Mr. President: Your committee on Ways and Means to

whom was referred Senate Bill No. 6.

A bill for an Act to repeal Section 5743 of the Compiled Laws of 1913 and to enact a law for the descent and succession of real and personal property and to establish and protect the right of the widow therein.

Have had the same under consideration and recommend that

the same be indefinitely postponed.

JAMES A. WENSTROM, Chairman.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 27.

A b'll for an Act establishing equal weights and measures for commodities, bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

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

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 26.

A bill for an Act to regulate the sale of berries and small fruit and the containers in which they are sold and providing penalties for violation thereof.

Have had the same under consideration and recommend

that the same do pass.

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. McNair introduced Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of property of corporations, joint-stock companies or associations for taxation.

Was read the first and second time and referred to the committee on Tax and Tax Laws.

Mr. Storstad introduced Senate Bill No. 34.

Senate Bill No. 34.

A bill for an Act to amend and re-enact Section 453 of the Compiled Laws of North Dakota for the year 1913, relating to the fees of local registrars for vital statistics, and certifying to County Auditors a duplicate of the report of the State Registrar of the Board of Health. Also defining the manner of transcribing past records for county records.

Was read the first and second time and referred to the

committee on Public Health.

THIRD READING OF SENATE BILLS

Senate Bill No. 14.

A bill for an Act creating a uniform state grade for grain, seeds or other agricultural products; creating and establishing

the office of State Inspector of Grades, Weights and Measure; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in solicting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor; and providing penalties for the violation of any of the provisions of this Act; and repealing Section 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes, 45. nays none; absent and not voting, 4.

Aves-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly. Hemmingsen. Hunt. Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad. Morkrid. Miklethun, Murphy. Noltimier, Oksendahl, Olson, Pendray, Plovhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Liederbach, Mortenson and Nelson.

So the bill passed and the title was agreed to.

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

The question being on the emergency clause to Senate Bill No. 14; the roll was called and there ayes, 45; nays, none;

absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad. Fleckten. Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad. Miklethun, Murphy. Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman, Absent and not voting: Berg, Liederbach, Mortenson and

Nelson.

So the Emergency Clause passed.

Mr. Wenstrom 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. 23.

A bill for an Act to prevent any foreclosure proceeding with-

out first giving due notice to the mortgagor.

Was read the third time. The question on the final passage of the bill; the roll was called and there were ayes 45, nays, none; absent and not voting, 4.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Morkrid. Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Liederbach, Mortenson and Nelson.

So the bill passed and the title was agreed to.

Mr. Levang moved that the vote by which Senate Bill No. 23 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 2.

A bill for an Act to amend and re-enact Section 6076 of the Compiled Laws of the State of North Dakota for the year 1913

Was read the first and, second time and referred to the committee on Banks and Banking.

Hose Bill No. 27.

A bill for an Act to amend and re-enact Section 477 of the Compiled Laws of North Dakota for the year 1913, relative to the Board of Pharmacy.

Was read the first and second time and referred to the

committee on Public Health.

House Bill No. 22.

A bill for an Act providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, prescribing his duties, providing for the printing, publishing and distributing of Supreme Court reports and granting power to the Supreme Court concerning the same and repealing all Acts inconsistent therewith.

Was read the first and second time and referred to the committee on Indiciary.

House Bill No. 1.

A bill for an Act to fix and limit attorney's fees and all costs on the foreclosure of Real Estate mortgages.

Was read the first and second time and referred to the

committee on Judiciary.

Mr. Cahill moved that the Senate do now take a recess for ten minutes, which motion prevailed, and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. McBride moved that Senate Bill No. 21 be amended by inserting after the word mileage in line 7 page 2 of the engrossed bill, the words, "per diem and livery," which motion prevailed and the bill was so amended.

THIRD READING OF SENATE BILLS

Senate Bill No. 21.

A bill for an Act to amend and re-enact Sections 7875 and

7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

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, 41; nays none; absent and not voting, 8.

Ayes-Beck, Benson, Bowman, Church, Drown, Fleckton, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom. Whitman, Zieman.

Absent and not voting: Berg, Cahill, Carey, Jacobsen, Lie-

derbach, Mortenson, Nelson and Pendray.

So the bill passed and the title was agreed to.

Mr. Mees 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.

The question being on the Emergency Clause to Senate Bill No. 21; the roll was called and there were ayes 39, nays, none;

Absent and not voting, 10.

Ayes—Beck, Benson, Bowman, Church, Ettestad, Fleckten, Fraser, Gibben, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, McBride, McCarten, Warney, Okson, Markey, Markey, Okson, Markey, Mark McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Carey, Drown, Jacobsen, Liederbach, Mortenson, Nelson, Noltimier and Pendray.

So the Emergency Clause passed.

Mr. Bowman 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.

Courtesies of the floor were extended to Howard Seeman, Dave Gibson, Albert Brotonek, Mandan; J. E. Davis, Good-rich; H. J. Palmer, Grace Palmer, Leith; A. H. Overby, John Vangen, Binford; George C. Reeder, Michigan; Ole Havaskeland, Hamer; P. J. Iverson, Lakota; L. H. Steen, Kulm; Iver Kinnebry, Baker; M. Hutchinson, Minneapolis, John Felver, C. W. Richart, Carrington.

Mr. McCarten moved that the Senate do now adjourn.

which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, JANUARY 23, 1919.

Third reading of Senate Bills.

Senate Bill No. 26.

A bill for an Act to regulate the sale of berries and small fruit and the containers in which they are sold and providing penalties for violation thereof.

Senate Bill No. 27.

A bill for an act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

SEVENTEENTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 23, 1919.

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

Prayer was offered by the Chaplain, Rev. Finwall. Roll Call.

All members present except Beck, Berg, Liederbach, Mortenson, Nelson, who were excused.

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 16th day and recommend that the same be corrected as follows: Page 1, line 28, correct the spelling of the word "aw;" page 2, line 22, correct the spelling of the word "accountant;" page 2, line 27, after the word "fixing" insert the following: "of a reasonable margin to be paid the producer of grain; providing;" page 2, line 32, correct the spelling of the word "therefor;" page 2, line 33, take out the words "of this;" page 2, line 34, correct the spelling of the figures, "3111;" page 3, line 12, change the word "the" to "and" at end of line; page 3, line 47, correct the spelling of the word "transcribing;" page 4, line 18, correct the spelling of the word "Laws;" page 4, line 19, correct the spelling of the word "Chapter;" page 6, line 2, after the name "Gibbens" put the name "Hagan" and correct the spelling of the name "Hagart;" page 6, line 3, put a comma after the name "Levang;" page 6, line 29, correct the spelling of the word "courtesies;" page 6, line 29, correct the spelling of the word "courtesies;" page 6, line 36, correct the spelling of the word "now."

And When so corrected recommend that the same be ap-

proved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted. Mr. Whitman moved that Senate Bill No. 6 be re-referred

to the committee on Judiciary, which motion was lost.

Mr. Wenstrom moved that the report of the committee on Ways and Means indefinitely postponing Senate Bill No. 6 be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Mr. Whitman presented the following communication:

Lisbon, N. D., Jan. 22, 1919.

Sen. W. S. Whiteman, Bismarck, N. D. Dear Mr. Whitman: To show how much your bill called, Bill for Widow Rights, is appreciated, by we widows and wives, the W. C. T. U. ladies numbering fifty-five stood to a request for a rising vote of thanks for Sen. Whitman for his

action in this important matter.

I trust you will pardon my suggestion, but I or we wives would like to see a bill introduced which would compel husbands to have all deeds made out in both husband and wife's name, then if she dies first, her children will be entitled to at least her half, in place of a second and sometimes third wife falling heir to property which should belong to her children, in other words Mr. Whitman, is it justice toward a wife, who nine times out of ten, has helped to accumulate all the property, to have to be content with all the deeds, in her husband's name. He in turn at her death, marries and wife No. 2, gets all benefits, I find it difficult to explain in writing, but am very anxious to see a law passed which will proride that all deeds must be are the signature of both husband and wife, I believe I speak for the majority of wives. Again I thank you for your action in Bill for Widows and shall pray that you will give this last suggestion your most careful consideration and would like to hear your opinion.

Yours for right and justice in all matters of interest.

MRS. GEORGE A. HUME.

MESSAGE FROM THE HOUSE

House Chamber.

BISMARCK, NORTH DAKOTA, January 23, 1919.

Mr. President: I have the honor to return herewith the following bill: Senate Bill No. 1.

A bill for an Act providing for the calling in and the payment of the expenses of the judge of another judicial district for the trial of civil actions in the district court on the ground of prejudice of the trial judge, and providing for an appropriation therefor.

Which the House has passed unchanged. Very respectfully, GEO. A. TOTTEN, JR., Chief Clerk.

> BISMARCK, NORTH DAKOTA, January 23, 1919.

Mr. Presilent: I have the honor to transmit herewith the following bills:

House Bill No. 26.

A bill for an Act to amend and re-enact Section 507 of the Compiled Laws of North Dakota for the year 1913 relative to the State Board of Dental Examiners.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

House Bill No. 35.

A bill for an Act to amend and re-enact Section 7415 of the Compiled Laws of North Dakota for the year 1913, providing the places of trial of civil actions.

House Bill No. 39.

A bill for an Act to provide the certification of questions of law to the Supreme Court in civil and criminal cases where the determination of such questions may determine the issues in a cause at issue.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Engrossment and Engrossment have examined the following bills:

Senate Bill No. 21.

A bill for an Act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

Senate Bill No. 26

A bill for an act to regulate the sale of berries and small fruit and the containers in which they are sold, and providing penalties for violation thereof.

Senate Bill No. 27.

A bill for an act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 13.

A bill for an Act regulating the rate of interest on indebted-

ness after maturity.

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

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

MOTIONS AND RESOLUTION

That the Journal of January 7, 1919, be corrected as follows: In each of the lines 6, 7, and 8 on page 4, after the word "Page" insert the words "and Messenger" in each of the lines 41, 42 and 43 after the word "Page" insert the words "and Messenger."

The roll was called and there were ayes, 44; nays, none;

absent and not voting, 5.

Ayes—Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King Levang, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Berg, Liederbach, Mortenson. Nelson.

So the Resolution was adopted.

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

That the pay of employees known as "Page and Messenger" receive \$3.00 per day for their service.

The roll was called and there were ayes, 44; nays, none; absent and not voting, 5.

Ayes-Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Berg, Liederbach, Morten-

son. Nelson.

So the Resolution was adopted.

Mr. Ettestad moved that Senate No. 27 be re-refrred to the committee on Agriculture, which motion prevailed and the bill was so re-referred.

Mr. King moved that the committee on Highways be extended futher time in the consideration of Senate Bill No. 25, which motion prevailed.

Mr. Wenstrom moved that the committee on Ways and Means be extended further time in the consideration of Senate Bill No. 15, which prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Kendall introduced Senate Bill No. 35.

A bill for an Act to amend Chapter 181 of the Session Laws 1915 of North Dakota.

Was read the first and second time and referred to the committee on Livestock.

Mr. Ingerson introduced Senate Bill No. 36.

A bill for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, required railroads to build and maintain fences, cattle-guards and swinging gates, and providing penalties for failure to comply therewith.

Was read the first and second time and referred to the

committee on Railroads.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the State Government by providing for a tax on the income of persons, corporations, jointstock companies or associations in the State of North Da-kota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in cer-tain cases, prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the

committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 38.

A bill for an Act providing that reports required for the assessment of taxes heretofore made to the State Auditor or to any other officer or department of the State, shall be made to the State Tax Commissioner.

Was read the first and second time and referred to the

committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 39.

A bill for an Act to amend and to re-enact Section 2141 Compiled Laws of North Dakota, 1913, creating a State Board of Equalization, and prescribing its powers and duties.

Was read the first and second time and referred to the

committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Was read the first and second time and referred to the

committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purpose of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act; and repealing all Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the

committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 42.

A bill for an Act providing for the survey and platting of portions of railway rights of way when used for any purpose other than the operation of a railroad thereon.

Was read the first and second time and referred to the

committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 43.

A bill for an Act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate Bill No. 44.

A bill for an Act to amend and re-enact Section 2078 Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Mr. McCarten introduced Senate Bill No. 45.

A bill for an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913, relative to extension of powers of boards of drain commissioners.

Was read the first and second time and referred to the committee on Irrigation and Drainage.

The Senate returned to the eighth order of business.

Mr. King moved that the President appoint a committee of three to escort ex-Lieutenant-Governor Kraabel to a seat on the rostrum, which motion prevailed, and the President appointed as such committee Meesrs. King, Ployhar and Gibbens.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, January 23, 1919.

Mr. President: I have the honor to transmit herewith the following bill: House Bill No. 45.

A bill for an Act to amend and re-enact Section 727 of the Compiled Laws of North Dakota for the year 1913, and fixing the salary of the Clerk of the Supreme Court.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully

GEO. A. TOTTEN, JR., Chief Clerk.

THIRD READING OF SENATE BILLS

Senate Bill No. 26.

A bill for an act to regulate the sale of berries and small fruit and the containers in which they are sold, and providing penalties for violation thereof.

Was read the third time.

The question being on the final passage of the bill; the roll was called and there were ayes, 42, nays; none; absent and not voting, 7.

Ayes-Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Berg, King, Liederbach, Mor-

tenson, Nelson, Ward.

So the bill passed and the title was agreed to.

Mr. Morkrid moved that the vote by which Senate Bill No. 26 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 26; the roll was called and there were ayes, 41; nays, none;

absent and not voting, 8.

Ayes-Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad. Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Oksendahl, Olson, Pendray, Ployhar, Portical Wilson, Pendray, Ployhar, Pendray, Ployhar, Portical Wilson, Pendray, Ployhar, Portical Wilson, Pendray, Ployhar, Pendray, Ployhar, Pendray, Ployhar, Pendray, Ployhar, Pendray, Ployhar, Pendray, Pendra ter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Berg, King, Liederbach, Mortenson, Nelson, Noltimier, Ward.

So the Emergency Clause passed.

Mr. Morkrid 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.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 26.

A bill for an Act to amend and re-enact Section 507 of the Compiled Laws of North Dakota for the year 1913 relative to the State Board of Dental Examiners.

Was read the first and second time and referred to the

committee on Public Health.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota

Was read the first and second time and referred to the committee on Ways and Means.

House Bill No. 35.

A bill for an Act to amend and re-enact Section 7415 of the Compiled Laws of North Dakota for the year 1913, providing the place of trial of civil actions.

Was read the first and second time and referred to the

committee on Judiciary.

House Bill No. 39.

A bill for an Act to provide the certification of questions of law to the Supreme Court in civil and criminal cases where the determination of such questions may determine the issues in a cause at issue.

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

House Bill No. 45.

A bill for an Act to amend and re-enact Section 727 of the Compiled Laws of North Dakota for the year 1913, and fixing the salary of the Clerk of the Supreme Court.

Was read the first and second time and referred to the

committee on Judiciary.

Courtesies of the floor were extended to J. C. Hagelberger, Mrs. J. C. Hagelberger, Hazen; C. W. Lechtlengner, Dickinson; L. C. Miller, C. M. Condon, Garrison; H. A. Huso, Oscar Ingebretson, Northwood; W. B. McLaughlin, Kenmare; Jno. W. Clerk, Donnybrook; Albert Van Berkom, S. M. Jensen, Lorentz Reiten, Powers Lake; J. R. Jensen, Coteau; Gilbert Larson, A. Rosenwater, Battleview; A. M. Frich, Tolley; W. J. Hoover, Grafton; J. A. Falkner, John Buchanan, C. W. Richart, H. C. Darland, Carrington.

Mr. Welford moved that the Senate do now adjourn, which

motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

EIGHTEENTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January, 24, 1919.

The Senate convened at 2 o'clock p. m., the president pre-

Prayer was offered by the Chaplain, Rev. Finwall.

Roll Call.

All members present except Berg, Kendall, Mortenson, Nelson, Pendray, who were excused.

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 17th day and recommend that the same be corrected as follows: Page 3, line 40, correct the spelling of the word "presence."

And when so corrected recommend that the same be ap-

proved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber BISMARCK, NORTH DAKOTA,

January 24, 1919. Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 41.

A bill for an Act making an appropriation to the department of the Council of Defense for specific purposes:

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

Very respectfully,

GEO, A. TOTTEN, JR., Chief Clerk.

REPORT OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 1.

A bill for an Act providing for the calling in and the payment of the expenses of the judge of another judicial district for the trial of civil actions in the district court on the ground

of prejudice of the trial judge, and providing for an appropriation therefor.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman,

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was

referred Senate Bill No. 30.

A bill for an Act amending and re-enacting Section 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the terms of the Supreme Court and the placing of cases on the Calendar thereof.

Have had the same under consideration and recommend

that the same do pass.

R. J. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 35.

A bill for an Act to amend and re-enact Section 7415 of the Compiled Laws of North Dakota for the year 1913, providing the place of trial of civil actions.

Have had the same under consideration and recommend that

the same do pass.

R. J. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 45.

A bill for an Act to amend and re-enact Section 727 of the Comp'led Laws of North Dakota for the year 1913, and fixing the salary of the Clerk of the supreme Court.

Have had the same under consideration and recommend that

the same do pass.

R. J. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 24.

A bill for an Act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for five assistant attorneys General, prescibing the bond and oath of office and fixing the salary therefor.

Have had the same under consideration and recommend

that the same be amended as follows:

That after the word "Section 161, salary of assistants Attorneys' General," beginning in line 4 of Section 2 of the printed bill, strike out the words "the annual salary of the assistant Attorneys' General shall be Three Thousand Dollars, (\$3.000) each, payable monthly on the warrant of the State Treasurer," and in lieu thereof insert the words, "the annual salary of the assistant Attorneys' General shall be as provided by law and payable monthly on the warrant of the State Auditor."

Amend the title as follows: In line three of the printed

bill, after the words "Attorneys' General," strike out the following words, "prescribing the bond and," and insert in lieu thereof, the following words, "and for the."

Amend the title further, in line four of printed bill, strike

out the word "fixing."

And when so amended recommend the same do pass.

R. J. FRASER, Chairman.

Mr. Fraser Moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Mr. Welford introduced the following Concurrent Resolution:

WHEREAS, the President of the United States by his Proclamation of September 2, 1918, fixed the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920 at \$2.26-at Chicago, and

WHEREAS, upon the faith of said Proclamation the farmers of North Dakota and generally throughout the Northwest have gone to an enormous expense in the increase of acreage for wheat and for the purchase of horses, machinery, and other equipment for an increased wheat production, and have incurred great obligations on that account, and

WHEREAS, it appears that up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under the Presi-

dent's Proclamation, and

WHEREAS, the farmers of North Dakota as well as in all other wheat-raising districts of the United States have acted in good faith upon the said Proclamation of the President and in case Congress fails to made the said Proclamation of the President effective, such failure will cause an enormous financial loss to the farmers of the State of North Dakota and other wheat-raising districts of the United States as well as a great disappointment, and will tend to lessen the confidence of the people in the Federal Government;

THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA THE HOUSE OF REP-

RESENTATIVES CONCURRING:

That we earnestly urge Congress to pass such measures as will make the said Proclamation of the President effective.

BE IT FURTHER RESOLVED: That the Secretary of State be instructed to send a copy of these Resolutions to each of our Senators and Representatives in Congress and to the Chairman of the Committee of Agriculture in both houses of Congress.

Referred to the committee on State Affairs.

Mr. Drown introduced the following Concurrent Resolution Favoring the establishment of a League of Nations to enforce peace, and aim at promoting the liberty, progress and orderly development of the world.

WHEREAS. The war, now brought to a victorious close by the associated power of the free nations of the world, was above all else a war to end war and protect human rights,

THEREFORE, BE IT RESOLVED, By the Senate of the State of North Dakota, the House of Representatives concurring:

That we favor the establishment of a League of Nations of which the United States shall be a member. We believe

that such a league should aim at promoting the liberty, progress and orderly development of the world; that it should clinch the victory won at such terrible sacrifice by having the united potential force of all its members as a standing menace against any nation that seeks to upset the peace of the world.

BE IT FURTHER RESOLVED, That certified copies of this Resolution be sent by the Secretary of the State to the President and to the presiding officers of both branches of Congress and to each of the United States Senators and Representatives from the State of North Dakota.

Referred to the Committee on Federal Relations.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

The Appropriation Committee introduced Senate Bill No. 46. Emergency appropriation for the office of the Attorney General.

A bill for an Act appropriating money for the use of the office of the Attorney General.

Was read the first and second time and referred to the

committee on Appropriations.

The Insurance Committee introduced Senate Bill No. 47.

A bill for an Act amending and re-enacting Sections 176, 179 180, 181 189 182 184 185 186 187 188 180

A bill for an Act amending and re-enacting sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189 and 189A, Compiled Laws of North Dakota 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

Was read the first and second time and referred to the

committee on Insurance.

Mr. Church introduced Senate Bill No. 48.

A bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15 and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the

committee on State Affairs.

Mr. Pendray introduced Senate Bill No. 49.

A bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the Investment of University and School Land Funds.

Was read the first and second time and referred to the

committee on State Affairs.

The Appropriation Committee introduced Senate Bill No. 50. A bill for an Act providing for the appointment by the Attorney General of an assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Assistant Attorney General, and

requiring a bond to be given and fixing his salary and making an appropriation therefor.

Was read the first and second time and referred to the

committee on Appropriations.

The State Affairs Committee introduced Senate bill No. 51. A bill for an Act providing for the appaintment of Special Assistant Attorneys General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

Was read the first and second time and referred to the

committee on State Affairs.

The State Affairs Committee introduced Senate Bill No. 52.

A bill for an Act providing for investigating and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

Was read the first and second time and referred to the

committee on State Affairs.

The Appropriation Comittee in troduced Senate Bill No. 53.

A bill for an Act providing for the extension of the State Street Car Line from the McKenzie Hotel to Tenth Street, hence north and west to the Capitol, and making an appropriation therefor.

Was read the first and second time and referred to the

committee on Appropriations.

The Appropriation Committee in trouced House Bill No. 54. A bill for an Act authorizing the Board of Control to erect, construct and complete a four story building north of the present Capitol building, and making an appropriation therefor.

Was read the first and second time and referred to the

committee on Appropriations.

The Appropriation Committee introduced Senate Bill No. 55. A bill for an Act to provide a State Contingency Fund to be placed at the disposal of the State Emergency Commission to be used as provided by Chapters 26 and 152 of the Session Laws of North Dakota for 1915, and making an appropriation of \$50,000, which shall be known as the State Contingency Fund.

Was read the first and second time and referred to the

committee on Appropriations.

The Appropriation Committee introduced Senate Bill No. 56. A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Associations at Mandan for the fairs to be held in 1920 and 1921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the

committee on Appropriations.

The Appropriation Committee introduced Senate Bill No. 57. A bill for an Act entitled an Act to appropriate money for the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, and specifying the purpose for which the appropriations is made.

Was read the first and second time and referred to the committee on Appropriations,

Mr. Wenstrom introduced Senate Bill No. 58.

A bill for an Act to regulate the admission of Dentists to practice Dentistry in the State of North Dakota, and defin-

ing who may practice Dentistry in North Dakota without examination.

Was read the first and second time and referred to the committee on Public Health.

Mr. McCarten introduced Senate Bill No. 59.

A bill for an Act appropriating money to reinburse the Common School Fund of the State of North Dakota for losses resulting from a misapporpriation of such funds previous to January 1, 1917.

Was read the first and second time and referred to the

committee on Appropriations.

Mr. Mees introduced Senate Bill No. 60.

Emergency appropriation for the office of the Attorney General.

A bill for an Act appropriating six hundred and eighty dollars (\$680.00) for the immediately use of the office of the Attorney General.

Was read the first and second time and referred to the

committee on Appropriations.

SIGNING OF BILLS

The Secreatry announced that the President was about tosign Senate Bill No. 1.

A bill for an Act providing for the calling in and the payment of the expenses of the judge of another judicial district for the trial of civil actions in the district court on the ground of prejudice of the trial judge and providing for an appropriation therefor.

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

MESSAGE FROM THE HOUSE

House Chamber.

BISMARCK, NORTH DAKOTA, January 24, 1919.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 36.

A bill for an Act to amend and re-enact Section 8485 of the Compiled Laws of North Dakota for the year 1913, and providing for the issuance of the Writ of Certiorari.

Which the House has passed and your favorable consider-

ation is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 41.

A bill for an Act making an appropriation to the Department of the Council of Defense for specific purposes:
Was read the first and second time and referred to the

committee on Appropriations. House Bill No. 36.

A bill for an Act to amend and re-enact Section 8485 of the Compiled Laws of North Dakota for the year 1913, and providing for the issuance of the Writ of Certiorari.

Was read the first and second time and referred to the

committee on Judiciary.

Courtesies of the floor were extended to Joe Poupore, Thomas Mooney, Grand Forks; Neil Johnson, Inkster; W. P. Mc-Gonogle, Blackwater; C. M. Condon, Garrison; Andrew Gerrard, Bisbee; F. Reher, Langdon; Mr. Lyman, Maddock; H. Zainnbaum, Baker; Mr. Anderson, Minnewaukon; Helmer Knutson, Clifford; I. J. Berg, M. H. Dustrud, Horace; H. P. Dugan, Mountrail; August Krantz, Elmer W. Cart, Anton Bohn, Hurdsfield; J. F. Strauss, Fessenden; G. A. Reddig, Cathay; Ed Sakut, Bowdon; J. A. Felver, C. W. Richert, John Buchanan, Carrington; Prof. Mangun, T. Hennisey, Bottineau; L. L. Russell, W. Trefoy, New Rockford; Chas. Brolin, Sheyenne; O. E. Lofthus, Kloten; Gilbert Teien, Lakota, Frank Olson, Aneta; C. J. N. Nelson, Bowman; O. T. Embertson, Frank Heimes, Mr. and Mrs. W. T. Craswell, Valley City; Lotta Jones, Cavalier; Peter Vondlemoever, Olaf Lokensgard, N. M. Walles, Minot; J. H. Bloom, Devils Lake; Robt. J. Wilcox, Killdeer; Chas. Elliott.

Mr. Drown moved that the Senate do now adjourn, which

motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, JAN. 25, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 24.

A bill for an Act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for five Assistant Attorneys General, prescribing the bond and oath of office and fixing the salary therefor.

Senate Bill No. 30.

A bill for an Act amending and re-enacting Section 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the terms of the Supreme Court and the placing of cases on the Calendar thereof.

THIRD READING OF HOUSE BILLS

House Bill No. 35.

A bill for an Act to amend and re-enact Section 7415 of the Compiled Laws of North Dakota-for the year 1913, providing the place of trial of civil action.

House Bill No. 45.

A bill for an Act to amend and re-enact Section 727 of the Compiled Laws of North Dakota for the year 1913, and fixing the salary of the Clerk of the Supreme Court.

NINETEENTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 25, 1919.

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

Prayer was offered by the Chaplain, Rev. Finwall.

Roll Call.

All members present except Berg, Haggart, Kendall, Mortinson, Welford, who were excused.

The committee on revision and correction of the journal

made the following report:

Mr. President: Your committee on revison and correction of the journal have carefully examined the Journal of the 17th day and recommend that the same be corrected as follows: Page 7, line 1, correct the spelling of the name "Reher."

And when so corrected recommend that the same be ap-

proved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: The committee on Enrollment and Engrossment have examined the following bills:

The committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 24.

A bill for an Act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for Five Assistant Attorneys General, prescribing the bond and oath of office and fixing the salary therefor. Senate Bill No. 30.

A bill for an Act amending and re-enacting Section 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the terms of the Supreme Court and the placing of cases on the Calendar thereof.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Irrigation and Drainage made the fol-

lowing report:

Mr. President: Your committee on Irrigation and Drainage to whom was referred Senate Bill No. 45.

A bill for an Act to amend and re-enact Section 2478 of

the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners.

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

In line four Section 1 after "Section 2478," insert the words "extension of powers when necessary."

And when so amended recommend the same do pass.

W. J. CHURCH, Chairman.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred a Concurrent Resolution pertaining to the proclamation by the President of the United States, on Sept. 2nd, 1918, on fixed prices for wheat.

Have had the same under consideration and recommend that

the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 1.

A bill for an Act to fix and limit attorney's fees and all costs on the foreclosure of Real Estate Mortgages.

Have had the same under consideration and recommend that

the same be amended as follows:

The word "in," of the engrossed bill in the enactment clause be changed to the word "it.". In line 6 of the body of the engrossed bill, in the word, the letters "Repal," be changed to "Repeal."

And when so amended recommend the same do pass.

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 36.

A bill for an Act to amend and re-enact Section 8485 of the Compiled Laws of North Dakota for the year 1913, and providing for the issuance of the Writ of Certiorari.

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

in a cause at issue.

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 39.

A bill for an Act to provide the certification of questions of law to the Supreme Court in civil and criminal cases where the determination of such questions may determine the issues

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

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, January 25, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to the Fourteen Points set forth by President Wilson as reasonably interpreted by the labor and democratic forces of the World.

Very respectfully,
GEO. A. TOTTEN, JR., Chief Clerk.

MOTIONS AND RESOLUTIONS

Mr. Whitman moved that the two Concurrent Resolutions introduced January 10, amending the Consitution of the State of North Dakota by adding a section authorizing the cities of said state to adopted home rule charter, be printed, which motion prevailed and the resolutions were ordered printed.

Mr. Welford moved that the rules be suspended in so far as necessary, that Concurrent Resolution pertaining to the proclamation by the President of the United States on September 2, 1918 on fixed prices for wheat, be considered, engrossed and placed on third reading and final passage, which motion prevailed.

The roll was called and there were ayes, 44; nays, none;

absent and voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jasobsen, King, Levang, Llederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltmier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Haggart, Kendall, Mortenson,

Pendray.

So the Concurrent Resolution passed.

Mr. Welford moved that the vote by which Concurrent Resolution passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Ward introduced Senate Bill No. 61.

A bill for an Act defining the crime of immorality and providing punishment therefor.

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

The committee on Taxes and Tax Laws introduced Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

Was read the first and second time and referred to the committee on Taxes and Tax Laws.

Mr. Church introduced Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefits of an act to promote vocational education passed by the Senate and House of Representatives of the United States of

America, in Congress assembled, and approved Feburary twenty-third, nineteen hundred seventeen; to make an appropriation for providing vocational education within the state.

Was read the first and second time and referred to the

committee on Education.

Mr. Mees moved that consideration of Senate Bill No. 24, be made a special order of business for Monday, January 27, 1919, at 2:30 p. m., which motion prevailed.

THIRD READING OF SENATE BILLS

Senate Bill No. 30.

A bill for an Act amending and re-enacting Sections 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the Terms of the Supreme Court and the placing of cases on the calendar thereof.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes,

44; nays, none; absent and not voting, 5.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagen, Hamerly Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McMride, McCarten, McNair, Mees, Morstad, Morkrid, Miklethun, Murphy, Nelson, Noltmier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo. Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Haggart, Kendall, Mortenson,

Pendray.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 30 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

THIRD READING OF HOUSE BILLS

House Bill No. 35.

A bill for an Act to amend and re-enact Section 7415 of the Compiled Laws of North Dakota for the year 1913, providing the place of trial of civil actions.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes,

41; nays, none; absent and not voting, 8. Ayes—Beck, Benson, Bowman, Cahill, Carey, Ettestad, Fleckten, Fraser, Gibbens, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten. McNair, Mees, Mostad, Morkrid, Mikle-thun, Nelson, Noltimier, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zie-

Absent and not voting: Berg, Drown, Haggart, Kendall, Mortenson, Murphy, Oksendahl, Pendray.

So the bill passed and the title was agreed to.

Mr. Levang moved that the vote by which House Bill No. 35 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 45.

A bill for an Act to amend and re-enact Section 727 of the Compiled Laws of North Dakota for the year 1913, and fixing the salary of the Clerk of the Supreme Court.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes,

42; nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Mikle-thun, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Drown, Haggart, Kendall, Mortenson, Murphy, Pendray.

So the bill passed and the title was agreed to.

Mr. Levang moved that the vote by which House Bill No. 45 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to House Bill No. 45; the roll was called and there were ayes, 40; nays, none;

absent and not voting, 9.

Ayes—Beck, Benson, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbäch, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Ziemer man.

Absent and not voting: Berg, Bowman, Drown, Haggart, Kendall, McBride, Mortenson, Murphy, Pendray.

So the bill passed and the title was agreed to.

Mr. Church 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 eleventh order of business.

The Appropriation Committee introduced Senate Bill No. 64. A bill for an Act to appropriate money for the expenses of the Executive, Legislative and Judicial Departments of the State Government, and for public schools, specifying amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other Acts and parts of Acts in so far as the same relate to appropriations conflicting here with or the appropriations for the same matters or purposes provided for herein.

Was read the first and second time and referred to the

Committee on Appropriations.

Courtesies of the floor were extended to Mary E. McGinnis, Jamestown; Nellie Whitcher, Valley City; David Larin, Parshall; J. R. Norgaard, McClusky, and Tena Regner, Cooperstown.

Mr. Bowman moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, JAN. 27, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 45.

A bill for an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners.

SPECIAL ORDER, 2:30 p. m.

Senate Bill No. 24.

A bill for an Act to amend and re-enact Sections 160 and 161

of the Compiled Laws of North Dakota for the year 1913, and providing for Five Assistant Attorneys General, prescribing the bond and oath of office and fixing the salary therefor. THIRD READING OF HOUSE BILLS

House Bill No. 1.

A bill for an Act to fix and limit attorney's fees and all costs on the foreclosure of real estate mortgages.

House Bill No. 36.

A bill for an Act to amend and re-enact Section 8485 of the Compiled Laws of North Dakota for the year 1913, and providing for the issuance of the Writ of Certiorari.

House Bill No. 39.

A bill for an Act to provide the certification of questions of law to the Supreme Court in civil and criminal cases where the determination of such questions may determine the issues in a cause at issue.

TWENTY-FIRST DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 27, 1919.

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

Prayer was offered by the Chaplain, Rev. Postlethwaite.

All members present except Berg, Kendall, Mees, Pendray, who were excused.

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 19th day and recommend that the same be corrected as follows: Page 1, after line 22 put in the following: "the Committee on Enrollment and Engrossment made the folowing report;" page 1, line 23, put in the words "Mr. President;" page 2, line 51, correct the spelling of the word "criminal;" page 3, line 30, put a comma after the name "Liederbach;" page 3, line 31, correct the spelling of the name "Mostad;" page 4, line 19, correct the spelling of the name "Hemmingsen;" page 4, take out line 20; page 4, line 38, put the figure "8" in place of the figure "4" at end of line; page 4, line 42, correct the spelling of the name "Mostad;" page 5, line 4, correct the spelling of the name "Mostad;" page 5, line 20, put the name "Mostad" after the name "Mees;" page 5, line 31, take out the period after the word "Act;" page 5, line 32, correct the spelling of the word "Executive;" page 5, line 41, correct the spelling of the word "Committee."

And when so corrected recommend that the same be approved.

W. H. PORTER, Chairman Pro Tem.

Mr. Porter moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The following communication was received from Mrs. Theodore Roosevelt:

Members of the Senate and House of Representatives.

Mrs. Theodore Roosevelt and her family wish to express their appreciation of your kind sympathy. To the Honorable Members of the House and Senate.

A cordial invitation is extended to all the members of the

House and Senate and their friends to visit the St. Alexius Hospital. The Sisters will be pleased to take them all through the Institution at any time they are at leisure to come.

St. Alexius Hospital, by SISTER M. BONIFACE, Superior. To the Honorable A. S. Gibbens, Bismarck, North Dakota.

In the enactment of a compulsory state hail insurance legislation we the undersigned desire the enactment of a law allowing each county to provide for its own hail insurance. Funds for such hail insurance to be raised by a levy made by the County Commissioners in the same manner that other county taxes are levied; the law to provide for the County Commissioners to appoint hail insurance adjusters; the insurance fund to be under the control of the county Commissioners.

We are unalterably opposed to any legislation for hail insurance covering the State as a whole.

C. J. BERG, and 26 others.

We the Farmers Club of Grafton endorse as a body, the enclosed petition for continuation support of the State Fair on the part of the legislature on the same scale as heretofore. We find that every flourishing state fair has a generous state appropriation and we earnestly desire that our State Fair be perpetuated as an important factor in agricultural development.

WILLIAM WILLIAMSON, Chairman. Grafton, N. D., Jan. 25, 1919.

To the Legislature of the State of North Dakota, Honorable Gentlemen:

We, the undersigned, farmers and breeders of Walsh county, do petition your Honorable Body in behalf of our state fairs.

We consider that it would be a great detriment to our state in general and more especially to the breeders to lower the appropriation heretofore made to the fairs, and fully believe that it would be for the best interest of our state to increase, rather than decrease, this appropriation.

Respectfully submitted,

JOHN DONELLY, and 45 others.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 29.

Senate Bill No. 29.

A bill for an act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain county, township, municipal and other officers.

Have had the same under consideration and recommend that

the same be amended as follows:

In line four strike out the word, "removal." and insert in lieu thereof, the word "removable;" in line 12 add the letter "s" to the word appear.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following re-

port:

Mr. President: Your committee on Ways and Means to whom was referred Senate Bill No. 22.

A bill for an Act relating to corporate powers of annuity,

safe deposit and trust companies.

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

JAMES A. WENSTROM, Chairman.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, January 27, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate concurrent resolution relating to the creation of the office of President Emeritus of the Agricultural College and appointing Prof. J. H. Worst thereto. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, January 27, 1919.

Mr. President: I have the honor to transmit herewith the following bill: House Bill No. 24.

A bill for an Act authorizing the courts to review the Levy and Apportionment of Special Assessments.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 21.

A bill for an act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.
Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

MOTIONS AND RESOLUTIONS

Mr. Murphy moved that the petition from the Farmers Club. the farmers and breder of Walsh county be referred to the Committee on Appropriations. Which motion prevailed and the petition was so referred.

Mr. Mostad moved that Senate Bill No. 61 be re-referred to the Committee on Game and Fish, which motion prevailed

and the bill was so re-referred.

Mr. Fraser moved that the committee having under consideration Senate Bills Nos. 2, 3 and 4 be given further time for their consideration, which motion prevailed.

Mr. Church moved that the motion to re-refer Senate Bill

No. 61 be reconsidered, which motion prevailed.

Mr. Welford moved that the communication from Towner county with reference to hail insurance be referred to the Committee on Insurance, and that all other communications with reference to this subject be referred to this committee, which motion prevailed.

Mr. Ployliar introduced the following Concurrent Resolution:

WHEREAS, it is only proper and just that our soldiers and sailors, who have so valiantly fought for the freedom of the world; should be given every assistance possible when they enter the private walks of life, and many of them having given up positions that are now occupied by others, and in order that they may have some assistance while securing other positions, be it hereby,

RESOLVED, that the Senate, the House of Representatives concurring, instruct the Secretary of the Senate to transmit a copy of this resolution to Secretary of War Baker, and our Representatives in Congress, asking that they use every effort possible to secure six months' additional pay for all honorably discharged enlisted men.

Mr. Ployhar moved that the Concurrent Resolution be adopted, which motion prevailed and the Concurrent Resolution was adopted.

Mr. Ployhar moved that Senate Bill No. 24 be re-referred to the Committee on Judiciary, which motion was duly seconded.

Mr. Gibbens moved as an amendment, that Senate Bill No. 24 be referred to the Committee on Appropriations, which motion was lost.

The question being on the motion to re-refer Senate Bill No. 24 to the Committee on Judiciary, the motion was lost.

THIRD READING OF SENATE BILLS

Senate Bill No. 24.

A bill for an Act to amend and re-enect Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for five Assistant Attorneys General, prescribing the bond and oath of office and fixing the salary 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, 2; absent and voting, 5.

Ayes—Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad. Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, S'kes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Porter.

Absent and not voting: Berg, Hyland, Kendall, Mees, Pendray.

So the bill passed and the title was agreed to.

Mr. Levang moved that the vote by which Senate Bill No. 24 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 45.

A bill for an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners. And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Ettestad introduced Senate Bill No. 65.

A bill for an Act making an appropriation to the Department of Tax Commission for specific purposes.

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

Mr. Hunt introduced Senate Bill No. 66.

A bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in Congress assembled and approved, Twenty-third, Nineteen Hundred and Seventeen; and to make an appropriation for providing vocational education within the State.

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

The Committee on Taxes and Tax Laws introduced Senate

Bill No. 67.

A bill for an Act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers and duties, fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

The Committee on Taxes and Tax Laws introduced Senate

Bill No. 68.

A bill for an Act supplementing the general tax laws of the State by providing for annual report sto the State Tax Commissioner from corporations, joint-stock companies or associations doing business in the State.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

Mr. Stenmo introduced Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. Church introduced Senate Bill No. 70.

A bill for an Act to provide for the organization of common school districts into special districts exclusive or inclusive of cities, incorporated or platted towns and villages.

Was read the first and second time and referred to the

Committee on Education.

Mr. Church introduced Senate Bill No. 71.

A bill for an Act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913 relating to adjacent territory in special school districts.

Was read the first and second time and referred to the

Committee on Education.

THIRD READING OF SENATE BILLS

Senate Bill No. 45.

A bill for an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes.

45; nays, none; absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Kendall, Mees, Pendray. So the bill passed and the title was agreed to.

Mr. McCarten moved that the vote by which Senate Bill No. 45 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 45; the roll was called and there were ayes, 45; nays,

none; absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown. Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Kendall, Mees, Pendray. So the bill passed and the title was agreed to.

Mr. McCarten 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.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 24.

A bill for an Act authorizing the courts to review the Levy and Apportionment of Special Assessments.

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

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, January 27, 1919.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 57.

A bill for an Act limiting the powers of courts to grant injunctions and prohibiting the issuing of restraining orders and injunctions in certain labor matters.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

THIRD READING OF HOUSE BILLS

House Bill No. 1.

A bill for an Act to fix and limit attorney's fees and all costs on the foreclosure of Real Estate Mortgages.

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, 45; nays, none; absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Kendall, Mees, Pendray.

So the bill passed and the title was agreed to.

Mr. Hamerly 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. 36.

A bill for an Act to amend and re-enact Section 8485 of the Compiled Laws of North Dakota for the year 1913, and providing for the issuance of the Writ of Certiorari.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes,

44; nays, none; absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting. Berg, Church, Kendall, Mees, Pen-

dray.

So the bill passed and the title was agreed to.

Mr. Morkrid moved that the vote by which House Bill No. 36 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 39.

A bill for an Act to provide the certification of questions of law to the Supreme Court in civil and criminal cases where the determination of such questions may determine the issues in a cause at issue.

Was read the third time. The question being on the final passage of the bill; the roll was called and there were ayes,

44; nays, 1; absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Jacobsen.

Absent and not voting: Berg, Kendall, Mees, Pendray.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which House Bill

No. 39 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Senate returned to the 13th order of business.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 57.

A bill for an Act limiting the powers of courts to grant injunctions and prohibiting the issuing of restraining orders and injunctions in certain labor matters.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Wenstrom moved that the Senate do now take a recess for ten minutes, which motion prevailed, and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

Courtesies of the floor were extended to Joe Mann, Washburn; L. H. Avery, Donnybrook; F. A. Fair, Reynolds.

Mr. Hyland moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR JAN. 28, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 29.

A bill for an act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain county, township, municipal and other officers.

TWENTY-SECOND DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 28, 1919.

The Senate convened at 2 o'clock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain Rev. Postlethwaite. Roll Call.

All members present except Berg, Kendall, Mees, Olson, who were excused.

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 21st day and recommend that the same be corrected as follows: Page 1, line 27, correct the spelling of the name "Mees;" page 1, line 36, correct the spelling of the word "Communications;" page 3, line 38, put "Jr." after the name "Totten;" page 3 line 41, correct the spelling of the mame "Walsh;" page 3, line 42, correct the spelling of the word "appropriations;" page 5 line 35, correct the spelling of the word "supplementing;" page 5, line 15, correct the spelling of the word "platted;" page 7, line 21, put in the following words at end of line, "of Certiorari;" page 7, after line 52, put in the following words. "Nays—Jacobsen;" page 8, line 13, correct the spelling of the word "returned;" page 8, line 13, correct the spelling of the word "courtesies;" page 7, line 4, after the word "bill" put in the words "as amended."

And when so corrected recommend that the same be approved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, January 28, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 1.

Very respectfully, Geo. A. TOTTEN, Jr., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, January 28, 1919.

Mr. President: I have the honor to transmit the following concurrent resolution.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the Chief Clerk of the House and Secretary of the Senate and the Secretary of the Printing Commission be empowered to order printed such quantities of bills and journals as may be necessary to supply the demand for same. Which the House adopted and your favorable consideration is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the the following report:

Mr. President: Your Committee on Enrollment and En-

grossment have examined the following bill:

Senate Bill No. 29.

A bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other officers.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

the following report:

Mr. President: Your Committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 21.

A bill for an act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 57.

A bill for an Act limiting the power of courts to grant injunctions and prohibiting the issuing of restraining orders and injunctions in certain labor matters.

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

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report 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. 51.

A bill for an Act providing for the appointment of Special Assistant Attorneys General by the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 52.

A bill for an Act providing for investigating and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

Have had the same under consideration and recommend that

the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was

referred Senate Bill No. 25.

A bill for an Act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

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

C. D. KING, Chairman.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Health made the following report: Mr. President: Your committee on Public Health to whom

was referred Senate Bill No. 31.

A bill for an Act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913, and conflicting provisions to this Act; Emergency.

Have had the same under consideration and the majority

recommend that the same do pass.

MORTEN MORTENSON JAMES A. WENSTROM ANDREW OKSENDAHL J. P. HEMMINGSEN JOHN W. BENSON THOMAS PENDRAY

The committee on Public Health made the following report:

Mr. President: Your committee on Public Health to whom

was referred Senate Bill No. 31.

A bill for an Act. making no form of vaccination or inoculation a condition preceding to admission to any public or private school or college or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913, and conflicting provisions to this Act; Emergency.

Have had the same under consideration and a minority

recommend that the same be indefinitely postponed.

W. H. PORTER E. M. N ELSON

MOTIONS AND RESOLUTIONS

Mr. Mortenson moved that the report of the majority committee be adopted, which motion was duly seconded.

Mr. Stenmo moved as an amendment that the report of the minority committee be adopted, which motion was lost.

The question being on the adoption of the majority report, the majority report was adopted. Mr. Wenstrom moved that the report of the committee in-definitely postponing Senate Bill No. 22 be adopted, which motion prevailed, and the report of the committee was adopted.

Mr. Cahill moved that Senate Bill No. 69 be withdrawn from the Committee on State Affairs, and re-referred to the Committee on Education, which motion prevailed, and the bill was so re-referred.

Welford moved that the Committee on Insurance begranted further time in the consideration of Senate Bill No.

32, which motion prevailed.

Mr. McNair moved that the committee having under consideration House Bill No. 22 be granted further time, which motion prevailed.

Mr. Hemmingsen moved that the committee having under consideration Senate Bill No. 18, be granted further time, which

motion prevailed.

Mr. Cahill moved that the Committee on State Affairs having under consideration Senate Bills Nos. 19 and 20 be granted further time, which motion prevailed.

The Senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES

The committee on Federal Relation made the following re-

port:

Mr. President: Your committee on Federal Relation to whom was referred Senate Concurrent Resolution, introduced by Mr. Drown.

Have had the same under consideration and recommend that

the same do pass.

A. A. LIEDERBACH, Chairman.

Mr. Liederbach moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

The Committee on Appropriations introduced Senate Bill

A bill for an Act appropriating money for the use of the office of the Secretary of State, Motor Vehicle Registration Department, between the following dates, to-wit: January 1st. 1919 to June 30th, 1919, both dates, inclusive.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Mostad introduced Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

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

Mr. Miklethun introduced Senate Bill No. 74.

A bill for an Act to license, regulate and supervise the licensing and inspection of pool and billard rooms, ball and pin alleys, dance halls, theaters, moving picture shows, public garages, places of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all Acts and parts of Acts inconsistent therewith.

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

The Committee on State Affairs introduced Senate Bill No. 75.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of five million dollars, to be known as "Bonds of North Dakota Mill and Elevator Series;" prescribing the terms and stating the purposes thereof; making appropriations for the payment of interest and principal of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. Olson introduced Senate Bill No. 76.

A bill for an Act authorizing the Commissioner of Insurance to examine Fire Rating Bureaus, forbiding discriminatory rates and requiring written variation to be filed; requiring Fire Insurance Companies to maintain or be member of Rating Bureau; providing that risks be inspected; requiring Rating Agreements to be submitted to Commissioner of Insurance; also providing for review by Commissioner of Insurance of rates fixed by Bureau, and proceedings under appeal from order of Commissioner, and penalty for violation thereof. ing County Mutual Companies.

Was read the first and second time and referred to the

Committee on Insurance.

Mr. Ward introduced Senate Bill No. 77.

A bill for an Act authorizing the extension Division of the Agricultural College to co-operate with the Bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes, and other noxious predatory animals, providing appropriation therefor and repealing all Acts and parts of Acts in conflict herewith. Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Bowman introduced Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the revocation or suspension of an attorney's right to practice.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Fleckten introduced Senate Bill No. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Hunt introduced Senate Bill No. 80.

A bill for an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915 and Section 1 of Chapter 210 of the Session Laws of 1917 relating to Health Inspection of Pupils in Public Schools.

Was read the first and second time and referred to the

Committee on Education.

Mr. McCarten introduced Senate Bill No. 81.

Concurrent Resolution for an amendment to the Constitution providing for the elective franchises.

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

The committee on Irrigation and Drainage introduced Senate

Bill No. 82.

A bill for an Act appropriating the sum of \$200.00 for the purpose of printing the Biennial Report of the Boundary Drainage Commission.

Was read the first and second time and referred to the

Committee on Appropriations.

THIRD READING OF SENATE BILLS

Mr. Stenmo moved that Senate Bill No. 29 be amended by inserting the word "wilful" after the word "office" and before the word "neglect" in the eleventh line, Section 685, of the engrossed bill, which motion prevailed, and the bill was so amended.

Senate Bill No. 29.

A bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other officers.

Was read the third time. The question being on the final passage of the bill, as amended, the roll was called and there

were ayes, 38; nays, 6; absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksen-dahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Haggart, Hyland, Jacobsen, McBride, Murphy, Nelson. Absent and not voting: Berg, Gibbens, Kendall, Mees, Olson.

So the bill passed and the title was agreed to.

Mr. Ingerson moved that the vote by which Senate Bill No. 29 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Senate returned to the 11th order of business.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Drown introduced Senate Bill No. 83.

A bill for an Act to amend Section 2731 of the Compiled Laws of North Dakota.

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

MOTIONS AND RESOLUTIONS

Mr. Drown moved that Concurrent Resolution favoring the establishment of a League of Nations to Enforce Peace, be adopted, which motion prevailed, and the Concurrent Resolution was adopted.

Mr. Ployhar moved that the Senate do now take a recess subject to the call of the President, which motion prevailed,

and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. Levang moved that the Senate do now concur in House Resolution relative to authorizing the Chief Clerk of the House, the Secretary of the Senate and the Secretary of the Printing Commission to order extra copies of bill and journals, which motion prevailed, and the Resolution was concurred in.

The Senate returned to the 6th order of business.

REPORT OF STANDING COMMITTEES

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 29.

A bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other officers.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

Courtesies of the floor were extended to H. P. Halverson, Sheyenne; Mr. and Mrs. T. F. Keating, Leith; Henry McLean, Hannah; Emil Lundstrom, Kulm; J. D. Bacon, Grand Forks; W. B. Knocks, Monango, and H. J. Oberman, Ellendale.

Mr. Bowman moved that the Senate do now adjourn, which

motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, JAN. 29, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 25.

A bill for an Act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Senate Bill No. 31.

A bill for an Act making no form of vaccination or innoculation a condition precedent to admission to any public or private school or college or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913, and conflicting provisions to this Act; Emergency.

Senate Bill No. 51.

A bill for an Act providing for the appointment of Special Assistant Attorneys General by the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

Senate Bill No. 52.

A bill for an Act providing for investigating and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

THIRD READING OF HOUSE BILLS

House Bill No. 57.

A bill for an Act limiting the power of courts to grant injunctions and prohibiting the issuing of restraining orders and injunctions in certain labor matters.

TWENTY-THIRD DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA. January 29, 1919.

The Senate convened at 2 o'clock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain Rev. Postlethwaite.

Roll Call.

All members present except Berg, Mostad, Olson, who were excused.

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 22nd day and recommend that the same be corrected as follows; Page 3, line 35, take the period out after the word "Act;" page 4, line 1, correct the spelling of the word "minority;" page 4, line 5, correct the spelling of the name "Nelson;" page 5, line 5, correct the spelling of the word "and;" page 7, line 34, correct the spelling of the word "adjourn;" page 7, line 45, take out the period after the word "Act."

And when so corrected recommend that the same be ap-

proved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA. January 29, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 25.

A bill for an Act relating to the exemption of personal property from attachment, levy and sale on execution and to amend and re-enact Sections 7731 of the Compiled Laws of North Dakota for the year 1913; and 7738 of the Compiled Laws of North Dakota for the year 1913; and 7739 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 155 of the Compiled Laws of North Dakota for the year 1915.

House Bill No. 30.

A bill for an Act to amend Section 3 of Chapter 216 of the

Session Laws of North Dakota for 1917, relating to Soda Fountains.

House Bill No. 42.

A bill for an Act designating the State Inspector of Grades, Weights and Measures, Sealer and Inspector of Weights and Measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights; fixing fees, authorizing the appointment of Deputy inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, January 29, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 26.

A bill for an Act to regulate the sale of berries and small fruit and the containers in which they are sold and providing penalties for violation thereof.

Senate Bill No. 30.

A bill for an Act amending and re-enacting Sections 715 and 716 of the Compiled Laws of North Dakota for year 1913, providing for the Terms of the Supreme Court and the placing of cases on the calendar thereof.

Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 25.

A bill for an Act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Senate Bill No. 31.

A bill for an Act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913 and conflicting provisions to this Act; Emergency.

Senate Bill No. 51.

A bill for an Act providing for the appointment of Special Assistant Attorneys General by the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

Senate Bill No. 52.

A bill for an Act providing for investigating and prosecuting

violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Banks and Banking made the following report:

Mr. President: Your committee on Banks and Banking to whom was referred House Bill No. 2.

A bill for an Act to amend and re-enact Section 6076 of the Compiled Laws of the State of North Dakota for the year 1913.

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

That the title be amended by striking out the period after the figure 1913 and insert in lieu thereof the words "Relating to penalty for usury;" also in Section 1 of the printed Bill in line 13 after the word "within" strike out the word "two" and insert the word "four" in lieu thereof.

And when so amended recommend the same do pass.

CHRIST LEVANG, Chairman,

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report: Mr. President: Your committee on Education to whom was referred Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

Have had the same under consideration and recommend

that the same be amended as follows:

Change title so as to read "For an Act to amend and re-enact Section 1137 of the Compiled Laws of North Dakota for the year 1913;" in lines 1 and 2 on page 1 of printed bill strike out "of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota" and insert in lieu thereof "of the Compiled Laws of North Dakota for the year 1913."

In line 12 of Section 1 strike out "schools" and insert in lieu

thereof "public instruction."

In line 1 on page 1 of printed bill insert "Section" before "1.--Amendment."

In line 4 on page 1 of printed bill insert "Section" before "1137.-Amendment."

In line 1 on page 2 of printed bill insert "Section" before "2.-Emergency."

In line 8 on page 1 of printed bill strike out the word "twenty" and insert in lieu thereof "fifteen."

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following

report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the

Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Da-

Have had the same under consideration and recommend that the same do pass as amended by the Judiciary Committee of the House.

And when so amended recommend the same do pass.

JAMES A. WENSTROM. Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted

The committee on Banks and Banking made the following

report:

Mr. President: Your committee on Banks and Banking to

whom was referred Senate Bill No. 17.

A bill for an Act to amend Section 6072 and 6073 of the Revised Codes of North Dakota for 1913 as amended by Chapter 176 of the Session Laws of 1915 prescribing lawful rates of interest for any legal indevtedness, defining usury.

Have had the same under consideration and recommend that

the same be indefinitely postponed.

CHRIST LEVANG, Chairman.

Mr. Mortenson moved that the committee having under consideration Senate Bills Nos. 34 and 58 and House Bills Nos. 26 and 27 be given further time in their consideration, which motion prevailed.

Mr. Pendray moved that the committee having under consideration Senate Bills Nos. 33, 37, 38, 39, 40, 41, 42, 43 and 44, be given further time in their consideration, which motion

prevailed.

Mr. Ployhar introduced the following Concurrent Resolution: WHEREAS, George A. McFarland came to the presidency of the State Normal School at Valley City, August 1st, 1892, and discontinued his service in that capacity October 1st, 1918, a period of continuous service of twenty-six years and two months; this length of service exceeds that of any executive educational officer in the history of the state by several years. It is exceeded by less than half a dozen Normal School presidents in America.

When he first arrived at the institution it was in the second year of its existence and comprised two instructors and five pupils, operating in a small rented building now used as a bottling works, and supported till then largely by voluntary contributions of citizens. The school is now conducted in nine large buildings and several smaller ones occupying eighty-two acres of ground close in to the city, some of it the most valuable real estate owned by our State. The value of its grounds, buildings and equipment is about \$450,000. It has had an enrollment in its normal department at one time in excess of 700 students and has given instruction each year for several years in all departments to more than 1,600 people. From a single curriculum of high school grade it has expanded to many courses, offering widely varied lines of preparation for teaching. A directory of its graduates issued this present month contains more than 2,150 names. Its undergraduates now teaching or in other activities are numbered by thousands.

Its dormitories and farm have been conducted at a profit to the institution, while at the same time living expenses for students have been the lowest in the state. A strong music school was founded and developed that has been financially self-sustaining. The faculty of two members in 1892 grew to 61 in 1918, and the school employs more than thirty other people in its work. During all these years the cost to the state of instructing students at the school conducted by President McFarland has always been lower than at any other of our educational institutions. This fact is shown in every published comparison that has been made, such as the scholarly survey report made by the Temporary Educational Commission created by the authority of the state in 1911, by the survey board under direction of the State Board of Regents and in the biennial report just issued by Superintendent Macdonald.

Every county in the state is usually represented in the student body and every county of the state is now employing its graduates. They are found throughout the country and in foreign lands. Many are now leaders in education and other activities. The reputation of the school has long since extended beyond the boundaries of the state. It is appreciated as a professional institution for the training of teachers in educational circles throughout the country, thus reflecting credit and honor upon the people who have founded, supported and conducted it.

Whereas, President George A. McFarland has during this long period performed with honor and fidelity the duty of President of the State Normal School at Valley City and always with a purpose single to the interests instructed to him by the state, and

Whereas, he has shown a progressive constructive ability of a superior order in the building of an institution in which the people of the state take a just pride and that has well served its purpose in opening a great professional field of leadersh'p and usefulness to thousands of the state's young people, and

Whereas, as a teacher of young people he has always stood for high character, honor and truth and has stimulated young people to think for themselves, on all questions of public concern, and

Whereas, he has faithfully served the best interests of the state with sympathy and concern for the affairs of the common people and for the enrichment of life through the education offered in our public schools and at the same time has maintained a liberal educational statesmanship and leadership, and

Whereas, it is a well established custom for the state educational institutions as well as those privately supported, to recognize-long and honorary title of "Emeritus" and such other considerations as in each case may be deemed appropriate, and

Whereas, in such custom the state or institution honors itself in its attempt to honor its servants, now therefore,

BE IT RESOLVED by the Senate and House of Representatives concurring, that we petition, recommend and earnestly request the State Board of Regents to create the office of "President Emeritus" of the State Normal School at Valley City and to appoint George A. McFarland to that office, with such other consideration, or emoluments as in the judgment of the Regents is just, honorable and appropriate, and that a copy of this resolution be forwarded to the members of the

State Board of Regents and to President George A. McFarland, and

BE IT FURTHER RESOLVED and recommended, that in future cases in which a member of one of the faculties shall have served a period continuously of twenty-five years, when retirement is made, the Board of Regents make similar recognition of such educational officer.

Mr. Ployhar moved that the oncurrent Resolution has referred to the Committee on Education, which motion prevailed and the Concurrent Resolution was referred to the Committee on

Education.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Mees introduced Senate Bill No. 84.

A bill for an Act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof.

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

Mr. Mostad introduced Senate Bill No. 85.

A bill for an Act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof.

Was read the first and second time and referred to the

Committee on Railroads.

Mr. Hagan introduced Senate Bill No. 86.

A bill for an Act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913 and to amend and re-enact Sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913 relating to running of stock at large.

Was read the first and second time and referred to the

Committee on Counties.

Mr. McNair introduced Senate Bill No. 87.

A bill for an Act appropriating Fifteen Hundred Fifty-three and 11-100 Dollars to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde, in the months of October, November and December.

Was read the first and second time and referred to the

. Committee on Appropriations.

The Committee on Appropriation introduced Senate Bill

No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Was read the first and second time and referred to the

Committee on Appropriations.

The Committee on Appropriations introduced Senate Bill No. 89.

A bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, N. D.

Was read the first and second time and referred to the

Committee on Appropriations.

The Committee on Appropriation introduced Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School.

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

The Committee on Appropriations introduced Senate Bill No. 91.

A bill for an Act making an appropriation for the maintenance improvements, repairs, new buildings, equipment, miscellaneous expenses of the school for the Deaf and Dumb at Devils Lake, N. D.

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

The Committee on Appropriations introduced Senate Bill No. 92.

A bill for an Act to appropriate the sum of \$8221.79 for the arrest and return of fugitives from Justice.

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

The Committee on Appropriations introduced Senate Bill No. 93.

A bill for an Act making appropriations for the mainten-

ance, improvements and repairs of the State Capitol.

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

THIRD READING OF SENATE BILLS

Mr. Benson moved that Senate Bill No. 25 be amended by strik'ng out the words and figures "May, 1919" and inserting the words and figures "January, 1920" in lieu thereof, in line one of Section one of the engrossed bill, which motion was lost.

one of Section one of the engrossed bill, which motion was lost.

Mr. Hyland moved that Senate Bill No. 25 be amended by striking out the words "draft sleds" in line three of Section one of the Engrossed Bill and inserting in lieu thereof the words "horse drawn," which motion was duly seconded.

Mr. Drown moved as an amendment that Senate Bill No. 25 be amended by striking out the words "draft sleds" and inserting in lieu thereof the words "mule and horse drawn" in line three of Section one of the Engrossed Bill, which motion was lost.

The question being on the original motion, vote being taken the amendment was lost.

Senate Bill No. 25.

A bill for an Act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mikletun, Murphy, Nelson, Noltimier, Oksendall, Pendray, Ployhar, Sikes, Storstad, Ward, Weber, Welford, Wenstrom.

Nays-Church, Ettestad, Hamerly, Jacobsen, Mees, Mortenson, Morkrid, Porter, Stenmo, Whitman, Zieman.

Absent and not voting, Berg, Mostad, Olson.

So the bill passed and the title was agreed to.

Mr. King moved that the vote by which Senate Bill No. 25 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Church explained his vote as follows: Believing that this bill will work a hardship on the farmers, and made in favor of the automobile owner, and feeling that the penalty is unjust as the crime is only selling narrow sleds, when probably farmers want them, and knowing that it cannot be enforced as there are many ways to evade it, and also knowing that Wisconsin repealed the same law after using same a few years, and having heard from my constitutents that they do not want it, I vote no.

Mr. Mees: I feel a good deal like Senator Church. I believe that when this bill is passed, and you try to run automobiles over the roads sleds have been used on, they will ask to have it repealed. I cannot see that there is any particular benefit in having a law of this kind on the statute books. I feel and believe that if wide tread sleds were a success we would have had them before now. I know people who have tried wide tread sleds and have discarded them and gone back to the narrow. I vote no.

Mr. Whitman: I vote no for the reason that time has not been extended to give the dealers time in which to dispose of their stocks on hand.

Senate Bill No. 31..

A bill for an Act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913 and conflicting provisions to this Act; Emergency.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 14; absent and not voting. 3.

Ayes—Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt. Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl, Pendray, Sikes, Ward, Weber, Wenstrom, Whitman, Zieman.

Pendray, Sikes, Ward, Weber, Wenstrom, Whitman, Zieman. Nays—Beck, Carey, Gibbens, Haggart, Hyland, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad,

Welford.

Absent and not voting: Berg, Mostad, Olson.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill. No. 31 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Church explained his vote and asked to have it entered in the Journal. While believing in the good results of vaccination, yet I do feel that there have been some who have suffered from it, and there may be injustice done under the present law, and feeling that my constituents do not want compulsory vaccination, and this bill leaving it optional, and be-

lieving that everyone knows the value of it and that the majority of the people will be vaccinated, I vote aye.

Mr. Drown: I am opposed to compulsory vaccination for the following reasons. We have in this state a compulsory school law. If that did not stand in the way I would feel a little different, but our law compels parents and guardians to send their children to school, and under the existing law they are compelled to be vaccinated, and if they do not believe in it they are forced to be vaccinated against their will, therefore I vote aye.

The question being on the Emergency Clause of Senate Bill No. 31, the roll was called and there were ayes, 30; nays, 15; absent and not voting, 4.

Ayes—Benson, Bowman, Cahill, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl, Pendray, Sikes, Ward, Weber, Wenstrom, Whitman, Zieman.

Nays—Beck, Carey, Church, Gibbens, Haggart, Hyland, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Welford.

Absent and not voting: Berg, Jacobsen, Mostad, Olson.

So the Emergency Clause passed.

Mr. Wenstrom 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. 51.

A bill for an Act providing for the appointment of Special Assistant Attorneys General by the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, none; absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hyland, Ingerson, Jacobsen, Kendall, King, Lavang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Hunt, Mostad, Olson.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 51 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 52.

A bill for an Act providing for investigating and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

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, none; absent and not voting, 3.

Ayes—Beck. Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Pendray Poyhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Mostad, Olson. So the bill passed and the title was agreed to.

Mr. Bowman moved that the vote by which Senate Bill No. 52 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 42

A bill for an Act designating the State Inspector of Grades, Weights and Measures, Sealer and Inspector of Weights and Measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights, fixing fees, authorizing the appointment of Deputy inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

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

House Bill No. 25.

A bill for an Act relating to the exemption of personal property from attachment, levy and sale on execution and to amend and re-enact Sections 7731 of the Compiled Laws of North Dakota for the year 1913; and 7738 of the Compiled Laws of North Dakota for the year 1913; and 7739 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 155 of the Compiled Laws of North Dakota for the year 1915.

Was read the first and second time and referred to the

Committee on Judiciary.

House Bill No. 30,

A bill for an Act to amend Section 3 of Chapter 216 of the Session Laws of North Dakota for 1917, relating to Soda Fountains.

Was read the first and second time and referred to the

Committee on Ways and Means.

THIRD READING OF HOUSE BILLS

House Bill No. 57.

A bill for an Act limiting the power of courts to grant injunctions and prohibiting the issuing of restraining orders and injunctions in certain labor matters.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 30, nays, 12; absent and not

Ayes-Benson, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman, Nays—Beck, Carey, Gibbens, Hyland, Jacobsen, Kendall,

Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Berg, Bowman, Haggart, McBride, Mees, Mostad, Olson,

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which House Bill

No. 57 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Senate returned to the 8th order of business.

MOTIONS AND RESOLUTIONS

Concurrent Resolution introduced by the Committee on Highways.

WHEREAS, the value and importance of an adequate system of highways throughout the nation and among the various states and their minor governmental units are no less important in the present reconstruction era than in the successful prosecution of a war, and

WHEREAS, North Dakota as one of the most important foodproducing states of the Union is in great need of improved highways intelligently conceived and constructed and properly maintained, and

WHEREAS, the present federal aid law and the state highway law have made it possible for the state to initiate a program of progressive and systematic road improvement within the state, and

WHEREAS, a bill, namely Senate Bill No. 5088 as introduced in Congress by U. S. Senator Bankhead eliminates the post route requirement on federal aid projects, which requirement is contrary to the intent and spirit of the federal aid law and has hampered the work of the state highway commission in securing such aid to the state, and provides further for increased federal aid to the extent of \$200.000.000 in addition to \$75,000.000 already specified in the present law, and whereby the allotment of federal aid to North Dakota will be increased from approximately \$1,142,000 to \$4,000.000 or more, and

WHEREAS, said Senate Bill No. 5088 is about to be given immediate consideration in connection with the post office appropriation bill, therefore

BE IT RESOLVED by the Senate of the State of North Dakota, the House of Representatives Concurring therein:

That we, the members of the Sixteenth Legislative Assembly of the State of North Dakota, respectfully petition our Senators and Representatives of North Dakota in Congress to support Senate Bill No. 5088 which is a proposed amendment to improve the present federal aid law and grant increased aid to the states in the construction of state highways and endeavor to secure its passage, and

WHEREAS, there has been proposed at a conference of certain western states held in Salt Lake City on January 3, 1919, a further amendment to the federal aid law, whereby the larger and relatively less rich states of the west may receive federal aid on federal aid projects to an extent greater than fifty per cent of the cost of such projects, therefore

BE IT FURTHER RESOLVED, That our Senators and Representatives in Congress be hereby respectfully requested also to support and endeavor to secure the passage of such an amendment, and

BE IT FURTHER RESOLVED, That the Secretary of State be instructed to send a copy of these resolutions to our Senators and Representatives in Congress and that, because of the urgency of the matter, the Committee on Highways be instructed to send to each of our Senators in Congress a night letter or message respectfully soliciting their support of the aforesaid amendments or measures.

Mr. King moved the adoption of the Concurrent Resolution, which motion prevailed, and the Concurrent Resolution was

adopted.

Courtesies of the floor were extended to Harrison Garnett, St. Thomas; L. M. Rockne, Sherwood; John Warchket, Ellendale; J. B. Hagelbarger, M. H. Redke, C. A. McGowan, Killdeer; J. T. Tweeten, Rolette; Mr. and Mrs. Paul Jungnitsch, Page; Frank P. Emh, Leith; C. H. Simon, McVille; E. C. Stucke, Garrison; G. A. Wentland, Glen Ullin; A. P. Hanson, Litchville; R. B. Laing, Melton.

Mr. King moved that the Senate do now adjourn, which

motion prevailed, and the Senate adjourned.

W. J. PEATER, Secretary.

SENATE CALENDAR, JAN. 30, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

THIRD READING OF HOUSE BILLS

House Bill No. 2.

A bill for an Act to amend and re-enact Section 6076 of the Compiled Laws of the State of North Dakota for year 1913. House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

TWENTY-FOURTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 30, 1919.

The Senate convened at 2 o'clock p. m., President pro tem presiding.

Praper was offered by the Chaplain Rev. Strutz.

Roll Call.

All members present except Berg and Mostad, who were excused.

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 23rd day and recommend that the same be corrected as follows: Page 9, line 38, correct the spelling of the name Hemmingsen; page 11, line 41, correct the spelling of the word "Highways."

And when so corrected recommend that the same be ap-

proved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA.

January 30, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 24.

A bill for an Act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for Five Assistant Attorneys General, prescribing the bond and oath of office and fixing the salary therefor.

Which the House has passed unchanged. Very respectfully,

GEO A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA. January 30, 1919

Mr. President: I have the honor to inform you that the

House has concurred in the Senate Concurrent Resolution relating to securing six months' additional pay for all honorably discharged enlisted men.

Very respectfully,

GEO A. TOTTEN, JR., Chief Clerk.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 63.

A bill for an Act to amend and re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913; relating to capital stock required by domestic and other stock insurance companies.

Which the House has passed and your favorable consider-

ation is respectfully requested.

Very respectfully,

GEO A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

And find the same correctly engressed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved th. t the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 30.

A bill for an Act amending and re-enacting Sections 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the Terms of the Supreme Court and the placing of cases on the calendar thereof.

Senate Bill No. 26.

A bill for an Act to regulate the sale of berries and small fruit and the containers in which they are sold and providing penalties for violation thereof.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Woman Suffrage made the following report:

Mr. President: Your committee on Woman Suffrage to whom was referred Senate Bill No. 81.

Concurrent Resolution amending the Constitution of the State and providing for Equal Suffrage.

Have had the same under consideration and recommend

that the same be amended as follows:

Strike out the word "therein" in the enacting clause of the bill.

And when so amended recommend the same do pass.

C. I. MORKEID, Chairman.

Mr. Morkrid moved that the report be adopted, which motion prevailed and the report was adopted.

The coemmittee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 41.

A bill for an Act making an appropriation to the Department of the Council of Defense for specific purposes.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Levang moved that the report of the committee indefinitely postponing Senate Bill No. 17, be adopted, which motion prevailed and the report was adopted.

Mr. McNair offered the following resolution:

WHEREAS, the office of Messenger and Postmaster have been combined, and

WHEREAS, there is no provision for the payment of the salary of Messenger and Postmaster,

BE IT RESOLVED, that the salary of Messenger and Postmaster be \$5.00 per day from January 7, 1919.

The roll was called and there were ayes, 38; nays, none; absent and not voting, 9.

Ayes, Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King Lavang, McBride, McCarten, McNair, Mees, Mortenson, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Church, Fleckten, Liederbach, Mostad, Morkrid, Porter, Ward, Weber.

So the resolution was adopted.

Mr. Ingerson moved that the committee having under consideration Senate Bill No. 36 be given further time, which motion prevailed.

The Senate returned to the 6th order of business.

REPORT OF STANDING COMMITTEES

The committee on Cities and Municipal Corporations made the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 74.

A bill for an Act to License, Regulate and Supervise the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pinn Alleys, Dance Halls, Theaters, Moving Picture Shows, Public Garages, Places of Public Meetings and Soft Drink Parlors; Providing Fees therefor, Inspectors, Office help and Supplies thereof; Defining Powers and Duties and Repealing all Acts and Parts of Acts inconsistent therewith.

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

In line two of Section one after the word "show" strike out the comma and words "public garages."

On line eleven of Section five after the word "General" strike out the period and insert the words "all for cause and upon a hearing had before the state inspector."

In line ten Section six after the word "law" strike out the period and add the words "provided, however, that such salaries and expenses shall be payable only out of such fund and shall not be in excess thereof."

In line five of Section seven after the word "annum" strike out the semicolon and the words "pumlic garage, \$25.00" and in line six of Section seven strike out the words "per annum."

In line five of Section seven after the words "per annum" insert "provided that where a dance hall or theater or moving picture show are operated in one building under the same management one license shall be sufficient."

In line 12 of Section 3 after the word "parlors" strike out the comma and insert the words "public garage."

And when so amended recommend the same do pass.

E. A. BOWMAN, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Hunt introduced Senate Bill No. 94.

A bill for an providing for the forfeiture to the State of read property upon which taxes are delinquent; fixing the period of such delinquency; the notice to be given and the method of service; the order to show cause and service thereof and the decree of title; the recording thereof and the duties of the public officials in connection therewith.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

Mr. McCarten introduced Senate Bill No. 95.

A bill for an Act providing for the registering of the titles of all land within county under the provisions of Chapter 235 of the laws of North Dakota for the year 1917.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Hunt introduced Senate Bill No. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have special investigations of lignite deposits and lignite within the State and providing funds therefor.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. King introduced Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway Fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all Acts and parts of Acts in conflict herewith.

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

Mr. Stenmo introduced Senate Bill No. 98.

A bill for an Act apporpriating the sum of One Hundred Thousand Dollars for the biennial period beginning July 1, 1919, to be used as aid to consolidated rural school districts for transportation of school children therein; providing for the apportionment thereof among the counties of the state and the various consolidated school districts therein; designating the time of payment and the duties of the State Superintendent of Public Instuction, County Superintendents of Schools, County Treasurer and the State Auditor with respect thereto.

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

Mr. Carey introduced Senate Bill No. 99.

A bill for an Act to amend and re-enact Section 225 of the Compiled Laws of North Dakota for 1913 relating to duties of State Examiner.

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

THIRD READING OF SENATE BILLS

Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, none; absent and not voting, 6.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Church, Liederbach, Mostad Porter, Ward.

The question being on the Emergency Clause of Senate Bill No. 69, the roll was called and there were ayes, 43; nays, none; absent and not voting, 6.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Church, Liederbach, Mostad, Porter, Ward.

So the Emergency Clause passed.

Mr. Stenmo moved that the title of Senate Bill No. 69 be amended by adding after the figures "1913" in line 5 of the engrossed bill, the following: "relating to salary and expenses of County Superintendents of School," which motion prevailed and the bill was so amended and the title agreed to.

FIRST AND SECAND READING OF HOUSE BILLS

House Bill No. 63.

A bill for an Act to amend and re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913, relating to capital stock required by domestic and other stock insurance companies.

Was read the first and second time and referred to the

Committee on Insurance.

THIRD READING OF HOUSE BILLS

Mr. Jacobsen moved that House Bill No. 2 be amended by inserting after the figures "6075" in line six of the printed bill the following: "As amended by Chapter 176 of the Session Laws of the State of North Dakota for the year 1915," which motion prevailed, and the bill was so amended.

House Bill No. 2.

A bill for an Act to amend and re-enact Section 6076 of the Compiled Laws of the State of North Dakota for the year 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, 42; nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Bowman, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Lavang, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Church, Liederbach, Mostad, Porter, Ward.

So the bill passed and the title was agreed to.

Mr. Levang moved that the yote 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. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold 2in the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Ayes-Beck, Benson, Bowman, Carey, Drown, Ettestad,

Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Zieman.

Nays-Hyland, Whitman.

Absent and not voting: Berg, Cahill, Church, Liederbach, Mostad, Porter, Ward.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which House Bill No. 34 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Wenstrom moved that the Senate do now take a recess subject to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken. The Senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 27.

A bill for an Act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

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

On page 1, Section 1., of the printed bill, after the words, "Section 1" insert the words, "dry measure."

In Section 2, line 1 after the words, "Section 2," insert the words, "Liquid Measure."

In Section 3, line 1 after the words, "Section 3," insert the words, "Lineal Measure."

In Section 4, line 1 after the words "Section 4," insert the words, "Hundredweight."

In Section 5, line 1 after the words, "Section 5," insert the words, "Standard weight of bushel, etc."

In Section 5, strike out page 2 and lines one and two on page 3, and insert the following:

Alfalfa, 60 Apples, 50 Apples dried, 28 Barley, 48 Beans, 60 Beans, White Runner pole, 50 Beans, Broad Windsor, 47 Beans, Lima, 55 Blue Grass seed, 14 Bran, 20 Beets, 60 Buckwheat, 42

Broom corn seed, 30
Bromus inermis, 14
Corn, shelled, 56
Corn, sweet, 48
Corn, in the ear, 70
Clover seed, 60
Coal, stone, 80
Chestnuts, 50
Cucumbers, 48
Carrots, 45
Cranberries, 36
Flaxseed, 56

Hempseed, 50
Hickory nuts, 50
Hungarian grass seed, 48
Lime, 80
Millet, 50
Oats, 32
Onions, 52
Onions, Bottom sets, 32
Onions, top sets, 28
Orchard grass seed, 14
Potatoes, sweet, 46
Potatoes, Irish, 60
Peas, 60
Peanuts, 22
Peaches, dried, 28
Pears, 45

Parsnips, 42
Plastering Hair, unwashed, 5
Plastering Hair, washed, 4.
Rye, 56
Rapeseed, 50
Rutabagas, 52
Rhubarb, 50
Salt, 80
Speltz, 40
Sorghum seed, 57
Turnips, 60
Timothy seed, 45
Tomatoes, 50
Wheat, 60
Walnuts, 50

In Section 6, line 1 after words, "Section 6," insert the words, "Standard measurement of wood."

In Section 7, line 1 after the words, "Section 7," insert the words, "Standard weight of coal, charcoal and ice."

In Section 8, line 1 after the words, "Section 8," insert the words, "Standard weight of flour."

In Section 9, line 1 after the words "Section 9," insert the words, "Fractional parts."

In Section 9, line 3 after the word, "ton," strike out the word, "or" and insert a comma.

In Section 9, line 3 after the word, "cord," insert a comma and the words, "gallon or fractional parts."

In Section 10, line 1 after the words, "Section 10," insert the words, "Penalty for violation."

In Section 10, line 2 after the word, "ton," strike out the words, "or," and insert a comma in lieu thereof.

In Section 10, line 2 after the word, "cord," insert the words, "gallon or fractional part."

In Section 11, line 1 after the words, "Section 1," insert the word "variation."

In Section 12, line 1 after the words, "Section 12," insert the words "Repealing Clause."

And when so amended recommend the same do pass.

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Livestock made the following report:

Mr. President: Your committee on Livestock to whom was referred Senate Bill No. 83.

A bill for an Act to amend Section 2731 of the Compiled Laws of North Dakota 1913.

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

C. A. WARD, Chairman.

Mr. Ward moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

The Committee on Appropriations introduced Senate Bill No. 190.

A bill for an Act making an Appropriation to provide for the Payment of Bounty on Wolves and Coyotes killed prior to July 1st, 1917.

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

The Committee on Appropriations introduced Senate Bill No. 101

A bill for an Act making appropriation for the salary of the Secretary and Members of the State Highway Commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing miscellaneous and traveling expenses of the commission.

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

The Committee on Appropriations introduced Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned by tuberculosis and deficit.

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

The Committee on Appropriations introduced Senate Bill No. 103.

A bill for an Act to appropriate the sum of \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 of the Sessions Laws of North Dakota 1917.

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

The Committee on Appropriations introduced Senate Bill No. 104.

A bill for an to make appropriation for the clerk, clerk hire, postage office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses, maintenance of game farm, salary and expenses of fish commissioner and deputy fish commissioner and expenses and maintenance of the fish hatchery.

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

The Committee on Appropriations introduced Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indeanity Fund.

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

The Committee on Appropriations introduced Senate Bill No. 106.

A bill for an Act making an appropriation for the current and contingent Expenses, maintenance, improvements and repairs, new buildings and equipment, and miscellaneous expenses of the Hospital for the Insane.

Was read the first and second time and referred to the

Committee on Appropriations.

The Committee on Appropriations introduced Senate Bill No. 107.

A bill for an Act making an appropriation for the Florence Crittendon Home at Fargo, N. D.

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

The Committee on Appropriations introduced Senate Bill No. 108.

A bill for an Act making an appropriation for the maintenance, improvement and repairs, new buildings, equipment and miscellaneous expenses of the North Dakota reform school.

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

The Committee on Appropriations introduced Senate Bill No. 109.

A bill for an Act appropriating the sum of \$399.90 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson, and T. Twitchell for services and expenses during the month of February, 1917, on the Budget Board.

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

The Committee on Appropriations introduced Senate Bill No. 110.

A bill for an Act entitled an Act to amend and re-enact Section 1762 of the Compiled Laws of the State of North Dakota for the year 1913, amended by Chapter 144 of the Session Laws for the year 1917 and as amended by Chapter 8, of the Laws passed at the special session of the fifteenth Legislative Assembly in January, 1918, relating to maintaining patients in the Hospital for the Insane.

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

Courtesies of the floor were extended to George C. Reeder, Michigan, N. D.

Mr. Gibbens moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, JAN. 31, 1919. THIRD READING OF SENATE BILLS

Senate Bill No. 27.

A bill for an Act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing for the violation thereof.

Senate Bill No. 74.

A bill for an Act to License, Regulate, and Supervise the Licensing and Inspection of Pool and Billiard Rooms, Ball and Pinn Alleys, Dance Halls, Theaters, Moving Picture Shows, Public Garages, Places of Public Meetings and Soft Drink Parlors; Providing Fees therefor, Inspectors, Office help and Supplies thereof; Defining Powers and Duties and Repealing all Acts and Parts of Acts inconsistent therewith.

Senate Bill No. 81.

Concurrent Resolution for an amendment to the Constitution providing for the Elective Franchises.

Senate Bill No. 83.

A bill for an Act to amend Section 2731 of the Compiled Laws of North Dakota 1913.

THIRD READING OF HOUSE BILLS

House Bill No. 41.

A bill for an Act making appropriation to the Department of the Council of Defense for specific purposes.

TWENTY-FIFTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, January 31, 1919.

The Senate convened at 2 o'clock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain, Rev. Postlethwaite. Roll Call.

All members present except Messrs. Berg and Storstad, who were excused.

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 24th day and recommend that the same be corrected as follows; After line seven insert the following: The committee on Appropriations introduced Senate Bill No. 108, a bill for an Act making an appropriation for the maintenance, improvement and repairs, new buildings, equipment and miscellaneous expenses of the North Dakota Reform School.

And when so corrected recommend that the same be approved.

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H. H. McNAIR, Chairman,

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA. January 31, 1919.

Mr. President: I have the honor to return Senate Bill No. 23.

A bill for an Act to prevent any foreclosure proceeding without first giving due notice to the mortgagor.

Which the House has amended as follows:

By inserting the words "executors, administrators or" after the word his in line 2, and by inserting the words "his executors, administrators" after the word "mortgagor" in line 3. Very respectfully,

GEO A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA. January 31, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the following Senate Concurrent Resolution:

WHEREAS, the President of the United States by his Proclamation of September 2, 1918, fixed the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920 at \$2.26 at Chicago, and

WHEREAS, upon the faith of said Proclamation the farmers of North Dakota and generally throughout the Northwest have gone to an enormous expense in the increase of acreage for wheat and for the purchase of horses, machinery, and other equipment for an increased wheat production, and have incurred great obligations on that account, and

WHEREAS, it appears that up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under the President's Proclamation, and

WHEREAS, the farmers of North Dakota as well as all other wheat-raising districts of the United States have acted in good faith upon the said Proclamation of the President and in case Congress fails to make the said Proclamation of the President effective, such failure will cause an enormous financial loss to the farmers of the State of North Dakota and other wheat-raising districts of the United States as well as a great disappointment, and will tend to lessen the confidence of the people in the Federal Government.

THEREFORE, Be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring:

That we earnestly urge Congress to pass such measure as will make the said Proclamation of the President effective.

BE IT FURTHER RESOLVED: That the Secretary of State be instructed to send a copy of these Resolutions to each of our Senators and Representatives in Congress and to the Chairman of the Committee of Agriculture in both houses of Congress.

Very respectfully, GEO A. TOTTEN, Jr., Chief Clerk.

> BISMARCK, NORTH DAKOTA. January 31, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 46.

A bill for an Act to amend and re-enact Section 5888 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1917, and providing what warrants are to be in writing.

House Bill No. 64.

A bill for an Act making an appropriation for the purpose of reimbursing the County of LaMoure, North Dakota, for moneys expended in maintaining a trachoma hospital. House Bill No. 65.

A bill for an Act to appropriate the sum of \$1900.00 for the maintenance of a trachoma hospital in the County of LaMoure, State of North Dakota.

House Bill No. 82.

A bill for an Act relating to the manner in which claims against the state of investigators working under the direction and control of the Attorney General shall be presented, filed and verified, and providing a penalty for falsely certifying thereto, or certifying to any false claim or bill.

House Bill No. 87.

A bill for an Act providing for the keeping of repairs within the state for all gas or oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacture thereof.

House Bill No. 48.

A bill for an Act relating to freight rates in North Dakota; the transportation of freight within the State; the classification of freight for the purpose of such transportation and the application of rates thereon; fixing the maximum rates and charges for the transportation of freight intra-state; providing penalties and punishments for the violation of the provisions thereof and defining certain duties and powers of the board of railroad commissioners.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully, GEO A. TOTTEN, JR., Chief Clerk.

> BISMARCK, NORTH DAKOTA. January 31, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Concurrent Resolution:

Whereas, the value and importance of an adequate system of highways throughout the nation and among the various states and their minor governmental units are no less important in the present reconstruction era than in the successful prosecution of a war, and

WHEREAS, North Dakota as one of the most important food-producing states of the Union is in great need of improved highways intelligently conceived and constructed and properly maintained, and

WHEREAS, the present federal aid law and the state highway law have made it possible for the state to initiate a program of progressive and systematic road improvement within the state, and

WHEREAS, a bill, namely Senate Bill No. 5088 as introduced in Congress by U. S. Senator Bankhead eliminates the post route requirement on federal aid projects, which requirement is contrary to the intent and spirit of the federal aid law and has hampered the work of the state highway commission in securing such aid to the state, and provides further for increased federal aid to the extent of \$200.000.000 in addition to \$75,000.000 already specified in the present law,

and whereby the allotment of federal aid to North Dakota will be increased from approximately \$1,142,000 to \$4,000,000 or more, and

WHEREAS, said Senate Bill No. 5088 is about to be given immediate consideration in connection with the post office appropriation bill, therefore,

BE IT RESOLVED by the Senate of the State of North Dakota, the House of Representatives concurring therein:

That we, the members of the Sixteenth Legislative Assembly of the State of North Dakota, respectfully petition our Senators and Representatives of North Dakota in Congress to support Senate Bill No. 5088 which is a proposed amendment to improve the present federal aid law and grant increased aid to the states in the construction of state highways and endeavor to secure its passage, and

WHEREAS, there has been proposed at a conference of certain western states held in Salt Lake City on January 3, 1919, a further amendment to the federal aid law, whereby the larger and relatively less rich states of the west may receive federal aid on federal aid projects to an extent greater than fifty per cent of the cost of such projects, therefore

BE IT FURTHER RESOLVED, That our Senators and Representatives in Congress be hereby respectfully requested also to support and endeavor to secure the passage of such an amendment, and

BE IT FURTHER RESOLVED, That the Secretary of State be instructed to send a copy of these resolutions to our Senators and Representatives in Congress and that, because of the urgency of the matter, the Committee on Highways be instructed to send to each of our Senators in Congress a night letter or message respectfully soliciting their support of the aforesaid amendments or measures.

And return Senate Concurrent Resolution relating to assisting returned soldiers, which the House has not acted on.

> Very respectfully. GEO A. TOTTEN, JR., Chief Clerk.

PETITIONS AND COMMUNICATIONS

Bowbells, N. D., Jan. 28, 1919. At a meeting of the County Superintendent of Schools for Burke County, with the Directors of the various School Districts of said County, held this 28th day of January, the following as a Committee on Resolutions were appointed by the Chairman County Superintendent C. H. Hecht-John Romine, J. P. Neve, Chas. Erickson, C. M. Remmington, and John Wick.

RESOLVED, That we ask our Legislature to limit the power of the Special School Districts in taking territory from Consolidated and Common School Districts, in sections beyond any bona fida residents.

RESOLVED, that we are in favor of a County School Nurse.

RESOLVED, that we are in favor of a law allowing the State to apporpriate the sum of \$100,000,00 or more for State Aid for Transportation of pupils in Consolidated School Districts.

RESOLVED, that we do not consider it advisable at this

time to take up the subject of grain dockage and grading in the Rural Schools.

RESOLVED, that we favor better Rural Schools.

RESOLVED, that our County Superintendent forward a copy of these Resolutions to our Legislators of the 40th District; also a copy to each paper in the County for publication.

John Romine and 4 others. (Signed)

Mr. Mostad moved that the communication be referred to the Committee on Education, which motion prevailed, and it was so referred.

WHEREAS, the Fifteenth Legislative Assembly of the State of North Dakota, held at Bismarck, State of North Dakota for the year 1917 enacted a law relating to the Administration of State Aid for Rural Schools, etc., providing that schools receiving aid shall admit pupils from any part of the State without charging tuition therefore. (The said law being more commonly known as "House Bill No. 86.")

AND WHEREAS, the said law imposes upon a great number of our schools the burden of providing school facilities for children outside of the school district having less facilities,

AND WHEREAS, the village and consolidated schools in this way must bear the extra burden of caring for these children from outside the district, without receiving any compensation:

NOW THEREFORE, We the members of the Board of Directors of the Various school districts in Dunn County. State of North Dakota, at a meeting of said body in the City of Killdeer, County of Dunn, 'o respectfully petition and urge our Senators and Representatives to work for an amendment to said law eliminating the said phrase admitting pupils without tuition.

ALMA B. SWAREN, and 26 other.

Mr. Liederbach moved that the communication be referred to the Committee on Education, which motion prevailed and the communication was so referred.

We, the undersigned voters and taxpayers of the County of Burke and State of North Dakota, do hereby respectfully petition the members of the 16th Legislative Assembly to enact a law compelling all railroads passing through this County to fence their right-of-ways with substantial fences, with cross fences and cattle guards at all public crossings and either crossfences and cattle guards, or substantial swinging gates in right-of-way at all private crossings, at the option of the owner of said private crossing. And we hereby ask the Hon. Ralph Ingerson. Senator for this 40th Legislative District to bring this petition to the attention of the Legislative Assembly and to use his best efforts to the end that such law be enacted.

MARTIN JENSEN and 63 others.

Mr. Cahill moved that the petition be referred to the Committee on Railroads, which motion prevailed, and the petition was so ordered.

To the Honorable A. J. McLarty, J. W. Dungan and A. S. Gibbens, Bismarck, North Dakota.

In the enactment of a compulsory state hail insurance legis-

lation we the undersigned desire the enactment of a law allowing each county to provide for its own hail insurance. Funds for such hail insurance to be raised by a levy made by the County Commissioners in the same manner that other county taxes are levied; the law to provide for the County Com-missioners to appoint hail insurance adjusters; the insurance fund to be under the control of the County Commissioners.

We are unalterably opposed to any legislation for hail in-

surance covering the state as a whole.

A. P. LARSON and 20 others.

Mr. Gibbens moved that the petition be referred to the Committee on Insurance, which motion prevailed, and the petition was so referred.

REPORTS OF STANDING COMMITTEES

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 24.

A bill for an Act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for Five Assistant Attorneys General, prescribing the bond and oath of office and fixing the salary therefor. And find the same correctly enrolled.

W. J. CHURCH, Chairman pro tem.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Your committee on Enrollment and En-Mr. President: grossment have examined the following bills:

Senate Bill No. 27.

A bill for an Act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Senate Bill No. 69. A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

Senate Bill No. 81.

Concurrent Resolution for an amendment to the Constitution providing for the Elective Franchises.

Senate Bill No. 83.

A bill for an Act to amend Section 2731 of the Compiled Laws of North Dakota 1913.

Senate Bill No. 74.

A bill for an Act to License, Regulate, and Supervise the Licensing and Inspection of Pool and Billard Rooms, Ball and Pinn Alleys, Dance Halls, Theatres, Moving Picture Shows, Public Garages, Places of Public Meetings and Soft Drink Parlors; Providing Fees therefor, Inspectors, Office help and Supplies thereof; Defining Powers and Duties and Repealing all Acts and Parts of Acts inconsistent therewith.

And find the same correctly engrossed.

W. J. CHURCH, Chairman pro tem.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 22.

A bill for an Act providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, prescribing his duties, providing for the printing, publishing and distributing of Supreme Court reports and granting power to the Supreme Court concerning the same and repealing all Acts inconsistent therewith.

Have had the same under consideration and recommend

that the same be amended as follows:

In the emergency clause of the engrossed bill, third line, strike out the word, "amending," and insert in lieu thereof, the word, "administration."

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, and the bill re-referred to the Committee on Appropriations, which motion prevailed and the report was adopted, and the bill re-referred to the Committee on Appropriations.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

Have had the same under consideration and recommend

that the same be amended as follows:

In line six of printed bill, strike out the word, "Revocated" and insert in lieu thereof the word, "revoked."

In line eighteen of the printed bill, strike out the word, "em-

ploye," and insert in lieu thereof, "employee."

In line twenty-three of the printed bill, strike out the word "employe," and insert in lieu thereof, "employee."

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred Ployhar Concurrent Resolution relative to Ex-President George A. McFarland have had the same under consideration and recommend that the same be amended as follows:

Strike out the last paragraph of resolution.

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Mr. Mees moved that Senate Bill No. 23 be re-referred to the Committee on Judiciary, which motion prevailed, and the bill was so re-referred.

Mr Miklethun moved that Senate Bill No. 74 be re-referred to the Committee on Appropriations, which motion prevailed, and the bill was so re-referred.

Sen. Hagan offered the following resolution:

RESOLVED, That this body amends rule 27 so as to read that no bill shall be introduced after Monday Feb. 3, except by a two-third vote.

Mr. Hagan moved that the resolution be adopted, which motion was duly seconded.

Mr. Hyland moved as an amendment that the resolution be referred to the Committee on Rules, which motion was lost.

The question being on the motion to adopt the resolution, the roll was called and there were ayes, 29; nays, 18; absent and not voting, 2.

Ayes-Benson, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Weber, Welford, Wenstrom.

Nays-Beck, Carey, Drown, Gibbens, Haggart, Hyland, Jacobsen, Kendell, McBride, Murphy, Nelson, Pendry, Ployhar, Porter, Stenmo, Whitman, Zieman. Absent and not voting: Berg, Storstad.

So the Resolution was lost,

Mr. Drown moved that the vote by which the Resolution was lost be reconsidered, which motion prevailed, and the vote was reconsidered.

Mr. Hyland moved that the Resolution be referred to the Committee on Rules, which motion prevailed and the Resolution was so referred.

Mr. Mees moved that the vote by which Senate Bill No. 23 was re-referred to the Committee on Judiciary be reconsidered, which motion prevailed, and the vote was sidered.

Mr. Mees moved that the Senate do not concur in House Amendment to Senate Bill No. 23, and that a conference committee of three be appointed by the President, which motion prevailed and the President appointed as such committee Messrs. Fraser, Hagan and Welford.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Bowman introduced Senate Bill No. 111.

A bill for an Act to amend Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of Cities, Towns or Villages.

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

Mr. Hunt introduced Senate Bill No. 112.

A bill for an Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the State; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Was read the first and second time and referred to the

Committee on Education.

Mr. Liederbach introduced Senate Bill No. 113.

A bill for an Act providing for the use of public buildings for public meetings.

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

Mr. Ployhar introduced Senate Bill No. 114.

A bill for an Act to appropriate money to reimburse W. J. Curren, Valley City, N. Dak., for moneys paid for interest during construction of buildings at the State Hospital for the Insane.

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

The Committee on Appropriations introduced Senate Bill No. 115.

A bill for an Act to appropriate \$60,000.00 to provide funds for the maintenance of the North Dakota National Guard, or State Militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the Federal Statutes.

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

The Committee on Appropriations introduced Senate Bill No. 116.

A bill for an Act making an appropriation for public printing.

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

Mr. Frazer introduced Senate Bill No. 117.

A bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 121 of the Session Laws of 1915, relating to causes for divorce.

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

The Committee on Appropriations introduced Senate Bill No. 118.

A bill for an Act authorizing the appointment of an overseer to supervise the repairing and upkeep of each state of each state owned building, and providing an appropriation therefor.

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

The Committee on Appropriations introduced Senate Bill No. 119.

A bill for an Act authorizing the Board of Control to erect, construct and complete a two story executive mansion on the capitol grounds and making an appropriation therefor.

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

Mr. Noltimier introduced Senate Bill No. 120.

A bill for an Act providing for the purchase by the County of land for County Fairs, relating to the management thereof and providing a tax therefor.

Was read the first and second time and referred to the

Committee on Agriculture.

THIRD READING OF SENATE BILLS

Senate Bill No. 27.

A bill for an act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 6; absent and not

voting, 4.

Ayes-Beck, Benson, Cahill, Carey, Church, Drown, Ettes-Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemtad. mingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Mikle-thun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Haggart, Jacobsen, McBride, Ployhar, Porter, Stenmo. Absent and not voting: Berg, Bowman, Liederbach, Stor-

stad.

So the bill passed and the title was agreed to.

Mr. Jacobsen explained his vote and asked to have it en-

tered in the journal.

Believing that this bill conflicts with Sections 3000 and 3009 Compiled Laws of 1913, and leaves serious confusion, I vote

The question being on the emergency clause to Senate Bill No. 27, the roll was called and there were ayes, 41; nays, 6;

absent and not voting, 2.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Haggart, Jacobsen, McBride, Ployhar, Porter, Stenmo.

Absent and not voting: Berg, Storstad.

So the emergency clause passed.

Senate Bill No. 81.

Concurrent Resolution for an amendment to the Constitution providing for the elective franchises. 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, 1; absent and not

voting, 5.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Nays-Mees.

Absent and not voting: Berg, Jacobsen, Mostad, Storstad. Weber.

So the bill passed and the title was agreed to.

Mr. Morkrid moved that the vote by which Senate Bill No.

81 passed, he reconsidered and the motion to reconsider be

laid on the table, which motion prevailed.

Mr. Mees explained his vote and asked to have it entered in the Journal. I do not believe this bill is properly before this body at this time. I do not believe it will be properly before this body until it has received a majority vote at a general election, therefore I vote no.

Mr. Jacobsen moved that Senate' Bill No. 83 be amended by inserting the words "and re-enacted so as" after the word

"amended" in line 9 of the engrossed bill, which motion pre-

vailed, and the bill was so amended.

Senate Bill No. 83.

A bill was an act to amend Section 2731 of the Compiled Laws of North Dakota 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, 3.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman. Absent and not voting: Berg, Church, Storstad.

So the bill passed

Mr. Drown moved that the vote by which Senate Bill No. 83 passed, be reconsidered and the motion to reconsider be

laid on the table, which motion prevailed.

Mr. Jacobsen moved that the title to Senate Bill No. 83 be amended by inserting after the word "amend" the words "and re-enact" and after the figures "1913" strike out the period and insert "relating to animals killed for glanders," which motion prevailed, and the title was agreed to.

FIRST AND SECOND READING OF HOUSE BILLS.

House Bill No. 46

A bill for an act to amend and re-enact Section 5888 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1917, and providing what warrants are to be in writing.

Was read the first and second time and referred to the

committee on Judiciary.

House Bill No. 48.

A bill for an act relating to freight rates in North Dakota; the transportation of freight within the State; the classification of freight for the purpose of such transportation and the application of rates thereon; fixing the maximum rates and charges for the transportation of freight intra-state; providing penalties and punishments for the violation of the provisions thereof and defining certain duties and powers of the board of railroad commissioners.

Was read the first and second time and referred to the

committee on Railroads.

House Bill No. 64.

A bill for an act making an appropriation for the purpose

of reimbursing the County of LaMoure, North Dakota, for moneys expended in maintaining a trachoma hospital.

Was read the first and second time and referred to the

House Bill No. 65.

A bill for an act to appropriate the sum of \$1900.00 for the maintenance of a trachoma hospital in the County of La-Moure, State of North Dakota.

Was read the first and second time and referred to the

committee on Appropriations.

House Bill No 82.

A bill for an act relating to the manner in which claims against the state of investigators working under the direction and control of the Attorney General shall be presented, filed and verified, and providing a penalty for falsely certifying thereto, or certifying to any false claim or bill.

Was read the first and second time and referred to the

committee on Judiciary.

House Bill No. 87.

A bill for an act providing for the keeping of repairs within the state for all gas or oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacture thereof.

Was read the first and second time and referred to the

committee on State Affairs.

THIRD READING OF HOUSE BILLS

Mr. Welford moved that the following statement prepared by the State Examiner be read to the Senate, and printed in the Journal, which motion prevailed.

NORTH DAKOTA COUNCIL OF DEFENSE PERIOD FROM July 31, 1917 to January 27, 1919

| State Appropriation \$15, | 500.00 |
|---------------------------|----------|
| Salary (List attached) | 5,254.59 |
| Office Supplies | 351.84 |
| Printing | 1,028.24 |
| Miscellaneous Expense | 4,676.11 |
| Telegrams | 259.72 |
| Telephone | 218.50 |
| Expense of Members | 2,191.13 |
| Women's Committee | 118.61 |
| Cards and Buttons Account | 1,401.26 |

\$15,500.00 \$15,500.00

Note-The State account on the appropriation was closed on October 1, 1918.

NORTH DAKOTA COUNCIL OF DEFENSE

REPORT ON LOAN FROM SCANDINAVIAN AMERICAN BANK OF FARGO, N. DAK.

As temporary maintenance appropriation

| Note for \$3500.00 from Scan-Amer. | | |
|------------------------------------|------------|------------|
| Bk. Less discount \$133.70 | \$3,366.30 | |
| Refunds from Film Department | 565.75 | |
| | | \$1,200.00 |
| Printing | | 240.35 |
| Traveling Expense | | 200.00 |
| Film Account | | 2,046.72 |
| Traveling Expense (T. A. Box) | | 178.75 |
| Expense of Members | | 14.76 |
| Office Supplies | | 51.47 |
| | | |

\$3,932.05 \$3,932.05

Note—The note for \$3,500.00 with the Scan.-American Bank, Fargo, N. Dak., was negotiated October 4, 1918—signed by Governor Lynn J. Frazier, Chairman, and Thomas Allen Box, Secretary, of North Dakota State Council of Defense. It will be noted that this account is now closed together with refunds from Film Department.

SALARIES PAID FROM STATE APPROPRIATION

| For Salary | \$5,254.59 | |
|-------------------|---|------------|
| Glen Root | | 77.00 |
| Bertha Haugen | | 425.33 |
| Emma Clayton | | 365.00 |
| George Price | | 269.98 |
| Helen Breen | | 6.25 |
| George V. Haliday | | 960.00 |
| Wm. Blyer | | 51.57 |
| S. A. Floren | | 75.00 |
| Lillie Boehlke | | 455.00 |
| Mathea Nymon | | 4.30 |
| Adelaide Borke | | 10.00 |
| Thomas Allen Box | | 1,215.00 |
| Elsie Heath | | 75.00 |
| David Cook | | 17.50 |
| Sadie Edwards | | 82.50 |
| James Murray | | 69.33 |
| Emily Dakin | | 29.16 |
| John B. Brown | | 550.00 |
| Clara Blumer | · 图 · 图 · 图 · 图 · 图 · 图 · 图 · 图 · 图 · 图 | 300.00 |
| Clara Johnson | | 116.67 |
| Jennie Minder | | 100.00 |
| | \$5,254.59 | \$5,254.59 |

Remarks—The accounts of the North Dakota Council of Defense appear to be handled in a conscientious and careful manner. The system of accounting, records and clerical work are fair. A conscientious effort has been made by the Executive Secretary, John B. Brown to account for all monies received and to audit all vouchers for payments, and to file and preserve all receipts for expenditures not on file with the State Auditor.

The present bookkeeper, Clara M. Johnson, appears to be

efficient and capable. Surety bonds are furnished through

Rupert Warner Agency—for National Surety Company.
Reconciled balances and found all monies accounted for.
Cards and buttons account have been closed. A withdrawal amounting to \$1401.26 was made in July, 1917, for cards and buttons. A small salvage of \$380.68 was made from sales and the same has been expended for maintenance and proper receipts for payments on file. With the close of the war the cards and buttons have no value and the account is closed.

The State appropriation of \$15,500 was exhausted October 1st, 1918. To meet the emergency for the necessary maintenance of the council a loan of \$3,500 was negotiated with the Scandinavian American Bank of Fargo, N. Dak., signed by Governor Lynn J. Frazier, Chairman, and Thomas Allen Box, Secretary. The proceeds from this loan has been exhausted

and this account has been closed.

It can readily be seen that the Council of Defense is at the present time without funds for the maintenance of the de-partment together with a deficiency in the sum of \$3,500. The National Department of the Council of Defense has asked that the State Council of Defense be maintained for 6 months or a year longer and it will be necessary that some provision be made in the form of an appropriation to care for the necessary expense for the next 6 months at least.

Your examiner recommends that an appropriation of at

least \$5,500 be made to meet this expense.

Much credit is due the Executive Secretary, John B. Brown, for the conscientious manner in which office is handled and the way many minor disputes arising from war activities have been settled to the public satisfaction. A very good work has been done along this line.

Respectfully submitted.

By J. R. WATERS,

State Examiner.

Per ROY M. HALLIDAY, Examiner.

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THE NORTH DAKOTA STATE COUNCIL OF DEFENSE REPORT AND TRIAL BALANCE FOR PERIOD ENDING JUNE 30th, 1918

| State Appropriation | \$19.900.00 | |
|--------------------------------|-------------|----------------------|
| First National Bank, Bismarck | | 180.14 |
| Cards and Buttons | | 1,053.88 |
| Film Department | | 118.50 |
| Expense | | 4,373.93 |
| Printing and Stationery | | 499.80 |
| Expense of Members | | 1,337.63 |
| Telegrams and A. D. T. Service | | 259.72 |
| Wages | | 3,096.12 |
| Telephone service and tolls | | 114.10 |
| Voucher account—appropriation | | 4,466.18 |
| | \$15,500.00 | \$15,500.00 |
| Balance-First National Bank | \$180.50 | CONTRACTOR OF STREET |
| Balance—State Appropriation | 4,466.18 | |
| Total | \$4,646.68 | |
| | | |

RECONCILEMENT OF STATE APPROPRIATION ACCOUNT STATE AUDITORS

| May 24th, Balance Appropriation \$8, Vouchers issued May 24th to July 1st Balance Appropriation | 590.77 \$4,124.59 4,466.18 |
|---|----------------------------------|
| \$8. | 590.77 \$8,590.77 |
| State Auditor's Balance July 3rd \$4 K. S. Ramsett, Paid but not charged | 546.38 |
| on books of C. of D | 28.23 |
| George V. Haliday-Out Standing | 30.40 |
| Hotel McKenzie-Out Standing | 9.45 |
| Board of Control-Out Standing | 52.58 |
| Public Opinion—Out Standing Voucher not allowed as entered | 15.25 .75 |
| Voucher not allowed as entered | .10 |
| Balance as per statement | 574.61 \$108.43 4,466.18 |
| \$4 | 574.61 \$4,574.61 |
| DISTRIBUTION OF FUNDS BY NORTH D | AKOTA COUNCIL |
| OF DEFENSE TO JUNE 30, | |
| CARDS AND BUTTONS ACC | TAUC |
| Bismarck Tribune for Affirmation Cards | |
| To Whitehead & Hoag for "On To Victory" | Buttons 1,303.06 |
| | \$1,478.06 |
| By cash from sale of cards on buttons | |
| | |
| | \$1,053.88 |
| EXPENSE | |
| To expense as per vouchers issued by Defac | |
| cil | 530.46 |
| To note to First National Bank, Bismarch given by Defacto Council | |
| French & Welch for twine | |
| Dakota Photo Engraving Co | 41.36 |
| Webb Brothers | |
| Express | |
| Dakota Photo Engraving Co | |
| Post Office Box rent | 75 |
| Holmboe Studio | |
| Walker Bros. & Hardy, Seal | 2.67 |
| Newspaper Convention Banquet | 142.05 |
| Western Sales Co. preparing cars for para | |
| French & Welch, miscellaneous supplies ; | 2.60 |
| Wachter Transfer Co., drayage | 7.75 |
| Thomas Allen Box | 216.75 |
| Underwood Typewriter Co. rental of 2 ma | chines 8.00 |
| Division of Picture Committee on Public | |
| tion | 17.50 |
| First National Bank, Interest 4-15 to 5-25 | |
| Harris & Co., supplies | 4.00 |

| • FRIDAY, JANUARY 31, 1919 | 167 |
|--|--------------|
| THIDAT, SANGARY OF, 1919 | - |
| Peter Morgan to cash loan | 15.00 |
| Miscellaneous items, car fare, express, etc | 15.00 |
| Underwood Typewriter Co., rental 2 machines | 8.00 |
| Holmboe Studio Photos C. of D. Ex. Comm | |
| Dakota Photo Engraving Co | 11.87 |
| Webb Bros., for framing photo of Sec'y Box | 3.75 |
| George V. Halliday | 55.90 |
| Dorr H. Carroll, McQuarrie tour | 22.30 |
| Holmboe Photo Studio | 6.10 |
| Board of Control | 84.31 |
| Rupert Warner Co., premium on Box bond | 12.50 |
| Garden Studio—by Box of Corporal Smith | 3.00 |
| Dakota Photo Engraving Co | 17.52 |
| A. A. Love—Directory of Ministers of N. Dak | 5.00 |
| Hotel McKenzie-Corporal Smith | 9.45 |
| George V. Halliday | 221.12 |
| | \$4,374.98 |
| Credit—Refund | |
| Refund—Mdse returned French & Welch | 1.05 |
| | |
| Total expense | . \$4,373.93 |
| EXPENSE OF MEMBERS | 100 |
| March 28, 1918: | |
| Dorr H. Carroll | 17.23 |
| C. H. Backenberg | 30.25 |
| C. M. Whitmer | 8.55 |
| Christ Flegel | 5.12 |
| Carl Nelson | 32.20 |
| C. H. Roney | 12.87 |
| K. S. Ramsett | 14.72 |
| Lynn J. Frazier | 114.52 |
| Rupert Warner Agency Bonds | 137.50 |
| T. J. Neilson | 24.41 |
| Mrs. Edith Conklin | 33.10 |
| George V. Halliday | 248.60 |
| Thomas Allen Box | 393.32 |
| Dr. V. H. Stickney | 66 45 |
| Peter Morgan | 65.70 |
| C. E. Backenberg | 51.11 |
| Dorr H. Carroll | 31.90 |
| C. M. Whitmer | 45.70 |
| | 01 600 or |
| Dorr C. Carroll | \$1,333.25 |
| Dorr C. Carron | 47.38 |
| | \$1,380.63 |
| TO CREDITS AND REFUNDS | \$1,000.00 |
| By voucher accounts not allowed | 43.00 |
| | |
| Total expense of Members-June 30, 1918 | \$1,337.63 |
| PRINTING AND STATIONERY EXPENS | |
| Printing and Stationery and Advertising | \$308.30 |
| Public Opinion | 15.25 |
| Western Newspaper Union | 163.50 |
| Western Newspaper Union Western Newspaper Union | 63.50 |
| Western Newspaper Union | 69.25 |
| The state of the s | 00.00 |
| Total | \$519.80 |
| | |

CREDITS-REFUNDS

| By Overcharger—Western Newspaper Union | 20.00 |
|--|-----------------|
| Total—Balance | \$499.80 |
| TELEPHONE AND SERVICE | |
| To tolls and service | \$56.25 |
| To service | 4.70 |
| June service and May tolls | 53.15 |
| Total | \$114.10 |
| TELEGRAMS AND SERVICE | |
| April Western Union | \$76.86 |
| Dr. J. LaRose | 3.50 |
| May Western Union | 89.09 |
| June Western Union | 83.46 |
| June Soo Line—Postal | 6.81 |
| SALARIES | 0.02 |
| | |
| George V. Halliday | \$420.00 |
| Wm. G. Blyer | 51 57 |
| S. A. Floren | 75 00 |
| Bertha Haugen | 112 00 |
| Glenn Root | 42.00 |
| Emma Lane Clayton | 80.00 |
| George V. Halliday | 180.00 |
| Lillie Boehlke | 80.00 |
| Bertha Haugen | 75.00 |
| Emma Lane Clayton | 100.00 28.00 |
| Glenn Root | 150.00 |
| George Price | 4.30 |
| Marthea Nymon | 10.00 |
| Glenn Root | 7.00 |
| Thomas Allen Box | 712.50 |
| George V. Halliday | 240.00 |
| Helen Breen | 6.25 |
| Emma Lane Clayton | 80.00 |
| Lillie Boehlke | 75.00 |
| Bertha Haugen | 75.00 |
| David Cook | 17.50 |
| George V. Halliday | 120.00 |
| George L. Price | 100.00 |
| Elsie Heath | 75.00 |
| Sadie Edwards | 82.50 |
| Thomas Allen Box | 97.50 |
| Total | \$3,096.12 |

NORTH DAKOTA COUNCIL OF DEFENSE FILM DEPART-MENT

| Trial Balance June 29th | | |
|---|--|------------------------------------|
| First National Bank | \$1,173.30 | |
| Expense | 4,480.65 | |
| George V. Halliday | 277.02 | |
| Film Account | 3,000.00 | |
| Wages | 2,053.50 | |
| | 136.90 | |
| Equipment of films | 150.50 | 11,121.37 |
| Cash receipts for service of films | | 11,121.31 |
| | \$11,121,37 | \$11,121.37 |
| Balance cash First National Bank | \$1,173,30 | |
| Cash advanced George V. Haliday | 277.02 | |
| Equipment | 136.90 | |
| Equipment | 100.00 | |
| | \$1,587.22 | |
| | 41,001.22 | |
| RECONCILEMENT OF BANK | Automorphism | NT |
| | STATEME | NT |
| June 1st balance in Bank | \$300.37 | NT |
| June 1st balance in Bank June Deposits | STATEME | |
| June 1st balance in Bank June Deposits June Withdrawals | \$300.37 | 2,110.00 |
| June 1st balance in Bank June Deposits June Withdrawals July 1st Balance | \$300.37 2,982.93 | |
| June 1st balance in Bank June Deposits June Withdrawals | \$300.37 2,982.93 | 2,110.00 1,173.30 |
| June 1st balance in Bank June Deposits June Withdrawals July 1st Balance | \$300.37 2,982.93 \$3,283.30 | 2,110.00 |
| June 1st balance in Bank June Deposits June Withdrawals July 1st Balance July 1st First N. B. Statement Bal | \$300.37 2,982.93 | 2,110.00 1,173.30 |
| June 1st balance in Bank June Deposits June Withdrawals July 1st Balance July 1st First N. B. Statement Bal. June 29th, Deposit not credited in | \$300.37 2,982.93 \$3,283.30 \$554.64 | 2,110.00 1,173.30 |
| June 1st balance in Bank June Deposits June Withdrawals July 1st Balance July 1st First N. B. Statement Bal. June 29th, Deposit not credited in June | \$300.37 2,982.93 \$3,283.30 | 2,110.00 1,173.30 \$3,283.30 |
| June 1st balance in Bank June Deposits June Withdrawals July 1st Balance July 1st First N. B. Statement Bal. June 29th, Deposit not credited in June June 29th, Checks outstanding | \$300.37 2,982.93 \$3,283.30 \$554.64 | 2,110.00 1,173.30 \$3,283.30 |
| June 1st balance in Bank June Deposits June Withdrawals July 1st Balance July 1st First N. B. Statement Bal. June 29th, Deposit not credited in June | \$300.37 2,982.93 \$3,283.30 \$554.64 | 2,110.00 1,173.30 \$3,283.30 |

REMARKS

The accounts of this office appear to be handled in a conscientious and capable manner. The system of accounting, records and clerical work are fair. Surety bonds are furnished through Rupert Warner Agency-National Surety Company. Reconciled balances and found all monies accounted for. Found that no inventory and stock account is kept of cards and buttons which are sold to local organizations at the rate of \$7.50 per M for the buttons and \$2.00 per M. for cards. These cards and buttons are purchased out of the State appropriation and form a source of revenue to the Council. Cards and buttons are sent out on sales when asked for and the Council keeps a penciled memorandum as a cash item for the sale on a spindle until the cash or any part of it is received. The result is they have \$140.50 outstanding on these memorandums of which no regular form of account is kept, and some of which is of a doubtful nature. A stock account and a bills receivable account should be opened up to take care of these sales. Accounts outstanding should be collected by drafts or otherwise. Your examiner found 122,000 buttons and 88,250 cards to be on hand June 30, 1918. 15,000 buttons and 14,000 cards are outstanding on memos for sales and for which no money has yet been Respectfully submitted. received.

> ROY M. HALLIDAY, Special Deputy Examiner.

By J. R. WATERS, State Examiner. House Bill No. 41.

A bill for an Act making an appropriation to the Department of the Council of Defense for specific purposes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, none; absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Berg, Church, Haggart, Hyland, Storstad, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Cahill moved that the vote by which House Bill No. 41 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to House Bill No. 41, the roll was called and there were ayes, 43; nays, none; absent and not voting, 6.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Berg, Church, Haggart, Hyland, Storstad, Wenstrom.

So the Emergency Clause passed.

Mr. Morkrid 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 31, 1919.

Mr. President: I have the honor to transmit the following concurrent resolution:

A Concurrent Resolution introduced by Mr. Hoare.

WHEREAS, We the members of the 16th Legislative Assembly realize the great sacrifice, our soldier boys have endured, and appreciate the great and noble services they have rendered, or were willing to render the state and nation when they were called to the colors and stood ready to defend our nation, state and home, and

WHEREAS, They have now been, and are being honorably discharged, to again take up the duties of civil life, and

WHEREAS. Many of the boys have no employment assured them upon their return and are in many instances embarrassed financially, and

WHEREAS, The boys should be warmly clad to withstand the rigor of our Northern climate, and

WHEREAS, Immediate action must be taken to relieve the situation,

THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Honorable Newton D. Baker, Secretary of War be requested to allow the soldiers to retain permanently their wearing apparel and uniforms furnished them by the government, and in addition thereto grant to each honorably discharged soldier a sum equal to six months pay to be paid to them on plans specified by the war department.

BE IT FURTHER RESOLVED, That the Secretary of State be requested to forward to the Honorable Newton D. Baker, Secretary of War and to each of our Senators and Members in Congress a copy of these resolutions.

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

Very respectfully GEO A. TOTTEN, JR., Chief Clerk.

Mr. Cahill moved that the Concurrent Resolution be referred to the Committee on Federal Relations, which motion was duly seconded.

Mr. Bowman moved as an amendment that the Resolution be referred to the Committee on Military affairs, which motion prevailed and the Resolution was so referred.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA.

January 31, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 88.

A bill for an Act to provide for the organization or admission and the regulation and taxation of Incorporated Mutual Insurance Companies other than life.

House Bill No. 89.

A bill for an Act to amend and re-enact Section 7378 of the Compiled Laws of the State of North Dakota for the year 1913.

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

Very respectfully

GEO. A. TOTTEN, JR., Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 88.

A bill for an Act to provide for the organization or admission and the regulation and taxation of Incorporated Mutual Insurance Companies other than life.

Was read the first and second time and referred to the

Committee on Insurance.

House Bill No. 89.

A bill for an Act to amend and re-enact Section 7378 of the

Compiled Laws of the State of North Dakota for the year 1913. Was read the first and second time and referred to the Committee on Judiciary.

Courtesies of the floor were extended to D. O. Goplin, Binford; J. P. Sweber, New Leipzig; Wm. Elker, August Bergman, Geo. Wolf, Wahpeton; J. V. N. Sundberg, New Rockford; Ross P. Martin, Paul Campbell, Rugby; John A. Johnson, Milnor; J. C. Lowe, Minot; John Lundeen, Plaza; O. M. Heath, Douglas; W. R. Bond, Minot; E. G. Brunsvold, Halton; Emanual Barth, E. C. Roberts, W. H. Johnson, of Hettinger County, and H. J. Stecken of Adams County; O. A. Hall Farso.

Mr. Cahill moved that the Senate do now take a recess to 1 o'clock p. m., February 1st, 1919, which motion prevailed, and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEB. 1, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

TWENTY-FIFTH DAY AFTER RECESS AND TWENTY-SIXTH DAY

SENATE CHAMBER, BISMARCK, NOBTH DAKOTA, February 1, 1919.

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

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Mostad introduced Senate Bill No. 121.

A bill for an Act to incorporate and establish the Minot Agriculture and Fair Association and making an appropriation therefore.

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

The Committee on Appropriations introduced Senate Bill

No. 122

A bill for an Act appropriating seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerkhire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Was read the first and second time and referred to the

Committee on Appropriations.

The Committee on Appropriations introduced Senate Bill No. 123.

A bill for an Act entitled "An Act to amend Section 276 of the Compiled Laws of North Dakota for the year 1913, relating to the contingent fund of state institutions.

Was read the first and second time and referred to the

Committee on Appropriations.

The Committee on Appropriations introduced Senate Bill No. 124.

A bill for an Act "An Act making an appropriation to meet an Emergency, maintenance deficit for the construction of the re-inforced concrete chimney; boiler breeching including breeching piers; and concrete well, at the State Hospital for the Insane, at Jamestown, North Dakota."

Was read the first and second time and referred to the

Committee on Appropriations.

The Committee on Appropriations introduced Senate Bill No. 125.

A bill for an Act entitled, "An Act making an appropria-

tion to meet an emergency maintenance deficit at the Institution for Feeble Minded at Grafton, North Dakota."

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

The Committee on Appropriations introduced Senate Bili No. 126.

A bill for an Act entitled an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Levang introduced Senate Bill No. 127.

A bill for an Act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913 relating to bankers' liens.

Was read the first and second time and referred to the

Committee on Corporation other than Municipal.

Mr. Olson introduced Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the laws of North Dakota for 1917, relating to voting by mail and to delegate as representative voting in Co-Operative Associations.

Was read the first and second time and referred to the Committee on Corporation other than Municipal.

Mr. Weber introduced Senate Bill No. 129. A bill for an Act to require the listing of motor vehicles by tax assessors within the state and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Was read the first and second time and referred to the

Committee on Highways.

The Committee on State Affairs introduced Senate Bill No.

A bill for an Act providing for the issuing of honds of the State of North Dakota in the sum of Ten Million Dollars. to be known as "Bonds of North Dakota, Real Estate Series:" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an Emergency measure.

Was read the first and second time and referred to the

Committee on State Affairs.

The Committee on Appropriations introduced Senate Bill No. 131.

A bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Noltimier introduced Senate Bill No. 132.

A bill for an Act to amend and re-enact Section 1224 of the Compiled Laws of North Dakota for the Year 1913 relating to the Tax of two mills on the dollar on taxable property for the School Districts of the County.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

The Committee on Highways introduced Senate Bill No. 133.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Four Million Dollars, to be known as "State Highway Bonds of North Dakota;" prescribing the terms and stating the purposes thereof; prescribing by whom the proceeds thereof shall be expended; making provisions for the payment thereof and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Was read the first and second time and referred to the

Committee on Highways.

Mr. Cahill introduced Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. Oksendahl introduced Senate Bill No. 135.

A bill for an Act providing for the selection and purchase of a site for the Insane Asylum at Rugby, North Dakota, and creating an appropriation therefor.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Cahill introduced Senate Bill No. 136.

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the 1917 Session Laws relating to license covering dairy products.

Was read the first and second time and referred to the

Committee on Agriculture.

Mr. Liederbach introduced Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Was read the first and second time and referred to the

Committee on Agriculture.

Mr. Stenmo introduced Senate Bill No. 138.

A bill for an Act to amend and re-enact Section 1147 of the compiled Laws of North Dakota for the year 1913, relating to the formation of new common school districts.

Was read the first and second time and referred to the

Committee on Education.

Mr. Cahill introduced Senate Bill No. 129.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this Act.

Was read the first and second time and referred to the

Committee on Agriculture.

The Committee on Public Health introduced Senate Bill No.

A bill for an Act designating venereal diseases, prohibiting infected persons from exposing others; requiring reports to health officers; empowering health board to regulate, make rules to regulate and control such disease and providing penalty and repeal.

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

Mr. King introduced Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7 and 8, Laws for North Dakota of 1917.

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

Mr. Mortenson introduced Senate Bill No. 142.

A bill for an Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 127 of the Session laws of 1915, relating to the consolidation of schools.

Was read the first and second time and referred to the

Committee on Education.

Mr. Mees introduced Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Was read the first and second time and referred to the

Committee on Counties.

Mr. King introduced Senate Bill No. 144.

A bill for an Act to provide for the disposal of the balance of the 1918 motor vehicle license moneys.

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

Mr. Hagan introduced Senate Bill No. 145.

A bill for an Act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing the duties of the State Examiner.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. King introduced Senate Bill No. 146.

A bill for an Act giving the keepers of rooming and dwelling houses a lien upon the baggage and other property of their roomers and for charges due. Providing for the enforcement of such lien.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Gibbens moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

TWENTY-SIXTH DAY

The Senate convened at 2' oclock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain Rev. Postlethwaite.

Roll Call.

All members present except Berg, Church, Oksendahl, Storstad, Weber, who were excused.

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 25th day and recommend that the same be corrected as follows: Page 2, transpose line "14" and "15;" page 2, line 46, put the word "year" between the words "the" and "1913;" page

3, line 6, correct the spelling of the word "for;" page 3, line 46, correct the spelling of the word "in;" on pages 6 and 7 take out "Senate Bill No. 14 and title"insert in lieu thereof the following: "Senate Bill No. 74 a bill for an Act for to License, Regulate, and Supervise the Liscensing and Inspection of Pool and Billiard Rooms, Ball and Pinn Alleys, Dance Halls, Theatres, Moving Pictures, Public Garages, Places of Public Meetings and Soft Drink Parlors; providing Fees therefor, inspectors, Office Help and Supplies thereof; Defining Powers and Duties and Repealing all Acts and parts of Acts inconsistent therewith;" page 8, line 47, correct the spelling of the name "Nelson;" page 3, fine 41, correct the spenning of the name "Nelson;" page 13, line 39, put the figures "\$1200.00" in place of the figures "\$120.00;" page 14, line 42 correct the spelling of the word "account;" page 15, line 31, correct the spelling of the word "reconcilement;" page 18, line 40, correct the spelling of the word "reconcilement."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 1, 1919.

Mr. President: I have the honor to return Senate Bill No. 29.

A bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other officers.

Which the House has amend as follows:

That in Section 685, line 12, of the Engrossed Bill strike out the word "wilful."

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 1, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 51.

A bill for an Act providing for the appointment of Special Assistant Attorney General by the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid. Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 1, 1919.

Mr. President: I have the honor to return Senate Bill No. 14.

A bill for an Act creating a uniform state grade for grain, seeds or other agricultural products; creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers

thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain ticket; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor; and providing penalties for the violation of any of the provisions of this Act; and repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, ai so Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

Which the House has amended as follows:

At the end of Section 14 insert "Provided further that this section shall not prohibt producers from buying and selling grain, seed and other agricultural products to one another."

At end of title add, after 1918, "and excluding sales by pro-

ducers to one another by this Act."

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Morkrid presented the following communication: Lakota, N. D., Jan. 29, 1919.

Dear Sir :-

The following is a report on the resolution adopted by the School Officers of Nelson County at the County meeting of said officers at Lakota on Tuesday, January 28, 1919:

RESOLUTION ADOPTED:

Resolution No. 1, introduced by Alfred Turning, Director of Hoiland School District and seconded by Harris Oakland of Norway School District reads as follows:

RESOLVED, That we, the members of the Board of Directors of the various school districts of Nelson County, N. D., in convention assembled at Lakota, N. D., on January 28, 1919, hereby go on record as being opposed to the fight now being carried on in Bismarck, between the former State Superintendent of Schools, N. C. Macdonald and our present State Superintendent of Schools, Minnie J. Neilson; also as being opposed to the stand now taken by said Ex-Superintendent Macdonald; and, as being opposed to the appointment of said Ex-Superintendent Macdonald for the position of State Commissioner of Education.

The motion for the adoption of above stated resoltuion carried by a majority as indicated by the following vote, 34 to 8.

Resolution No. 2, introduced by Harris Oakland of Norway School District and seconded by William Shirek of Sarnta

RESOLVED, That we, the school officers of the several school districts of Nelson County, N. D., go on record as favoring the discontinuance of the office of State Commissioner of Education and that the duties of said office be transferred to the office of State Superintendent of Schools.

The motion for the adoption of the above stated resolution

was carried by a unanimous vote.

Respectfully submitted,

P. J. IVERSON

County Supt. of Schools, Nelson County, N. D.

Mr. Morkrid moved that the communication be printed in the Journal, which motion prevailed.

REPORTS OR STANDING COMMITTEES

The committee on Appropriations made the following report: Mr. President: Your committee an Appropriations to whom

was referred Senate Bill No. 74.

A bill for an Act to License, Regulate, and Supervise the licensing and Inspection of Pool and Billiard Rooms, Ball and Pinn Alleys, Dance Halls, Theatres, Moving Picture Shows, Public Garages, Places of Public Meetings and Soft Drink Parlors; providing Fees therefore, Inspectors, Office help and Supplies thereof; Defining Powers and Duties and Repealing all Acts and Parts of Acts inconsistent therewith.

Have had the same under consideration and recommend that

the same do pass.

R. McCarten, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

.. The committee on Enrollment and Engrossment made the following report:

Your committee on Enrollment and Engross-Mr. President: ment have examined the following bills:

Senate Bill No. 83.

A bill for an Act to amend Section 2731 of the Compiled Laws of North Dakota 1913.

And find the same correctly re-engrossed. Also concurrent resolution introduced by Mr. Ployhar and find the same correctly engrossed.

Also Senate Bill No. 78.

A b'll for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

And find the same correctly engrossed.

W. S. WHITMAN, Chairman pro tem.

Mr. Whitman moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in Congress assembled, and approved February twenty-third, ninteen hundred seventeen; and to made an appropriation for providing vocational educational education within the state.

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

In line 12 of Section 5 of printed Bill strike out the words "and."

In line 3 of Section 8 insert the word "education" after the word "vocational."

In line 1 of Section 10 before the word "conflict" insert the words "so far as they."

In line 3 of Section 7 of printed Bill strike out "twelve" and insert in lieu thereof "twenty."

At end of Section 7 insert "or so much thereof as may be deemed necessary by the state board vocational education.'

In last line of title in printed Bill strike out the word "educational."

And when so amended recommend that the same do pass and that it be re-referred to the Committee on Appropriations. ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted and re-referred to the Committee on Appropriations.

The committee on Education made the following report: Mr. President: Your committee on Education to whom was

referred Senate Bill No. 80.

A bill for an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915, and Section 1 of Chapter 210 of the Session Laws of 1917, relating to Health Inspection of Pupils in Public Schools.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 6 of printed Bill strike out "It shall be the duty of the county commissioners to" and insert in lieu thereof "upon being petitioned in writing by a majority of the school directors of the County, the Board of County Commissioners shall."

In line 7 after "more" insert "licensed physicians or."

In lines 8 and 9 strike out "who shall give full time to the word and."

Insert "or physician" after "nurse" in lines 11, 14, 20 and 29, In line 28 after "more" insert "licensed physicians or."

In lines 30 and 31 strike out "for the unit for which she is appointed" and insert "local" before "board."

In lines 32 and 33 strike out "for which such nurse was appointed."

In lines 34 and 43 strike out "nurse" and insert in lieu thereof "inspector."

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report: Mr. President: Your committee on Education to whom was

referred Senate Bill No. 66.

A bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in Congress assembled, and apporved February twenty-third, ninteen hundred and seventeen; and to made an appropriation for providing vocational education within the State.

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

ALBERT STENMO, Chairman.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 24.

A bill for an Act authorizing the Courts to review the levy and apportionment of Special Assessments.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 82.

A bill for an Act relating to the manner in which claims against the state of investigators working under the direction and control of the Attorney General shall be presented, filed and verified, and providing a penalty for false certifying thereto, or certifying to any false claim or bill.

Have had the same under consideration and recommend that

the same be amended as follows:

Strike out the figures "224," of the engrossed bill, next to the last line of page one, and insert in lieu thereof, the figures.

And when so amended recommend the same do pass.

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Live Stock made the following report:

Mr. President: Your committee on Live Stock to whom was referred Senate Bill No. 35.

A bill for an Act to amend Chapter 181 of the Session Laws of North Dakota, 1915.

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

C. A. WARD, Chairman.

Mr. Ward moved that the report be adopted, which motion prevailed and the report was adopted.

MOTION AND RESOLUTIONS

The committee on Rules made the following report:

Mr. President: Your committee on Rules to whom was referred the resolution relative to limiting the time for the introduction of bills have had the same under consideration and recommend that the same be amended as follows:

RESOLVED by the Senate of the State of North Dakota that no bill shall be introduced after Tuesday, Febuary the 4th, 1919 except by consent of two-thirds of the members present. and when so amended recommend that same be adopted. This shall not apply to appropriation bills.

E. H. SIKES, Chairman.

Mr. Sikes moved that the report be adopted, which motion prevailed.

President pro tem McCarten called Senator Gibbens to the chair.

Mr. Stenmo moved that the Senate do not concur in the House Amendment to Senate Bill No. 29 and that a conference committee of three be appointed by the President, which motion was duly seconded.

Mr. Ingerson moved as an amendment that the Senate do concur in the House Amendment to Senate Bill No. 29, which motion prevailed.

The question being on the original motion, as amended, roll call was demanded, and there were ayes, 25; nays, 16; absent and not voting, 8.

Ayes-Benson, Bowman, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Mc-Nair, Mees, Mortenson, Morkrid, Miklethun, Noltimier, Olson. Pendray, Sikes, Ward, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Drown, Gibbens, Haggart, Hyland, Jacobson, Kendall, McCarten, Mostad, Murphy, Nelson, Ployhar, Porter, Stenmo, Whitman.

Absent and not voting: Berg, Cahill, Church, Liederbach,

McBride, Oksendahl, Storstad, Weber.

So the Amendment was concurred in.

Mr. Ward moved that Senate Bill No. 28 be re-referred co the Committee on Appropriations, which motion prevailed, and the bill was so re-referred.

Mr. McNair moved that the vote by which Senate Bill No. 27 passed be reconsidered, which motion prevailed, and the

vote was reconsidered.

Mr. McNair moved that Senate Bill No. 27 be re-referred to the Committee on Agriculture, which motion prevailed, and the bill was so re-referred.

Mr. Welford moved that the Committee on Insurance be granted further time in the consideration of Senate Bill No. 47, which motion prevailed.

Mr. King introduced the following Concurrent Resolution: WHEREAS, the zone postal rate which went into effect last July provides for eight different rates of postage, on magazines, these rates being increased each year until 1921, and

WHEREAS, the result of this scheme will be that by the end of this year the subscription of most magazines will be based on the points to which these publications are sent and not on a flat rate to all parts of the country, and WHEREAS, a peroidical published in New York or Phila-

dephia, the subscription price of which is \$2.00 for a year's subscription to a nearby subscriber, would eventually cost \$3.50 to a subscriber in the West or in the South, and

WHEREAS, this postal zone law is discriminating in postage charge against readers of magazines who live more or less remote from the cities in which their reading matter is published, is destructive, Un-American, and condemned by thousands of the leading men in the country, such as Charles E. Hughes and President Wilson, and by hundreds of business associations, farm organizations, labor organizations, women's clubs, and revives a postal zone system abolished by Abraham Lincoln, and since condemned by every U. S. postal commission, and

WHEREAS, in the revision of the pending U. S. Revenue Bill, the Finance Committee recommended a change from this unfair and discriminatory zone scheme, such change proposes an increase of about 50 per cent over the postage rate which was in effect up to last July, and under that rate most publocations would continue their present subscription prices, and

WHEREAS, this amendment as proposed by the Senate Finance Committee is now in joint conference between representatives of the Finance Committee of the senate and representatives of the Way and Means Committee of the House of Representatives of the United States, and

WHEREAS, the people of the State of North Dakota are an intelligent, magazine reading public and will be greatly injured and discriminated against if the present postal zone law system prevails, and are desirous of having the same changed along the lines of the amendment, to said postal zone law, proposed by the Senate Finance Committee of the United States Senate, therefor,

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTA-TIVES CONCURRING:

That we earnestly urge Congress to pass the amendment to said postal zone law proposed by the Finance Committee of the United States Senate.

BE IT FURTHER RESOLVED. That the Secretary of State be instructed to send a copy of this resolution to each of our Senators and Representatives in Congress and to the Secretary of State of the United States.

Mr. King moved that the Concurrent Resolution be referred to the Committee on Federal Relations, which motion prevailed and the resolution was referred to the Committee on Federal Relations.

The Senate returned to the 8th order of business. Mr. Drown moved that the Senate do now concur in House Amendment to Senate Bill No. 14, which motion prevailed.

The Committee on Railroads introduced the following Con-

current Resolution:

WHEREAS, the Federal Government of the United States is presumably operating all railroads as a unit for the benefit of the entire people of the United States irrespective of selfish interests of the former management of several individual lines of railroad, and

WHEREAS, we believe the shortest and best possible routes between all points on existing lines should be utilized and, reasonable train service established thereon, and, reasonable

rates be charged for service rendered, and

WHEREAS, there are no through passenger or through freight trains operating via Linton, North Dakota, (the Northern terminal of the branch line of the Chicago, Milwaukee & St. Paul railroad) between points on said railroad in South Dakota and Bismarck, the Capitol of North Dakota, and

WHEREAS, the past and present policy of the management of the Northern Pacific Railroad Company has been to obstruct and prevent the establishment of through freight and passenger service via Linton on the shortest line between Western North Dakota and Central South Dakota, and

WHEREAS, the people, of both North and South Dakota are entitled to much better, shorter, cheaper passenger and freight service than that now offered between these sections,

and

WHEREAS, at Bismarck, North Dakota there are ample

Terminal facilities, Round Houses, Machine Shops, Stock Yards side tracks and Division Superintendent's Headquarters on the Soo Line Railway, and lines for the North and West as well as for the East diverge at Bismarck, North Dakota, where connection may be made with Missouri River Boats, and

WHEREAS, through train service may profitably be established by utilizing a short mileage on each of the three railroads, and

WHEREAS, an emergency exists in that the immense lignite fields of North Dakota remain undeveloped and the live stock industry of Western North Dakota would be greatly stimulated were it not for the excessive rates of freight and inadequate train service provided between North Dakota and South Dakota.

THEREFORE, BE IT RESOLVED THAT OUR SENATORS AND REPRESENTATIVES IN CONGRESS be urged to present to the Hon. Walker D. Hines, Director General of Railroads, the protect of the State of North Dakota against the prevailing railroad passenger and freight service between West North Dakota and South Dakota, and the excessive rates now charged for inadequate service established by the former management of the Northern Pacific Company to the exclusion of the railroads, from the Capitol of North Dakota, and further

BE IT RESOLVED: That the Director General of Railroads be urged to direct the immediate establishment of through passenger train service and through freight train service, using the Chicago, Milwaukee & St. Paul tracks from South Dakota points to Linton, North Dakota and the Northern Pacific Railway tracks from Linton, North Dakota to Moffit, North Dakota, and the Minneapolis, St. Paul and Saulte Ste. Marie Railway tracks from Moffit, North Dakota to Bismarck, where he may utilize the terminals of the Soo Line at Bismarck and that the Director General of Railroads be urged, to prepare reasonable joint through rates for the service to be rendered based upon the mileage of each line used.

Mr. Mostad moved that the resolution be referred to the Committee on Federal Relations, which motion prevailed, and the resolution was referred to the Committee on Federal Relations.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Senate Bill No. 147.

A bill for an Act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshal, Chief Assistant or Deputies.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. Hyland moved that Senate Bill No. 78 be amended in line twenty-three, page two, by striking out the words "or Assistant States Attorney or employe in the office of the States Attorney, which motion was lost.

Mr. Hyland moved that further consideration of Senate Bill No. 78 be deferred for one day, which motion was lost.

Mr. Ployhar moved that further action on Senate Bill No. 78 be deferred to Wednesday. February 5, at 2:30 p. m., which motion was duly seconded.

Mr. Bowman moved that the motion to defer action on the

bill be laid upon the table, which motion prevailed.

Mr. Bowman moved that further action on Senate Bill No. 78 be deferred until the next legislative day, which motion prevailed.

Mr. Bowman moved that the Senate do now take a recess subject to the call of the President, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken, President pro tem McCarten presiding.

The Senate returned to the 6th order of business.

REPORT OF STANDING COMMITTEES

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 42.

A bill for an Act providing for the survey and platting of portions of railway right of way when used for any purpose other than the operation of a railroad thereon.

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

That the title be amended to read as follows: For an Act providing for the survey and platting of portions of railway right of way the purposes of taxation when such property is used for any purpose other than the operation of a railroad thereon."

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Ployhar moved that Senate do now take up the Concurrent Resolution relative to Petitioning Board of Regents to appoint George. A. McFarland president emeritus of the Valley C'ty Normal, which motion prevailed.

Mr. Ployhar moved that the Concurrent Resolution be adopted, which motion prevailed and the resolution was adopted.

Mr. Hagan moved that the resolution amending rule 27 limiting the time for the introduction of Bills to Feb. 4, be adopted.

The roll was called and there were ayes, 37; nays, none;

absent and not voting, 12.

Ayes, Beck, Benson, Bowman, Carey, Ettestad, Fleckten. Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Welford, Whitman, Zieman.

Stemmo. Ward, Welford, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Church, Drown, Fraser, Hyland. King, McBride, Noltimier, Storstad, Weber, Wenstrom.

So the resolution was adopted.

Mr. Gibbens moved that Senate Bill No. 108 be withdrawn, which motion prevailed, and the bill was withdrawn.

THIRD READING OF SENATE BILLS

Senate Bill No. 29.

A bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other officers.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 28; nays, 13; ab-

sent and not voting. 8.

Ayes—Benson, Bowman, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Welword, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, Murphy, Nelson, Ployhar, Porter, Stenmo, Whitman. Absent and not voting, Berg, Cahill, Church, Drown, King,

McBride, Storstad, Weber.

So the bill passed and the title was agreed to.

Mr. Ingerson moved that the vote by which Senate Bill No. 29 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 14.

A bill for an Act creating a uniform state grade for grain, seeds or other agricultural products; creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers thereof: providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector ,State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor; and providing penalties for the violation of any of the provisions of this Act; and repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 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, 43; nays, none;

absent and not voting, 6.

Ayes—Beck, Benson, Bowman, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Church, McBride, Storstad, Weber.

So the bill passed and the title was agreed to.

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

The question being on the Emergency Clause of Senate Bill

No. 14, the roll was called and there were ayes, 43; nays, none;

absent and not voting, 6.

Ayes-Beck, Benson, Bowman, Carey, Drown, Ettestad. Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Church, McBride, Storstad, Weber.

So the Emergency Clause passed.

Mr. Wenstrom 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.

Courtesies of the floor were extended to F. Leutz, Hebron; Mrs. G. W. Randlet, Fargo; J. H. Gates and Maymand Gates,

Hazelton.

Mr. Jacobsen moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEB. 3, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

Senate Bill No. 80.

A bill for an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915, and Scetion 1 of Chapter 210 of the Session Laws of 1917, relating to Health Inspection of Pupils in Public Schools.

Senate Bill No. 35.

A bill for an Act to amend Chapter 181 of the Session Laws of North Dakota, 1915.

Senate Bill No. 42.

A bill for an Act providing for the survey and platting of portions of railway rights of way when used for any purpose other than the operation of a railroad thereon.

THIRD READING OF HOUSE BILLS

House Bill No. 24.

A bill for an Act authorizing the Courts to review the levy and apportionment of Special Assessments.

House Bill No. 82.

A bill for an Act relating to the manner in which claims against the state of investigators working under the direction and control of the Attorney General shall be presented, filed and verified, and providing a penalty for falsely certifying thereto, or certifying to any false claim or bill.

TWENTY-EIGHTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 3, 1919.

The Senate convened at 2 o'clock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain Rev. Strutz.

Roll Call.

All members present except Messrs. Berg, Church, McBride, Storstad, Weber, who were excused.

Mr. Levang moved that H. A. Thomas act as sergeant-at-arms during absence of sergeant-at-arms, which motion prevailed, and H. A. Thomas was sworn in as sergeant-at-arms.

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 25th day after recess and 26th day and recommend that the same be corrected as follows: Page 5, line 43, correct the spelling of the word "attorney."

And when so corrected recommend that the same be ap-

proved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Resolution passed by the Burleigh County School Officers' Association.

To the Honorable Members of the Senate:

RESOLVED, That we, members of the School Officers' Association of Burleigh County, North Dakota, in convention assembled at Bismarck, Jan. 28, 1919, do hereby go on record as being heartly in favor of the establishment of an agricultural school at the Great Plains Experiment Station at Mandan and we do ask the legislature to appropriate a sufficient sum of money for that purpose.

(Signed) Burleigh Co. School Officers Ass'n.

By N. G. EVARTS, Sec.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Youg committee on Enrollment and Engrossment have examined the following Bills:

Senate Bill No. 14.

A bill for an Act creating a uniform state grade for grain, seeds or other agricultural products; creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public ware-houses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authoring the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor; and providing penalties for the violation of any of the provisions of this Act; and repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

Senate Bill No. 29.

A bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other officers.

Senate Bill No. 51.

A bill for an Act providing for the appointment of Special Assistant Attorneys General by the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

and find the same correctly enrolled.

AND. OKSENDAHL, Chairman pro tem.

Mr. Oksendahl moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 42.

A bill for an Act providing for the survey and platting of

portions of railway rights of way when used for any purpose other than the operation of a railroad thereon.

Senate Bill No. 35.

A bill for an Act to amend Chapter 181 of the Session Laws of North Dokota, 1915.

Senate Bill No. 80.

A bill for an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915, and Section 1 of Chapter 210 of the Session Laws of 1917, relating to Health Inspection of Pupils in Public Schools.

And find the same correct engrossed.

AND. OKSENDAHL, Chairman pro tem.

Mr. Oksendahl moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 95.

A bill for an Act providing for the registering of the titles of all of the land within a county under the provisions of Chapter 235 of the Laws of North Dakota for the year 1917.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Stenmo moved that the report of the committee indefinitely postponing Senate Bill No. 66 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Stenmo moved that Senate Bill No. 95 be re-referred to the committee on Judiciary, which motion prevailed and the bill was so re-referred.

Mr. Stenmo moved that the committee having under consideration Senate Bills Nos. 70 and 71 be granted further time in the consideration, which motion prevailed.

Mr. Welford moved that the committee having under consideration Senate Bills Nos. 32 and 36 be granted further time, which motion prevailed.

Mr. Bowman moved that Senate Bill No. 74, be re-referred to the Committee on Cities and Municipalities, which motion prevailed, and the bill was so re-referred.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Mortenson introduced Senate Bill No. 148.

A bill for an Act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to Ferries.

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

Mr. King introduced Senate Bill No. 149.

A bill for a Concurrent Resolution amending the Constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build, maintain and repair highways.

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

THIRD READING OF SENATE BILLS

Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

Was read the third time.

The question being on the passage of the bill, the roll was called and there were ayes, 28; nays, 12; absent and not voting. 9.

Ayes—Benson, Bowman, Drown, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, Murphy, Nelson, Ployhar, Porter, Whitman.

Absent and not voting: Berg, Cahill, Church, Ettestad, McBride, Storstad, Ward, Weber.

Excused from voting: Mostad.

So the bill passed and the title was agreed to.

Mr. Bowman moved that the vote by which Senate Bill No. 78 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 80.

A bill for an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915, and Section 1 of Chapter 210 of the Session Laws of 1917, relating to Health Inspection of Pupils in Public Schools.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Bowman, Carey, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Church, Ettestad, Mc-Bride, Storstad, Weber.

So the bill passed and the title was agreed to.

Mr. Stenmo moved that the vote by which Senate Bill No.

80 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 35.

A bill for an Act to amend Chapter 181 of the Session Laws of North Dakota, 1915.

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, 14; nays, 26; absent and not voting, 9.

Ayes—Beck, Carey, Haggart, Hamerly, Hyland, Jacobsen, Kendall, Mostad, Murphy, Ployhar, Porter, Stenmo, Whitman, Zieman.

Nays—Benson, Bowman, Drown, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, Mc-Carten, McNair, Mees, Mortenson, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Welford, Wenstrom.

Absent and not voting: Berg, Cahill, Church, Ettestad, Gibbens, McBride.

So the bill was lost.

Mr. Stenmo moved that Senate Bill No. 42 be amended by inserting after the figure 1 the words "survey and platting of portions of railway rights of way" in Section 1, line 1, which motion prevailed and the bill was so amended.

Senate Bill No. 42.

A bill for an Act providing for the survey and platting of portions of railway rights of way when used for any purpose other than the operation of a railroad thereon.

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, 1; absent and not voting, 8.

Ayes—Beck, Benson, Bowman, Carey, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson Pendray, Ployhar, Porter, Sikes, Stenmo, Welford, Wenstrom, Whitman, Zieman.

Nays-Nelson.

Absent and not voting: Berg, Cahill, Church, Ettestad, McBride, Storstad, Ward, Weber.

So the bill passed and the title was agreed to.

Mr. King moved that the vote by which Senate Bill No. 42 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. King moved that Senate Bill No. 133 be withdrawn, which motion prevailed, and the bill was withdrawn.

THIRD READING OF HOUSE BILLS

House Bill No. 24.

A bill for an Act authorizing the Courts to review the levy and apportionment of Special Assessments.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 28; nays, 12; absent and not voting, 9.

Ayes—Benson, Bowman, Carey, Drown, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stemmo, Wenstrom.

Nays—Beck, Haggart, Hyland, Jacobsen, Kendall, McCarten, Murphy, Nelson, Porter, Welford, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Church, Ettestad, Gibbens, McBride, Storstad, Ward, Weber.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 24, the roll was called and there were ayes, 29; nays, 11; absent and not voting, 9.

Ayes—Benson, Bowman, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Wenstrom.

Nays—Beck, Haggart, Hyland, Jacobsen, Kendall, Murphy, Nelson, Porter, Welford, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Carey, Church, Gibbens, McBride, Mees, Storstad, Weber.

So the Emergency Clause passed.

MESSAGE FROM THE HOUSE

House Chamber
BISMARCK, NORTH DAKOTA,
February 3, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 92.

A bill for an Act to amend and re-enact Section 8, Chapter 172 of the Session Laws of the year 1915, relating to what property may be insured by County Farmers Mutual Insurance Company.

House Bill No. 99.

A bill for an Act amending and re-enacting Section 4922 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation of the certificate of authority of insurance companies.

House Bill No. 100.

A bill for an Act to amend and re-enact Sections 3241 and 3244 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the removal of county seats.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Fraser moved that House Bill No. 82 be re-referred to the Committee on Judiciary, which motion prevailed, and the bill was so re-referred.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 92.

A bill for an Act to amend and re-enact Section 8, Chapter 172 of the Session Laws of the year 1915, relating to what property may be insured by County Farmers Mutual Insurance Company.

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

House Bill No. 99.

A bill for an Act amending and re-enacting Section 4922 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation of the certificate of authority of insurance companies.

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

House Bill No. 100.

A bill for an Act to amend and re-enact Sections 3241 and 3244 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the removal of county seats.

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

Courtesies of the floor were extended to J. S. Page, Westhope; M. K. Bowen, Beach; O. E. Blanding, W. E. Cook, Harvey; James Traynor, Mylo; Wm. Owens, Williston; H. D. Hall, Fargo; Clark McLaughlin, Park River, N. D,

Mr. McNair moved that the Senate do now take a recess, which motion prevailed, and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

Mr. King moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

TWENTY-NINTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA. February 4, 1919.

The Senate convened at 2 o'clock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain Rev. Strutz.

Roll Call.

All members present except Messrs. Berg and Church, who were excused.

REPORTS OF STANDING COMMITTEES

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 28th day and recommend that the same be corrected as follows: Page 3, line 19, correct the spelling of the word "providing;" page 1, line 31, correct the spelling of the name "Burleigh;" page 1, line 37, correct the spelling of the name "Burleigh;" page 1, line 9, after the name "Weber," insert the following "who were excused."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 42.

A bill for an Act providing for the survey and platting of portions of railway rights of way when used for any purpose other than the operation of a railroad thereon.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 95.

A bill for an Act providing for the registering of the titles of all of the land within a county under the provisions of Chapter 235 of the Laws of North Dakota for the year 1917.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 117.

A bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as amended by chapter 121 of the Session Laws of 1915, relating to causes for divorce.

Have had the same under consideration and recommend

that the same be amended as follows:

On line twenty-three after the word "insane" insert the fol-lowing: "which superintendent shall receive no additional compensation therefor."

After the word "incurable" strike out the semicolon and insert the follows: "which shall be made to appear to the court by the testimony of said physicians."

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. King introduced Senate Bill No. 150.

A bill for an Act to prescribe rules and regulations for the shipping of live poultry and giving the Railroad Commissioners authority to provide uniform and standard coops therefor. and providing a penalty for failure to comply with the provisions thereof.

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

Mr. King introduced Senate Bill No. 151.

A bill for an Act to provide for the guardianship of Dissolute women.

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

Mr. Whitman introduced Senate Bill No. 152.

A bill for an Act to repeal Chapter 69 of the Laws of 1913 being Sections 10184 and 10185 Compiled Laws of 1913 forbidding the sale of cigarettes.

Was read the first and second time and referred to the

Committee on Cities and Municipalities.

Mr. Whitman introduced Senate Bill No. 153. A bill for an Act to amend Section 2306 C. L. 1913, being Section 1, Chapter 161, Laws 1903, relating to property sold to the State or County for taxes.

Was read the first and second time and referred to the

Committee on Judiciary.

The Committee on Insurance introduced Senate Bill No. 154. A bill for an Act to authorize fraternal benefit societies to establish and maintain classified membership.

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

Mr. Drown introduced Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota, for the year 1913.

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

Mr. Mostad introduced Senate Bill No. 156.

A bill for an Act to provide for conciliation of controversies and to repeal Sections 9187, 9188, 9189, 9190, 9191 and 9192. of the Compiled Laws of North Dakota 1913.

Was read the first and second time and referred to the

Committee on Judiciary.

The Committee on Public Printing introduced Senate Bill No. 157.

A bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repealing all Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the

Committee on Public Printing.

The Committee on Public Printing introduced Senate Bill No. 158.

A bill for an Act Providing for the selection and designation of one State, County and Municipal official Newspaper in each County in the State; prescribing the manner of its selection and duties.

Was read the first and second time and referred to the

Committee on Public Printing.

The Committee on Public Printing introduced Senate Bill No. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Was read the first and second time and referred to the

Committee on Insurance.

The Committee on Public Printing introduced Senate Bill No. 160.

A bill for an Act to amend and re-enact Section 3308 of the Compiled Laws of North Dakota for the year 1913.

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

The Committee on Public Printing introduced Senate Bill

No. 161.

A bill for an Act to Repeal Sections 3307 and 3598 of the

Compiled Laws of North Dakota for the year 1913.

Was read the first and second time and referred to the

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

The Committee on Public Printing introduced Senate Bill No. 162.

A bill for an Act to amend and re-enact Section 3310 of the Compiled Laws of North Dakota for the year 1913

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

The Committee on Public Printing introduced Senate Bill No. 163.

A bill for an Act to amend and re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, Relating to estrays.

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

The Committee on Public Printing introduced Senate Bill No. 164.

A bill for an Act to repeal Section 2659 of the Compiled Laws. of North Dakota for the year 1913, relating to official estray

Was read the first and second time and referred to the

Committee on Public Printing.

The Committee on Public Printing introduced Senate Bill

A bill for an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to newspapers qualified to do legal printing.

Was read the first and second time and referred to the

Committee on Public Printing.

Mr. Cahill introduced Senate Bill No. 166.

A bill for an Act to amend and re-enact Sections 1404 and 1405, of the Compiled Laws of North Dakota for the year 1913, relating to the employment of minors.

Was read the first and second time and referred to the

Committee on Public Health.

Mr. Ingerson introduced Senate Bill No. 167.

A bill for an Act to amend and re-enact Section 690 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain county, township, municipal. and other officers.

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

Mr. Morkrid introduced Senate Bill No. 168

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota providing for the recall of state, county, judicial and legislative officers by the people.

Was read the first and second time and referred to the

Committee on State Affairs.

The Committee on State Affairs introduced Senate Bill No. 169.

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 Chapter 144 of the Session Laws of North Dakota for the year 1917 and as amended by the Session Laws of North Dakota for the year 1918.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. Mees introduced Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton. to that of the State Training School.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Fraser introduced Senate Bill No. 171.

A bill for an Act to provide for the punishment of any person who shall take undecent and improper liberties with the person of a child under the age of 16 years.

Was read the first and second time and referred to the

Committee on Judiciary.

The Committee on Public Buildings Introduced Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. McCarten introduced Senate Bill No. 173.

A bill for an Act to amend and re-enact Chapter 111 of the Laws of North Dakota for the year 1915; same being Section 2150 of the Compiled Laws of 1913, relating to the rate of levy for state and county roads and bridges and providing for levy for sinking fund.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

Mr. McCarten introduced Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridge purposes, and prescribing the manner in which all township taxes shall be levied.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

The Committee on State Affairs introduced Senate Bill No.

A bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913, relating to the state trolley line, the management, maintenance and operation of the same and prescribing the duties of the state industrial commission in respect thereto, and repealing all Acts and parts of Acts inconsistent therewith.

Was read the first and second time and referred to the

Committee on State Affairs.

The Committee on State Affairs introduced Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the board of experts and compensation.

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

The Committee on Military Affairs introduced Senate Bill No. 177. A Concurrent Resolution.

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

Mr. Liederbach introduced Senate Bill No. 178.

A bill for an Act to regulate the using of gas engines. Was read the first and second time and referred to the Committee on Judiciary.

Mr. Mostad introduced Senate Bill No. 179.

A bill for an Act amending Section 3680 of the Compiled Laws of North Dakota for 1913, and permitting cities to

levy a tax for general purposes sufficient to meet the expenses of the fiscal year of not exceeding thirty-five mills on the dollar of the assessed value of property in the city.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

Mr. King introduced Senate Bill No. 180.

A bill for an Act to amend and re-enact Sections 4296, 4297, 4298 and 4299, and to repeal Section 4313 of the Compiled Laws of North Dakota for the year 1913, relating to partition fences.

Was read the first and second time and referred to the

Committee on Agriculture.

Mr. Whitman introduced Senate Bill No. 181.

A bill for an Act concerning public utilities and vesting the regulation and control thereof in the Commissioners of Railroad of the State of North Dakota.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. Ward introduced Senate Bill No. 182.

A bill for an Act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

Was read the first and second time and referred to the

Committee on Game and Fish.

• The Committee on Appropriations introduced Senate Bill No. 183.

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session Laws of North Dakota, 1917, relating to Farmers' Institutes.

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

Mr. Carey introduced Senate Bill No. 184.

A bill for an Act providing for the publication of assessment lists.

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

Mr. Liederbach introduced Senate Bill No. 185.

A bill for an Act to amend section 1440 of the Compiled Laws of North Dakota for 1913 as amended by Chapter 212 of the Session Laws of North Dakota, 1917, relating to State aid for consolidated, graded and rural schools.

Was read the first and second time and referred to the

Committee on Education.

Mr. Liederbach introduced Senate Bill No. 186.

A bill for an Act to amend Section 4799 of the Compiled Laws of North Dakota, 1913, relating to free passes.

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

Mr. Weber introduced Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3784 Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

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

Mr. McNair introduced Senate Bill No. 188.

A Concurrent Resolution changing the name of the State Reform School to State Training School.

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

Messrs. Nelson and Carey introduced Senate Bill No. 189.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing grain and its products, and for establishing state owned elevators and a state owned flour mill under the name of North Dakota Mill and Elevator Association, operated by the State, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

Was read the first and second time and referred to the

Committee on Agriculture.

Mr. Mees introduced Senate Bill No. 190.

A Concurrent Resolution amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Gibbens introduced Senate Bill No. 191.

A bill for an Act relating to the licensing of agents to solicit insurance.

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

Mr. Bowman introduced Senate Bill No. 192.

A bill for an Act to amend Section 3188 of the Compiled Laws of North Dakota for the year 1913 and to repeal Sections 3189 and 3190 of the Compiled Laws of North Dakota for 1913 and conflicting provisions and providing, for the publication and mailing to voters in pamphlet form of proposed amendments, laws or proposals.

Was read the first and second time and referred to the

Committee on Elections.

Mr. Drown introduced Senate Bill No. 193.

A bill for an Act empowering cities to purchase or con-struct plants for the manufacture and distribution of light and power for municipal and commercial purposes and to assess abutting property in accordance with the benefits there-to by reason of such distribution and providing for the method of such assessment and the collection thereof.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Wenstrom introduced Senate Bill No. 194.

A bill for an Act to amend and re-enact section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commisioners.

Was read the first and second time and referred to the

Committee on Counties.

Mr Wenstrom introduced Senate Bill No. 195.

A bill for an Act to provide for the uniformity of warranty deeds, quit-claim deeds, real estate mortgages, satisfactions and assignments of real estate mortgages, and to enact forms of such instruments to be recorded within the state, authoriling registers of deeds to charge and collect double fees.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Gibbens introduced Senate Bill No. 196.

A Constitutional Amendment requiring that legislative acts relative to business or industrial undertakings by the state, a county, city, village or township be submitted to the people for approval.

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

Mr. Hagan introduced Senate Bill No. 197.

A bill for an Act to amend and re-enact Sections 951 and 952, Compiled Laws of the State of North Dakota for the year 1913, relating to the appointment, qualifications and duties of inspectors and judges of election.

Was read the first and second time and referred to the

Committee on Elections.

Mr. Benson introduced Senate Bill No. 198.

A bill for an Act legalizing certain acts of city, village and school district officials.

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

Mr. Whitman introduced Senate Bill No. 199.

A bill for an Act authorizing cities to employ city managers.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Whitman introduced Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Company.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Whitman introduced Senate Bill No. 201.

A bill for an Act providing for State aid in the construction of bridges across the State lines of interstate highways or roads.

Was read the first and second time and referred to the

Committee on Highways.

The Committee on Appropriations introduced Senate Bill No. 202.

A bill for an Act imposing a tax on each game of pool, billiards, game and ball or pin game played in any indoor public place, on automobiles stored in any public garage, on each order of goods and merchandise sold by traveling sa'es persons, on each soft drink beverage, on each ticket sold or issued for admission to any place of amusement, on each bottle of patent medicine, on each box of shot loaded shells, on golf ball, on game of baseball, tennis ball and each base ball bat, golf stick and golf bag, on each phonograph record or piano roller, on each sack, package and can of tobacco, on each box or package of cigars, on each piece of fiction, on each typewriter, adding machine, phonograph and victrola, on each hunting license issued, requiring the State Treasurer to issue receipts and declaring that any violation of this Act be deemed a misdemeanor, and providing for a penalty therefor.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Cahill introduced Senate Bill No. 203.

A bill for an Act to amend and to re-enact Section 1334 of the Compiled Laws of North Dakota for the year 1913 relating to bonds denomination of rate of interest and limit of issue.

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

Mr. Whitman introduced Senate Bill No. 204.

A bill for an Act to amend Section 9238, Compiled Laws of 1913 as amended by Chapter 223, of the session laws of 1917, relating to sports on the first day of the week.

Was read the first and second time and referred to the

Committee on Temperance.

Mr. Whitman introduced Senate Bill No. 205.

A bill for an Act the Community Property Law in the State of North Dakota.

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

Mr. Whitman introduced Senate Bill No. 206.

A bill for an Act to amend section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceedings.

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

Mr. Cahill introduced Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915, providing for the annual tax levy in general school districts.

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

Mr. Hamerly introduced Senate Bill No. 208.

A bill for an Act to Amend and re-enact Section 2837, Compiled Laws of 1913, relating to the salary of the Dairy Commissioner and Assistant Diary Commissioners.

Was read the first and second time and referred to the

Committee on Agriculture.

Mr. Zieman introduced Senate Bill No. 209.

A bill for an Act to amend and re-enact section 27 of the Session Laws of North Dakota for the year 1915 relating to the use of dogs for hunting.

Was read the first and second time and referred to the

Committee on Game and Fish.

The senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES

The committee on Counties made the following report:

Mr. President: Your committee on Counties to whom was referred House Bill No. 100.

A bill for an Act to amend and re-enact Sections 3241 and 3244 of the Compiled Laws of the State of North Dakota for year 1913, relating to the removal of county seats.

Have had the same under consideration and recommend that

the same do pass.

JOHN W. BENSON, Chairman.

Mr. Benson moved that the report be adopted, which motion prevailed and the report was adopted.

Courtesies of the floor were extended to G. I. Feton, Jamestown; Mr. Knobel, Buchanan; Helze Johnson, Pekin, John Bollamore, Michael Tschida, Glen Ullin; J. H. Kelley, Grafton;

J. W. Sutherland, Fargo; Fred Gleech, Dunn County; C. P. Petterson, Bisbee; W. Hindgarten, Sarles; O. L. Thress, Joseph Fischer, Dickinson.

Mr. Bowman moved that the Senate do now take a recess to 12:30 o'clock p. m., February 5, 1919, which motion prevailed, and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR FEB. 5, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 117.

A bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 121 of the Session Laws of 1915, relating to causes for divorce.

THIRD READING OF HOUSE BILLS

House Bill No. 100.

A bill for an Act to amend and re-enact Sections 3241 and 3244 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the removal of county seats.

TWENTY-NINTH DAY AFTER RECESS AND THIRTIETH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA. February 5, 1919.

The Senate convened at 12:30 p. m., pursuant to recess taken, President pro tem McCarten presiding.

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Mostad introduced Senate Bill No. 210.

A bill for an Act to divide all railroads in the State fo 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.

The Committee on Appropriations introduced Senate Bill No. 211.

A bill for an Act imposing a tax on each automatic vending machine or device operated in the State of North Dakota; that any violation of this Act be deemed a misdemeanor and providing for a penalty therefor.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Porter introduced Senate Bill No. 212.

A bill for an Act to give County Commissioners authority to erect memorials or other suitable recognition in commemoration of those of the County who rendered service or who lost their lives in the service of their country in the great world war. Create a memorial fund and make a levy therefor.

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

Mr. Fraser introduced Senate No. 213.

A bill for an Act to provide punishment for wife desertion in certain cases.

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

Mr. King introduced Senate Bill No. 214.

A bill for an Act to amend and re-enact Section 3835 of the Compiled Laws of the State and North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

Mr. Ward introduced Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and of fences along section lines when such lines are opened as public highways.

Was read the first and second time and referred to the

Committee on Highways.

Mr. Carey introduced Senate Bill No. 216.

A bill for an Act creating a board of arbitration to hear petitions of teachers for release from contracts, prescribing duties, to make it the duty of teachers to submit to such board the question of release from such contracts to teach; and providing for the filing of findings with the board of education to be acted upon; and providing penalties for breach of teachers' contracts.

Was read the first and second time and referred to the

Committee on Education.

By unanimous consent of the Senate, the rules were suspended and the introduction of Senate Bill No. allowed.

Mr. Fraser introduced Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1911, 1912, 1913 and 1914.

Was read the first and second time and referred to the

Committee on Appropriations.

Mr. Church introduced Senate Bill No. 218.

A bill for an Act to amend and re-enact Section 2012 of the compiled Laws of North Dakota for 1913, relating to compensation for labor.

Was read the first and second time and referred to the

Committee on Highways.

Mr. Cahill introduced Senate Bill No. 219.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, relating to the voting privileges of members of co-operative corporations.

Was read the first and second time and referred to the

Committee on Judiciary.

Mr. Gibbens moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

THIRTIETH DAY

SENATE CHAMBER. BISMARCK, NORTH DAKOTA. February 5, 1919.

The Senate convened at 2 o'clock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain Rev. Strutz.

Roll Call.

All members present except Mr. Berg, who was excused. 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 29th day and recommend that the same be corrected as follows: Page 2, line 21, correct the spelling of the word "following;" page 2, line 24, correct the spelling of the word "following; page 2, line 41, correct the spelling of the word "guardianship;" page 2, after line 54, put in the following: "guardianship;" page 2, after line 54, put in the following:
"Was read the first and second time and referred to the Committee on Judiciary;" page 3, line 7, take out the word "Judiciary" and insert in lieu thereof the word "election;" page 3, line 10, change the figures "1987" to 9187;" page 3, line 36, take out the words "public printing" and insert in lieu thereof the word "insurance:" page 4, line 30, change the figures "167" to "168;" page 4, line 56, change the figures "14" to "16;" page 5, line 16, correct the spelling of the name "McCarten;" page 5, line 57, after the word "Mr." put the name "Mostad;" page 6, line 15, correct the spelling of the word "Commissioners;" page 7. line 31, correct the spelling of the word "coners; page 7, line 51, correct the spelling of the word "conflicting;" page 7, line 51, correct the spelling of the name "Wenstrom;" page 8, line 24, correct the spelling of the word "introduced;" page 8, line 42, correct the spelling of the words "played" and "public;" page 8, line 58, correct the spelling of the word "appropriations;" page 9, line 7, after the word "Laws" put the figures "1913;" page 9, line 33, correct the spelling of the word "commissioner."

And when so corrected recommend that the same be ap-

proved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA. February 5, 1919.

Mr. President: I have the honor to transmit herewith the following bills: House Bill No. 86.

A bill for an Act to amend and re-enact Section 1951 of the Compiled Laws of North Dakota for the year 1913, relating to the construction of bridges by County Commissioners.

House Bill No. 93.

A bill for an Act authorizing and regulating the exchange of reciprocal or inter-insurance contracts among individuals, partnership and corporations: empowering corporations to enter into such contracts; regulating process in suits on such contracts; fixing certain taxes and fees and providing penalties for violation of this Act.

Which the House has passed and your favorable consider-

ation is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA.

February 5, 1919.

Mr. President: I have the honor to return Senate Bill No. 25.

A bill for an Act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Which the House has amended as follows:

In the first line of title change the word "sleds" to "sled;" in line 3 of Section 1 change word "sleds" to "sled" and immediately following said word insert "or new sleigh;" in line 3 of Section 2, strike out the words "one hundred" and insert in lieu thereof the words "twenty-five" and in line 4 of Section 2, strike out the words "three hundred" and insert in lieu thereof the words "one hundred."

In line 4, Section 1, after the word "width" strike out the words "of the runners" and in line 5, Section 1, after the word "center" insert the words "of the runners." In line 1 of the title strike out the word "sleds" and insert in lieu thereof "any new draft sleds or new sleighs."

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 117.

A bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 121 of the Session Laws of 1915, relating to causes for divorce.

And find the same correctly engrossed.

W. J. CHURCH, Chairman pro tem.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom
was referred Senate Bill No. 120.

A bill for an Act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

Have had the same under consideration and recommend

that the same be amended as follows:

Section 1, line 2, after the word "per cent" insert the following: "in at least one-half of voting precinct of the county." Section 1, line 5, strike out the words "special or;" Section 1, line 6, after the word "purchasing" insert the words, "or leasing;" Section 1, line 9, after the word "purchasing" insert the words "or leasing;" Section 1, line 10, after the word "purchase" insert the words "or lease;" Section 1, line 15, after the word "purchase" insert the words "or lease;" Section 2, line 1, after the word "purchase" insert the words "or lease;" Section 2, line 8, after the word "county" insert the following "not to exceed one-half mill in any one year;" Section 2, line 8, after the word "purchase" insert the words "or lease;" Section 2, line 11, after the word "purchased" insert the words "or leased;" Section 2, line 18, after the word "of" insert the word "such;" Section 2, line 18, after the word "purchase" insert the word "purchase" insert the word "purchase" insert the word "purchase" insert the word "such;" Section 2, line 18, after the word "purchase" insert the word "pu

And when so amended recommend the same do pass.

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted. The committee on Counties made the following report:

Mr. President: Your committee on Counties to whom was referred Senate Bill No. 86.

A bill for an Act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

Have had the same under consideration and recommend that

the same be amended as follows:

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

For an Act to repeal Sections 2619, 2620 and 2621, Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622, Compiled Laws of North Dakota for the year 1913, relating to the herd law, making it a misdemeanor for the owner of stock to allow the same to run at large during the closed season, and providing for a penalty therefor.

SECTION 1.—AMENDMENT. Section 2618, Compiled Laws of North Dakota for the year 1913, is hereby amended and re-

enacted to read as follows:

SECTION 2618.—HERD LAW. HOW AND WHEN SUS-PENDED. The board of county commissioners of each county in the state shall establish stock districts including all territory within the county for the purposes hereinafter provided. The boundaries of districts so established shall follow township lines. A district may consist of one or more congressional townships, or the entire county may be made to comprise one district and all districts shall be subject to the jurisdiction of the board of county commissioners for the purposes of this act. Upon petition of sixty per cent of the electors of any such district as determined by the whole of the number of votes polled at the general election last held therein, excluding those votes cast within the corporate limits of any city, town or village within such district, being filed in the office of the county auditor asking that stock be permitted to run at large between certain dates specified in such petition, it shall be the duty of the board of county commissioners of such county, within ten days thereafter, at a regular or special meeting, to declare by resolution that stock may run at large within the limits of said district between the dates named in said petition, except within the corporate limits of any city, town or village, but no stallion, jack, boar, ram, bull or other animal known to be victous shall be permitted to run at large at any time. Said receiption shall be permitted to run at large at any time. mitted to run at large at any time. Said resolution shall state the date of its taking effect and the date of its discontinuance, which dates shall correspond to those found in the petition to permit stock to run at large between said dates of the year or years named only. Provided that if sixty per cent of the electors of any such district as determined by the whole number of votes polled at the general election last held therein, excluding those votes cast within the corporate limits of any extra town or village therein, ehalf file a prefitter in the office. city, town or village therein, shall file a petition in the office of the county auditor, asking that such resolution be revoked, it shall be the duty of the board of county commissioners of said county, within ten days thereafter at any regular or special meeting, to revoke the previous resolution declaring that stock may run at large.

SECTION 2.—AMENDMENT. Section 2622, Compiled Laws of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

SECTION 2622,—WHEN FENCES SHALL BE SUFFICIENT AND LAWFUL. In any stock district in which the board of county commissioners shall have declared by resolution that stock may run at large between certain dates, a fence constructed as hereinafter described shall be sufficient and law-

SECTION 3.-MISDEMEANOR TO PERMIT STOCK TO RUN AT LARGE DURING CLOSED SEASON. PENALTY. It is hereby declared to be a misdemeanor for the owner and other person in charge of stock to permit or allow the same to run at large within any stock district of this state during the closed season therein, and upon conviction thereof he or they shall be fined not less than one hundred dollars nor more than five hundred dollars, or confined in the county jail for not less than thirty days, nor more than sixty days, or both, in the discretion of the court.

SECTION 4.—REPEAL. Sections 2619, 2620 and 2621. Compiled Laws of North Dakota for the year 1913, and all Acts and parts of Acts in conflict herewith, are hereby repealed.

And when so amended recommend the same do pass.

JOHN W. BENSON, Chairman.

Mr. Benson moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom
was referred Senate Bill No. 27.

A bill for an Act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Have had the same under consideration and recommend

that the same be amended as follows:

In the title after the figure 3006, insert "the Compiled Laws of 1913."

In Section 5, insert the word "pounds" after each figure relating to the weights of bushels.

And when so amended recommend the same do pass.

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following

report:

Mr. President: Your committee on Ways and Means to whom was referred Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7 and 8, Laws of North Dakota of 1917.

Have had the same under consideration and recommend

that the same be amended as follows:

That the title be amended to read as follows: "An Act to create a State Board of Electricians and prescribing the duties thereof. Providing for the classification, examination and licensing of electricians and electrical workers. Prescribing fees for such examination and license, and providing for inspection of electrical work through the State Fire Marshal under the direction of the Sate Board, and to repeal Chapter 118 of the Laws of North Dakota for 1917." Section 1, line 1, strike out the word "Amendment;" Section 2, line 1, strike out the word "Amendment;" Section 3, line 1, strike out the word "Amendment;" Section 4, line 1, strike out the word 'Amendment;" at the end of Section 4 insert the following: "Section 5. Nothing in this act shall prevent a person from serving as an apprentice under a licensed electrician, and no master electrician shall allow an apprentice to work at any installation unless such apprentice is working with a licensed electrician on the job." Section 6, line 1, strike out the word "Amendment;" Section 7, line 1, strike out the word "Amendment;" strike out all of Section 8 and in lieu thereof insert the following; "Repeal. That Chapter 118 of the Laws of North Dakota for the year 1917 is hereby repealed."

And when so amended recommend the same do pass.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following

report:

Mr. President: Your committee on Ways and Means to

whom was referred House Bill No. 30.

A bill for an Act to amend Section 3 of Chapter 216 of the Session Laws of North Dakota for 1917, relating to Soda Fountains.

Have had the same under consideration and recommend that the same be amended as follows: In line 1 of the title after the word amend insert "and re-enected."

And when so amended recommend the same do pass.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Health made the following report:

Mr. President: Your committee on Public Health to whom

was referred Senate Bill No. 58.

A bill for an Act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination.

Have had the same under consideration and recommend

that the same be amended as follows:

Strike out everything after the word "A bill" and insert in lieu thereof the following:

For an Act to amend and re-enact Section 510 of the Compiled Laws of the State of North Dakota for 1913, to read as fol-

lows:

Bt It Enacted by the Legislative Assembly of the State of

North Dakota:

SECTION 510.—EXAMINATION. LICENSE. REVOCATION. ASSUMED NAME. Any person not already a licensed dentist in this state at the time of going into effect of this article, desiring to practice dentistry therein, shall apply to the Secretary of the Board for Examination, and pay fee of tyenty-five dollars for the first examination and ten dollars for each subsequent examination, which fees shall in no case be refunded. At the next regular meeting of the board held after such application is made, the applicant shall present himself for examination and produce a diploma issued to him by some dental college of good standing, of which standing

the board shall be the judges. No person shall be permitted to take such examination unless he shall prove to the satisfac-tion of the Board that he has had a preliminary general edu-cation equivalent to at least four years of study in some high school or academy in the state of North Dakota having a four-year course beyond that of an elementary school. No holder of a degree or diploma from a foreign country or province which does not accept for examination the holder of a license to practice dentistry issued by the state board of dental examiners of this state shall be eligible for such examination. The board shall give the applicant such an elementary, theoretical, and practical examination as to thoroughly test his fitness for the practice of dentistry and include therein the subjects of anatomy, physiology, chemistry, materia medica, therapeutics, metallurgy, histology, pathology and operative, surgical and mechanical dentistry. If the applicant successfully passes the examination, he shall forth-with be registered upon the records of the board as a licensed dentist, and shall receive a certificate of registration signed by all members of the board, whereby he shall be authorized to practice dentistry in said state for a period of one year from the date of such certificate and as long as such certificate shall be duly renewed as hereinafter provided. Provided, that any dentist who, for five years or more, has been in legal practice in another state of the United States having and maintaining a standard of laws regulating the practice of dentistry equal to that of this state and is a reputable dentist of good moral character, and is desirous of removing to this state and deposits in person with the board a certificate from the examining board of the state in which he is registered, certifying to the fact of his registration and of his good moral character and professional attainments shall upon payment of a fee of fifty dollars be granted a license to practice in this state without examination. The board upon hearing, after twenty days' notice thereof, may revoke the license of any one who, with intent to deceive the public shall practice dentistry under an assumed name.

It shall be no defense for a person prosecuted for practicing dentistry under one name, without a license, that he shall have been licensed under a different name, unless it be shown that such practice was without intent to deceive.

Any dentist may have his license revoked or suspended by

the board for any of the following causes:

(1) His conviction of a felony or misdemeanor involving moral turpitude, in which case the record of conviction, or certified copy thereof certified by the clerk of court, or by the judge in whose court the conviction is had, shall be conclusive evidence of such conviction.

(2) For unprofessional conduct, or for gross ignorance or inefficiency in his profession. Unprofessional conduct shall mean the obtaining of any fee by fraud or misrepresentation,

habitual intemperance, gross immorality.

The proceedings to revoke or suspend any license under the first subdivision thereof, must be taken by the board on a receipt of a certified copy of the record of conviction. The proceedings under the second subdivision hereof may be taken upon the information of another. All accusations must be in writing, verified by some person familiar with the facts therein charged, and three copies thereof must be filed with the secretary of the board. Upon receiving the accusation, the

board shall, if it deem the complaint sufficient make an order setting the same for hearing at a specified time and place, and the secretary shall cause a copy of the order and the accusa-tion to be served upon the accused, by delivery of the same to him personally, at least ten (10) days before the day appointed in the order for such hearing.

The accused must appear at the time appointed in the order and answer the charges and make his defense to the same unless for sufficient cause the board assign another day for that purpose. If he do not appear after due service upon him of the accusation and order as aforesaid, the board may proceed and determine the accusation in his absence. If the accused pleads guilty or refuses to answer the charges or upon the hearing thereof the board shall find them or any of them true, it may revoke his license or suspend it. board and the accused may have the benefit of the services of counsel duly licensed to practice law in this state. board shall have the authority to administer oaths, to summon witnesses and to take testimony, by deposition or otherwise upon its hearing, and when the board or the accused shall desire to secure the presence or testimony of any person before the board, said board or such accused may procure subpoenas from the clerk of the district court of the county wherein such hearing is to be had, and the clerk of such court is hereby directed to issue such subpoenas in the name of the state, commanding the persons whose names shall be given to such clerk by the board or by such accused person, to appear before the board at a certain time and place fixed by the board for such hearing and then and there to testify upon such hearing. If any person so commanded to appear and test'fy shall fail or refuse to obey such subpoena, he shall be dealt with by said district court in the same manner and to the same effect as though such subpoena had commanded such person to appear and testify in a cause on trial in said Such nerson so commanded to annear and testify shall be entitled to the same fees as witnesses in a district court. and such subpoena shall be served in the manner provided by law for the service of subpoenas for trials in said courts and shall be substantially the same in form.

And when so amended recommend the same do pass.

M. MORTENSON, Chairman.

Mr. Mortenson moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 146,

A bill for an Act giving the keeper of rooming and dwelling houses a lien upon the baggage and other property of their roomers and guests for charges due; providing for the enforcement of such lien.

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:

For an Act amending and re-enacting Section 6872 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the lien of the keepers of any private rooming house, inn or hotel, upon the baggage and other property of their roomers and guests for charges due, for advances, and

other extras and providing for the enforcement of such lien.

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

SECTION 1.—AMENDMENT. That Section 6872 of the Compiled Laws of North Dakota for the year 1913, is hereby

amended and re-enacted to read as follows:

SECTION 6872.—ROOMING. HOUSEKEEPER'S. KEEPER'S AND HOTEL KEEPER'S LIEN. The keeper of any private rooming house, inn or hotel, whether individual. partnership or corporation, shall have a lien on the baggage and other property in and about such private rooming house, inn or hotel belonging to or under the control of his guests or boarders for the proper charges due him from such guests for the accommodation, board and lodging, and for all money paid for or advanced to them not to exceed the sam of two hundred dollars, and for such other extras as are furnished such roomers and guests at their request, and said rooming housekeeper, innkeeper or hotel keeper shall have the right to detain the baggage and other property until the amount of such charges is paid, and such baggage and other property shall be exempt from attachment or execution until such rooming housekeeper's, innkeeper's or hotel keeper's lien and the cost of satisfying it are satisfied. Provided further that the lien created by this section may be enforced in like manner as heretofore provided for the enforcement of innkeeper's liens under the provisions of 6873 and 6874 of the Compiled Laws of North Dakota for the 1913 and the same may be applicable also to the disposal of the property thereunder.

And when so amended recommend the same do pass,

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motionpreva'led and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 148.

A bill for an Act to amend and re-enact Section 2062 of the Comp'led Laws of North Dakota for the year 1913, relating to ferries.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Railroads made the following report:

Mr. President: Your committee on Railroads to whom was

referred Senate Bill No. 36.

A bill for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring Railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Have had the same under consideration and recommend

that the same be amended as follows:

In line three of Section one strike out the word "six" and insert in lieu thereof the word "eighteen."

And when so amended recommend the same do pass.

THORWALD MOSTAD, Chairman.

Mr. Mostad moved that the report be adopted, which motion prevailed and the report 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. 87.

A bill for an Act providing for the keeping of repairs within the state for all gas or oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacture thereof.

Have had the same under consideration and recommend

that the same be amended as follows:

In line four of Section one strike out the word "and" where it appears the second time and insert in lieu thereof the word "or.

In line four of Section one strike out the words "or cause to be sold or" and in line five strike out the word "delivered." And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 113.

A bill for Act providing for the use of public buildings for public meetings.

Have had the same under consideration and recommend

that the same be amended as follows: After the word 'building" in the title of the bill insert

the words "and public parks." In line three of Section one after the word "building" insert the words "or public park."

In line six of Section one after the word "building" where it first appears insert the words "or public park," and after the second word "building" insert the words "or park."

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Railroads made the following report:

Mr. President: Your committee on Railroads to whom was referred Senate Bill No. 84.

A bill for an Act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof.

Have had the same under consideration and recommend

that the same do pass.

THORWALD MOSTAD, Chairman.

Mr. Mostad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Cities and Municipal Corporations made

the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 74.

A bill for an Act to license, regulate and supervise the licensing and inspection of pool and billiard rooms, ball and pin alleys, dance halls, theaters, moving picture shows, public garages, place of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and suppiles thereof; defining powers and duties and repealing all Acts and parts of Acts inconsistent therewith.

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

Strike out everything after the words "A bill" and insert in

lieu thereof the following:

For an Act to license, regulate and supervise the licensing and inspection of pool and billiard rooms, ball and pin alleys, dance halls, theaters, moving picture shows, taxi cab stands, and places where soft drinks are sold; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all Acts and parts of Acts inconsistent therewith.

Be It Enacted by the Legislative Assembly of the State of

North Dakota:

SECTION 1.—LICENSE. No pool hall, billiard room, ball alley or pin alley, dance hall, theater, moving picture show, taxicab stand or any place where soft drinks are sold, or public hall, owned privately and used for public purposes, shall be opened, maintained, operated or conducted within this state unless the owner, proprietor or managing agent thereof shall first secure a license so to do in the manner

herein prescribed.

SECTION 2 .- LICENSE HOW SECURED. On or before July first of each year every such owner, proprietor or managing agent desiring to operate, conduct and maintain such place as mentioned in Section 1 of this Act, shall make application for an annual license therefor to the Attorney General of this State Licensing Department. Such application shall state the name of the owner, manager and proprietor of the place desired to be licensed; the nature and kind of business to be carried on; a general description of the building, its size, character, location and capacity; and shall particularly contain the description of the provisions made to safeguard life and limb of persons who may be therein and the sanitary equipment thereof. It shall state that such place w'll be operated, if licensed by the State, in accordance with the laws of this state; that if a violation of the laws of this state occurs in the operation of such place, the Attorney General shall be authorized to cancel the license issued. There shall also be contained a statement in the license that no immoralor improper practices, gambling, nor the sale or permission to drink upon said premises any intoxicating liquors will be allowed. This application shall be made upon a blank authorized and issued by the Attorney General and such application shall be accompanied by the license fee hereinafter specifically prescribed.

SECTION 3. —DUTIES OF THE ATTORNEY GENERAL. The Attorney General shall prepare the form of such application, shall furnish the same upon request to any applicant and shall require every applicant to whom a license is granted to pay the fee prescribed. He shall examine into or cause to be examined into the qualifications of every applicant seeking to be licensed and the fitness and suitability of the place desired to be licensed and shall upon application properly filed and the payment of the license fee prescribed, a license herein mentioned for a period of one year to be conducted as a public place of business for operating a pool hall, billiard

room, ball alley or pin alley, theater, moving picture show, any place where soft drinks are sold, taxicab stands, or public hall, and shall cause such place to be inspected and the laws enforced thereon by inspectors appointed by him and shall furnish necessary office equipment and supplies and pay for the same out of the Attorney General Inspection Fund.

SECTION 4.—APPOINTMENT OF INSPECTORS. The Attorney General shall be authorized to appoint a state inspector two deputy state inspectors and one stenographer the latter also to be bookkeeper to aid him in carrying out the purposes of this Act, who shall hold office during the pleasure of the Attorney General and such inspectors shall have charge of the Licensing Department herein described in the office of the Attorney General and under the direction and control of the Attorney General and such license inspectors shall each receive a salary in the sum of \$2500.00 a year and necessary expenses and shall give bond to the state in the sum of \$5000. such bond to be issued in the state bonding fund, conditioned for the faithful performance of their duties and the fees thereof to be paid by the Licensing Department into such bonding fund and the stenographer shall receive \$1200 a year. said state inspectors shall possess all of the powers of a police officer anywhere in this state, shall have authority to visit and inspect any of the places herein mentioned and as a police officer make arrests for violation of any laws of this state and shall be authorized to investigate and conduct investigations of any immoral or corrupt practices or violation of laws in this state and of places being conducted contrary to the law or constitution of this state

SECTION 5. REFUSAL OR REVOCATION OF LICENSE Said inspectors shall be authorized with the consent of the Attorney General, after a hearing before said inspector, to refuse to issue a license to any person for any place where it appears that the applicant is an improper person to be so licensed or that the place is improperly provided with sanitary equipment or is an unsuitable building to protect the life and limbs of the public who may visit the same or that there exists unsuitable appliances to protect the public in case of fire and the state inspectors shall be authorized upon the violation of any of the laws of this state to revoke any license granted pursuant to the provisions of this Act, with the consent of the Attorney General, after a hearing had before the

State Inspector.

SECTION 6.—LICENSE FEE HOW DISPOSED OF. HOW DISBURSED. All license fees herein prescribed shall be paid to the state inspector under the directions and supervision of the Attorney General and by him naid promptly to the state Treasurer who shall keep all such moneys in a special fund to be known as the Attorney General Innspector License Fund. Out of this fund shall be paid all salaries and expenses of the Attorney General incurred in carrying out, maintaining and enforcing the provisions of this Act. all of which shall be paid monthly upon warrant and voncher drawn and audited by the auditing board as now provided by law; provided, however, that such salary and expenses shall be payable only out of such fund and shall not be in excess thereof, and provided further that any money of such fund unexpended on July 1, 1921, and every two years thereafter, shall be turned into the general fund of the state.

SECTION 7.-LICENSE FEES. The annual license fees

for such places herein described, are as follows: Any owner, manager, or proprietor of a taxicab stand, \$50 per year; for pool and billiard room, \$5 per table per year; for ball alleys and pin alleys \$5 per alley per year; for dance halls \$25 per year; for a public hall privately owned, \$25 per year; for theaters and moving picture shows \$50 per year; for any place where soft drinks are sold, \$5 per year; provided, that where a taxicab stand, pool or billiard room, ball or pin alley, dance hall, public hall privately owned, theater or moving picture show is not located in any incorporated city, but is operated in a village or rural district, the license fee shall be for a taxicab stand, \$15 per year; for a pool and billiard room, \$5 per table per year; for ball and pin alleys, \$5 per alley per year; for dance halls, \$10 per year; for a public hall privately owned, \$10 per year; for theaters or moving picture show, \$10 per year; provided, that where a dance hall, theater, or moving picture show are operated in one building under the same management, one license shall be sufficient.

SECTION 8.—OFFICERS. This Act shall not be construed to relieve any state, county, city, village or township officer from any duty now or hereinafter enjoined upon him by law; nor from the keeping of the peace in all public places named in this Act.

SECTION 9.—REPEAL. All Acts and parts of Acts vesting power to license, regulate, control and supervise the licensing and inspecting of all such public places named in this Act and in conflict therewith are hereby repealed.

SECTION 10.—PENALTY. Any nercon who shall violate this Act or any part thereof shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to exceed \$100 or be confined in the county jail not to exceed ninety days, or by both such fine and imprisonment.

SECTION 11.—EMERGENCY. Whereas, an emergency exists in this that it is necessary for the immediate preservation of the public peace, health and safety that this law shall become effective without delay for the reason that at the present time there exists no law providing for adequate regulation and inspection of public places named herein resulting in wide-spread lawlessness and danger to life and limb, therefore, this Act shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

A. E. BOWMAN, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 82.

A bill for an Act relating to the manner in which claims against the state of investigators working under the direction and control of the Attorney General shall be presented, filed and verified, and providing a penalty for falsely certifying thereto, or certifying to any false claim or bill.

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

R. L. FRASER, Chairman.

The committee on Military Affairs made the following re-

Mr. President: Your committee on Military Affairs to whom was referred Concurrent Resolution in regard to pay of soldiers, have had the same under consideration and recommend

that the same do pass.

WHEREAS, We the members of the 16th Legislative Assembly realize the great sacrifice, our soldier boys have endured, and appreciate the great and noble services they have rendered, or were willing to render the state and nation when they were called to the colors and stood ready to defend our nation, state and home, and

WHEREAS, They have now been, and are being honorably discharged, to again take up the duties of civil life, and

WHEREAS, Many of the boys have no employment assured them upon their return and are in many instances embarrassed financially, and

WHEREAS. The boys should be warmly clad to withstand

the rigor of our Northern climate, and

WHEREAS. Immediate action must be taken to relieve the

situation

THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:

That the Honorable Newton D. Baker, Secretary of War berequested to allow the solders to retain permanently their wearing apparel and uniforms furnished them by the government. ernment, and in addition thereto grant to each honorably discharged soldier a sum equal to six months pay to be paid to them on plans specified by the war department.

BE IT FURTHER RESOLVED, That the Secretary of State be requested to forward to the Honorable Newton D. Baker, Secretary of War and to each of our Senators and

Members in Congress a copy of these resolutions. E. H. Sikes, Chairman.

Mr. Sikes moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF SELECT COMMITTEES

Mr. President: Your Conference Committee on Senate Bill No. 23 beg leave to report that they have had the same under consideration, and recommend the following amendment to be adopted: Strike out everything after the words "A bill" and insert the following:

For an Act providing for notices before foreclosure.

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

SECTION 1. Any action or proceeding which shall be commenced to foreclose a mortgage on real property shall be void unless a written notice describing the land, the date and amount of the mortgage, the sum due for principal, interest and taxes, and stating that if the same be not paid within thirty days from the date of the notice, proceedings will be commenced to foreclose the mortgage, shall have been served more than thirty days prior to the commencement of such action or proceeding by registered mail addressed to the title owner of record at his or their last known post office address An affidavit of proof of such service of notice shall be filed with the clerk of the Court at the time of filing complaint in any action for foreclesure and shall be filed and recorded with the notice and certificate of sale in all other cases.

SECTION 2. All Acts and parts of Acts insofar as they are in conflict with this Act are hereby repealed.

Respectfully submitted,

R. L. FRASER
A. M. HAGAN
WALTER WELFORD
For the Senate.

WALTER J. MADDOCK G. PATTERSON FRANK PRATER

For the House.

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

Mr. Levang moved that a committee of three be appointed to act on delayed bills, which motion prevailed, and the President appointed as such committee Messrs. Levang, Jacob-

sen and Church.

Mr. Liederbach asked the unanimous consent of the Senate to withdraw Senate Bill No. 186, there being no objection the bill was withdrawn.

Mr. Benson moved that Senate Bill No. 160 referred to the Committee on Counties be re-referred to the Committee on Public Printing, which motion prevailed and the bill was so re-referred.

Mr. Hemmingsen moved that an extension of time be granted the Committee on Temperance in the consideration of Senate Bill No. 61 which motion prevailed.

Mr. Mostad moved that the committee having under consideration Senate Bill No. 85 be granted further time, which motion prevailed.

THIRD READING OF SENATE BILLS

Mr. Fraser moved that Senate Bill No. 117 be amended in Section 1, line 3, by inserting after the word "amended" the words "and re-enacted," which motion prevailed and the bill was so amended.

Senate Bill No. 117.

A bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 121 of the Session Laws of 1915, relating to causes for divorce.

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, 28; nays, 14; absent and not voting, 7.

Ayes—Benson, Bowman, Drown, Ettestad, Fleckten, Fraser. Gibbens, Hagan, Haggart, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Levang, Liederbach McBride, McCarten, McNair, Mostad, Oksendahl, Olson, Sikes, Stenmo, Ward, Welford, Wenstrom. Whitman.

Nays—Beck, Church, Kendall, King, Mees, Mortenson, Morkrid, Miklethun, Murphy, Ployhar, Porter, Storstad, Weber, Zieman.

Absent and not voting: Berg, Cahill, Carey, Hamerly, Nelson, Noltimier. Pendray.

So the bill passed and the title was agreed to.

Mr. Church explained his vote and asked that it be entered in the Journal. Two years ago we had this bill up, and the instigator of the bill was here backing it. I was against it then, and I am still against it. I would like to see the whole thing cut out. I cannot stand for it myself so I vote no.

Mr. Mees explained his vote and asked to have it entered in the Journal. It seems to me that we are letting the bars down entirely too much on the grounds for divorce. I would rather see some of the divorce grounds at the present time eliminated rather than having them lowered. Believing it is a dangerous precedent to enlarge in that way and make it more convenient to secure divorces, therefore I vote no.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 86.

A bill for an Act to amend and re-enact Section 1951 of the Compiled Laws of North Dakota for the year 1913, relating to the construction of bridges by County Commissioners.

Was read the first and second time and referred to the

Committee on Highways.

House Bill No. 93.

A bill for an Act authorizing and regulating the exchange of reciprocal or inter-insurance contracts among individuals, partnerships and corporations; empowering corporations to enter into such contracts; regulating process in suits on such contracts; fixing certain taxes and fees and providing penalties for violation of this act.

Was read the first and second time and referred to the

Committee on Judiciary.

THIRD READING OF HOUSE BILLS

Mr. Liederbach moved a call of the Senate, which motion prevailed.

Mr. Hyland moved that Mr. Berg be permanently excused, which motion prevailed and Mr. Berg was excused.

Mr. Wenstrom moved that further proceedings under the call of the Senate be dispensed with, which motion prevailed.

Mr. McNair moved that House Bill No. 100 be amended by striking out the word "no" in line one Section 3241, and inserting the words "or has not" after the word "has," which motion was lost.

Mr. Jacobsen moved that House Bill No. 100 be amended by adding the words, "in so far as they are" after the second word "act" in line one, Section 3 of the bill, which motion prevailed, and the bill was so amended.

House Bill No. 100.

A bill for an Act to amend and re-enact Section 3241 and 3244 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the removal of county seats. 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, 34; nays, 14;

absent and not voting, 1.

Ayes—Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, Hamerly, Hyland,

Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad.

Absent and not voting: Berg.

So the bill passed and the title was agreed to.

Mr. Morkrid moved that the vote by which House Bill No. 100 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses for the state government by providing for a tax on the income of persons, corporations, joint-stock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith.

Have had the same under consideration and recommend

that the same be amended as follows:

On line eight, Section one, page one, of the printed bill, strike out all of line eight after the word, "partnership," and all of lines nine and ten.

On page two. Section one, line nineteen, strike out all after the word "income," and all of lines twenty, twenty-one and

twenty-two.

On page two, Section two, line seven of the printed bill, strike out the words, "residents, corporate or otherwise," and insert in lieu thereof, "any corporation, joint-stock company or association organized or doing business or owning property within the state."

On page four, line thirteen, section three of the printed bill, after the word "profits" insert the following: "From prop-

erty existing or business carried on within the state."

In line thirteen, Section five, page seven of the printed bill, after the word "thereto." insert the following: "or from bonds of the State of North Dakota, or income from loans on North Dakota lands."

In line one of Section Seven, page nine of the printed bill strike out lines one to twelve inclusive, and insert the following: "Section 7 (A) Exemptions in the nature of deductions, from the amount of total net income from all sources shall be allowed as follows:

1. To every person subject to a tax hereunder, \$1,000.00.

To every head of a family, or other person responsible for the support of one or more dependent persons, \$1,000.00 additional.

To every person described in sub-section two hereof,
 \$200 additional for each dependent person more than one.

Provided, that none of the exemptions provided herein shall operate in favor of more than one such person on account of other persons dependent upon him for support; and provided, further that the deduction in any case shall be from

the total net income of all persons or groups of persons in favor of whom the same is allowed.

In line 60, Section 8, page 12, of the printed bill, after the word "state" insert the following: "Where payment of dividends, interest or other increase on profits from property or business within the State are payable without the State, the person, corporation or association responsible for the payment of the same shall withhold and pay to the state the tax thereon, and in case of failure to do so, such business or property within the state shall be liable by forfeiture of the franchises or privileges of such business or by the distraint of such property.

In line 2. Section 9, page 13 of the printed bill strike out the word, "fifteenth," and insert in lieu thereof the word "first."

In line five same section, strike out the word "first," and insert in lieu thereof the word "thirtieth."

In line ten, Section 9, page 14, strike out the word "June,"

and insert in lieu thereof the word, "July."

In line 12, Section 11, page 20, after the word "domestic,"

insert the words "Insurance Company."

In line 63, Section 12, page 24, strike out the word, "not," and in line 64, Section 12, after the word "benefits," insert the following: "Fifth, all income derived from incress from the bonds of the State of North Dakota or from loans on North Dakota lands."

In line 3, Section 14, page 27, after the word "die," strike out the word "fifteenth" and insert in lieu thereof the word "first."

In line 6, Section 14, page 27, after the word "of" strike out the word "June" and insert in lieu thereof the word "July."

After Section 27, insert a new Section No. 28, advancing the following sections in number accordingly, the new section to read as follows: "Section 28. All monies collected under the provisions of this act shall be paid into the general fund of the state to be used in defraying the general expense of the State Government." The following three sections are now numbered, 29, 30, and 31.

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

Courtesies of the floor were extended to Wm. Harmes, Glen Ullin; G. F. Lamb, Michigan; Grant S. Youmans, E. J. Pepke. L. S. Carey, B. L. Bussen, Chas. Roul, Minot; A. H. Batten, Bentley; H. A. Overby, Lake Williams; J. P. Lamb, Michigan; J. W. Noels, Fonda; H. E. More, Fargo; Harold Chorley, Helen d. w. Noeis, Fonda; H. E. More, Fargo; Harold Chorley, Helen Center, Leila Clausen, Lowell Collis, Helen Devine, Florence Gibson. Helen Gray, Eleanor Gress, Antonia Grunenfelder, Alma Hjelmseth, Conrad Kalberer, Raymond Locke, Harold Love, Muriel Mackin, Archibald Olson, Swen Owen, Harold Porter, Myrtle Savage, Reita Seitz, Helen Stabler, Bessie Vosika, Ethel Walker, Ralph Walker, Oliver Whitmer, Clementime Wirtz, civics class of Mandan High School.

Mr. Morkrid moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

motion prevailed, and the Senate adjourned.

SENATE CALENDAR, FEB. 6, 1919. THIRD READING OF SENATE BILLS

Senate Bill No. 120.

A bill for an Act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

Senate Bill No. 86.

A bill for an Act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

Senate Bill No. 27.

A bill for an Act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7 and 8, Laws of North Dakota of 1917.

Senate Bill No. 58.

A bill for an Act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination.

Senate Bill No. 146.

A bill for an Act giving the keeper of rooming and dwelling houses a lien upon the baggage and other property of their roomers and guests for charges due; providing for the enforcement of such lien.

Senate Bill No. 148.

A bill for an Act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to ferries.

Senate Bill No. 36.

A bill for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring Railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Senate Bill No. 113.

A bill for an Act providing for the use of public buildings for public meetings

Senate Bill No. 84.

A bill for an Act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof.

Senate Bill No. 74.

A bill for an Act to license, regulate, and supervise the licensing and inspection of pool and billiard rooms, ball and pin alleys, dance halls, theater, moving picture shows, Public garages, places of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all Acts and parts of Acts inconsistent therewith.

Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the income of persons, corporations, joint-stock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of tax-ation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith.

THIRD READING OF HOUSE BILLS

House Bill No. 30.

A bill for an Act to amend Section 3 of Chapter 216 of the Session Laws of North Dakota for 1917, relating to Soda Fountains.

House Bill No. 87.

A bill for an Act providing for the keeping of repairs within the state for all gas or oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacture thereof.

THIRTY-FIRST DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA. February, 6, 1919.

The Senate convened at 2 o'clock p. m., President pro tem McCarten presiding.

Prayer was offered by the Chaplain Rev. Strutz. Roll Call.

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

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 29th day after recess and 30th day and recommend that the same be corrected as follows: Page 1, line 13, strike out the word "provide" and substitute the word "divide;" page 2, line 38, insert the word "Dakota" after the word "North;" page 4, line 5, correct the spelling of the word "thereof;" page 4, line 8, correct the spelling of the word "runners;" page 4, line 36, correct the spelling of the word "following;" page 6, line 57, correct the spelling of the word "state;" page 11, line 12, correct the spelling of the word "same;" page 11, line 35, correct the spelling of the word "words;" page 12, line 11, strike out the word "car" and substitute the word "cab;" page 13, line 13, correct the spelling of the word "hearing;" page 15, line 51, correct the spelling of the word "and;" page 15, line 55, correct the spelling of the word "registered;"page 19 line 45, correct the initials of "G. F. Lamb;" page 19, line 56, correct the spelling of the word "adjourn."

And when so corrected recommend that the same be ap-

proved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Page, N. D., Feb. 4, 1919.

Senator Chas. Drown, Bismarck, N. D.

We the undersigned petition you to give your support to the pool hall bill, Senate Bill No. 74.

F. E. DAVIS, and 10 others.

New York, January 22, 1919.

To the President of the Senate, Bismarck, N. D.,

Dear Mr. President: The League to Enforce Peace begs you in its behalf to extend an invitation to the Senate of North Dakota to appoint a committee to attend the sessions of the Northern Congress for a League of Nations that will meet in Minneapolis, February 12th and 13th, 1919; registration headquarters, Radisson Hotel.

Attached hereto is a letter setting forth the necessity and purposes of the Congress and signed by members of the General Committee on Invitation. A tentative program of the

Congress is also enclosed.

We respectfully urge, as the justification of the invitation, the great importance both for America and the world of the project for the establishment of a League of Nations that will be considered at the Congress.

Very truly yours,

LEAGUE TO ENFORCE PEACE, WM. H. TAFT ALTON B. PARKER ARTHUR CAPPER J. W. GERARD MYRON T. HERRICK

Committee on Legislative Invitations.

January 20, 1919.

Will you help in this great crisis of history to marshal pub-

lic opinion behind America's real purpose in the war?

Agreements made at the Peace Conference will, for generations to come, vitally affect for good or ill the economic, political and moral wellbeing of mankind. The creation there of a League of Free Nations can alone insure the orderly development of the world and preserve peace. To get such a league President Wilson wisely decided, by personal attendance, to throw his great influence on the side of an unselfish and righteous peace, with a League of Nations to safeguard it perpetually.

The series of nine Congresses for a League of Nations, to one of which you are herewith invited, will give opportunity for those who won the war, both on and behind the fighting line, to speak their wishes. Agreement at Paris and ratification by the Senate may depend on the size and temper of these Congresses and the carrying out in the States of the

plan of action they adopt.

Very truly yours, WM. H. TAFT, and 23 others.

Mr. Cahill moved that a committee of three be appointed by the President as a conference committee to act with a like committee of the House, to consider the communication, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA. February 5, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 45.

A bill for an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners.

Which the House has passed unchanged. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA. February 5, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 23.

A bill for an Act to amend and re-enact Section 7753; Sections 7754 and 7758 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 223 of the Laws of

North Dakota for the year 1915 and as amended by Chapter 109 of the Laws of North Dakota for the year 1917; Section 7762 of the Compiled Laws of North Dakota for the year 1913; and Sections 8085 and 8115 of the Compiled Laws of North Dakota for the year 1913, relating to redemption from sales of real estate under execution and foreclosure and the rate of interest to be charged thereon.

House Bill No. 108.

A bill for an Act to amend and re-enact Section 4847 of the Compiled Laws of North Dakota for the year 1913, relating to abstracts and briefs upon appeal to the Supreme Court, and repealing Acts or parts of Acts in conflict therewith. House Bill No. 109.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, and relating to the investment of school funds.

House Bill No. 118.

A bill for an Act to amend and re-enact Section 1990p of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 168 of the Session Laws for the year 1915, and by Chapter 130 of the Session Laws of 1917, relating to payment of highway taxes and prescribing a penalty for failure of the county officials to comply with the provisions hereof.

House Bill No. 133.

A bill for an Act making the simulation of organization names a crime.

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

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the

following report: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 117.

A bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as amended by Chpater 121 of the Session Laws of 1915, relating to causes for divorce.

Senate Bill No. 74.

A bill for an Act to license, regulate and supervise the licensing and inspection of pool and billiard rooms, ball and pin alleys, dance halls, theaters, moving picture shows, public garages, places of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all Acts and parts of Acts inconsistent therewith.

Senate Bill No. 27.

A bill for an Act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 36.

A bill for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring Railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the income of persons, corporations, jointstock companies or associations in the State of North Dakota: classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said visions of this Act and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 58. A bill for an Act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination.

Senate Bill No. 84.

A bill for an Act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carries and providing penalties for the violation thereof.

Senate Bill No. 113.

A bill for an Act providing for the use of public buildings for public meetings.

Senate Bill No. 120.

A bill for an Act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7 and 8. Laws of North Dakota of 1917.

Senate Bill No. 146.

A bill for an Act giving the keeper of rooming and dwelling houses a lien upon the baggage and other property of their roomers and guests for charges due; providing for the enforcement of such lien.

Senate Bill No. 148.

A bill for an Act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to ferries.

Senate Bill No. 86.

A bill for an Act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

And find the same correctly engrossed.

Mr. Storstad moved that the report be adopted which motion prevailed and the report was adopted.

The committee on Public Health made the following report: Mr. President: Your committee on Public Health to whom

was referred Senate Bill No. 140.

A bill for an Act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering Health Boards to regulate, make rules to regulate and control such disease and providing penalty and repeal.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 1, Section 1, after the word "Gonorhea" of the printed

bill strike out the word "Chancre."

In line 11, Section 3, after the word "persons" strike out the word "Effected" and insert in lieu thereof the word "Infected."

In line 7, Section 4, after the word "for" strike out the word "the" and insert in lieu thereof the word "a."
In line 7, Section 5, after the word "with" strike out the

word "the."

In line 1. Section 7, after the word "all" strike out the word "Laws" and insert in lieu thereof the word "acts."

In line 1, Section 7, after the word "of" strike out the word "laws" and insert in lieu thereof the word "acts."

In line 1, Section 7, after the word "in" insert the words "so far as they."

And when so amended recommend the same do pass.

M. MORTENSON, Chairman.

Mr. Mortenson moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Health made the following report: Mr. President: Your committee on Public Health to whom

was referred Senate Bill No. 34.

A bill for an Act to amend and re-enact Section 453 of the Compiled Laws of North Dakota for the year 1913, relating to the fees of local registrars for vital statistics, and certifying to county auditors a duplicate of the report to the State Registrar of the Board of Health. Also defining the manner of transcribing past records for county records.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

M. MORTENSON, Chairman.

The committee on Railroads made the following report: Mr. President: Your committee on Railroads to whom was

referred Senate Bill No. 85.

A bill for an Act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof.

Have had the same under consideration and recommend

that the same be amended as follows:

In the last line of Section 3 strike out the word "or" and insert a comma in lieu thereof; after the word "porter" add the words "or electrician."

In line 11 of Section 4 after the word "train" insert the words "when the required number of men are not available."

And when so amended recommend the same do pass. THORWALD MOSTAD, Chairman.

Mr. Mostad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Corporations other than Municipal made

the following report:

Mr. President: Your committee on Corporations other than

Municipal to whom was referred Senate Bill No. 127.

A bill for an Act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

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

O. H. OLSON, Chairman.

Mr. Olson moved that the report be adopted, which motion prevailed and the report 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. 147.

A bill for an Act to provide for the disposition of any building ordered condemned or repaired by the Fire Mashal. Chief Assistant or Deputies.

Have had the same under consideration and recommend

that the same be amended as follows:
In line 1 of Section 4 of the printed bill strike out the word "in" and insert in lieu thereof the words "insofar as they may."

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 99.

A bill for an Act to amend and re-enact Section 225 of the Compiled Laws of North Dakota for 1913 relating to duties of the State Examiner.

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

J. I. CAHILL, Chairman.

The committee on Agriculture made the following report: Mr. President: Your committee on Agriculture to whom

was referred Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this

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

At the end of Section 2 add the following:

There shall accompany all such samples a statement prepared by the buyer or the prospective buyer giving the name and address of the owner of the milk or cream in question, the net weight of such milk or cream, the percentage and amount of butterfat contained therein, the price per pound for butterfat, and the amount of money paid or offered in

payment for same. Such statement shall bear the signatures of the owner and the buyer or prospective buyer to indicate that the sample so forwarded is representative of the entire amount of milk or cream in question. The State Dairy Commissioner, his deputy, or agent shall officially determine the percentage of butterfat contained in such sample according to the provisions of Section 2853 of the Compiled Laws of 1913, and shall make a report thereon in triplicate, the original to be filed in his office, one copy to be sent to the owner, and one to the buyer or prospective buyer of the milk or cream. The percentage of butterfat so determined and reported shall constitute the "official butterfat test" of the milk or cream, and shall be the basis on which final settlement shall be made for the milk or cream in question.

SECTION 3.—DISAGREEMENT, PROCEDURE AND SET-Whenever it shall be impossible to secure and mutually agree upon a sample of milk or cream as provided in Section 2 of this Act, by reason of its having been mixed with other milk or cream or any other substance which might alter its percentage of butterfat content, or when for any reason the original quantity of milk or cream is not available for sampling, then the party selling or offering for sale such milk or cream may within 24 hours of the time of delivery require that the buyer or prospective buyer shall forward to the office of the State Dairy Commissioner the sample taken in compliance with Section 1 of this Act. There shall accompany each sample so forwarded a statement from the buyer or prospective buyer, in the form of an affidavit that such sample was taken in compliance with all provisions of Section 1. This statement shall also give all information as specified in Section 2, except that such statement need not bear the signature of the previous owner of the cream. Each sample so forwarded to and received at the office of the State Dairy Commissioner shall be tested and reported on as prescribed in Section 2, and the percentage of butterfat so determined and reported shall constitute the "official butterfat test" and shall be the basis on which final settlement shall

be made for the entire amount of milk or cream in question.
SECTION 4.—COMPLAINTS, HOW MADE AND ACTION
TAKEN RELATIVE TO. The Dairy Commissioner upon receipt of a complaint from any buyer of milk or cream, as described in Section 1, regarding methods, weights, measures, scales, or any apparatus used by any other buyer in determining the percentage and amount of butterfat present in any quantity of milk or cream may require that any sample or samples taken in compliance with Section 1 together with the record corresponding to such sample or samples shall be forwarded to his office for official test, provided, however, that the Dairy Commissioner shall give notice to that effect within 24 hours of the time when such sample or samples in ques-

tion are taken.

SECTION 5.—DEFECTIVE APPARATUS AND UNREA-SONABLE VARIATION IN TESTS. Any weights, measures, scales or any apparatus whatever used in determining the amount of butterfat in a quantity of milk or cream which shall be found defective or inaccurate in the enforcement of this act may be ordered repaired or the use thereof discontinued. Any unreasonable variation between the official test made by the Dairy Commissioner, his deputy or his agent and any tests made by any licensed milk or cream tester

in the state may be cause for the revocation of or refusal to reissue a lincense to any milk or cream buyer in the State.

SECTION 6.-ENFORCEMENT. The provisions of this Act shall be enforced by the State Dairy Commissioner and he shall have authority to make such rules and regulations. not in conflict herewith, as he shall find necessary to carry into effect all the provisions of this Act. Violations of or refusal to comply with this act, any part thereof, or any legal rules or regulations prescribed by the Dairy Commissioner in enforcing this Act shall be cause for the revocation of the license of any cream buyer or cream tester in this state.

SECTION 7.—APPROPRIATION. There is hereby appro-

priated out of the general fund of the state not otherwise appropriated the amount of \$2,000 annually to be expended under the direction of the State Dairy Commissioner for the salary of competent assistants, postage, printing, supplies or material necessary in carrying into effect all provisions of

this act.

And when so amended recommend the same do pass.

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted and the bill be re-referred to Committee on Appropriations, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom
was referred Senate Bill No. 112.

A bill for an Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Have had the same under consideration and recommend that

the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Cities and Municipal Corporations made

the following report:

Your committee on Cities and Municipal Mr. President: Corporations to whom was referred Senate Bill No. 111.

A bill for an Act to amend Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of Cities, Towns or Villages.

Have had the same under consideration and recommend

that the same do pass.

E. A. BOWMAN, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was

referred House Bill No. 89.

A bill for an Act to amend and re-enact Section 7378 of the Compiled Laws of the State of North Dakota for the year 1913.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 2.

A bill for an Act providing for hearing petitions for letters

of administration and probating of wills. Have had the same under consideration and recommend that the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was

referred Senate Bill No. 198.

A bill for an Act legalizing certain Acts of city, village and school district officials.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 171.

A bill for an Act to provide for the punishment of any person who shall take undecent and improper liberties with the person of a child under the age of sixteen years.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 178.

A bill for an act to regulate the using of gas engines. Have had the same under consideration and recommend that the same be indefinitely postponed.

R. L. FRASER, Chairman.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 4.

A bill for an act providing for the service in a uniform manner and publication for a uniform number of times of all notices, citations, process and orders, when the same are required by the probate code to be served or published, and to amend Sections 8557, 8734, 8770, 8772, 8774 and 8834, Compiled Laws of 1913.

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

R. L. FRASER, Chairman.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 3.

A bill for an act to amend and re-enact Section 8659 of the Compiled Laws of North Dakota for the year 1913 relating to petition for letters of administration prescribing the contents and providing for hearing thereon.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. L. Fraser, Chairman.

Mr. Fraser moved the report of the committee indefinitely postponing House Bill No. 82 be adopted, which motion prevailed, and the report was adopted, and the bill indefinitely postponed.

Mr. Wenstrom moved that House Bill No. 30 be re-referred to the committee on Ways and Means, which motion prevailed and the bill was so re-referred.

Mr. Bowman asked the unanimous consent of the Senate to withdraw Senate Bill No. 192, and the bill was withdrawn.

Mr. Ployhar moved that the chairmen of the various committees when making reports on bills, be required to insert the title of the bill in the committee report, which motion prevailed.

Mr. Bowman moved that Senate Bill No. 152 be re-referred to the committee on Temperance, which motion prevailed, and

the bill was so re-referred.

Mr. Sikes moved that the Senate do now concur in House Concurrent Resolution relating to six months pay for soldiers, which motion prevailed, and the Senate concurred in the resolution.

Mr. Pendray moved that the Senate do now concur in House Amendment to Senate Bill No. 25, which motion prevailed, and the Senate concurred in the amendment.

Mr. Hagan asked the unanimous consent of the Senate to withdraw Senate Bill No. 197, and the bill was withdrawn.

MESSAGE FROM THE HOUSE

House Chamber

Bismarck, N. D., Feb. 6, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 55.

A bill for an act to regulate the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mining Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix its powers and compensation; to provide the method of appointment thereto; to provide for the registry, examination and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor,

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

PETITIONS AND COMMUNICATIONS

RESOLUTION

Passed by the School Board of Petersburg School District, Nelson County, North Dakota, at a Special meeting held Tuesday, February 4, 1919, all members of said board being present and voting in favor of said resolution as follows, to-wit:

RESOLVED, that we, the members of the School Board of

the Petersburg School District, Nelson County, North Dakota, urgently recommend the passage of House Bill No. 119, for an act to amend and re-enact Section 1190, Compiled Laws of 1913, as amended and re-enacted by Chapter 127, Session Laws of 1915, with the following provision incorporated therein, namely, that the school board be permitted to pay more than a maximum of One Dollar per day per family if it so desires, and

BE IT FURTHER RESOLVED, that an Emergency Clause be attached to said bill for the reason that an immediate and present emergency exists in this district at the present time; and which the immediate passage of said bill will relieve, and

BE IT ALSO FURTHER RESOLVED THAT A COPY OF THESE RESOLUTIONS be forwarded to each member of the Representatives in the present Legislature from Nelson County with the request that they work and vote for the passage of said bill; and that, if possible, they cause these resolutions to be published in the Journals of the House and Senate.

WALTER O. PICKARD, President.

Mr. Morkrid moved the communication be printed in the

journal, which motion prevailed.

At a well attended meeting of the Dickinson Loyalty League held in the Commercial Club rooms at Dickinson on Monday, February 3, 1919, the following resolution was unanimously

adopted:

Whereas, there has been introduced in the Sixteenth Legislative Assembly of the state of North Dakota a bill for an act appropriating and paying to each North Dakota resident soldier who served his country in any of the branches of the army, navy or aero service of the United States Government during the European war, whether at home or abroad, the sum of twenty-five dollars per month for each month such soldier was engaged, and

Whereas, such action on the part of the North Dakota Legislative Assembly meets with the hearty approval and commendation of the Dickinson Loyalty League, and will meet with the unanimous approval of every citizen in the state of

North Dakota,

Therefore, be it resolved by the Dickinson Loyalty League that the Legislative Assembly of the state of North Dakota be congratulated and commended for its patriotic act, thus placing North Dakota at the top of the column of all the states to do something in a substantial and material way to compensate its loyal sons for their patriotic efforts in the great war for freedom and democracy.

Be it further resolved that a copy of these resolutions be forwarded to the president of the Senate and Speaker of the House of Representatives of the Legislative Assembly of the State of North Dakota, and to the sentator and representa-

tives from Stark county.

Respectfully submitted,

J. F. BRODIE,

Chairman of Committee.

Mr. McBride moved that the communication be printed in the journal, which motion prevailed.

THIRD READING OF SENATE BILLS

Senate Bill No. 25.

A bill for an act prohibiting the sale of sleds within the

State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

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, 39; nays, 6;

absent and not voting, 4.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Zieman.

Nays-Hyland, Jacobsen, McBride, Porter, Welford, Whit-

man.

Absent and not voting: Berg, Church, Haggart, Morkrid.

So the bill passed and the title was agreed to.

Mr. Whitman explained his vote. For the reason I do not believe it gives the dealer sufficient time in which to dispose of his stock on hand, I vote no.

Senate Bill No. 120.

A bill for an act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

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, 3.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobson, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Haggart, King. So the bill passed and the title was agreed to.

Mr. Liederbach moved that further action on Senate Bill No. 86 be deferred to February 7—and made a special order of business for 2:30 p. m., which motion prevailed.

Senate Bill No. 27.

A bill for an act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not

voting, 8.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Nelson, Oksendahl, Olson, Porter, Sikes, Stenme, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Berg, Jacobsen, Mees, Morkrid, Noltimier, Pendray, Ployhar, Zieman.

So the bill passed and the title was agreed to.

Mr. Ettestad moved that the vote by which Senate Bill No. 27 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 27, the roll was called and there were ayes, 41; nays, 0;

absent and not voting, 8

Ayes-Beck, Benson, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Nelson, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Berg, Bowman, Jacobsen. Mees, Morkrid, Noltimier, Pendray, Zieman.

So the Emergency Clause passed.

Mr. Ettestad 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. King moved that Senate Bill No. 141 be re-referred to the committee on State Affairs, which motion prevailed and

the bill was so re-referred.

Mr. Jacobsen moved that the title to Senate Bill No. 58 be amended by striking out the words "as follows" and inserting in lieu thereof the words "relating to the practice of dentistry," which motion prevailed, and the bill was amended.

Mr. Jacobsen moved that Senate Bill No. 58 be amended by

inserting the following after the enacting clause:
"SECTION 1. AMENDMENT. That Section 510 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted so as to read as follows," which motion prevailed and the bill was amended.

Senate Bill No. 58.

A bill for an act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination.

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, 45; nays, 0; ab-

sent and not voting, 4.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mor-tenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Stor-stad, Ward, Weber, Wenstrom, Whitman, Zieman

Absent and not voting: Berg, Haggart, Noltimier, Welford. So the bill passed and the title was agreed to.

Mr. Jacobsen moved that the vote by which Senate Bill No. 58 passed, be reconsidered, which motion prevailed, and the

vote was re-considered.

Mr. Jacobsen moved that the title to Senate Bill No. 58 be amended by striking out the words "as follows" and inserting in lieu thereof the words "as amended by Chapter 119 of the laws of North Dakota for the year 1915 relating to the practice of dentistry," which motion prevailed, and the title to the bill was amended.

Mr. Jacobsen moved that Senate Bill No. 58 be amended by

inserting after the enacting clause, "SECTION 1. AMEND-MENT. That Section 510 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 119 of the Laws of North Dakota for the year 1915 is hereby amended and reenacted so as to read as follows," which motion prevailed, and the bill was so amended.

Senate Bill No. 58.

A bill for an act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examina-

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, 39; nays, 0;

Ayes—Beck, Benson, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Liederbach, McBride, McCarten, Mees, Mortenson, Miklethun, Mur-phy, Oksendahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman Absent and not voting: Berg, Cahill, Haggart, Levang, Mc-Nair, Mostad, Morkrid, Nelson, Noltimier, Olson.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill No. 58 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 146.

A bill for an act giving the keeper of rooming and dwelling houses a lien upon the baggage and other property of their roomers and guests for charges due; providing for the enforcement of such lien.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not

voting, 10

Ayes-Beck, Benson, Bowman, Carey, Church, Fleckten, Fraser, Gibbens, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Morkrid, Miklethun, Murphy, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Ettestad, Hagan, Hag-

gart, McNair, Mostad, Nelson, Noltimier, Ployhar.

So the bill passed and the title was agreed to.

Mr. Jacobsen moved that Senate Bill No. 148 be amended by adding after the word "amendment" in Section 1, line 1, the

following:

"Section 2062 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted so as to read as follows," which motion prevailed and the bill was

amended.

Mr. McBride moved that Senate Bill No. 148 be amended by striking out the comma at the end of the last line in Section 1, and adding: "Provided, further, that the County Commissioners may upon a verified complaint, after hearing, on ten days' notice, to the licensee, for good cause shown, cancel any license granted hereunder, which motion prevailed and the bill was so amended.

Senate Bill No. 148.

A bill for an act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to ferries.

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, 5.

Ayes—Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Beck, Berg, Haggart, Noltimier,

Wenstrom.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 148 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill

No. 148, the roll was called and there were ayes, 42; nays, 0;

absent and not voting, 7.

Ayes-Beck, Benson, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Cahill, Haggart, Mostad, Nelson, Noltimier, Welford.

So the Emergency Clause passed.

Mr. Morkrid 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 Senate Bill No. 36 be re-referred to the committee on Railroads, which motion prevailed, and

the bill was so re-referred.

Mr. Pendray moved that Senate Bill No. 113 be amended by striking out the word "non-religious" in line 8, Section 1, of the engrossed bill, which motion prevailed, and the bill was so amended.

Senate Bill No. 113.

A bill for an act providing for the use of public buildings for public meetings.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 29; nays,

15; absent and not voting, 5.

Bowman, Cahill, Church, Ettestad, Ayes—Benson, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Olson, Pendray, Sikes, Stenmo, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Carey, Drown, Hyland, Jacobsen, Kendall, Mc-Bride, McCarten, Murphy, Nelson, Ployhar, Porter, Storstad, Ward, Whitman.

Absent and not voting: Berg, Gibbens, Haggart, Noltimier, Oksendahl.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 113 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 84.

A bill for an act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 41; nays,

4; absent and not voting, 4.

Ayes-Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman

Nays-Beck, Carey, Kendall, Porter.

Absent and not voting: Berg, Gibbens, Haggart, Noltimier.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 84 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Whitman moved that Senate Bill No. 74 be indefinitely

postponed, which motion was duly seconded.

Mr. Hyland moved as an amendment that Senate Bill No. 74 be re-referred to the committee which had it under consideration, which motion was lost

The question being on the motion to indefinitely postpone.

the motion was lost.

Mr. Murphy moved that the bill be amended by striking out the period and inserting a comma at the end of the last line in Section 1, of the engrossed bill, and insert the following: "Provided this shall not apply to lodge rooms of any fraternal society," which motion was lost.

Senate Bill No. 74.

A bill for an act to license, regulate, and supervise the licensing and inspection of pool and billiard rooms, ball and pinn alleys, dance halls, theatres, moving picture shows, public garages, places of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all acts and parts of acts inconsistent therewith.

.Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 8; absent and not

voting, 3.

Ayes-Benson, Bowman, Cahill, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Oksendahl, Olson, Pendray, Ployhar, Sikes, Storstad, Ward, Weber, Welford, Wenstrom. Nays—Beck, Carey, Ettestad, Murphy, Porter, Stenmo, Whit-

man, Zieman.

Absent and not voting: Berg, Haggart, Noltimier.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 74 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Murphy explained his vote and asked that it be printed in the journal. "For the reason I am satisfied this bill does

not exempt fraternal lodge rooms, I vote no."

The question being on the Emergency Clause to Senate Bill No. 74, the roll was called and there were ayes, 30: nays, 15;

absent and not voting, 4.

Ayes-Benson, Bowman, Cahill, Church, Drown, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Storstad, Ward, Welford, Wenstrom.

Nays-Beck, Carey, Ettestad, Gibbens, Hyland, Kendall, Mees, Murphy, Nelson, Ployhar, Porter, Stenmo, Weber, Whit-

man, Zieman.

Absent and not voting: Berg, Haggart, Jacobsen.

So the Emergency Clause passed.

Mr. Wenstrom 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. Hyland moved that the Senate do now adjourn, which

motion was lost.

Mr. Stenmo moved that the Senate do now take a recess to 1:30 p. m. tomorrow, which motion was lost.

Senate Bill No. 37 was read for the third time.

Courtesies of the floor were extended to G. E. Anderson, Sharon; Theodore Stahr, J. M. Smith, Martin; A. Solberg, York; Rev. J. W. Cabbage, E. W. Steiner, Hazelton; N. Gunderson, J. E. Bryans, Dr. E. S. Fitzmaurice, Mohall.

Mr. Ployhar moved that the Senate do now take a recess to 1:30 February 7, 1919, which motion prevailed, and the

Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEBRUARY 7, 1919

Third reading of Senate Bills.

Special order 2:30 p. m.

Senate Bill No. 86.

A bill for an act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Section 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

Senate Bill No. 140

A bill for an act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering health boards to regulate, make rules to regulate and control such disease and providing penalty and repeal.

Senate Bill No. 85.

A bill for an act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof. Senate Bill No. 127.

A bill for an act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

Senate Bill No. 147.

A bill for an act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshal, Chief Assistant or Deputies.

Senate Bill No. 139.

A bill for an act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this Act.

Senate Bill No. 112.

A bill for an act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Senate Bill No. 111.

A bill for an act to amend Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of cities, towns or villages.

Senate Bill No. 2.

A bill for an act providing for hearing petitions for letters of administration and probating of wills.

Senate Bill No. 198.

A bill for an act legalizing certain acts of city, village and school district officials.

Senate Bill No. 171.

A bill for an act to provide for the punishment of any person who shall take undecent and improper liberties with the person of a child under the age of sixteen years.

THIRD READING OF HOUSE BILLS

House Bill No. 87.

A bill for an act providing for the keeping of repairs within the state for all gas or oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacture thereof.

House Bill No. 89.

A bill for an act to amend and re-enact Section 7378 of the Compiled Laws of the State of North Dakota for the year 1913.

THIRTY-FIRST DAY AFTER RECESS AND THIRTY-SECOND DAY

SENATE CHAMBER. BISMARCK, NORTH DAKOTA. February 7, 1919.

The Senate convened at 1:30 o'clock p. m., pursuant to recess taken, President pro tem McCarten presiding.

THIRD READING OF SENATE BILLS

Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the income of persons, corporations, jointstock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said tax, prescribing penalties for non-conformance with the provisions of this Act and repealing all Acts and parts of Acts in conflict herewith.

The question being on the final passage of the bill, the roll call was called and there were ayes, 37; nays, 9; absent and not

Ayes-Benson, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nol-timier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman, Nays—Beck, Carey, Haggart, Hyland, Murphy, Nelson, Ploy-

har, Porter, Whitman.

Absent and not voting: Berg, Drown, Gibbens. So the bill passed and the title was agreed to.

Mr. Levang moved that the vote by which Senate Bill No. 37 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 37, the roll was called and there were ayes, 35; nays, 10;

absent and not voting, 4.

Ayes—Benson, Bowman, Cahill, Church. Ettestad. Fleckten, Fraser. Hagan, Hamerly, Hemmingsen, Hunt. Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray. Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Haggart, Hyland, McBride, Murphy, Nelson, Ployhar, Porter, Whitman.

Absent and not voting: Berg, Drown, Gibbens, Jacobsen.

So the Emergency Clause passed.

Mr. Fleckten 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 do now adjourn, which

motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

THIRTY-SECOND DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 7, 1919.

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

Prayer was offered by the Chaplain, Rev. Strutz.

Roll Call.

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

REPORTS OF STANDING COMMITTEES

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 31st day and recommend that the same be approved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 25.

A bill for an Act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Senate Bill No. 45.

A bill for an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 58.

A bill for an Act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination. Senate Bill No. 113.

A bill for an Act providing for the use of public buildings for public meetings.

Senate Bill No. 148.

A bill an Act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to ferries.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 2.

A bill for an Act providing for hearing petitions for letters of administration and probating of wills.

Senate Bill No. 85. A bill for an Act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof.

Senate Bill No. 111.

A bill for an Act to amend Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of Cities, Towns or Villages.

Senate Bill No. 112.

A b'll for an Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such porposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Senate Bill No. 127.

A bill for an Act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

Senate Bill No. 140.

A bill for an Act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering health boards to regulate, make rules to regulate and control such disease and providing penalty and repeal.

Senate Bill No. 147.

A bill for an Act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshal, Chief Assistant or Deputies.

Senate Bill No. 198.

A bill for an Act legalizing certain Acts of city, village and school district officials.

Senate Bill No. 171.

A bill for an Act to provide for the punishment of any person who shall take undecent and improper liberties with the person of a child under the age of sixteen years.

And find the same correctly engrossed.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 213.

A bill for an Act to provide punishment for wife desertion in certain cases.

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

R. L. FRASER, Chairman.

The committee on Agriculture made the following report: Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

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

In Section 1, in line 18 of the printed bill, after the words, "ice cream" insert the words "per day."

At the end of Section 1, insert the following:

For the purpose of preventing the use of said cans, casks, kegs, barrels or other receptacles by other than the owner, or for any purpose other than that herein provided, and to insure the wholesomeness and high quality of said products and the sanitary condition of the receptacles in which the same are transported, it shall be the duty of the State Dairy Commissioner to enforce the provisions of this act. SECTION 2.—ACTS CONFLICTING. All Acts and parts

of Acts in conflict with this Act are hereby repealed.

SECTION 3.—Emergency. Whereas it is necessary for the preservation of the public peace, health and safety, that this Act take effect and be in force immediately after its passage by reason of the necessity of properly and duly enforcing the laws on the statute books concerning dairy products and for the due administration of the duties of the Dairy Commissioner, therefore, this Act shall take effect and be in force immediately after its passage and approval by the Governor.

And when so amended recommend the same do pass.

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Railroads made the following report:

Mr. President: Your committee on Railroads to whom was

referred House Bill No. 48.

A bill for an Act relating to freight rates in North Dakota; the transportation of freight within the State; the classification of freight for the purpose of such transportation and the application of rates thereon; fixing the maximum rates and charges for the transportation of freight intra-state; providing penalties and punishments for the violation of the provisions thereof and defining certain duties and powers of the board of railroad commissioners.

Have had the same under consideration and recommend

that the same do pass.

THORWALD MOSTAD, Chairman.

Mr. Mostad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Railroads made the following report:

Mr. President: Your committee on Railroads to whom was referred Senate Bill No. 36.

A b'll for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring Railroads to build and maintain fences cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Have had the same under consideration and recommend that

the same be amended as follows:

In line one of Section 1 of the printed bill after the words "Section 1" insert the following: "Amendment. Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, is hereby amended and re-enacted to read as follows: Section 4646."

And when so amended recommend the same do pass.

THORWALD MOSTAD, Chairman.

Mr. Mostad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was

referred Senate Bill No. 142.

For an Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 22 change "one" to "one and one-half." In line 24, change "elected" to "selected."

At end of printed bill add the follows: "Provided, that transportation may be furnished either by public conveyances or by allowing to each family as compensation a sum of not less than fifty cents nor more than one dollar per school day of attendance, such compensation to be equitably based upon the distance traveled and the number of children transported. Providing, further, that the sum total of expenses to a district for transportation shall not be greater where the family system of payment is used than would be the case under a system of public conveyances."

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom

was referred Senate No. 72.

A bill for an Act appropriating money for the use of the office of the Secretary of State. Motor Vehicle Registration Department, between the following dates, to-wit: January 1st, 1919 and June 30th, 1919, both dates inclusive.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

Mr. Fraser moved that the report of the committee indefi-nitely postponing Senate Bill No. 178, be adopted, which motion prevailed, and the report was adopted.

Mr. Cahill moved that the report of the committee inde-nitely postponing Senate Bill No. 99, be adopted, which mo-

tion prevailed and the report was adopted.

Mr. Fraser moved that the report of the committe indefinitely postponing Senate Bill No. 4, be adopted, which motion prevailed and the report was adopted.

Mr. Mortenson moved that the report of the Committee infinitely postponing Senate Bill No. 34, be adopted, which mo-

Mr. Fraser moved that the report was adopted.

Mr. Fraser moved that the report of the committee indefinitely postponing Senate Bill No. 3, be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred Senate Bill No. 97.

A bill for an act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all acts and parts of acts in conflict herewith.

Have had the same under consideration and recommend

that the same be amended as follows:

Strike out everything after Section 1 and amend as follows:

SECTION 1.—DEFINITION OF TERMS. The term "motor vehicle," as used in this article, except where otherwise expressly provided, shall include all vehicles propelled by any other than muscular power, except traction engines, road rollers, fire wagons and engine, police patrol wagons, ambu-

lances and such vehicles as run only upon rails or tracks.

The term "local authorities" shall include all officials of

counties, cities, towns, or villages.

The term "State" as used in this article, except where otherwise provided, shall include the territories and federal districts of the United States.

The term "owner" shall also include any person, firm, association or corporation owning or renting a motor vehicle or having the exclusive use thereof, under lease or other-

The term "public highway" shall include any highway, town road, county road, state road, public street, avenue, alley, park parkway or public place in any county, city, town or village, except any speedway which may have been or may be expressly set apart by law for the exclusive use of horses and light county.

and light carriages.

SECTION 2.—APPLICATION FOR REGISTRATION. Every owner of a motor vehicle which shall be operated or driven upon the public highways of this state, for each motor vehicle owned, except as herein otherwise provided, shall cause to be filed, by mail or otherwise, in the office of the County Clerk of Court, a verified application for registra-tion on a blank to be furnished by the County Clerk of Court for that purpose, containing:

- A. A brief description of the motor vehicle to be registered, including the name of the manufacturer, the factory number and model, if such number and model there be, together with list price of same.
- B. The name, residence and business address of the owner of such vehicle and the name of the county in which he resides.
- C. Purchasers of new cars shall be permitted to operate the vehicles on the highways of the state for a period not to exceed fifteen 15 days by exhibiting an affidavit signed by a Banker or Postmaster to the effect that a proper application for proper tags had been mailed to the County Clerk of Court with the fee.

SECTION 3.—DEALERS' NUMBERS—DUPLICATES—FEES. Every person, firm, association or corporation manufacturing or dealing in motor vehicles may, instead of registering each motor vehicle so manufactured or dealt in, made a verified application upon a blank to be furnished by the County Clerk of Court for a general distinctive number for all the motor vehicles of one make owned or controlled by such manufacturer or dealer, such application to contain:

- (a) A brief description of each make of motor vehicle manufactured or dealt in by such manufacturer or dealer.
- (b) The name and address of such manufacturer or dealer. On the payment of a registration fee of fifteen (\$15.00) dollars, a certificate of registration in such form as the Motor Vehicle Registration Department shall prescribe, and two number plates with a number corresponding to the number of such certificate of registration shall be issued to the applicant by the Motor Vehicle Department. Provided, that such certificate of registration shall state the make of car for which it is issued and the date when the application was received by the department, and shall be displayed in the manufacturer's or dealer's place of business. The Motor Vehicle Department shall issue to such dealer or demonstrator a duplicate set of "Dealers License Tags" and upon application such additional sets may be issued upon the payment to the County Clerk of Court of the sum of fifty cents, such tags to be displayed on the front and rear of such motor vehicle, and under no circumstances shall a motor vehicle be operated without displaying proper registration tags.
- (c) A separate dealers license shall be necessary for each separate place of business. Individuals or corporations conducting business in more than one place or city shall be required to have a license covering such place of business.
- (d) All dealers and owners of cars are specifically prohibited from permitting the use of duplicate tags or owner's tags on cars that have not been registered with the County Clerk of Court and dealers who permit the use of their duplicate tags on cars not owned and demonstrated by them shall forfeit their license for the current year.
- (e) Dealers and other purchasing motor vehicles which have already been registered shall have the same registered in their name. The license tag originally issued remaining in each and every instance with the vehicle for the calendar year. Further, when the dealer or other purchaser transfers the vehicle to another purchaser the new purchaser shall register the vehicle in his name. The intent of this law

being that a complete record of the ownership of the car shall be maintained at the Motor Vehicle Registration Department office.

- (f) The use of the dealer's tags on cars purchased for the use of dealers families or relatives is strictly prohibited. Also the use of dealer's tags on cars used for livery purposes or for hire or for any other than demonstration or sale is strictly prohibited.
- (g) Any person transferring the ownership of any motor vehicle registered in the state of North Dakota without having such transfer of title recorded in the office of the Clerk of Court shall be deemed guilty of a misdemeanor.

SECTION 4.—CHANGE OF OWNERSHIP. Upon the sale of a motor vehicle registered in accordance with this section, the vendor shall within ten days after the date of sale, notify the Clerk of County Court of the same upon a blank furnished him for that purpose, stating the name and business address of the previous owner, if known, the number under which such vehicle is registered and the name, residence and business address of such vendee. Upon filing, such statement such vendor shall pay to the County Clerk of Court a fee of one dollar, and upon receipt of such statement and fee the State Highway Commission shall file such statement in his office and also in the registration book of index such change of ownership.

SECTION 5.—APPLICATION—WHAT TO CONTAIN. Every owner of a motor vehicle which shall be operated or driven upon the public highways of this state shall accept as herein otherwise expressly provided, cause to be filed in the office of the Clerk of Court of his county a verified application of registration on a blank to be furnished by the Motor Vehicle Registration Department through the Clerk of Court for that purpose, containing: (a) a brief description of the motor vehicle to be registered, including the name of the manufacturer, model, factory number of such vehicle, also engine number and the year of manufacture and the number of cylinders, also the list price f. o. b. factory when purchased. (b) The name and postoffice address with street number, if in a city, including name of county where the owner resides of such motor vehicle.

SECTION 6.—APPLICATION—FILED AND INDEXED. Upon receipt of an application for registration of motor vehicle, as provided in this act, the Clerk of Court shall record such application in his office and forward the same to the motor vehicle registration department who shall file such application in their office and register such motor vehicle with the name, postoffice address and county, with the facts stated in such application in a card index to be kept for the purpose under distinctive number assigned to such motor vehicle by the Motor Vehicle Registration Department, which index shall be open to public inspection during reasonable business hours.

SECTION 7.—ANNUAL REGISTRATION FEES. The license fee for the registration or the re-registration of motor vehicles shall not be less than \$6.00 per annum in any instance. Fees for all motor vehicles shall be based upon the MANUFACTURERS LIST PRICE as follows: For the first year two per cent of the list price shall be taken as the

amount of fees to be charged; for the second year a reduction of ten per cent from the fee of the first year shall be charged. For the third year, a reduction of twenty per cent from the fee of the first year shall be charged. For the fourth year, a reduction of thirty per cent from the fee of the first year shall be charged and after the fourth year the fee shall remain the same but in no instance shall it be less than \$6.00. The annual fee for the registration of a motorcycle or a motor bicycle in accordance with the provisions of this act shall be \$3.00 each calendar year.

SECTION 8.—IN LIEU OF OTHER TAXES. The registration fees imposed by this act upon motor vehicles including motorcycles and motor bicycles shall be in lieu of all taxes, general or local, to which motor vehicles may be subject.

SECTION 9.—TAGS DELIVERED ON PAYMENT OF LICENSE FEE. The Motor Vehicle Registration Department shall furnish to every person whose motor vehicle shall be registered as aforesaid under original registration. One number plate for motorcycles and two number plates for automobiles, the same to have displayed upon them their registration number assigned to such vehicle, together with the abbreviation No. Dak., and to have space provided thereon, to which may be attached each year, the registration seal to be furnished by the department as hereinafter provided. Said department shall furnish with each number plate, and on each annual renewal of registration, a registration seal together with screws, rivets, or other means of attachment of number plate, the form and character of which seal shall be uniform during one calendar year such seal to be changed by the department as to design or color or both from year to year. Said seal shall bear identical number shown on the number plate to which it is issued and it shall be valid only for such year. Provided, that the provisions of this section shall not become effective until January first, 1920.

SECTION 10.—COMMERCIAL TRAILERS. For every registration number plate furnished for commercial trailers an extra fee of \$3.00 will be charged.

SECTION 11.—CHAUFFEURS LICENSE. For the original license of every chauffeur a fee of \$3.00 and for each annual renewal thereof a fee of \$2.00 will be charged. The Motor Vehicle Department will furnish a badge for such chauffeur upon payment of fee.

SECTION 12.—DUPLICATE TAGS. In the event of the loss, mutilation or destruction of the tag, the owner of a registered motor vehicle may obtain upon an affidavit showing the facts filed with the Clerk of Court together with the payment of a fee of fifty cents for each tag, secure duplicates from the Motor Vehicle Registration Department.

SECTION 13.—REGISTRATION TAGS TO BE DIS-PLAYED ON VEHICLES IN USE. No person shall operate or drive a motor vehicle on the public highways or within the limits of any city, town or village of this state, unless such vehicle shall have been registered in accordance with this article, and shall have the tags of registration assigned to it by the Motor Vehicle Registration Department conspicuously displayed, one on the front and one on the rear of such motor vehicle, securely fastened, except as provided for in sub-division two on page two of this act. No person shall display on such vehicle at the same time any number assigned to it under any other motor vehicle law or ordinance.

SECTION 14.—SIZE AND FORM OF REGISTRATION TAG. Such certificate (tags) of registration shall be made of the size and form as may be prescribed by the State High-

way Commission.

SECTION 15.—DISPOSITION OF LICENSE MONEY. The County Clerk of Court shall pay into the County Treasury each and every day all moneys received by him under this act which has been paid by owners of motor vehicles in any county, and shall file with the county treasurer, the county auditor and the State Highway Commission verified states where of the amounts and sources thereof and the amounts. ments of the amounts and sources thereof and the amount to which the county is entitled under the provisions of this act. On the fifteenth day of each calendar month the county treasurer shall place to the account of a special road maintenance fund as hereinafter provided, one-third of the moneys received by him from the Clerk of Court under the moneys received by him from the Clerk of Court under the provisions of this act and shall credit the remaining two-thirds of the account to the State Highway Fund and report the same to the State Treasurer and State Highway Commission; provided, however, that there shall be deducted from all moneys received from the sale of motor vehicle licenses and tags, a sufficient amount of money not exceeding fifty thousand dollars per annum, which money shall be used by the Motor Vehicle Registration Department with the approval of the Governor and the State Board of Auditors for the defraying of the cost of maintaining the Registration Department; i. e., the cost of tags, clerk hire, printing, postage, express and other items of expense. press and other items of expense.

The State Highway Fund provided for this act shall be expended under the direction of the State Highway Commission as provided for by law.

SECTION 16 .- CLAIMS FOR MONEY EXPENDED ON HIGHWAYS. All claims for money expended on county highways under the provisions of this act shall be paid by the ways under the provisions of this act shall be paid by the county treasurer upon presentation of properly prepared vouchers approved by the county superintendent of highways, if there be one, and the board of county commissioners. All claims for moneys expended by the State Highway Commission under the provisions of this article shall be paid by warrant of the State Auditor upon the presentation of properly prepared vouchers approved by the secretary of the State Highway Commission and by the State Auditing Board. State Highway Commission and by the State Auditing Board.

SECTION 17.—LICENSE MONEY TO BE EXPENDED FOR CONSTRUCTION, REPAIRING AND MAINTEN-ANCE OF HIGHWAYS. The money received by each county for this source shall be expended only for the construction, repairing and dragging of highways within the county, un-der the direction of the board of county commissioners; pro-vided, that upon the application of any township which levies fifty cents on each \$100.00 valuation based on last prior valuation or more for road purposes, the county commissioners shall credit such township with a sum of money not to exceed five dollars (\$5.00) per mile, to be used in dragging the roads of said township, provided there are sufficient funds available for this purpose; otherwise the money shall be prorated between the townships making application therefor. No township shall receive for dragging more than fifty dollars under the provisions of this section, in any one year. Provided, further, that none of this money shall be expended within the limits of any incorporated city or village.

SECTION 18.—NON-RESIDENTS TEMPORARILY IN THE STATE. (a) The provisions of the foregoing sections in regard to registration shall not apply to a motor vehicle owned by a non-resident of this state, who is temporarily within the state, not exceeding thirty days, while passing into or through this state from an adjoining state, provided that such non-resident shall have displayed in a conspicuous way on the motor vehicle he is operating, a number and tag which shall make it and the place from which it comes easily identified.

(b) In all cases where the non-resident remains more than thirty days within the state, he shall register his car with the Clerk of County Court giving the license number issued by his home state, a full description of the car and to pay a fee of \$1.00 for such registration for each additional thirty days he operates the car within the state. Provided, otherwise that any non-resident car used for commercial purposes within the state for a period of five days must register his car, giving the license number issued by his home state, a full description of the car and to pay a fee of \$1.00 for each registration.

SECTION 19. All provisions of this act relating to the duties of the Clerk of Court in the administration of this act shall be performed by the registrar of the Motor Vehible Registration Department for the year 1919. All applications shall be mailed direct to the Motor Vehicle Registration Department for the year 1919. All drafts and money orders shall be made payable to the State Treasurer.

SECTION 20. The registrar of the Motor Vehicle Registration Department shall render to the State Treasurer, Stuate Auditor, Governor and the State Highway Commission quarterly reports showing a full correct account of all moneys received the preceding quarter. He shall deposit with the State Treasurer all moneys received by him as provided for by law.

SECTION 21. On motor vehicles of foreign or of obsolete model or make regarding which it is difficult to secure information the Clerk of Court with the approval of the registrar of the Motor Vehicle Department shall set the valuation according to their judgment.

SECTION 22. Any person making a false statement in the verified application for registration shall be guilty of a misdemeanor punishable by a fine not exceeding fifty dollars.

SECTION 23. All books, records, supplies, office, equipment, etc., in the office of the Secretary of State, purchased under the provisions of law for the Registration of Motor Vehicles shall come under the control of the Motor Vehicle Registration Department of the State Highway Commission upon the passage and approval of this Act.

SECTION 24. Within ten days after this act goes into effect the State Highway Commission shall appoint, a suitable person to act as Motor Vehicle Registration Clerk. Said registration clerk shall qualify by taking and sub-

scribing to the oath of office prescribed by law for state officers, and shall file a bond as provided by law in the sum of Five Thousand dollars conditioned upon the faithful performance of his duties and the full accounting for all moneys received as taxes or fees under the provisions of this act, the cost of such bond to be paid out of the funds of the Motor Vehicle Registration Department.

The Registration Clerk shall have an office at the State Capitol in connection with the Highway Commission. The salary of said registration clerk shall be \$2,500.00 per annum and paid out of the Motor Vehicle Registration funds on order of the Secretary of the Highway Commission.

SECTION 25. With the approval of the Highway Commission the registration clerk shall appoint all such deputies, assistants or employees as he may deem necessary for the carrying out of the purpose of this act, the compensation of such parties to be fixed by the Highway Commission on recommendation of the Registration Clerk and paid together with all reasonable traveling and other expenses out of the State Highway fund on the order of the Registration Clerk.

SECTION 26. It shall be the duty of the assessors at the time of listing personal property for taxation to list all motor vehicles in their districts giving the name and address or owner and kind and make of car. This list shall be filed with the County Clerk of Court and it shall be his duty to check up this list and see that all motor vehicles have been licensed according to law.

SECTION 27. PENALTY FOR VIOLATION. Any per-

son who shall violate any provisions of this article shall be guilty of a misdemeanor, and shall be punished by a fine of be guitty of a misdemeanor, and shall be punished by a fine of not less than Ten Dollars and not more than One Hundred Dollars and if default is made in the payment of such fine such person or persons shall be committeed to the County Jail until such fine is paid; conditioned, however, that each day's service in jail shall be equal to two dollars of such fine, and the person so offending shall be liable for damage in a civil action to any person who shall have been injured in person or property by reason of such violation of this article. article.

SECTION 28.—SPEED AND OTHER ROAD REGULA-ONS. No person shall operate a motor vehicle on the public highways of this state at a rate of speed greater than is reasonable and proper, having regard to the width, condition and use of the highway at the time and the general and usual rules of the road, or so as to endanger property or the life or limbs of any person. Provided, that upon approaching a school house, dam, bridge, sharp curve or descent, and also in traversing such dam, bridge, sharp curve or descent, and upon approaching a crossing or intersecting highway or in passing from a side street into a main thoroughfare, where persons or vehicles are not plainly discernible, a person operating a motor vehicle shall have such vehicle under perfect control and the rate of speed shall not exceed one mile in eight minutes; provided, that within the limits of any incorporated city or village the rate of speed shall not exceed ten miles per hour, and provided, further, that on any street or highway outside of the limits of any incorporated city or village the rate of speed shall not exceed thirty, five miles per hour. ceed thirty-five miles per hour.

SECTION 29.—PENALTY FOR MOLESTING OR USING WITHOUT LEAVE. (a) No person shall tamper with or drive or operate or use a motor vehicle without the permission of the owner, and no person shall, without authority of the person in charge, climb upon or in any automobile, whether the same is in motion or at rest, or hurl stones or other missiles at the same or the occupants thereof, or shall, while such motor vehicle is at rest and unattended, sound the horn or other signaling device or attempt to manipulate any of the levers, starting crank, brakes or machinery thereof, or set such vehicle in motion, or otherwise damage or interefere with the same.

(c) The fact that such automobile or motor vehicle was voluntarily returned to its original place by the party taking the same before or after the owner discovers such removal, or the fact that the party taking the same was then and there in the employ of the owner of such property shall not be deemed a defense in the prosecution of such offender.

(d) That any person convicted of larceny of an automobile or motorcycle shall be guilty of a felony and shall be punished by imprisonment in the penitentiary not less than one year nor more than seven years. The fact that such automobile or motorcycle was taken or removed without the owner's consent, express or implied or without the consent of the person lawfully in the possession of such automobile or motorcycle, shall be presumptive evidence of intent to deprive the owner thereof.

SECTION 39.—CIVIL SUITS FOR DAMAGES. DRIVER TO STOP IN CASE OF ACCIDENT. Nothing in this article shall be construed to curtail or abridge the right of any person to prosecute a civil suit for damages by reason of injuries to persons or property resulting from the negligent use of the highways by a motor vehicle or its owner or his employee or an agent, and in all actions and proceedings against the registered owner of a motor vehicle for negligence in the operation of such vehicle or for any violation of this article, the fact that such motor vehicle had upon it the registration number assigned to such owner under this article, shall be prima facie evidence that such motor vehicle belonged to such registered owner.

(b) In case of accident to any person or property on the public highway, due to the operation hereon of a motor vehicle, the person operating such motor shall stop and upon the request of any person injured, or any person present, give such person his name and address.

(c) PENALTY FOR VIOLATION OF PROVISIONS. Any person who shall violate any provisions of this article, shall be guilty of a misdemeanor, and shall by a fine of not less than ten dollars and not more than one hundred dollars and if default is made in the payment of such fine such person or person shall be committed to the county jail until such fine is paid; conditioned, however, that each day's service in jail shall be equal to two dollars of such fine.

It is hereby specifically provided that it shall be the duty of all constables, justices of the peace, sheriffs, chiefs of police, village and township marshal, highway superintendents and employees and all peace officers to enforce the provisions of this article shall be deemed grounds sufficient for his removal, upon proper evidence being submitted in support of the charge that he neglected his duty. SECTION 31. Owners of cars coming under the juris-

diction of this Act shall be permitted to operate the vehicles on the highways of the state for a period not to exceed fifteen (15) days by exhibiting an affidavit signed by a banker or postmaster to the effect that a proper application had

been mailed to the County Clerk with the fee.

SECTION 32.—REPEAL. All Acts and parts of Acts in conflict with the provisions of this Act are hereby re-

pealed.

SECTION 33. This Act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

C. D. KING, Chairman.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 7, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 102.

A bill for an Act to amend and re-enact Section 4544 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4544 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 85.

A bill for an Act to amend and re-enact Section 3896 of the Compiled Laws of North Dakota for 1913; providing for the improvement on petition of public streets of villages and for the levy and collection of tax therefor.

House Bill No. 81.

A bill for an Act to provide for the examination and certification of teachers in the State of North Dakota and to repeal Sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376 and 1377 of the Compiled Laws of 1913.

House Bill No. 68.

A bill for an Act defining the crime of gambling; fixing the punishment therefore; and providing certain rules of evidence in prosecutions thereunder.

House Bill No. 66.

A bill for an Act to prohibit the liquor traffic and provide exceptions, regulations, for enforcement and penalty.

House Bill No. 172.

A bill for an act relative to payment of deposits in trust.

House Bill No. 160.

A bill for an act to amend and re-enact Paragraph 1 of

Chapter 126 of the Laws of North Dakota for the year 1917, relating to the guarantee of bank deposits.

House Bill No. 37.

A bill for an Act to repeal Section 4051 of the compiled Laws of North Dakota for the year 1913, relating to the road and bridge taxes.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Bismarck, N. D., Feb. 7, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 52.

A bill for an act providing for investigating and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

Senate Bill No. 42.

A bill for an act providing for the survey and platting of portions of railway rights of way when used for any other purpose than the operation of a railroad thereon.

Senate Bill No. 78.

A bill for an act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. King moved that the committee having under consideration Senate Bills Nos. 129 and 144, be granted further time, which motion prevailed.

Mr. Fraser moved that the committee having under consideration House Bills Nos. 25 and 46, be granted time, which

motion prevailed.

Mr. Benson moved that the committee having under consideration Senate Bill No. 143, be granted further time, which motion prevailed.

Further time in the consideration of House Bills Nos. 26 and 27 was granted the committees having them under consideration.

Mr. Ettestad moved that Senate Bill No. 189 be re-referred to the committee on State Affairs, which motion prevailed, and the bill was so re-referred.

THIRD READING OF SENATE BILLS

Mr. Liederbach moved that Senate Bill No. 86 be amended by striking out all of Section 3, after the figure 3, and inserting the following: "Any person, firm, association or corporation whose stock shall trespass upon the premises of another, or whose stock shall inflict damages to the crops or other property of another during the closed season shall be liable for double the amount of actual damages sustained." Which motion prevailed, and the bill was so amended.

Mr. Jacobsen moved that the title to Senate Bill No. 86 be amended by striking out everything after the comma after the word "law" in line 4 of the engrossed bill, and inserting the words: "And prescribing the damages" in lieu thereof,

which motion prevailed and the title was so amended.

Mr. Gibbens moved that Senate Bill No. 86 be amended by striking out the word "other" in line 21 of Section 2618 of the engrossed bill, and inserting the word "any" in lieu thereof, which motion prevailed, and the bill was so amended.

Senate Bill No. 86.

A bill for an act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Section 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg and Pendray. So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 86 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 23.

A bill for an act to prevent any foreclosure proceeding without first giving due notice to the mortgagor.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Ayes—Beck, Benson, Bowman, Cahill, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Carey, Church, Drown, Pendray.

So the bill passed and the title was agreed to.

Mr. Welford moved that further action on Senate Bill No. 140 be deferred for one day, which motion prevailed.

Mr. Ployhar moved that Senate Bill No. 85 be amended by striking out the words and figures "forty" in lines 6 in Section 1, and line 7, Section 2, of the engrossed bill, and inserting in lieu thereof the words and figures "sixty," which mo-

tion was lost.

Senate Bill No. 85.

A bill for an act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 8; absent and not voting, 4.

Ayes-Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman. Nays—Beck, Gibbens, Haggart, Jacobsen, Nelson, Ployhar,

Porter, Zieman.

Absent and not voting: Berg, Carey, McBride, Pendray.

So the bill passed and the title was agreed to.

Mr. Mostad moved that the vote by which Senate Bill No. 85 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 127.

A bill for an act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Ayes—Benson, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Navs-Beck.

Absent and not voting: Berg, Carey, Drown, Gibbens, Jacobsen, Kendall, McBride, Pendray.

So the bill passed and the title was agreed to.

Mr. Olson moved that the vote by which Senate Bill No. 127 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 147.

A bill for an act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshall, Chief Assistant or Deputies:

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not

Ayes-Beck, Benson, Bowman, Cahill, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Carey, Ettestad, Haggart, McBride, Oksendahl, Pendray, Ward.

So the bill passed and the title was agreed to.

Mr. King moved that the vote by which Senate Bill No. 147 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 112.

A bill for an act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Ayes-Beck, Benson, Cahill, Church, Drown, Ettestad. Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

So the bill passed and the title was agreed to.

Mr. Morkrid moved that the vote by which Senate Bill No. 112 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Absent and not voting: Berg, Bowman, Carey, McBride, Pendray.

The question being on the Emergency Clause to Senate Bill No. 112, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Ayes-Beck, Benson, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad. Ward, Weber, Welford, Wenstrom, Whit-

man. Zieman.

Navs-Mees.

Absent and not voting: Berg, Bowman, Carey, Levang, Mc-Bride, Noltimier, Pendray.

So the Emergency Clause passed.

Mr. Morkrid 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. 111.

A bill for an act to amend Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of cities, towns or villages.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 7; absent and not voting, 7.

Ayes-Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Hyland, Jacobsen, Murphy, Nelson, Ployhar,

Absent and not voting: Berg, Carey, Haggart, Liederbach, McBride, Noltimier, Pendray.

Mr. Stenmo moved that the title to Senate Bill No. 111, be amended by adding the words "and re-enacted" after the word

"amend" in line 1, which motion prevailed, and the title was so amended and the title agreed to.

Senate Bill No. 2.

A bill for an act providing for hearing petitions for letters of administration and probating of wills.

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, 7.

Ayes-Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom. Whitman, Zieman.

Absent and not voting: Berg, Carey, Haggart, Liederbach. McBride, Noltimier, Pendray.

So the bill passed and the title was agreed to.

Mr. Whitman moved that further action on Senate Bill No. 198 be deferred until tomorrow and made a special order of business for 3 o'clock p. m., which motion prevailed.

Senate Bill No. 171.

A bill for an act to provide for the punishment of any person who shall take undecent and improper liberties with the person of a child under the age of sixteen years.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Ayes-Beck, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mc-Carten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Welford, Wenstrom, Whitman.

Absent and not voting: Benson, Berg, Haggart, Hemmingsen, McBride, Mees, Pendray, Weber, Zieman.

So the bill passed and the title was agreed to.

The president called president pro tem McCarten to the chair

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 118.

A bill for an act to amend and re-enact Section 1990p of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 168 of the Session Laws for the year 1915, and by Chapter 130 of the Session Laws of 1917, relating to payment of highway taxes and prescribing a penalty for failure of the county officials to comply with the provisions hereof.

Was read the first and second time and referred to the

Committee on Highways.

House Bill No. 109.

Concurrent Resolution for an amendment to the Constiution of the State of North Dakota, relating to the investment of school funds.

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

House Bill No. 108.

A bill for an act to amend and re-enact Section 4847 of the

Compiled Laws of North Dakota for the year 1913, relating to abstracts and briefs upon appeal to the Supreme Court, and repealing acts or parts of acts in conflict therewith.

Was read the first and second time and referred to the

Committee on Judiciary.

House Bill No. 23.

A bill for an act to amend and re-enact Section 7753; Sections 7754 and 7758 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 223 of the Laws of North Dakota for the year 1915 and as amended by Chapter 109 of the Laws of North Dakota for the year 1917; Section 7762 of the Compiled Laws of North Dakota for the year 1913; and Sections 8085 and 8115 of the Compiled Laws of North Dakota for the year 1913, relating to redemption from sales of real estate under execution and foreclosure and the rate of interest to be charged thereon.

Was read the first and second time and referred to the

Committee on Judiciary.

House Bill No. 133.

A bill for an act making the simulation of organization names a crime.

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

House Bill No. 81.

A bill for an act to provide for the examination and certification of teachers in the State of North Dakota and to repeal Sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, and 1377 of the Compiled Laws of 1913.

Was read the first and second time and referred to the

Committee on State Affairs.

House Bill No. 68.

A bill for an act defining the crime of gambling; fixing the punishment therefor; and providing certain rules of evidence in prosecutions thereunder.

Was read the first and second time and referred to the

Committee on Temperance.

House Bill No. 66.

A bill for an act to prohibit the liquor traffic and provide exceptions, regulations, for enforcement and penalty.

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

House Bill No. 172.

A bill for an act relative to payment of deposits in trust.

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

House Bill No. 160.

A bill for an act to amend and re-enact Paragraph 1 of Chapter 126 of the Laws of North Dakota for the year 1917, relating to the guarantee of bank deposits.

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

House Bill No. 37.

A bill for an act to repeal Section 4051 of the Compiled Laws of North Dakota for the year 1913, relating to the road and bridge taxes.

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

House Bill No. 102.

A bill for an act to amend and re-enact Section 4544 of the

Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4544 of the Compiled Laws of North Dakota for the year 1913.

Was read the first and second time and referred to the Committee on Corporations other than Municipal.

House Bill No. 85.

A bill for an act to amend and re-enact Section 1951 of the Compiled Laws of North Dakota for 1913; providing for the improvement on petition of public streets of villages and for the levy and collection of tax therefor.

Was read the first and second time and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 55.

A bill for an act to regulate the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mine Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix its powers and compensation; to provide the method of appointment thereto; to provide for the registry, examination, and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor.

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

House Bill No. 87.

A bill for an act providing for the keeping of repairs within the state for all gas or oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacture thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 1; absent and not voting, 15.

Ayes—Beck, Benson, Cahill, Carey, Church, Ettestad, Fraser, Gibbens, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Welford, Wenstrom, Whitman.

Nays-McBride.

Absent and not voting: Berg, Bowman, Drown, Fleckten, Hagan, Haggart, Liederbach, Mees, Mostad, Noltimier, Oksendahl, Pendray, Ward, Weber, Zieman.

So the bill passed and the title was agreed to.

Mr. Whitman moved that House Bill No. 89 be re-referred to the committee on Judiciary, which motion prevailed, and the bill was so re-referred.

The president announced the appointment of Messrs. Hyland, Drown and Welford as a conference committee to consider the invitation of the League to Enforce Peace to attend the session to be held in Minneapolis February 12th and 13th, 1919.

Courtesies of the floor were extended to James McCormick, Shields; A. W. Strong, Hazelton.

Mr. Mostad moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

SENATE CALENDAR, FEBRUARY 8, 1919

Third reading of Senate bills.

Special Order, 3 o'clock p. m.

Senate Bill No. 198.

A bill for an act legalizing certain acts of city, village and school district officials.

Senate Bill No. 140.

A bill for an act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering health boards to regulate, make rules to regulate and control such diseases and providing penalty and repeal.

Senate Bill No. 137.

A bill for an act providing for the registration of brands on dairy product containers.

Senate Bill No. 36.

A bill for an act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring Railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Senate Bill No. 142.

A bill for an act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Senate Bill No. 72.

A bill for an act appropriating money for the use of the office of Secretary of State, Motor Vehicle Registration Department, between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, both dates inclusive.

Senate Bill No. 97.

A bill for an act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all acts and parts of acts in conflict herewith.

Third reading of House bills.

House Bill No. 48.

A bill for an act relating to freight rates in North Dakota; the transportation of freight within the State; the classification of freight for the purpose of such transportation and the application of rates thereon; fixing the maximum rates and charges for the transportation of freight intrastate; providing penalties and punishments for the violation of the provisions thereof and defining certain duties and powers of the board of railroad commissioners.

THIRTY-THIRD DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 8, 1919.

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

Prayer was offered by the Chaplain Rev. Strutz.

Roll Call.

All members present except Messrs. Berg, Bowman, Carey, McCarten and Pendray, who were excused.

MESSAGE FROM THE HOUSE

House Chamber
BISMARCK, NORTH DAKOTA,
February 8, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 80.

A bill for an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915, and Section 1 of Chapter 210 of the Session Laws of 1917, relating to Health Inspection of Pupils in Public Schools.

Also Senate Bill No. 31.

A bill for an Act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913 and conflicting provisions to this Act; Emergency.

Which the House has passed unchanged.

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA. February 8, 1919.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 176.

A bill for an Act relating to the practice of Chiropractic in the State of North Dakota.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 8, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Concurrent Resolution relating to establishment of a League of Nations to enforce peace. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 8, 1919.

Mr. President: I have the honor to inform you that the House has passed Senate Bill No. 23 as amended by the conference committee.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on revision and correction of the journal

made the following report:

Mr. President: Your committee on revision and correction Mr. President: Your committee on revision and correction of the journal have carefully examined the Journal of the 31st day after recess, and 32nd day and recommend that the same be corrected as follows: Page 3, line 8, correct the spelling of the name "Storstad;" page 4, take out line "10;" page 4, line 15, correct the spelling of the word "registration;" page 7, line 33, correct the spelling of the word "displayed;" page 8 line 15, correct the spelling of the word "ten;" page 8, line 28, correct the spelling of the word "accent;" page 12, line 15. 28, correct the spelling of the word "accept;" page 13, line 17. correct the spelling of the word "of;" page 13. line 37, correct the spelling of the word "abridge;" page 14, after line 29, put in the following paragraph "Mr. President, I have the honor to transmit the following bills;" page 14, line 52, correct the spelling of the word "exceptions;" page 18, take out line "22;" page 18, line 31, correct the spelling of the name "Welford;" page 18 after line 32, put in the following paragraph "Nays-Mees;" page 19, line 54 take out the word "bill" and insert in lieu thereof "concurrent resolution." And when so corrected recommend that the same be ap-

proved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 23.

A bill for an Act to prevent any foreclosure proceeding without first giving due notice to the mortgagor.

Senate Bill No. 42.

A bill for an Act providing for the survey and platting of portions of railway rights-of-way when used for any purpose other than the operation of a railroad thereon.

Senate Bill No. 52.

A bill for an Act providing for investigating and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 36.

A bill for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring Railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Senate Bill No. 86.

A bill for an Act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 72.

A bill for an Act appropriating money for the use of the office of the Secretary of State, Motor Vehicle Registration Department, between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, both dates inclusive.

Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156. Laws of North Dakota, 1917, and all Acts and parts of Acts in conflict herewith.

Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Senate Bill No. 142.

A bill for an Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on State Affairs made the following report:

Mr. President: Your committee on State Affairs to whom was referred Concurrent Resolution to amend Constitution of the State of North Dakota by adding a section authorizing the cities of the State to adopt home rule charters.

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

J. I. CAHILL, Chairman.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 196.

A Concurrent Resolution to amend the constitution of the State of North Dakota by adding a section thereto requiring that Legislative Acts authorizing the state or a county, city, village or township to engage in business of industrial undertaking, be submitted to the people for their approval.

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

J. I. CAHILL, Chairman.

The Committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred a Senate Concurrent Resolution to amend the Constitution of the State of North Dakota by adding a section

authorizing the cities of said state to adopt home rule charters. Have had the same under consideration and recommend

that the same be indefinitely postponed.

J. I. CAHILL, Chairman.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred House Bill No. 133,

A bill for an Act making the simulation of organization

names a crime.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have made special investigations of lignite deposits and lignite within the state and providing funds there-

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

J. I. Cahill, Chairman.

Mr. Cahill moved that the report be adopted, and the bill referred to the Committee on Appropriations, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 167.

A bill for an Act to amend and re-enact Section 690 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain county, township, municipal and other officers.

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

R. L. Fraser, Chairman.

The committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred Senate Bill No. 219.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, relating to the voting privileges of members of co-operative corporations.

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

R. L. Fraser, Chairman.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of the State Training School.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 154.

A bill for an Act to authorize Fraternal Benefit Societies to establish and maintain classified membership.

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

In Section 1, after the word "membership" strike out the quotation marks and also strike out the quotation marks at the end of the Section.

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Elections and Election Privileges made

the following report:

Mr. President: Your committee on Elections and Election Privileges to whom was referred Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination

and election of all county officers and members of the Legislative Assembly.

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

A. M. HAGAN, Chairman.

Mr. Hagan moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 136.

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the 1917 Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows:

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

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which mo-

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 180.

A bill for an Act to amend and re-enact Sections 4296, 4297, 4298 and 4299, and to repeal Section 4313 of the compiled Laws of the State of North Dakota for the year 1913, relating to partition fences.

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

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report 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. 42.

A bill for an Act designating the State Inspector of grades, weights and measures, sealer and inspector of weights and measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights; fixing fees, authorizing the appointment of Deputy inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

Have had the same under consideration and recommend

that the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Olson moved that the report of the committee indefinitely postponing Senate Bill No. 213 be adopted, which motion prevailed and the report was adopted.

Mr. King moved that Senate Bill No. 97 be re-referred to the Committee on Highways, which motion prevailed and the bill was so re-referred.

Mr. Fraser moved that House Bill No. 93 be re-referred to

the Committee on Insurance, which motion prevailed, and the bill was so re-referred.

Mr. Fraser moved that Senate Bill No. 154 be referred to the Committee on Insurance, which motion prevailed, and the bill was so referred.

Mr. Liederbach moved that the committee having under consideration Concurrent Resolution relating to railroads, be granted further time, which motion prevailed.

THIRD READING OF SENATE BILLS

Mr. Mortenson moved that Senate Bill No. 140 be amended by inserting in Section 4, line 1, after the word "persons" the following words: "Convicted of crime or held in quarantine, under the provisions of this act," which motion was duly seconded.

Mr. Jacobsen moved as an amendment that the letter "a" be inserted after the word "of" and before the word "crime," which motion prevailed.

The question being on the original motion as amended, the motion prevailed and the bill was so amended.

Senate Bill No. 140.

A bill for an act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering health boards to regulate, make rules to regulate and control such disease and providing penalty and repeal.

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, 41; nays, 0; absent and not voting, 8.

Ayes—Beck, Benson, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingson, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Bowman, Cahill, Carey, McCarten, McNair, Mostad, Pendray.

So the bill passed and the title was agreed to.

Mr. Mortenson moved that the vote by which Senate Bill No. 140 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 140, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Ayes—Beck, Benson, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Bowman, Cahill, Carey, Drown, McCarten, McNair, Mostad, Pendray.

So the Emergency Clause passed.

Mr. King 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. Morkrid moved that Senate Bill No. 137 be re-referred to the Committee on Agriculture, which motion prevailed, and the bill was so re-referred.

Senate Bill No. 36.

A bill for an act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 3; absent and not voting, 10.

Ayes—Beck, Cahill, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Hyland, Stenmo, Whitman.

Absent and not voting: Benson, Berg, Bowman, Carey, Church, Kendall, McCarten, McNair, Mostad, Pendray.

So the bill passed and the title was agreed to.

Mr. Ingerson moved that the vote by which Senate Bill No. 36 passed, be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

Mr. Whitman explained his vote as follows: The railroad runs through my farm, and it would benefit me materially to have this measure become a law, but I feel that it is an injustice to the railroad company to be compelled to build this fence. Therefore I vote "no."

Senate Bill No. 142.

A'bill for an act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 4; absent and not voting, 10.

Ayes—Beck, Benson, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Kendall, King, Levang, Liederbach, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Ettestad, Ingerson, Jacobsen, Porter.

Absent and not voting: Berg, Bowman, Cahill, Carey, Church, Drown, McBride, McCarten, McNair, Pendray.

So the bill passed and the title was agreed to.

The Senate returned to the Sixth Order of Business.

REPORTS OF STANDING COMMITTEES

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 89

A bill for an act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

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

R. L. FRASER, Chairman.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred Senate Bill No. 15.

A bill for an act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasolines, and other low flash test petroleum products; providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriation for carrying out the provisions of this act.

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

In the title of the printed bill strike out after, "For an Act,"
—"Amending and re-enacting Chapter 188, of the Session
Laws of 1915, and Chapter of the Session Laws of 1917, the
same being an Act" and insert after the period in the last line
of title the following: "And to repeal Chapter 188 of the Session Laws of North Dakota for 1915 and Chapters 161 and 162
for the year 1917."

2. On page one of printed bill in line 2 of the title add the letter "s" to the word "Chapter"; and insert between the word "chapter" and the word "of" the figures "161 and 162"; on page 1, Section 1 and line 1, correct the spelling of the word "appointment"; on page 4, after "section" strike out the figure "3" and insert the figure "5" in lieu thereof; and in lines 7, 8, and 9 strike out all of line "7" following the word "fund" and all of lines "8 and 9"; on page 6, Section 7 in line 15 strike out the word "for" between the words "protection" and "the" and insert in lieu thereof the word "to"; on page 6, in Section 8, line 3, insert a comma between the word "petroleum" and the word "or"; on page 4, Section 5, after the word "oath" strike out the word "of" and insert the word "or" in lieu thereof.

On page 8, in Section 8, line 33, insert a colon following the word "terms". On page 8, Section 8, line 41, between the word "as" and the word "this", insert the word "in". On page 8, Section 8, line 44, strike out the word "five" and the figure "5", between the word "be" and the word "cents" and insert in lieu thereof the word "three" and the figure "3"; and between the word "barrel" and the word "it" strike out the words "for all shipped into the state." On page 9, Section 9, line 20, between the word "and" and the word "the" insert the words "three-fourths" inches in diameter, the length of the

neck between the body of the flask and". On page 9, in Section 9, line 23, insert a comma between the words "oils" and "which". On page 10, Section 10, line 1, add the letter "s" to the word "gasoline". Page 10, line 5, insert the word "or" between the word "sale" and the word "used"; on page 13, Section 11, line 6, strike out the word "or"; on page 19, Section 24, line 2, add the letter "s" to the word "chapter" and insert between the word "chapter" and the word "of" the figures "161 and 162"; on page 19, Section 24, line 3, between the word "acts" and the word "in" insert the words "and parts of acts insofar as they are"; at the end of the printed bill, insert the following:

"SECTION 25. EMERGENCY. This act is hereby declared an emergency measure and shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 198.

A bill for an act legalizing certain acts of city, village and school district officials.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Ayes—Beck, Benson, Cahill, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Ployhar, Porter, Sikes, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Bowman, Carey, Church, Haggart, Jacobsen, McBride, McCarten, McNair, Noltimier, Pendray, Stenmo.

So the bill passed and the title was agreed to.

Senate Bill No. 72.

A bill for an act appropriating money for the use of the office of Secretary of State, Motor Vehicle Registration Department, between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, both dates inclusive.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Ayes—Beck, Benson, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Bowman, Carey, Drown, Haggart, McBride, McCarten, McNair, Pendray, Stenmo, Welford.

So the bill passed and the title was agreed to.

Mr. Hamerly moved that the vote by which Senate Bill No. 72 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 72, the roll was called and there were ayes, 38; nays, θ ; absent and not voting, 12.

Ayes—Beck, Benson, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Bowman, Carey, Drown, Haggart, Hemmingsen, McBride, McCarten, McNair, Pendray, Stenmo, Welford.

So the Emergency Clause passed.

Mr. Hamerly moved that the vote b ywhich the Emergency Clause passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 176.

A bill for an act relating to the practice of chiropractic in the State of North Dakota

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

THIRD READING OF HOUSE BILLS

House Bill No. 48.

A bill for an act relating to freight rates in North Dakota; the transportation of freight within the State; the classification of freight for the purpose of such transportation and the application of rates thereon; fixing the maximum rates and charges for the transportation of freight intrastate; providing penalties and punishments for the violation of the provisions thereof and defining certain duties and powers of the board of railroad commissioners.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Ayes—Beck, Benson, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Navs-Porter.

Absent and not voting: Berg, Bowman, Carey, Haggart, McBride, McCarten, Mees, Pendray.

So the bill passed and the title was agreed to.

Courtesies of the floor were extended to Richard Wood, Fargo; Charles Nute, Rugby; D. H. Hamilton, Eckman; M. H. Wilson, Minot; F. B. Wood, Deering.

Mr. Hemmingsen moved that the Senate do now adjourn, which motion prevailed, and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEBRUARY 10, 1919

THIRD READING OF SENATE BILLS

Senate Bill 170

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of The State Training School.

Senate Bill No. 154.

A bill for an act to authorize fraternal benefit societies to establish and maintain classified membership.

Senate Bill No. 73.

A bill for an act to provide for a nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

Senate Bill No. 136.

A bill for an act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows.

Senate Bill No. 180.

A bill for an act to amend and re-enact Sections 4296, 4297, 4298 and 4299, and to repeal Section 4313 of the Compiled Laws of the State of North Dakota for the year 1913, relating to partition fences.

Senate Bill No. 15.

A bill for an act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasolines, and other low flash test petroleum products; providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriation for carrying out the provisions of this act.

THIRD READING OF HOUSE BILLS

House Bill No. 133.

A bill for an act making the simulation of organization names a crime.

House Bill No. 42.

A bill for an act designating the State Inspector of Grades, Weights and Measures, Sealer and Inspector of Weights and Measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights; fixing fees, authorizing the appointment of Deputy Inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

THIRTY-FIFTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA. February 10, 1919.

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

Prayer was offered by the Chaplain Rev. Flint.

Roll Call.

All members present except Messrs. Berg, Bowman and McCarten, who were excused.

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 33rd day and recommend that the same be corrected as follows: Page 4, line 26, correct the spelling of the word "report;" page 11, line 17, take out the name "McCarten" and insert in lieu thereof the name "Hamerly."

And when so corrected recommend that the same be ap-

proved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Honorable Andrew Oksendahl, Senate, Bismarck, N. D.

We do hereby petition you to use your influence and vote against House Bill No. 81 regarding the certification of teachers. We believe this is a vicious measure which will not aid our schools but will drive many experienced school people from the state.

We believe in the powers of the State Superintendent remaining in that office and are against establishing the office of Commissioner of Education. We, the people of North Dakota, elected Miss Nielson to the office of Superintendent of Public Instruction with all the powers pertaining thereto.

We do believe that this will place our schools in the political fray. Our teachers and supervisors will be dominated

by the politicians.

We feel justified in thus making known to you who represent us, our will in this matter and ask you to vote against this bill and against the bill creating the office of Commissioner of Education to take away the powers of the State Superintendent.

C. B. BARTZ, and 6 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate B'll No. 31.

A bill for an Act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913 and conflicting provisions to this Act; Emergency.

Also Senate Bill No. 80.

A bill for an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915, and Section 1 of Chapter 210 of the Session Laws of 1917, relating to Health Inspection of Pupils in Public Schools.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 140.

A bill for an Act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to Health Officers; empowering Health Boards to regulate, make rules to regulate and control such disease and providing penalty and repeal.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 15.

A bill for an Act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasoline, and other low flash test petroleum products; providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriation for carrying out the provisions of this Act.

Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

Senate Bill No. 136.

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows:

Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of the State Training School.

Senate Bill No. 180.

A bill for an Act to amend and re-enact Sections 4296, 4297, 4298 and 4299, and to repeal Section 4313 of the Compiled Laws of the State of North Dakota for the year 1913, relating to partition fences.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 177.

A Concurrent Resolution.

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

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judicary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 205.

A bill for an Act the Community property Law in the State of North Dakota.

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

R. L. Fraser, Chairman.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 206.

A bill for an Act to amend Section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceedings.

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

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 23.

A bill for an Act to amend and re-enact Section 7753; Sections 7754 and 7758 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 223 of the Laws of North Dakota for the year 1915 and as amended by Chapter 109 of the Laws of North Dakota for the year 1917; Section 7762 of the Compiled Laws of North Dakota for the year 1913; and Sections 8085 and 8115 of the Compiled Laws of North Dakota for the year 1913, relating to redemption from sales of real estate under execution and foreclosure and the rate of interest to be charged thereon.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 108.

A bill for an Act to amend and re-enact Section 4847 of the Compiled Laws of North Dakota for the year 1913, relating to abstracts and briefs upon appeal to the Supreme Court, and repealing Acts or parts of Acts in conflict therewith.

Have had the same under consideration and recommend

that the same do pass.

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

Mr. Fraser moved that the report of the committee indefinitely postponing Constitutional Amendment authorizing home rule for cities be adopted, which motion prevailed and the bill was indefinitely postponed.

Mr. Cahill moved that the report of the committee indefinitely postponing Senate Bill No. 196 be adopted, which mo-

tion was duly seconded.

Mr. Gibbens moved as an amendment that Senate Bill No. 196 be placed on the calendar for third reading and final passage, and asked for a roll call, which motion was duly seconded.

Mr. Welford moved as an amendment that Senate Bill No. 196 be re-referred to the committee, motion prevailed, and the

bill was so re-referred.

Mr. Fraser moved that the report of the committee indefinitely postponing Senate Bill No. 219 be adopted, which motion prevailed, and the bill was indefinitely postponed.

Mr. Hyland moved that the report of the committee indefinitely postponing Senate Bill No. 167 be adopted, which mo-

tion prevailed and the bill was indefinitely postponed.

Mr. Fraser moved that the report of the committee indefinitely postponing Senate Bill No. 89 be adopted, which motion prevailed and the bill was indefinitely postponed.

The comittee on Education made the following report:

Mr. President: Your committee on Education to whom was

Mr. President: Your committee on Education to whom was referred Senate Bill No. 216.

A bill for an Act creating a board of arbitration to hear petitions of teachers for release from contracts; prescribing duties; to make it the duty of teachers to submit to such board the question of release from contracts to teach; and providing for the filing of findings with the board of education to be acted upon; and providing penalties for breach of teachers' contracts.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 1, Section 3 insert the word "State" before the word "Board."

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted. Mr. Zieman moved that an extension of time be granted the committee having under consideration Senate Bills Nos. 182 and 189, which motion prevailed.

Mr. Olson moved that the committee having under consideration Senate Bill No. 128 be granted further time, which

motion prevailed.

MESSAGE FROM THE HOUSE

BISMARCK, NORTH DAKOTA. February 10, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 83.

For an Act to amend Section 2731 of the Compiled Laws of North Dakota 1913.

Which the House has passed unchanged. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 8, 1919.

Mr. President: I have the honor to return Senate Bill No. 146.

A bill for an Act giving the keeper of rooming and dwelling houses a lien upon the baggage and other property of their roomers and guests for charges due; providing for the enforcement of such lien.

Which the House has indefinitely postponed. Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA,

February 10, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 32.

A bill for an Act making it unlawful to separate or cause to be separated any child under six months of age from its mother for the purpose of placing such child in a foster home or institution, or to place, receive or retain such child in a foster home or institution, and to regulate the manner and circumstances under which it may be done, and to provide a penalty for violation of said Act.

Also House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

Also House Bill No. 111.

A bill for an Act defining Mutual Telephone Companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

Also House Bill No. 190.

A bill for an Act reinstating and validating charters of corporations and organizations for the purpose of securing homes for orphans, affected by failure to comply with the provisions of Section 5100 of the Compiled Laws of the State of North Dakota for the year of 1913.

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

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA.

February 8, 1919. Mr. President: I have the honor to return Senate Bill No.

117.

A bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as a mended by Chapter 121 of the Session Laws of 1915, relating to causes for divorce.

Which the House has indefinitely postponed. Very respectfully.

GEO, A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 8, 1919.

Mr. President: I have the honor to return Senate Bill No. 120.

A bill for an Act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

Which the House has indefinitely postponed.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 49.

A bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the Investment of Uni-versity and School Land Funds.

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

In the title of Senate Bill No. 49, after the figures "1915,"

insert the following: "and as amended by Chapter 204, Session Laws of the State of North Dakota for the year 1917." Line 4, after the figures "1915," insert "and as amended by

Chapter 204, Session Laws of the State of North Daokta for

the year 1917."

Line 17, strike out the words "one-half" and insert "one-third," strike out the words "and not more than two-thirds." Line 18, strike out the word "Compiled" and insert the word "computed."

At the end of the bill add the following:

PROCEDURE IN NEGOTIATING AND COMPLETING A LOAN. The borrower shall submit to the state land commissioner an application stating the amount he wishes to borrow and giving other information as to the land and character thereof on a blank, prepared and furnished by the land commissioner, together with an appraisal of the land signed by at least two members of the county board of appraisal and other information which may be required by the land commissioner to be furnished by said board. Such application and appraisal shall be presented to the board of university and school lands at their next meeting for consideration. Immediately after a loan is authorized the land commissioner shall notify the applicant in writing stating the amount that will be loaned. If the amount is satisfactory to the applicant he shall present to the attorney general of the state

an abstract continued to date.

shall attorney general carefully examine and ascertain the amount necessary to release each encumbrance, if any. The applicant shall also execute and deliver to the attorney general a mortgage and note executed by the owner of said premises, by wife or husband or both as the case may be, with the State of North Dakota as mortgagee. The mortgage shall be recorded and abstract continued to a date subsequent. The attorney general shall then certify in duplicate to the land commissioner and state auditor as to the condition of the title and as to the amount or amounts necessary to release each encumbrance and deliver the certificates, abstract, mortgage and note to the state auditor. If the attorney general finds the title satisfactory and that the encumbrances do not exceed the amount of the loan, he shall place the certificate and abstract before the state auditor, who shall draw his warrant in favor of the county treasurer of the county in which the loan is made for the amount of the loan. The county treasurer shall obtain and file with the proper county officer the releases necessary to release the land from all encumbrances, as stated in the certificate. county treasurer shall also ascertain the amount of the unpaid recording, appraisal and abstract fees in connection with the loan, and file a statement of such fees with the state land commissioner. The county treasurer shall then draw checks disbursing the proceeds of the loan in the following manner: First: To each of the parties holding an encumbrance

against the property, if any, the amount thereof;

Second. The balance to the applicant, and shall cause all releases to be recorded and continued on the abstract and forward to the state land commissioner, the abstract and all other instruments in connection with the loan.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report: Mr. President: Your committee on Education to whom was referred Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school dis-

Have had the same under consideration and recommend

that the same be amended as follows:

In title and in line 2 of printed bill change "1915" to "1913." In title and also in line 2 of printed bill insert after "1915" "as amended by Chapter 139 of the Session the following: Laws of 1915,"

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Fraser moved that Senate Bill No. 153 be re-referred

to the committee on Taxes and Tax Laws, which motion pre-

vailed, and the bill was so re-referred.

Mr. Jacobsen moved that Senate Bill No. 170 be laid over until the next Legislative day, which motion prevailed.

THIRD READING OF SENATE BILLS

Mr. Jacobsen moved that Senate Bill No. 73 be amended by inserting in line 1, Section 4 of the engrossed bill after the second word "Acts" the words "in so far as they," which motion was duly seconded.

Mr. Wenstrom moved as an amended that Senate Bill No. 73 be re-referred to the Committee on Elections, which mo-

tion was lost.

The question being on the original motion to amend Senate Bill No. 73. The motion prevailed and the bill was amended

Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

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, 38; nays, 7; absent

and not voting, 4.

Ayes—Beck, Benson, Cahill, Carey, Church, Drown, Ettestad, Flectken, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mees, Mortensen, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Hyland, Jacobsen, Kendall, McBride, Murphy, Nel-

son, Ployhar.

Absent and not voting: Berg, Bowman, Haggart, McCarter.

So the bill passed and the title was agreed to.

Mr. Mostad moved that the vote by which Senate Bill No. 73 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Stenmo moved that Senate Bill No. 136 be amended by inserting after the enacting clause the following:

"Section 1.—Amendment. That Section 2844 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 105 of the Session Laws of 1917 is hereby amended and re-enacted to read as follows:" and in line 1 after the word "Section" strike out the figure "1" and insert in lieu thereof the figures "2844" which motion prevailed and the bill was so amended.

Senate Bill No. 136.

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows:

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, 45; nays, none;

absent and not voting, 4.

Ayes—Beck, Benson, Cahill, Carey, Church, Drown, Ette-stad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson. Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward,

Weber, Welford, Wenstrom, Whitman, Zieman,

Absent and not voting: Berg, Bowman, Haggart, McCarten. Mr. Stenmo moved that the title to Senate Bill No. 136 be amended in line 2 of the engrossed bill by inserting after the word "of" and before the figures "1913" the words "North Dakota for the year" and strike out the figures "1917," in line 3 after the word "Laws" insert "of 1917," and strike out after the word "products," "be in the same as hereby amended to read as follows," which motion prevailed, and the title was so amended and was agreed to.

The question being on the Emergency Clause of Senate Bill No. 136, the roll was called and there were ayes, 42; nays, 1;

absent and not voting, 6.

Ayes—Beck, Benson, Cahill, Carey, Church, Drown, Ette-stad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemming sen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Hyland.

Absent and not voting: Berg, Bowman, Haggart, McCarten, Porter, Sikes.

So the Emergency Clause passed.

Mr. Gibbens, moved that Senate Bill No. 15 be amended by inserting in the engrossed bill, Section 12, line 2, after the word 'oils," "upon entering upon the duties of his office," and after the word "to" in line 2, insert the words "at once," and in line 5, strike out the words "at once," which motion prevailed and the bill was so amended.

Senate Bill No. 15.

A bill for an Act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasolines, and other low flash test petroleum products: providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriation for carrying out the provisions of this Act.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 1; ab-

sent and not voting, 7.

Ayes-Beck, Benson, Cahill, Carey, Church Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Nelson.

Absent and not voting: Berg, Bowman, Haggart, Hyland. McCarten, Mostad, Ployhar.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill No. 15 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill

No. 15, the roll was called and there were ayes, 40; nays, 1;

absent and not voting, 8.

Ayes—Beck, Benson, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mc-Bride, McNair, Mortenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman. Zieman.

Navs-Nelson.

Absent and not voting: Berg, Bowman, Haggart, Hamerly, Hyland, McCarten, Mees, Mostad.

So the Emergency Clause passed.

Mr. Wenstrom 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.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 14.

A bill for an Act creating a uniform state grade for grain, seeds, or other agricultural products; creating and establishing the office of State Inspector of grades, weights, and measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain, buyers and persons engaged in soliciting or procuring consignments of grain, seeds, or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public ware-houses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor; and providing penalties for the violation of any of the provisions of this Act; and repealing Sections 3101, 3102, 3103, 3105, 3109, 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota, for the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918.

Also Senate Bill No. 29.

A bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other officers.

Also Senate Bill No. 51.

A bill for an Act providing for the appointment of Special Assistant Attorneys General by the the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

Also House Bill No. 41.

A bill for an Act Making an Appropriation to the Department of the Council of Defense for specific purposes.

And the President signed the same in the presence of the

Mr. King moved that the Senate do now take a recess subject to the call of the President, which motion prevailed, and the senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken. The Senate returned to the 6th order of business.

The Committee on Highways made the following report: Mr. President: Your committee on Highways to whom was referred Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the p ecceds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all Acts and parts of Acts in conflict herewith.

Have had the same under consideration and recommend

that the same be amended as follows:

The engrossed bill be amended as follows: Strike out everything after the words "A Bill" and substitute the fol-

"For an Act to provide for the taxing and licensing of motor vehicles, the appointment of a registration clerk, his duties and compensation; providing for the expenditures of the State Highway Commission in administering the same; establishing the method of distributing the fees received therefrom; penalties for the violation of this Act and providing an appropriation for administering the same and for the use of the State Highway Commission; and repealing Chapter 156 of the Laws of North Dakota, 1917, and all Acts and parts of Acts in conflict therewith."

Be It Enacted by the Legislative Assembly of the State of

North Dakota:

The term "motor vehicles" as used in this SECTION 1. Act, except where otherwise expressly provided, shall include all vehicles propelled by any other than muscular power, except traction engines, road rollers, fire wagons and engines, police patrol wagons, ambulances, and such vehicles as run only upon rails or tracks.

The term "local authorities" shall include all officials of

counties, cities, towns or villages.

The term "owner" shall include any person, firm, association, or corporation owning or renting any motor vehicle or having the use thereof under lease or otherwise, for a period

greater than thirty days.

The term "public highway" shall include any highway, town road, county road, state road, public street, avenue, alley, park, parkway or public place, in any county, city, town or village, except any speedway which may have been or may be expressly set apart by law for the exclusive use of horses and light carriages.

The term "dealer" when used in this act shall include

every person, corporation, company or association keeping for sale or as a business selling any motor vehicle within this

state.

The term "commission" when used alone in this act shall mean the State Highway Commission of the State of North Dakota.

SECTION 2. Every owner of a motor vehicle which shall be operated or driven upon the public highways of this state, for each motor vehicle owned, except as herein otherwise provided, shall file or cause to be filed, by mail or otherwise, in the office of the State Highway Commission a verified application for registration of such motor vehicle on a blank to be furnished by the Commission for that purpose. Such blank shall contain:

- (1) A brief description of the motor vehicle to be registered including the name of the manufacturer, and the factory number and model, if such number and model there be;
- (2) The name, residence and business address of the owner of such vehicle; the original retail cost price of said vehicle, if a passenger car not used for commercial purposes; the passenger capacity, if a car used for carrying of passengers for hire; and the ton capacity, if a car used for the carrying of freight, together with the retail price for such car, if purchased without the state and not previously registered within the state, and such other information as the commission may require.

SECTION 3. Upon receipt of an application for registration of a motor vehicle as provided in the next preceding section, the same shall be filed in the office of the commission, and such motor vehicle shall be registered with the name and residence and business address of the owner, together with the facts stated in such application, in a book or index to be kept for that purpose, under the distinctive number assigned to such motor vehicle, which book or index shall be open to inspection during reasonable hours.

SECTION 4. Upon the sale of any motor vehicle registered in accordance with this act, the vendee shall, within ten days after the date of such sale, notify the commission, upon a blank furnished him for that purpose, stating the name and business address of the previous owner, if known, the number under which such vehicle is registered, the price paid for the same, if a passenger vehicle or the capacity of the same, if a commercial vehicle, and the name, residence and business address of such vendee. Upon filing such statement such vendee shall pay to the commission a fee of \$1.00, and upon receipt of such statement and fee the commission shall file such statement in its office and change the name of ownership in the registration book or index in which such motor vehicle is registered.

SECTION 5. Upon the filing of such application and payment of the fee provided, the commission shall assign to each such motor vehicle a distinctive number, and, without other fee, issue and deliver to the owner a set of two registration tags, upon each of which shall be displayed the distinctive number assigned, in the form and size herein elsewhere provided, which shall be evidence of payment of the license fee and tax herein imposed.

In the event of the loss, mutilation, or destruction of a certificate of registration or of the registration tags herein provided for, the owner of any registered motor vehicle may obtain from the commission, on making an affidavit showing the facts, and upon the payment of a fee of \$1.00, a new set of duplicates.

SECTION 6. Every motor vehicle shall be registered annually, each registration certificate and set of tags being valid until the 31st day of December next following the date of registration. The fee to be paid on all motor vehicles except motor cycles and those used for commercial purposes for registration, re-registration and operation shall be based on the factory selling price in force January 1, each year to which the registration applies, the net weight and horse-power, which horsepower shall be obtained by multiplying the square of the diameter of the cylinder in inches by the number of cylinders and dividing this product by two and one-half. The basic fee shall be calculated at the rates of 5 mills per dollar of said selling price, 20 cents per 100 pounds or major portion thereof of the net weight of vehicle and 10 cents per horsepower as above determined. The registration fee for motor vehicles except as hereinafter stated, in the year in which they are first purchased from the dealer, shall be the above basic fee. The registration fee for the years subsequent from the year for which the vehicle was purchased from dealer shall be the basic fee as above determined less a 10 per cent reduction per annum from the above basic fee, provided, registration fee shall never be less than basic fee, provided, registration fee shall never be less than 70 per cent of above basic fee. On motor vehicles of foreign make or of obsolete model or make regarding which it is difficult to secure information, and on models not on the market January 1, 1919, the Registration Clerk shall set the valuation in a manner as nearly as possible consistent with the prices prevailing January 1 of the year to which the registration applies. For motor trucks, in addition to the foregoing factors, the fee shall be based on its load agreeity at the rate of \$3.00 per top up to and including capacity at the rate of \$3.00 per ton up to and including 3 tons capacity, \$5.00 per ton of capacity greater than 3 tons but not greater than 4 tons and \$10.00 per ton for capacity greater than 4 tons. For motor busses or other motor vehicles carrying passengers for which a fee is charged the license shall be increased 25 cents per passenger carrying capacity of vehicle, seating capacity to be based on a seating room of 16 inches per passenger.

SECTION 7. No person shall operate or drive a motor vehicle on the public highways of the state after thirty days from the day upon which this act takes effect, unless such vehicle shall have been registered in accordance with the provisions herein contained, and shall have the tags of registration assigned to it by the commission conspicuously displayed and securely fastened upon the front and rear of such vehicle; provided, that license issued previous to the taking effect of this act shall be valid for the unexpired term thereof.

No person shall display on such motor vehicle at the same time any number assigned to it under any other vehicle law or ordinance.

SECTION 8. Such license tags shall be of a distinctly different color or shade each year, and at all times there shall be a marked contrast between the color of the number plate and that of the numerals or letters thereon. Such registration tag shall be substantially of the following size and form, viz: A plate or placard of metal or enamel with metal let-

ters—8½ inches in length and 5 inches in width for one or two numerals; 10 inches in length and 5 inches in width for three numerals; 12 inches in length and 5 inches in width for four or more numerals; and on the left end of this plate with letters running vertically from the top, there shall be two letters "N. D.," each of which shall be approximately one inch in length; and on the right end, arranged in the same manner and the same size there shall be the four numerals of the year in which the license is issued; and on the body of such plate there shall be the distinctive numbers assigned to the vehicle in numerals four inches long, each stroke of which shall be at least ½ inch in width; provided that motor cycles shall be assigned tags three inches in width and of a height to permit numerals to be placed vertically. Across the top of this tag, with letters running horizontally, shall be the two letters, "N. D.," and across the bottom, arranged in the same manner, there shall be the four numerals of the year in which the license is issued, except that the last shall be in proportionate size to the small plate.

SECTION 9. The provisions of this act requiring registration shall not apply to any motor vehicle owned by a non-resident of this state, who is temporarily within the state, while passing into or through it from an adjoining state, provided that such non-resident shall have displayed in a conspicuous way on the motor vehicle he is operating a tag and number for the same year, which shall make such vehicle and the place from which it comes easily identifiable.

SECTION 10. The Registration Clerk shall render to the state treasurer quarterly reports showing a full and correct account of all moneys received during the preceding quarter as fees for the licensing of motor vehicles under the provisions of this act, and at the end of each week shall pay into the state-treasury all moneys received during such week.

SECTION 11. (1) A sum not to exceed \$50,000.00 per annum shall be set apart to defray the expenses of the State Highway Commission in carrying out the provisions of this act.

(2) A sum not to exceed \$100,000.00 per annum shall be set apart to be expended in the discharge of all the other duties and powers of the State Highway Commission, and in carrying out the provisions and purposes of the State Highway Commission Act, and in co-operating with the federal government under the act of congress approved July 11, 1916 (Public No. 156) entitled "An Act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes," and in the construction, improvement and maintenance of state highways.

(3) A sum not exceeding fifty per cent of the balance following the above deductions from the above gross receipts shall be paid by the state treasurer upon certificate from the commission, approved by the state auditor, to the several county treasurers to the account of the special road maintenance fund. The Registration Clerk in behalf of the Commission shall file with the state treasurer and the state auditor verified quarterly statements of the amounts and sources of all moneys received into the state treasury under this act and the amounts to which the several counties are entitled, which funds shall be pro-rated among the counties in the same proportion as that in which the moneys are re-

ceived. The expenses of maintaining the state highways in any county as directed and supervised by the Commission shall be paid from the special road maintenance fund and the remainder thereof shall be expended under the direction of the county commissioners on other highways within the county.

(4) The remaining fifty per cent shall be credited to the state highway fund, to be expended by the Commission in the various counties of the state in the improvement, maintenance and construction of state highways. Ten per cent of this portion of the fund shall be expended at the discretion of the Commission for the purposes specified above without regard to the amount of motor vehicle fees collected, and ninety per cent shall be spent by the commission for the purposes specified above in the several counties in proportion to the amounts collected therein."

SECTION 12. All claims for moneys expended by the State Highway Commission under the provisions of this act shall be paid by the state treasurer upon the presentation of properly prepared vouchers approved by the state auditor and approved by the secretary of the State Highway Commission.

SECTION 13. The motor vehicle Registration Clerk shall furnish to any notary public applying therefor, application blanks for motor vehicle licenses. Every notary public is hereby authorized to accept applications for the registration of motor vehicles and the license fee therefor, which he shall immediately remit, together with such application to the motor vehicle Registration Clerk. Such notary public shall furnish to each person making application for a motor vehicle license through him, a certificate under seal showing the name of the applicant, the amount of fee paid, the make, model and manufacturer's number of the motor vehicle which such application described, and the date of such application. The possession of such a certificate shall be prima facie evidence of his compliance with the motor vehicle law with reference to the motor vehicle therein described.

SECTION 14. The taxes provided for in this act shall be in lieu of all other taxes upon such vehicles, either state or local.

SECTION 15. The Commission shall have the power, and it is hereby declared to be its duty, to see that all the provisions of this act are enforced, and for the enforcement of the same it shall have the assistance of the attorney general of the state and of all prosecuting officers, and may authorize any county or local officer or employee to act for it in any matter pertaining to the enforcement of any of such provisions.

SECTION 16. Within ten days after this act goes into effect the Commission shall appoint, on the nomination of the Secretary of the Commission, a suitable person to act as Motor Vehicle Registration Clerk. Said registration clerk shall qualify by taking and subscribing to the oath of office prescribed by law for state officers, and shall file a bond with sufficient security to be approved by the Commission, in the sum of five thousand dollars (\$5,000.00) conditioned upon the faithful performance of his (or her) duties and the full accounting for all moneys received as taxes or fees under the provisions of this act, the cost of such bond to be paid by the

Commission. The Registration Clerk shall have an office at the State Capitol, in connection with the offices of the Commission, which shall be open and accessable to all applicants for motor vehicle licenses during all reasonable office hours. The salary of said Registration Clerk, not to exceed \$2,000.00 annually, shall be fixed by the Commission and paid out of the state highway fund on the order of the Secretary of the Commission.

SECTION 17. With the approval of the Commission the Secretary shall appoint all such deputies, experts, assistants, or employees as he may deem necessary for the carrying out of the purposes of this Act, the compensation of such appointees to be fixed by the Commission, on the recommendation of the Secretary and paid, together with all reasonable traveling and other expenses, out of the state highway fund, on the order of the Secretary of the Commission.

SECTION 18. For paying the salaries herein provided for, and all expenses of the Commission incurred in carrying out the purposes of this Act or other provision of law imposing duties or conferring powers on said Commission, the sum of One Hundred Fifty Thousand (\$150,000.00) dollars per year, or so much thereof as may be necessary, is hereby appropriated for the biennium of 1919-1920, the same to be paid out of the state highway fund.

SECTION 19. Any person who shall violate any of the provisions of this Act shall be guilty of a misdemeanor, and shall be punished by a fine of not less than ten dollars (\$10.00) nor more than fifty dollars (\$50.00), and if default is made in the payment of such fine, such person or persons shall be committed to the county jail until such fine is paid; provided, however, that each day's service in jail shall be equal to two dollars (\$2.00) of such fine.

SECTION 20. It is hereby made the duty of every county superintendent and every deputy county superintendent of highways, when such are appointed, and otherwise of the board of county commissioners, sheriffs and other county road or police officers, and of all police officers of incorporated cities and villages to enforce the provisions of this act.

SECTION 21. All dealers engaged in the sale of motor vehicles in the state shall furnish the Commission with such information as to models, specifications, selling prices, etc., and such other data requested by the Commission as is necessary in carrying out the provisions of this act. If any dealer shall fail to comply with this provision, the Secretary of State, when so requested by the Commission, shall revoke his permit or incorporation papers until such compliance is made.

SECTION 22. All books, records, supplies, office equipment, etc., in the office of the Secretary of State, purchased under the provisions of law for the registration of motor vehicles shall come under the control of the State Highway Commission upon the passage and approval of this Act.

SECTION 23. Chapter 156, Laws of North Dakota, 1917, and all acts or parts of acts in conflict herewith are hereby repealed.

SECTION 24. This act is hereby declared to be an emergency measure, and shall be in force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

C. D. King, Chairman.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Federal Relations made the following re-

ort:

Mr. President: Your committee on Federal Relations to whom was referred Concurrent Resolution relating to amendment of postal zone law.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

A. A. LIEDERBACH, Chairman.

The committee on Federal Relations made the following report:

port:

Mr. President: Your committee on Federal Relations to whom was referred Concurrent Resolution relating to the Director General of Railroads.

Have had the same under consideration and recommend

that the same do pass.

A. A. LIEDERBACH, Chairman.

Mr. Liederbach moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes & Tax Laws made the following

report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 43.

A bill for an act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Have had the same under consideration and recommend

that the same be amended as follows:

After the words, "A Bill," strike out everything and insert

in lieu thereof, the following:

For an act to amend and re-enact Chapter 59, Compiled Laws of North Dakota 1917, relating to the classification of property for assessment.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. Chapter 59 of the Laws of North Dakota, 1917, is hereby amended and re-enacted to read as follows:

SECTION 1. All real and personal property subject to a general property tax, not exempt by law, and not subject to any gross sales or other lien tax, is hereby classified for purposes of assessment for taxation as follows:

Class 1. Class one shall include the following, which shall be valued and assessed at 100 per cent of the full and true

value thereof:

All Railroads and other public utilities, together with franchises, and all real and personal property employed in connection therewith.

Class 2. Class Two shall include the following, which shall be valued and assessed at 80 per cent of the full and true value thereof:

- (a) All land, exclusive of structures and improvements thereon.
 - (b) All bank stocks.

(c) All flour mills, elevators, warehouses and store houses of all kinds; buildings and improvements upon railway rightsof way, or sites leased from railway companies or other public utility corporations, except such as are assessed in Class 1, and structures and improvements on town and city lots used for business purposes.
Class 3. Class Three shall include the following, which

shall be valued and assessed at 40 per cent of the full and

true value thereof:

All live stock; agricultural and other tools and machinery; gas and other engines and boilers; threshing machines and outfits used therewith; all vehicles, automobiles, motor trucks, and other power driven cars; boats and all water craft; harness, saddlery and robes; structures and improvements used for homes upon town and city lots; and all property not herein speci ically mentioned.

SECTION 2. This Act is hereby declared to be an emergency measure and shall take effect and be in force from and

after its passage and approval.

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted

The committee on Taxes & Tax Laws made the following

report:

Mr. President: Your committee on Taxes & Tax Laws to

whom was referred Senate Bill No. 44.

A bill for an act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Have had the same under consideration and recommend

that the same be amended as follows:

Page 2, Section 7, after the word, "Counties," insert the words, "Towns and Townships."

After Section 8, insert a new section, numbering it Section

9, and advance other Sections one number each.

In Paragraph 11, line 2, strike out 2500, and insert in lieu thereof 1000, and strike out the remainder of the paragraph.

In Paragraph 12, line one, strike out the number \$500.00 and insert in lieu thereof \$300.00 and after \$300.00 strike out all of line 2 of the paragraph and the number \$1000 in line 3, of the paragraph, and in the fourth line of the paragraph strike out the word, "the", after the word, "taxation", and insert in lieu thereof the word, "any."
In Paragraph 13, after the number \$300.00 strike out the

remainder of the paragraph.

In Paragraph 14, after the number \$300.00 strike out the remainder of the paragraph.

At the end of Section one insert a new section to read as

follows:

SECTION 2. Exemptions provided for in this act shall be made in each case on the basis of the full cash valuation both of the exemption and of the valuation of the property upon which such exemption is allowed

Change the last section of the printed bill now Section 2 to

Section 3.

Sub-section nine of Section one.

SECTION 9. The personal and real property owned by lodges, chapters, commandaries, consistories, and like organizations and associations, grand or subordinate, not organized for profit and used by them for places of meeting and for

conducting their business and ceremonies; and all personal and real property owned by any fraternity, sorority or organization of college students; provided, however, that such property as enumerated in this sub-section shall be used exclusively for such purposes.

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Welford moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was

referred House Bill No. 92.

A bill for an act to amend and re-enact Section 8, Chapter 172 of the Session Laws of the year 1915, relating to what property may be insured by County Farmers Mutual Insurance Company.

Have had the same under consideration and recommend

that the same do pass.

WALTER WELFORD, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was

referred House Bill No. 63.

A bill for an act to amend and re-enect Section 4863 of the Compiled Laws of North Dakota for the year 1913, relating to capital stock required by domestic and other stock insurance companies.

Have had the same under consideration and recommend

that the same do pass.

WALTER WELFORD, Chairman.

Mr. Welford moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 145.

A bill for an act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the State Examiner.

Have had the same under consideration and recommend

that the same be amended as follows:

Strike out everything after the words, "A Bill," and insert in lieu thereof the following: "For an act amending and re-enacting Section 225, Compiled Laws of North Dakota for the year 1913, relating to the duties of the State Examiner.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.—AMENDMENT. Section 225, Compiled Laws of North Dakota for the year 1913, is hereby amended and re-

enacted to read as follows:

SECTION 225.—DUTIES. It shall be the duty of the state examiner to examine at least once a year, and as much oftener as he in his discretion may deem advisable, the books and accounts of the Secretary of State, State Auditor, State Treasurer, Clerk of the Supreme Court, Commissioner of Insurance, Commissioner of Agriculture and Labor, Department of University and School Lands, Supply Department of the National Guard, City Auditors, City Treasurers, County Treas-

urers, County Clerks, County Judges, Register of Deeds, County Superintendent of Schools, Sheriffs and County Audi-Fees for such examinations to be charged by the State Examiner only for the examination of books and accounts of City Auditors, City Treasurers, County Treasurers, County Clerks, County Judges, Register of Deeds, County Superintendent of Schools, Sheriffs and County Auditors at the rate of ten dollars a day for the time actually employed by him-self, or his deputies, in such examination. Such fees to be paid into the state treasury as provided by law for other fees collected by his office. Provided, that on petition of twenty per cent of the electors of any school district, as determined by the number of votes cast at the last general election held therein, it shall be the duty of the state examiner to examine and audit personally, or by a duly qualified deputy, within thirty days after receipt of such petition, the books, records and accounts of the Treasurer and Clerk of such school district. Fees for such services shall be paid by such district at the rate of ten dollars per day for the time actually employed in making said examination and audit, and said fees shall be paid into the State Treasury as provided by law for other fees collected by the State Examiner.

SECTION 2.-EMERGENCY. WHEREAS, under existing laws there is no provision made for the examination of all the books and records of Treasurers and Clerks of school districts this act is declared to be an emergency and shall be

in force and effect from and after its passage and approval. And when so amended recommend that the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report: Mr. President: Your committee on Insurance to whom was referred Senate Bill No. 154.

A bill for an act to authorize fraternal benefit societies to

establish and maintain classified membership.

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

In Section 1, after the word "membership", strike out the quotation marks and also strike out the quotations marks at the end of the section.

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 was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was

referred Senate Bill No. 129.

A bill for an Ac to require the listing of motor vehicles by tax assessors within the state, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 9 of the printed bill insert between the word "by" and "mail" the word "registered." In line 12 of the printed bill strike out the word "along" and insert the word "together". In line 13 of the printed bill insert the word "personal" between the word "of" and the word "property". And when so amended recommend the same do pass.

C. D. KING, Chairman.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 32.

A bill for an act making it unlawful to separate or cause to be separated any child under six months of age from its mother for the purpose of placing such child in a foster home or institution, or to place, receive or retain such child in a foster home or institution, and to regulate the manner and circumstances under which it may be done, and to provide a penalty for violation of said act.

Was read the first and second time and referred to the

Committee on Ways and Means.

House Bill No. 190.

A bill for an act reinstating and validating charters of corporations and organizations for the purpose of securing homes for orphans, affected by failure to comply with the provisions of Section 5100 of the Compiled Laws of the State of North Dakota for the year of 1913.

Was read the first and second time and referred to the

Committee on Corporations other than Municipal.

House Bill No. 34.

A bill for an act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

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

House Bill No. 37.

A bill for an act to repeal Section 4051 of the Compiled Laws of North Dakota for the year 1913, relating to the road and bridge taxes.

Was read the first and second time and referred to the Committee on Highways

House Bill No. 111

A bill for an act defining Mutual Telephone Companies, placing same under control of railroad commissioners and providing for certain rules and conditions governing same.

Was read the first and second time and referred to the

Committee on Municipal Corporations.

THIRD READING OF HOUSE BILLS

House Bill No. 133.

A bill for an act making the simulation of organization names a crime.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 8; absent and not voting, 10.

Ayes—Beck, Benson, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Wenstrom, Zieman.

Nays-Hyland, Jacobsen, Kendall, McBride, Porter, Stenmo,

Storstad, Whitman.

Absent and not voting: Berg, Bowman, Carey, Gibbens, Haggart, McCarten, Murphy, Nelson, Ployhar, Welford. So the bill passed and the title was agreed to.
Mr. Wenstrom moved that the vote by which House Bill No.

133 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Jacobsen explained his vote and asked to have it en-tered in the journal. In view of the fact that the measure in itself is so indefinite as to make its enforcement practically

impossible or improbable, I vote "no."

Mr. McBride moved that the title to House Bill No. 42, be amended by correcting the spelling of the word "section" so as to read "sections" and after the figures "2998" add the figures "2999-3001-3002-3003", and that Section No. 13, be amended by correcting the spelling of the word "section" so as to read "sections," and after the figures "2998" add the figures, "2999, 3001, 3002, 3003," which motion was duly seconded.

Mr. Wenstrom moved as an amendment that House Bill No. 42 be re-referred to the Committee on State Affairs, which

motion prevailed and the bill was so re-referred.

Mr. King moved that the president appoint a committee of three to act with a like committee of the House to arrange for a Lincoln day program, which motion prevailed, and the president appointed as such committee, Messrs. King, Gibbens and Mees.

Courtesies of the floor were extended to Geo. Stohler, Ben-

edict; W. R. Kellogg, Jamestown; O. D. Lagrange, Deering.
Mr. Wenstrom moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR FEBRUARY 11, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of The State Training School.

Senate Bill No. 177.

A Concurrent Resolution.

Senate Bill No. 206.

A bill for an act to amend Section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceedings.

Senate Bill No. 216.

A bill for an act creating a board of arbitration to hear petitions of teachers for release from contracts; prescribing duties; to make it the duty of teachers to submit to such board the question of release from contracts to teach; and providing for the filing of findings with the board of educa-tion to be acted upon; and providing penalties for breach of teachers' contracts

Senate Bill No. 49.

A bill for an act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the Investment of University and School Land funds.

Senate Bill No. 207.

A bill for an act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school districts.

Senate Bill No. 97.

A bill for an act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all acts and parts of acts in conflict herewith.

Senate Bill No. 43.

A bill for an Act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Senate Bill No. 44.

A bill for an act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Senate Bill No. 145.

A bill for an act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the State Examiner.

Senate Bill No. 154.

A bill for an act to authorize fraternal benefit societies to establish and maintain classified memberships.

Senate Bill No. 127.

A bill for an act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

THIRD READING OF HOUSE BILLS

House Bill No. 23.

A bill for an act to amend and re-enact Section 7753; Sections 7754 and 7758 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 223 of the Laws of North Dakota for the year 1915 as amended by Chapter 109 of the Laws of North Dakota for the year 1917; Section 7762 of the Compiled Laws of North Dakota for the year 1913; and Sections 8085 and 8115 of the Compiled Laws of North Dakota for the year 1913, relating to redemption from sales of real estate under execution and foreclosure and the rate of interest to be charged thereon.

House Bill No. 108.

A bill for an act to amend and re-enact Section 4847 of the Compiled Laws of North Dakota for the year 1913, relating to abstracts and briefs upon appeal to the Supreme Court, and repealing acts or parts of acts in conflict therewith.

House Bill No. 63.

A bill for an act to amend and re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913, relating to capital stock required by domestic and other stock insurance companies.

House Bill No. 92.

A bill for an act to amend and re-enact Section 8, Chapter 172 of the Session Laws of the year 1915, relating to what property may be insured by County Farmers Mutual Insurance Company.

THIRTY-SIXTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 11, 1919.

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

Prayer was offered by the Chaplain Rev. Flint.

Roll Call.

All members present except Messrs. McCarten and Ward, who were excused.

The President administered the oath of office to Mr. P. A. Berg, Senator-elect from Ransom County.

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 35th day and recommend that the same be corrected as follows: Page 10! line 12, after the name "Mees" insert the name "Mostad;" page 12, line 44, change the word "charge" to the word "charge;" page 19, line 24, correct the spelling of the word "was;"

And when so corrected recommend that the same be approved.

oved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned citizens of Grand Forks, State of North Dakota hereby protest against the passage of Senate Bill No. 204, proposing the permitting of Sunday baseball, in the State of North Dakota, and request that no bill be passed by the present Senate or House of Representatives that will in any way lessen the restrictions on Sunday baseball, as provided by the laws now in force.

L. LILLEHEL and 50 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the members of the Grand Forks, Scandinavian Woman's Christian Temperance Union, hereby protest against the passage of Senate Bill No. 204, proposing the permitting of Sunday baseball, in the State of North Dakota, and hereby request that no bill be passed by the Senate or House of Representatives that will in any way lessen the restrictions on Sunday baseball, as provided by the laws now in force.

MISS LOUISE STAVIG and 22 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned citizens of Grand Forks, State of North Dakota hereby protest against the passage of Senate Bill No. 204, proposing the repeal of the Sunday theater law, now in force in the State of North Dakota, and hereby request that no bill be passed by the present Senate and House of Representatives intended to repeal or lessen the effect of said law.

L. LILLEHEI and 54 others.

Grand Forks, N. Dak., Feb. 8, 1919. To the Senate and House of Representatives of the State of

North Dakota.

We, the undersigned citizens of Grand Forks, State of North Dakota, hereby protest against the passage of Senate Bill No. 152, proposing the repeal of the Anti-Cigarette law now in force in the State of North Dakota, and hereby request that no bill be passed by the present Senate and House of Representatives intended to repeal or lessen the effect of said law.

L. LILLEHEI and 54 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned citizens of Grand Forks, State of North Dakota hereby protest against the passage of Senate Bill No. 152, proposing the repeal of the Anti-Cigarette law now in force in the State of North Dakota, and hereby request that no bill be passed by the present Senate and House of Representatives intended to repeal or lessen the effect of said law.

REV. DAVID STOICE and 76 others.

Resolution passed by the School Board of Dahlen School District, Nelson County, North Dakota, at a special meeting

held Friday, February 7, 1919.

Resolved that we, the members of the school board of Dahlen School District, Nelson County, North Dakota, urgently recommend the passage of House Bill No. 119, for an Act to amend and re-enact Section 1190, Compiled Laws of 1913 as amended and re-enacted by Chapter 127, Session Laws of 1915, with the following provision incorporated therein, namely, that the School Board be permitted to pay more than a maximum of one dollar per day per family if it so desires, and

Be it further resolved, that an emergency clause be attached to said bill for the reason that an immediate and present emergency exists in this district at the present time, and which the immediate passage of said bill will relieve, and

Be it also resolved, that a copy of these resolutions be sent to each member of the Representatives in the present Legislature from Nelson County with the urgent request that they work and vote for the passage of said bills and that if possible they cause these resolutions to be published in the Journals of the House and Senate.

(Signed)

ERIK DOCKEN, Pres.

We, the undersigned citizens of Cavalier County, hereby protest House Bill No. 153 by Representative Bailey, which is unreasonable and uncalled for and would prevent the sale of domestic and veterinary remedies in North Dakota. We believe the bill to be un-American in spirit and monopolistic in effect.

R. B. LEINIG and 64 others.

Tower City, N. D., Feb. 10, 1919.

To Senator C. E. Drown, Bismarck, North Dakota.

We, the undersigned, qualified voters of the Eleventh Legislative District of the State of North Dakota, most respectfully ask and petition you that you use your influence against and vote against the following described bills, when they come before the Senate of North Dakota, to-wit: Senate Bill No. 81 and Senate Bill No. 134. We believe the bills to be vicious and not to the best interests of the people of this State, the State itself or the institutions thereof and that the passage thereof would be detrimental to this community and our school system in particular.

W. J. FREDERICK and 66 others.

Re House Bill No. 153 relating to patent medicine.

We, the undersigned tax payers and residents of Grand Forks County, North Dakota, do hereby remonstrate against the passage of the bill as heretofore stated, in that it would be a direct injury to the country, depriving the people of the opportunity of obtaining medicines which have been proven of great value and are in full accord with purposes for which such medicines are recommended.

Depriving the people of obtaining these, would be a distinct

loss, hardship and injury.

Wherefore petitioners pray that said bill will be voted down by a vast majority of our representatives.

S. LEMMICH and 72 others.

We, the undersigned, residents and voters of your District, respectfully request that you use your influence and vote against any bills, which may be introduced in our Legislature, the object of which is to impose burdens or unfair conditions and restrictions or excessive license fees on Rural Retailers selling and delivering Spices, Extracts, Toilet Preparations, Domestic and Stock Remedies, Poultry Supplies, Dips and Disinfectants, etc.

These Retailers have their regular customers and supply them at their door with high grade goods at reasonable prices and on very favorable terms, and we strongly protest against any Legislation which will injure or restrict their business. Any such Legislation would not only be unjust and unfair to them, but it would also be an imposition upon our rights as citizens to buy where we please and under advantageous circumstances.

We find their method of doing business both economical and convenient. They guarantee the quality of their goods which we have always found to be very satisfactory. Their business affords suitable occupation for hundreds of men who are good, industrious, tax-paying citizens of our state, and legislation imposing unjust burdens on these retailers, will have a tendency to destroy honest competition, foster monopoly and increase the cost of our household necessities, and we earnestly protest aginst the passage of such bills.

JOHN OBERG and 97 others.

We, the undersigned citizens of Pembina County, hereby protest House Bill No. 153, by Representative Bailey, which is unreasonable, and would work a hardship on the people as a whole, and especially on the farmers, as it would prevent the sale of domestic and veterinary remedies in North Dakota, which at present is being brought to their door.

J. S. HENRY and 33 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and En-

grossment have examined the following bills:

Senate Bill No. 43.

A bill for an Act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Senate Bill No. 49.

A bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the Investment of University and School Land Funds.

Senate Bill No. 129.

A bill for an Act to require the listing of motor vehicles by tax assessors within the State, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Senate Bill No. 145.

A bill for an Act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the State Examiner.

Senate Bill No. 154.

A bill for an Act to authorize fraternal benefit societies to establish and maintain classified membership.

Senate Bill No. 177.

A Concurrent Resolution.

Senate Bill No. 206.

A bill for an Act to amend Section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceedings.

Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school districts.

Senate Bill No. 216.

A hill for an Act creating a board of arbitration to hear petitions of teachers for release from contract; prescribing duties to make it the duty of teachers to submit to such board the question of release from contracts to teach; and providing for the filing of findings with the board of education to

be acted upon; and providing penalties for breach of teachers' contracts.

Senate Bill No. 44.

A bill for an Act to amend and re-enact Section 2078 Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motica prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Your committee on Enrollment and En-Mr. President: grossment have examined the following bill:
Senate Bill No. 83.
A bill for an Act to amend Section 2731 of the Compiled

Laws of North Dakota 1913.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establish-ing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all Acts and parts of Acts in conflict herewith. Senate Bill No. 136

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows:

Senate Bill No. 15.

A bill for an Act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasofines, and other low flash test petroleum products; providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriation for carrying out the provisions of this Act.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report: Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 208.

A bill for an Act to amend and re-enact Section 2837. Compiled Laws of 1913, relating to the salary of Dairy Commissioner and Assistant Dairy Commissioner.

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

OLE ETTESTAD, Chairman.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was referred House Bill No. 109.

A bill for an Amendment to the Constitution of the State of North Dakota, and relating to the investment of school funds.

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

Strike out the Enactment Clause and insert in lieu thereof the following: "Be It Resolved by the House of Representatives of the State of North Dakota, and the Senate concurring."

In line 1 of printed bill, strike out the word "The" at the beginning of the line and insert in lieu thereof "That the."

In line six of printed bill, strike out the words "or special." And when so amended recommend the same do pass,

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion

prevailed and the report was adopted.

Mr. Liederbach moved that the report of the committee indefinitely postponing Concurrent Resolution relating to amendment of postal zone law be adopted, which motion prevailed and the report was adopted.

Mr. Fraser moved that the report of the committee indefinitely postponing Senate Bill No. 205 be adopted, which motion prevailed, and the report of the committee was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 11, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 58.

A bill for an Act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination.

Senate Bill No. 81.

Concurrent Resolution for an amendment to the Constitution providing for the Elective Franchises.

Senate Bill No. 148.

A bill for an Act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to ferries.

Which the House has passed unchanged. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 10, 1919.

I have the honor to transmit herewith the Mr. President: following bills:

House Bill No. 129.

A bill for an Act amending and re-enacting Section 2698 of the Compiled Laws of the State of North Dakota for the year 1913, providing for the inspection of meat and all animals to be slaughtered.

House Bill No. 165.

A bill for an Act to authorize fraternal beneficiary societies to provide whole family protection.

House Bill No. 56.

A bill for an Act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by a Workmen's Compensation Bureau in the Department of Agricuture and Labor and making an appropriation therefor.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

MOTIONS AND RESOLUTIONS

Mr. Bowman moved that the committee having under consideration Senate Bills Nos. 193, 199 and 172 be given further time, which motion prevailed.

Mr. Hunt moved that the committee having under consideration Senate Bills Nos. 160, 161, 162, 163, 164, 165, 157, 158,

be given further time, which motion prevailed.

Mr. Pendray moved that the committee on Taxes and Tax Laws be granted further time in the consideration of bills before it, which motion prevailed.

Mr. Hagan moved that the committee having under consideration Senate Bills Nos. 155 and 187 be given further

time, which motion prevailed.

Mr. Welford moved that the committee having under consideration House Bills Nos. 93, 88, 99, and Senate Bills Nos. 159, 76, 32, 191 and 47 be given further time, which motion prevailed.

Mr. Hemmingsen moved that the committee having under consideration Senate Bills Nos. 18, 61, 151, 152, and House Bills Nos. 66 and 68 be granted further time, which motion

Mr. Jacobsen moved that the Senate do now resolve itself into a committee of the whole for the consideration of Senate Bill No. 67, which motion was lost.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 11, 1919.

At the direction of the House I respectfully request that you return Senate Bill No. 78 to the House for the reason that it was recommended to pass in General Orders yesterday without an amendment which should have been attached.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Bowman moved that the request of the House for the return of Senate Bill No. 78 be granted, which motion prevailed, and the bill was returned.

REPORTS OF STANDING COMMITTEES

The committee on Mines and Minerals made the following report:

Mr. President: Your committee on Mines and Minerals to whom was referred House Bill No. 55.

A bill for an Act to regulate the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mining Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix powers and compensation; to provide the method of appointment thereto: to provide for the registry, examination, and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor.

Have had the same under consideration and recommend

that the same be amended as follows:

In Section 2, of the Engrossed Bill, after the figure two (2) and before the words "The Governor," add the following: "There is hereby created the office of State Coal Mine In-

spector."

In Section 4, at the end of the Section after the word "duties" strike out the period and insert in lieu thereof a semicolon and the following words: "Provided further that the State Coal Mine Inspector shall be provided with a suitable office in the State Capitol Building at Bismarck. He shall have power and authority to employ all necessary clerical help for the purpose of carrying out the provisions of this act and to fix the compensation of such help providing that the same shall not exceed the sum of Twelve Hundred (\$1,200.00) Inclars per annum.

In Section 10, in line 8, of the engrossed bill after the words, "kept by the," strike out the words, "County Clerk of any County," and insert in lieu thereof "State Inspector of Weights

and Measures."

In the same Section, in line 14, after the words, "by any," strike out the word "County" and insert in lien thereof the word "States."

In Section 13, in line 18, after the words, "by the," strike out the word "County" and insert in lieu thereof the word "States."

In Section 17. in line 6 of the engrossed bill, after the word "approved" strike out the word "shall" and insert in lieu thereof the word "may." In the same section in line 21 of the engrossed bill, after the words "office of the" strike out the words "County Clerk;" also strike out in line 22 the words "and recorder" and insert in lieu thereof the words "Clerk of the District Court."

In Section 90 of the engrossed bill, strike out everything after the period after the numeral "90" and insert in lieu thereof the following section: "There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated the sum of Ten Thousand (\$10,000.00) Dollars for the purpose of carrying out the provisions of this act.

And when so amended recommend the same do pass.

F. W. MEES, Chairman.

Mr. Mees moved that the report be adopted, which motion prevailed and the report was adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of the State Training School.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Liederback, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Fraser, Gibbens, Levang, McCarten, Ployhar, Porter, Ward, Zieman.

So the bill passed and the title was agreed to.

Senate Bill No. 177.

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, 43; nays, 0; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Fraser, Gibbens, McCarten, Ployhar, Ward, Zieman.

So the bill passed and the title was agreed to.

Senate Bill No. 206.

A bill for an act to amend Section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceedings.

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, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Fraser, Gibbens, Mc-Carten, Noltimier, Ployhar, Ward.

So the bill passed and the title was agreed to.

Senate Bill No. 216.

A bill for an act creating a board of arbitration to hear petitions of teachers for release from contracts; prescribing duties; to make it the duty of teachers to submit to such board the question of release from contracts to teach; and providing for the filing of findings with the board of education to be acted upon; and providing penalties for breach of teachers' contracts.

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, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, McCarten, Mostad, Noltimier, Pendray, Ployhar, Ward.

So the bill passed and the title was agreed to.

Mr. Bowman moved that Senate Bill No. 49 be amended by striking out the word "time" in line 1, Section 3, of the engrossed bill and inserting in lieu thereof "interest paying date," which motion prevailed, and the bill was so amended.

Senate Bill No. 49

A bill for an act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the investment of university and School Land funds.

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 roting, 5.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, McCarten, Nelson, Porter, Ward.

So the bill passed and the title was agreed to.

Mr. Benson moved that Senate Bill No. 207 be re-referred to the Committee on State Affairs, which motion prevailed, and the bill was re-referred.

Mr. Hyland moved that Senate Bills Nos. 97, 43 and 44 be laid over until the next legislative day, which motion prevailed.

Mr. Hyland moved that 1000 copies of Senate Bills Nos. 97

and 44 be printed, and divided equally between the Senate and the House, and placed in the hands of the secretary of the Senate and chief clerk of the House for distribution, which motion prevailed, and it was so ordered.

Senate Bill No. 145.

A bill for an act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the State Examiner.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting. 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, King, McCarten, Ward.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 145, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, King, McCarten, Ward. So the Emergency Clause passed.

Senate Bill No. 154.

A bill for an act to authorize fraternal benefit societies to establish and maintain classified memberships.

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, 3.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, McCarten, Ward.

So the bill passed and the title was agreed to.

Mr. Beck moved that the vote by which Senate Bill No. 154 passed, he reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No . 129.

A bill for an act to require the listing of motor vehicles by tax assessors within the State, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kondall, King, Levang, Liederbach, McBride, McNair, Mees, Mortensen, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: McCarten, Oksendahl, Ployhar, Ward.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 129, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Ettestad, Liederbach, Mc-Carten, Mees, Oksendahl, Ployhar, Ward.

So the Emergency Clause passed.

MESSAGE FROM THE GOVERNOR

February 11,. 1919.

To the Honorable Members of the Senate: Gentlemen:

You are hereby informed that I have approved and filed with the Secretary of State, Senate Bill No. 14, creating a uniform state grade for grain, seeds or other agricultural products, creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the

payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor, and providing penalties for the violation of any of the provisions of this Act; and repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917 passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918 and excluding the State of North Dakota for the year 1918, and excluding sales by producers to one another by this

Also Senate Bill No. 29, an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain county, township, municipal and other officers.

Also Senate Bill No. 51, an Act providing for the appointment of Special Assistant Attorneys General by the Attorney General, and designating the fund out of which the compensation of such Assistant Attorneys General may be paid.

Respectfully yours, LYNN J. FRAZIER, Governor.

February 11, 1919.

To the Honorable Members of the Senate:

Gentlemen:

You are hereby informed that I have approved and filed with the Secretary of State Senate Bill No. 1—An Act to amend and re-enact Section 7644 of the Compiled Laws of North Dakota for the year 1913, relating to change of judges in civil action in the district court for prejudice or bias of judge thereof; providing for the calling in of another judge of another judicial district, and the payment of his expenses, and the discharge of jurors therein.

Respectfully yours, LYNN J. FRAZIER, Governor.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 1.

A bill for an act to fix and limit attorney's fees and all costs on the foreclosure of real estate mortgages.

House Bill No. 2.

A bill for an act to amend and re-enact Section 6076 of the Compiled Laws of the State of North Dakota for the year 1913.

House Bill No. 24.

A bill for an act authorizing the courts to review the levy and apportionment of special assessments.

House Bill No. 35.

A bill for an act to amend and re-enact Section 7415 of the

Compiled Laws of North Dakota for the year 1913, providing the place of trial of civil actions.

House Bill No. 36.

A bill for an act to amend and re-enact Section 8485 of the Compiled Laws of North Dakota for the year 1913, and providing for the issuance of the Writ of Certiorari.

House Bill No. 39.

A bill for an act to provide the certification of questions of law to the Supreme Court in civil and criminal cases where the determination of such questions may determine the issues in a cause at issue.

House Bill No. 45.

A bill for an act to amend and re-enact Section 727 of the Compiled Laws of North Dakota for the year 1913, and fixing the salary of the clerk of the Supreme Court.

House Bill No. 57.

A bill for an act limiting the power of courts to grant injunctions and prohibiting the issuing of restraining orders and injunctions in certain labor matters.

House Bill No. 100.

A bill for an act to amend and re-enact Sections 3241 and 3244 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the removal of county seats.

Senate Bill No. 21.

A bill for an act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and relating to service of subpoenas.

Senate Bill No. 23.

A bill for an act to prevent any foreclosure proceeding without first giving due notice to the mortgagor.

Senate Bill No. 24,

A bill for an act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for five assistant attorneys general, prescribing the bond and oath of office and fixing the salary therefor.

Senate Bill No. 25.

A bill for an act prohibiting the sale of sleds within the State of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Senate Bill No. 26.

A bill for an act to regulate the sale of berries and small fruit and the containers in which they are sold and providing penalties for violation thereof.

Senate Bill No. 30.

A bill for an act amending and re-enacting Sections 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the terms of the Supreme Court and the placing of cases on the calendar thereof.

Senate Bill No. 31.

A bill for an act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota for 1913 and conflicting provisions to this Act; Emergency.

Senate Bill No. 42

A bill for an act providing for the survey and platting of

portions of railway rights of way when used for any purposes other than the operation of a railroad thereon.

Senate Bill No. 45.

A bill for an act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners.

Senate Bill No. 52.

A bill for an act providing for investigating and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

Senate Bill No. 80.

A bill for an act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as amended by Section 1 of Chapter 133 of the Session Laws of 1915, and Section 1 of Chapter 210 of the Session Laws of 1917, relating to health inspection of pupils in public schools.

Senate Bill No. 83.

A bill for an act to amend Section 2731 of the Compiled Laws of North Dakota 1913.

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

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 129.

A bill for an act amending and re-enacting Section 2698 of the Compiled Laws of the State of North Dakota for the year 1913, providing for the inspection of meat and all animals to be slaughtered.

Was read the first and second time and referred to the

Committee on Public Health.

House Bill No. 56.

A bill for an act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by a Workmen's Compensation Bureau in the Department of Agriculture and Labor and making an appropriation therefor

Was read the first and second time and referred to the

Committee on Insurance.

House Bill No. 165.

A bill for an act to authorize fraternal beneficiary societies

to provide whole family protection.

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

THIRD READING OF HOUSE BILLS

House Bill No. 23.

A bill for an act to amend and re-enact Section 7753; Sections 7754 and 7758 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 223 of the Laws of North Dakota for the year 1915 and as amended by Chapter 109 of the Laws of North Dakota for the year 1917; Section 7762 of the Compiled Laws of North Dakota for the year 1913; and Sections 8085 and 8115 of the Compiled Laws of North Dakota for the year 1913, relating to redemption from sales of real estate under execution and foreclosure and the rate of interest to be charged thereon.

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, 7.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Berg, Drown, Hamerly, McBride,

McCarten, Oksendahl, Ward

So the bill passed and the title was agreed to.

House Bill No. 108.

A bill for an act to amend and re-enact Section 4847 of the Compiled Laws of North Dakota for the year 1913, relating to abstracts and briefs upon appeal to the Supreme Court, and repealing acts or parts of acts in conflict therewith

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not

voting, 4.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hamerly, Levang, McCarten, Ward. So the bill passed and the title was agreed to.

House Bill No. 63.

A bill for an act to amend and re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913, relating to capital stock required by domestic and other stock insurance companies.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 1; absent and not

Aves-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Wenstrom, Whitman, Zieman.

Nays-Hyland.

Absent and not voting: Berg, Levang, McCarten, Ward, Welford.

So the bill passed and the title was agreed to.

Mr. Jacobsen moved that House Bill No. 92 be amended by inserting at the beginning of line 1, of the engrossed bill the words "Section 1. Amendment that" and striking out the word "be" after the figures "1915" and inserting "is hereby" and at the beginning of line 3 inserting the words "Section 8," which motion prevailed, and the bill was so amended.

House Bill No. 92.

A bill for an act to amend and re-enact Section 8. Chapter 172 of the Session Laws of the year 1915, relating to what

property may be insured by County Farmers Mutual Insurance Company.

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, 2.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman

Absent and not voting: McCarten, Ward. So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 92, the roll was called and there were ayes, 45; nays, 0;

absent and not voting, 4.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Hagan, McCarten, Ward.

So the Emergency Clause passed.

Mr. Cahill moved that the Senate do now take a recess for ten minutes, which motion prevailed, and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 87.

A bill for an act providing for the keeping of repairs within the state for all gas or oil burning tractors, steam or gas engines, harvesting and threshing machinery, automobiles and auto trucks, and prescribing the duties of the manufacture thereo?.

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

The Senate returned to the Sixth Order of Business.

REPORTS OF STANDING COMMITTEES

Mr. Hyland moved that the reading of Senate Bill No. 130 as amended be dispensed with, which motion prevailed.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 130.

A bill for an act providing for the issuing of bonds of the State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this Act; and declaring this act to be an emergency

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

Strike out everything after the words "A Bill" and insert in

lieu thereof the following:

For an Act providing for the issuing of bonds of the State of North Dakota in a sum not exceeding Ten Million Dollars. to be known as "Bonds of North Dakota, Real Estate Series:" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations and other provisions for the payment of interest and principal on said bonds, and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. An issue of bonds of the State of North Da-kota, to be known as "Bonds of North Dakota, Real Estate Series", is hereby authorized and directed under the conditions and in the manner and for the purposes hereinafter set forth.

SECTION 2. Whenever first mortgages upon real estate, such as are authorized by the Act entitled "An Act declaring the purpose of the State of North Dakota to engage in the banking business and establishing a system of banking under the name of the Bank of North Dakota, operated by the State. and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management; making an appropriation therefor; and providing penalties for the violation of certain provisions thereof", enacted in the year 1919 by the Sixteenth Session of the Legislative Assembly of North Dakota, being House Bill No. 18, hereinafter called the Bank Act, shall be held by the Bank of North Dakota, securing a total amount of unpaid mortgage loans in the sum of at least one hundred thousand dollars, the Industrial Commission may cause such mortgages, or such of them as it shall think proper, but not less than in the total amount of one hundred thousand dollars, to be assigned, together with the obligations thereby secured, to the State The assignment of each such mortgage and obli-Treasurer. gation shall be executed by the Manager of the Bank and shall recite that it is made to "the State Treasurer of North Dakota and his successors in office in trust as security for bonds to be issued by the State of North Dakota under the designation of Bonds of North Dakota, Real Estate Series, as provided by law"; and it shall be duly recorded by said Manager in each county in which the lands affected by the mortgage are situated. As soon as such assignments are re-corded, they, with the instruments assigned, shall be delivered to the State Treasurer, and at the same time the Manager of the Bank shall deliver to the State Treasurer a verified statement showing the amount of the loan remaining unpaid on each such obligation secured by the mortgages so assigned and delivered

SECTION 3. As soon as the State Treasurer shall receive said instruments, he shall notify the Governor, the State Auditor and the Secretary of State, who shall each immediately inspect them. Thereupon the State Treasurer shall immediately prepare for issue, and the Governor and the State Treasurer shall thereafter issue, negotiable bonds of the State of North Dakota in an amount not exceeding the amount of the outstanding loans secured by the mortgages delivered to and in the possession of the State Treasurer, as above provided. Each of the bonds so issued shall contain a recital that it is issued, and that it is secured by real estate first mortgages deposited with the State Treasurer of North Dakota, in pursuance of the provisions of this Act, which may be cited as the "Real Estate Bond Act of North Dakota". Said bonds shall be executed by the Governor and the State Treasurer under the great seal of the State and shall be attested by the Secretary of State. The Auditor and Secretary of State shall endorse and sign on each such bond, when issued, a certificate showing that it is issued pursuant to law and is within the debt limit. The bonds so issued shall be designated "Bonds of North Dakota, Real Estate Series".

SECTION 4. The bonds so issued shall be payable to the purchaser or bearer; provided, however, that the provisions of Section 151, Compiled Laws of 1913, are hereby declared to apply to them. They shall be issued in denominations of from five dollars to ten thousand dollars, and shall be payable in not less than ten nor more than thirty years from the passage of this Act; provided, however, that at the option of the Industrial Commission they shall be payable at any time after five years from the date of their issue, upon public notice given by the Industrial Commission that they shall mature and become payable at a date not less than one year from the time of the giving of such public notice. They shall bear interest at a rate not exceeding six per cent per annum from their date until maturity, payable semi-annually on the first day of January and of July in each year; and coupons shall be attached to each bond, evidencing the amount of interest payable at each first day of January and July until maturity. Principal and interest shall be payable at the office of the State Treasurer in Bismarck. The terms of said bonds, as to values of denominations, periods of maturity and rates of interest, shall be fixed by the Governor in his sound judgment, within the limitations above stated. Every such bond and coupon must be presented for payment at the office of the State Treasurer within six years from the date of its maturity; and no such bond or coupon shall bear interest after maturity unless payment thereof shall not be made upon due presentation for payment.

SECTION 5. The said issue of bonds is authorized for the purpose of making delivery thereof to the Industrial Commission of North Dakota, as hereinafter provided, to the end that the said Commission may, by negotiation and sale of said bonds, procure necessary funds for the Bank of North Dakota, thus replacing in said bank the funds employed by it from time to time in making loans upon first mortgages of real estate.

SECTION 6. In furtherance of the purpose declared by this Act, it is hereby made the duty of the Governor and the State Treasurer after the issue, execution, sealing and attestation of said bonds, to deliver them to the Industrial Commission, in such denominations and amounts, bearing interest at such rates, and running to such period of maturity, as may be required by the Commission, within the limitations herein before stated. The Industrial Commission is empowered, authorized, and directed, in connection

with and in addition to its other powers duties, to act as the agent of the state for the powers and gotiation, sale and delivery of said bonds. It shall sell them, at par value, for cash in such manner and at such times as in its sound discretion it shall deem most advantageous to the interests of the state. The Commission is hereby authorized to receive all moneys paid by buyers of said bonds, upon the sale thereof, and upon receipt of the purchase price to deliver to each purchaser the bonds by him purchased. Upon such delivery of bonds so purchased and paid for, the faith and credit of the State of North Dakota is pledged for the payment thereof, both principal and interest, to the lawful holder and owner thereof upon presentation for payment, according to law. The moneys so derived and received from the sale of said bonds shall be placed by the Industrial Commission in the funds of the Bank. Nothing in this Act, however, shall be construed to prevent the purchase of any said bonds with any funds in the Bank of North Dakota,

SECTION 7. After such assignment of any mortgage, and the obligation thereby secured, all payments accruing thereon shall be made to the State Treasurer. He shall hold and use said mortgages, obligations, and the moneys paid thereon, in trust, first, for the security and payment of the bonds to be issued as herein provided and, second, for re-delivery to the Bank of such remaining part or balance thereof as may come within the provisions hereinafter stated. He shall keep said moneys in a separate fund designated the "Real Estate Bond Payment Fund", apart from all other funds in his possession; and the provisions of Section 7 of the Bank Act shall not apply thereto. He shall also keep in said fund, as a part thereof, for the same purpose and in the same manner and under the same conditions, all moneys received by him, whether from the proceeds of taxes, or from payments made by the Industrial Commission, or from legislative appropriation, or otherwise, which shall be by law or by other authoritative designation made applicable to the payment of the said bonds, or interest thereon. No other disposition, by appropriation or otherwise, shall ever be made of the moneys in said funds until said bonds shall be fully paid, or until the time limit by law for the payment thereof shall have expired; provided, however, that if any of said bonds issued and delivered to the Industrial Commission, as hereinbefore provided, shall be returned to the State Treasurer, not sold, then such returned bonds shall not be deemed a part of the bond issue secured by such fund.

SECTION 8. The State Treasurer shall pay the interest on said bonds upon presentment to him of the coupons for such interest when due, and shall redeem said bonds upon their maturity by paying the principal thereof, all such payments being made from the Real Estate Bond Payment Fund, without auditor's warrant. Each payment so made, in addition to other accounting as provided by law, shall be reported to the Bank of North Dakota. All moneys in said fund, or as much thereof as may be necessary, are hereby appropriated for the payment of the interest and the principal of said bonds, and this appropriation shall not be repealed, and no provision made in this Act for the payment of said bonds and interest shall be discontinued until the debt evidenced by said bonds, both principal and interest, shall have been paid.

SECTION 9. If the obligation secured by any such mort-

gages so assigned to the State Treasurer shall not be performed according to its terms by the mortgagor, by payment or otherwise, or if any condition expressed in any such mortgage shall not be duly performed and kept according to its terms, the State Treasurer shall proceed to exercise the rights conferred upon him as the assignee of said mortgage, through the enforcement of its terms, by foreclosure or otherwise, for realizing upon or protecting the security afforded by said mortgage or for collecting the amount of the obligation thereby secured. If in so doing it shall become necessary for the State Treasurer to purchase the property mortgaged, he shall take title thereto as State Treasurer, and as trustee, in trust for the security for payment of said bonds; and if title to any such mortgaged lands shall be perfected in any State Treasurer by virtue of said purchase, he shall apply to the District Court of the county in which such lands are situated for direction as to the further performance of the duties of his trust in the premises. The cash proceeds derived from the possession, use or sale of any such lands shall become a part of the said Real Estate Bond Payment Fund.

SECTION 10. If, while any mortgage so assigned to the State Treasurer is in his hands, the note or obligation thereby secured shall have been fully paid according to its terms, the State Treasurer shall immediately so certify to the Manager of the Bank. The State Treasurer shall also give information to the Bank as to any proceedings which he may from time to time take respecting the enforcement and collection of the securities as assigned to him, not paid according to their terms.

SECTION 11. The State Treasurer shall from time to time, at the request of the Bank of North Dakota, give information as to the amount of cash balances in his hands credited to said Real Estate Bond Payment Fund. If such balances shall include funds received by him upon the payment of the principal sum loaned upon any such mortgage, the Bank may, to the extent of such principal sums so paid, substitute therefor new mortgages by assignment thereof, together with the obligation thereby secured, in the same manner and to the same effect as in the case of the mortgages and obligations originally assigned as the basis of the issue of such bonds, and upon such assignment and substitution of such new mortgages, the State Treasurer shall pay to the Bank the amount thereof, and such mortgages so substituted shall become and continue a part of the body of said trust, the same as the mortgages and obligations originally assigned to the State Treasurer therefor; provided, however, that unless the amount of the mortgages in such fund falling due before bonds secured thereby is sufficient to pay such bonds, the Treasurer shall reserve sufficient cash for that purpose.

SECTION 12. All said bonds shall be exempt from state, county and municipal taxes of any and all kinds.

SECTION 13. If at the time of the annual meeting of the State Board of Equalization, the moneys in the Real Estate Bond Payment Fund shall appear to the State Treasurer to be insufficient to meet the payments of interest or principal upon said bonds accruing within a period of one year thereafter, he shall so inform the State Board of Equalization, which shall thereupon proceed to include in the annual tax levy, such tax as in its judgment shall be necessary to meet the indi-

cated deficiency, and the proceeds of such tax shall be placed by the State Treasurer in said fund.

SECTION 14. Whenever it shall appear that there are, in said Real Estate Bond Payment Fund, funds which, with the mortgage securities on hand, are more than sufficient to provide for the payment of all bonds and interest thereon outstanding, the excess of such funds requisite for that purpose shall be paid by the State Treasurer to the Bank of North Dakota, if so directed by the Industrial Commission.

SECTION 15. The powers herein granted may be repeatedly exercised, and the duties following thereupon shall be likewise repeatedly performed, from time to time as occasion may arise under the terms of this Act; provided, however, that at no time shall the amount of bonds issued and outstanding pursuant to the terms of this Act exceed the total of ten million dollars.

SECTION 16. There is hereby appropriated out of the general funds of the state, not otherwise appropriated, ten thousand dollars, or as much thereof as may be necessary, to carry out the provisions of this Act. This appropriation is hereby declared to be immediately available upon the passage and approval of this Act.

SECTION 17. This Act is hereby declared to be an emergency measure and shall take effect and be in force from and

after its passage and approval.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The majority of the committee on Taxes and Tax Laws

made the following report:

Mr. President: Your committee on Taxes and Tax Laws to

whom was referred Senate Bill No. 67.

A bill for an act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers and duties; fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other acts and parts of acts in conflict herewith.

Have had the same under consideration and a majority rec-

ommend that the same be amended as follows:

Strike out all of Section 1, and insert in place thereof the

following:

ment."

"On or before the last Monday in February, the Governor by and with the advice and consent of the Senate, shall appoint a Tax Commissioner, who shall serve for a term of six years from the date of his qualification, or until his successor is appointed and qualified. The Governor may remove the Tax Commissioner at any time and appoint his successor, or may fill by appointment any vacancy in such office, and the person appointed to fill such vacancy shall serve for the unexpired term, unless earlier removed or unless at any regular session of the Senate, it shall fail to approve such appoint-

On page S, insert a new sub-section at the end of Section

7, to read as follows:

"(T) To contract with individuals out of the state for the furnishing of information leading to the collection of taxes which would otherwise escape and in case such taxes are there-

by collected the compensation therefor shall be paid by warrant issued by the Commissioner, drawn upon the subdivisions of Government benefitted by such collection of taxes, in the proportion of benefits received by such subdivision."

On page 9, insert at the beginning of Section 12, and before the word "jurisdiction" the following:

"In all cases wherein any person, corporation, company or association omits or refuses to make any return required by law, or where the Tax Commissioner shall have reasonable ground for the belief that any person, corporation, company or association has made any false or fraudulent return to the Commissioner or to any officer or department of the State or any political subdivision thereof for the purpose of evading the payment of any tax, or evading any duty imposed by the tax laws of the state, he is hereby empowered in person or by his authorized agent, to examine all or any books, records, documents or accounts that in any way may relate to the payment of such tax or the discharge of such duty; and the Commissioner is further empowered to summon witnesses and to secure process to compel the attendance of witnesses or to produce books or records in all investigations or hearings for the purpose of enforcing the tax laws of the State; and"

On page 10, strike out all of Section 13, and insert the following:

"SECTION 13. Any unused balance of appropriation for the fiscal year ending July first, 1919, for the support of the department of Tax Commission shall be available to be expended under the direction of the Tax Commissioner herein provided for.'

> THOMAS PENDRAY J. I. CAHILL J. P. HEMMINGSEN G. F. HUNT OLE ETTESTAD R. L. FRASER

And when so amended recommend the same do pass. THOMAS PENDRAY, Chairman.

The committee on Taxes and Tax Laws made the following report:

Mr. President: The minority of your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 67.

A bill for an Act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers and duties; fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other acts and parts of Acts in conflict herewith.

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

Strike out all of Sections 1, 2 and 3 of the printed bill.

In line 1 of Section 4 after the word "the" strike out the "Tax Commissioner" and insert in lieu thereof the following "chairman of the tax commission."

In line 2 of Section 5 after the word "tax" strike out the word "commissioners" and insert the word "commission."

In line 4 of Section 5 strike out the word "commissioner"

and insert the word "commission."

In line 58 of Section 5, strike out the word "he" and insert the words "the tax commission."

In line 64 of Section 5, strike out the word "commissioner" and insert the word "tax commission."

In line 117 of Section 5, strike out the word "commissioner" and insert the word "tax commission."

In line 135 of Section 5, strike out the word "commissioner" and insert the word "commission."

In line 140 of Section 5, strike out the word "commissioner" and insert the words "tax commission."

In line 144 of Section 5, strike out the word "commissioner" and insert the words "tax commission."

In line 147 of Section 5, strike out the word 'commissioner's" and insert the words "tax commission."

In line 149 of Section 5 strike out the word "him" and insert the word "commission."

At the end of Section 5 insert a new section as follows.

"(T). To contract with individuals out of the state for the furnishing of information leading to the collection of taxes which would otherwise escape and in case such taxes are thereby collected the compensation therefor shall be paid by warrant issued by the commissioner, drawn upon the subdivisions of government benefitted by such collection of taxes, in the proportion of benefits received by such subdivision."

Strike out Sections 8, 9, 10 and 11.

On page 9 of the printed bill insert at the beginning of Section 12 and before the word "jurisdiction" the following:

"In all cases wherein any person, corporation, company or association omits or refuses to make any return required by law, or where the Tax Commission shall have reasonable ground for the belief that any person, corporation, company or association has made any false or fraudulent return to the commission or to any officer or department of the state or any political subdivision thereof for the purpose of evading the payment of any tax, or evading any duty imposed by the tax laws of the state, the Tax Commission is hereby empowered to examine all or any books, records, documents or accounts that in any way may relate to the payment of such tax or the discharge of such duty; and the tax commission is further empowered to summon witnesses and to secure process to compel the attendance of witnesses or to produce books or records in all investigations or hearings for the purpose of enforcing the tax laws of the state."

Strike out all of Sections 13 and 14 and insert the following section:

"All Acts and parts of Acts in conflict with this Act are here by repealed."

Re-number the sections as follows:

Section 4 of the printed bill to become Section 1. Section 5 of the printed bill to become Section 2.

Section 12 of the printed bill to become Section 3. Section 14 of the printed bill to become Section 4.

Section 15 of the printed bill to become Section 5.

The title of the bill be amended so as to read as follows: "For an Act relating to the powers and duties of the Tax Commission."

And when so amended recommend the same do pass.

ANDREW OKSENDAHL WM. ZIEMAN H. P. JACOBSEN A. G. STORSTAD F. W. MEES

Mr. Pendray moved that the report of the majority committy be adopted, which motion was duly seconded.

Mr. Jacobsen moved as an amendment that the word "minority" be substituted for the word "majority," which motion

was duly seconded.

Mr. President: Your committee appointed to confer with a like committee of the House to arrange for Lincoln Day exercises, beg leave to report the following program.

AT HOUSE CHAMBER

PROGRAM

2:30 p. m., February 12, 1919

| | MUSIC BY O'CONNOR'S ORCHESTRA |
|----|---|
| 1 | Star Spangled Banner Everybody |
| 2 | SongPupils, selected from 2nd grade, Bismarck Schools |
| 3 | Reading—Patriotic Selection |
| | |
| 4 | Music Orchestra |
| 5 | SongPupils, selected from 2nd grade, Bismarck Schools |
| 6 | Selection Mixed Quartette |
| 7 | Personal Remembrance of Lincoln |
| | By. H. A. Ball, Veteran of '61 |
| 8 | Music Orchestra |
| 9 | Violin Solo |
| 10 | Selection |
| 11 | ABRAHAM LINCOLNRev. John Flint |
| 12 | Solo-(Ring Out Sweet Bells of PeaceFred Hanson |
| 13 | A Few Remarks by a Returned Soldier George Buzzell |
| 14 | Solo—(Good-bye)Tosti |
| | Mrs. H. H. Steele-Mrs. E. D. Rose, accompanist |
| 15 | America—Lead by Orchestra Everybody |
| | |

C. D. KING
A. S. GIBBENS
F. W. MEES
W. L. CADDELL
T. F. MURTHA
JOHN O'BRIEN

Committee.

Courtesies of the floor were extended to A. W. Linquist, Fairmount; H. H. Philips, Harvey; O. T. Hoge, Ralph Kone, Addison Leach, Mat Camitch, Fargo; C. E. Persinger, R. N. Youngquist, Fullerton; Wm. Hanson, W. Madsen, Maddock; Peter Benson, Ryder; Stephen C. Lush, Minneapolis, Minn.; W. N. Putnam, Streeter; F. G. Chambard, Valley City; Gilbert Teien, Lakota; G. M. Ganon, Ashley; A. Felland, Turtle Lake; W. R. Wyatt, Kenmare; J. A. Sorum, W. C. Mergenthal, E. C. Kaufman, Hankinson; Louis Nosdahl, Rugby, and all the visiting members of the Equity present.

visiting members of the Equity present.

Mr. Hyland moved that the Senate do now take a recess to 10 o'clock a. m. Thursday, February 13, 1919, which motion

prevailed and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEBRUARY 13, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 97.

A bill for an act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the State; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all acts and parts of acts in conflict herewith.

Senate Bill No. 43.

A bill for an act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Senate Bill No. 44.

A bill for an act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Senate Bill No. 130.

A bill for an act providing for the issuing of bonds of the State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this Act; and declaring this act to be an emergency measure.

THIRD READING OF HOUSE BILLS

House Bill No. 109.

A bill for an amendment to the Constitution of the State of North Dakota and relating to the investment of school funds. House Bill No. 55.

A bill for an act to regulate the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mining Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix its powers and compensation; to provide the method of appointment thereto; to provide for the registry, examination, and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor.

THIRTY-SEVENTH DAY AFTER RECESS AND THIRTY-EIGHTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 13, 1919.

The Senate convened at 10 o'clock a. m., pursuant to recess

taken, the president presiding.

Mr. Hyland moved that action on motion to adopt report of committee on Senate Bill No. 67 be deferred for forty-five minutes, which motion prevailed.

THIRD READING OF SENATE BILLS

Mr. Mees moved that Senate Bill No. 43 be amended by striking out the word "lien" in line 3, Section 1, of the engrossed bill, and substituting in lieu thereof the word "lieu," which motion prevailed and the bill was so amended.

Mr. Cahill moved that Senate Bill No. 43 be amended by placing the letter "a" in parenthesis at the beginning of line 8, Section 1; by striking out lines 11, 12 and 13, Section 1; by striking out the letter "a" at the beginning of line 14, Section 1, and substituting the leter "b" in lieu thereof; by striking out the letter "b" at the beginning of line 16, Section 1, and substituting in lieu thereof the letter "c;" by striking out the letter "c" at the beginning of line 17, Section 1, and substituting in lieu thereof the letter "d;" by striking out the words "except such as are assessed in Class 1" in line 20 of Section 1; by striking out the figure "2" after the word "Class" in line 23, and the word "two" after the second word "Class" in line 29. Section 1, which vertices proposited and the ball words. 23, Section 1, which motion prevailed and the bill was so amended.

Mr. Hyland moved that Senate Bill No. 43 be amended by striking out the figure "40" in line 24 of Section 1, and substituting in lieu thereof the figure "50," which motion pre-

vailed, and the bill was so amended.

Mr. Gibbens moved that Section 2 be stricken out and substituting in lieu thereof the following: "This Act shall become effective at once after the voters of the state have approved the same by a majority of the votes cast upon the proposition at a special election which shall be called by the governor within ninety days after the adjournment of this Legislative Assembly, which motion was duly seconded.

Roll call was demanded.

The roll was called and there were ayes, 15; nays, 33; absent and not voting, 1.

Ayes—Beck, Carey, Drown, Gibbens, Haggart, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

Nays—Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Absent and not voting: Oksendahl.

So the motion was lost.

Mr. Ingerson explained his vote as follows: Because I believe the people of the State are amply protected by the new Constitutional Amendments, and under the referendum they can express themselves upon this thing so easily. I vote no.

Mr. Liederbach explained his vote as follows: By reason of the fact that it is necessary for us to raise our taxes due to the predicament that we were placed in by the Hanna administration, I vote no.

Mr. Welford explained his vote as follows: While I am fundamently very strong in the belief that these matters should be referred to the people, yet I believe this is an emergency measure and should be passed by this Legislature, therefore I vote no.

Senate Bill No. 43.

A bill for an act to amend and re-enact Chapter 59, Laws of North Dakota. 1917, relating to the classification of property for assessment

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, 34; nays, 14; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

Absent and not voting: Oksendahl.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill No. 43 passed, he reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 43, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, Mc-

Nair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

Absent and not voting: Oksendahl.

So the emergency Clause passed.

Mr. Morkrid 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 question being on the adoption of the minority report of the committee on Senate Bill No. 67, roll call was demanded.

The roll was called and there were ayes, 20; nays, 28; absent and not voting, 1.

Ayes—Beck, Carey, Drown, Gibbens, Haggart, Hyland, Jasobsen, Kendall, McBride, Mees, Mostad, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Welford, Whitman, Zieman.

Nays—Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Noltimier, Olson, Pendray, Sikes, Ward, Weber; Wenstrom.

Absent and not voting: Oksendahl.

So the motion is lost.

Mr. Ployhar explained his vote as follow, and asked to have it entered in the Journal. For the reason that the so-called Hanna gang attempted to make the same change as contemplated in this bill, and that the present administration surely does not want to be placed in the same class as any former administration, and that at that time as a member of the House of Representatives I voted against a similar bill, and believing that the interests of the tax payers are best served by a three man commission, therefore I vote aye.

The question being on the original motion to adopt the majority report of the committee on Senate Bill No. 67, the motion prevailed, and the report of the majority committee was adopted.

Mr. Liederbach moved that the Concurrent Resolution relating to the Director General of Railroads be adopted, which motion prevailed, and the resolution was adopted.

Mr. Cahill moved that Senate Bill No. 44 be amended by striking out the figures "1000" in line 2 of subdivisions 11, of Section 2078 of the engrossed bill, and substituting in lieu thereof the figures "1500," which motion was lost.

Mr. Hyland moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

THIRTY-EIGHTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 13, 1919.

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

Prayer was offered by the Chaplain Rev. Flint.

Roll Call.

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

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 36th day and recommend that the same be corrected as follows: Page 7, line 52, correct the spelling of the word "prevailed;" page 8, line 31, correct the spelling of the word "measures;" page 17, line 42, take out House Bill 78 and title; page 23, line 44, correct the spelling of the name "Hunt;" page 25, line 47, change the figure "15" to "16."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

February 13, 1919.

Hon. H. R. Wood, Pres. of the Senate,

My dear Mr. President: The following is a copy of a telegram received by Governor Frazier together with his reply. Will you kindly bring this to the attention of the members of the Senate. Number 3 is due to arrive at 11:36 a.m.

Minneapolis, Minn., February 12,1919.

Hon. Lynn J. Frazier, Bismarck, N. Dak.

Ex-President Taft and party arrive Bismarck Train Three Fr'day. Will speak at depot if desired. Suggest Legislature attend as body.

(Signed) HAROLD B. NELSON,

> N. D. Chairman pro tem, League to Enforce Peace.

The Governor replied: Members of Legislature and people of Bismarck will be pleased to see and hear Ex-President Taft Friday on No. 3.

Yours very truly, N. A. MASON,

Secretary to the Governor.

To the Honorable C. E. Drown, Senator of the Eleventh Legislative District, Bismarck, North Dakota:

We, the undersigned voters and taxpayers of Erie, North

Dakota and vicinity do hereby petition you to use all influence at your command to kill House Bills Number eighty-one (81) and one hundred thirty-four (134) respectively.

LOUIS SCHROEDER, and 101 others.

Honorable Andrew Oksendahl.

Bismarck, N. D., Senate Chamber.

We do hereby petition you to use your influence and vote against House Bill No. 81 regarding the certification of teachers. We believe this is a vicious measure which will not aid our schools but will drive many experienced school people from the state.

We believe in the powers of the State Superintendent remaining in that office and are against establishing the office of Commissioner of Education. We, the people of North Dakota, elected Miss Nielson to the office of Superintendent of Public Instruction with all the powers pertaining thereto.

We do believe that this will place our schools in the political fray. Our teachers and supervisors will be dominated

by the politicians.

We feel justified in thus making known to you who represent us, our will in this matter and ask you to vote against this bill and against the bill creating the office of Commissioner of Education to take away the powers of the State Superintendent.

D. L. PETERS and 34 others.

Balta, N. Dak., Feb. 7, 1919.

Sen. A. Oksendahl, Bismarck, N. D.

Dear Sir: I wish to call your attention to House Bill No. 96, introduced by Rep. Harris of Mercer County. We have already laws that forbid the teaching of foreign language, but to entirely bar the foreign languages from our schools is against the principles of our Democracy. This movement is entirely too outstretching as it also forbids the use of foreign languages in Parochial Schools. I think the main object is

the German language.

Truly, we have to admit that we immigrated foreigners, as may also some of our children; may not be capable of fluently talking the English. Some people have no sympathy for foreign born Americans. Some cannot see that the old pioneers did not have time for the chances to educate themselves in the English language, but that they have been kept busy with their food and existence proposition when they settled on the wild prairies of this North Daokta and began its cultivation. Anyone that have gone through these days can easily see that although they may have had time, they did not have the opportunity of education. Not out of hate, not of inspect, did these pioneers of culture in North Dakota, neglect to learn the American, but because in their fight for existence and their dear ones, did they have time nor opportunity to educate themselves in the English language, as much as they did even wish, to help themselves in the English language. Now these pioneers, these old settlers, these border breakers of North Dakota are old and gray; many overaged on account of hard labor, hardships and sufferings, that one can only appreciate that has gone through the mill himself, that has gone into the Wild West—that has tried to wring by the sweat of his brow and toil an existence from the wild soil,

now against these pioneers and successors do they point their spirit of hatred, because they foolishly believe that one cannot be 100 per cent American, if he talks a different language than the American.

It is a shame with the progress of education, we should go back as in barbarian days of servitude subjection, abandonment of civilian rights. It is against the principles of ourfederal administration. We went into this war for worldwide Demoracy, but in our fight abroad we seem to loose foothold at home. It is discriminating against the right which the constitution granted us when we became U. S. citizens. There would still be the howl of the wild animals, the language of this state, if not the pioneers had carried the banners of culture to this state. It is a disgrace—a shame—to even think about it. Let the majority rule. I have also seen that Senate Bill No. 81 has passed. It seems queer to me, that when the voters at the last general election decided by an over 10,000 majority against woman suffrage, that now the representative body has enacted a law contrary to the will of the people.

Just as eager as we Germans have been supporting the League, just as eager will we work against it if the League points its guns at us, same as what happened to Supt. Macdonald. I hope the bill will not pass.

Yours,

(Signed)

PETER VESCH.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned members of the Grand Forks Woman's Christian Temperance Union, hereby protest against the passage of Senate Bill No. 204, proposing the repeal of the Sunday theater law, now in force in the State of North Dakota, and hereby request that no bill be passed by the present Senate and House of Representatives intended to repeal or lessen the effect of said law.

MISS FRANCES M. WAGAR and 45 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned citizens of Grand Forks, State of North Dakota hereby protest the passage of Senate Bill Number 204, proposing the permitting of Sunday baseball, in the State of North Dakota, and request that no bill be passed by the present Senate and House of Representatives that will in any way lessen the restrictions on Sunday baseball as provided by the laws now in force.

GLADYS H. WHITSON and 7 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned members of the Grand Forks Woman's Christian Temperance Union, hereby protest against the passage of Senate Bill Number 204, proposing the permitting of Sunday baseball, in the State of North Dakota, and request that no bill be passed by the present Senate or House of Rep-

resentatives that will in any way lessen the restrictions on Sunday baseball, as provided by the laws now in force.

MISS FRANCES M. WAGAR, and 35 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned members of the Grand Forks Woman's Christian Temperance Union, hereby protest against the passage of Senate Bill Number 152 proposing the repeal of the anti-cigarette law now in force in the State of North Dakota, and hereby request that no bill be passed by the present Senate and House of Representatives intended to repeal or lesson. ate and House of Representatives intended to repeal or lessen the effect of said law.

MISS FRANCES M. WAGAR and 36 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of

North Dakota.

We, the undersigned citizens of Grand Forks, State of North Dakota hereby protest against the passage of Senate Bill Number 152 proposing the repeal of the anti-cigarette law, now in force in the State of North Dakota, and hereby request that no bill be passed by the present Senate and House of Representatives intended to repeal or lessen the effect of sa'd law.

GLADYS H. WHITSON and 9 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and engrossment made the following report:

Mr. President: Your committee on Enrollment and En-

grossment have examined the following bills:

Senate Bill No. 58.

A bill for an Act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination.

Senate Bill No. 81.

Concurrent Resolution for an amendment to the Constitution providing for the Elective Franchises.

Senate Bill No. 148.

A bill for an Act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to ferries.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 130.

A bill for an act providing for the issuing of bonds of the

State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this act; and declaring this act to be an emergency measure.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 49.

A bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the Investment of University and School Land Funds.

Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of the State Training School.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 180.

A bill for an Act to amend and re-enact Sections 4296, 4297, 4298 and 4299, and to repeal Section 4313 of the Compiled Laws of the State of North Dakota for the year of 1913 relating to partition fences.

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

OLE ETTESTAD, Chairman.

The committee on State Affairs made the following report:

Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 19.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end establish a business system operated by the state under the name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management.

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:

A bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end to establish a business system operated by the state under the name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management; and making an appropriation therefor.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. For the purpose of promoting home building and ownership the State of North Dakota shall engage in the enterprise of providing homes for residents of the state, and to that end it shall and does hereby, establish a business system operated by the state under the name of The Home Building Association of North Dakota, hereinafter, for convenience, called the Association.

SECTION 2. The Industrial Commission of North Dakota shall operate, manage and control the Association and shall locate and maintain its places of business, of which the principal place shall be within the state, and shall make and enforce orders, rules, regulations and by-laws for the transaction of its business.

SECTION 3. To accomplish the purpose of this Act the Industri. Commission shall acquire by purchase, lease or exercise of the right of eminent domain, as provided by Chapter 36 of the Code of Civil Procedure, Compiled Laws of 1913, all requisite property and property rights, and may construct, repair and remodel buildings, having strict regard for economy in the administration of its affairs.

SECTION 4. The Industrial Commission shall obtain such assistance as in its judgment may be necessary for the establishment, maintenance and operation of the Association. To that end it shall appoint a manager, and may appoint such subordinate officers and employes as it may judge expedient. It may constitute such manager its general agent, in respect to the functions of the Association, but subject, nevertheless, in such agency, to the supervision, limitation and control of the Commission. It shall employ such contractors, architects, builders, attorneys, clerks, accountants and other experts, agents and servants as in the judgment of the Commission the interests of the state may require, and shall define the duties, designate the title, and fix the compensation and bonds of all such persons so engaged; provided, however, that subject to the control and regulation of the Commission, the Manager of the Association shall appoint and employ such deputies and other subordinates, and such contracts, architects, builders, attorneys, clerks, accountants and other experts, agent and servants as he shall, in his judgment, deem are required by the interests of the Association. The total compensation of such appointees and employes, together with other expenditures

for the operation and maintenance of the Association, shall remain within the appropriation and earnings lawfully available in each year for such purpose. All officers and employes of the Association engaged upon its financial functions shall, before entering upon their duties, respectively furnish good and sufficient bonds to the state in such amount and upon such conditions as the Commission may require and approve; but the bond of the Manager shall not be less than fifty thousand dollars. Such bonds shall be filed with the Secretary of State.

SECTION 5. The Industrial Commission may remove and discharge any and all persons appointed in the exercise of the powers granted by this Act, whether by the Commission or by the Manager of the Association, and any such removal may be made whenever in the judgment of the Commission the public interests require it; provided, however, that all appointments and removals contemplated by this Act shall be so made as the Commission shall deem most fit to promote the efficiency of the public service.

SECTION 6. Whenever funds shall be available, derived from the sale of bonds issued by the state and delivered to the industrial Commission for negotiation to carry on the business of the Association; or derived from appropria-tions made by the Legislative Assembly for such purpose; or derived from deposits received by the Association as hereinafter provided; or derived from payments made for homes by purchasers thereof, such funds shall be used, under proper regulations of the Industrial Commission, for investment in building or purchasing homes within the state for members of Home Buyers' League, as such Leagues are hereinafter defined. No home shall be built, or purchased and sold, at a price to exceed five thousand dollars, except in case of a faim home, in which case the selling price shall not exceed ten thousand dollars. The word "home" as herein used, shall mean a dwelling house, within or adjacent to a town, village or city, together with such equipments as are customarily used in connection with a dwelling house. The words "farm home," as herein used, shall mean a tract of agricultural land together with a dwelling house, a barn, and such other farm buildings and equipments as are customarily used in connection with a farm home.

SECTION 7. The Association shall make a specialty of building standardized houses, barns and other buildings and equipments provided for herein. For its uses the Industrial Commission may acquire suitable tracts of land, by purchase or by exercise of the right of eminent domain, deemed by the Commission suitable to accomplish the purposes of this Act; and may subdivide such land into lots, and lay out streets, sidewalks, parks and gardens therein, and build homes on said lots, as provided for herein, and supply them with water, light and heat.

SECTION 8. Any person may open a home buying account with the Association by applying in person, by mail or through a Home Buyers' League, a trade union, a woman's club or any other recognized industrial, social or civic body. Special efforts shall be made to secure deposits from children, young people, renters and wage earners, in order that more people may own their homes. Any such deposits, together with interest may be withdrawn upon six months' notice.

SECTION 9. The Industrial Commission shall fix the rate of interest on all deposits and loans, and the charges for all services rendered by the Association; but no interest rate allowed or received shall exceed six per cent per annum.

SECTION 10. Ten or more depositors in the Association may form themselves into a local body, to be known as a Home Buyers' League. Every such Home Buyers' League must be authorized, registered and numbered in the office of the Association, and it shall be governed by such rules and regulations as may be prescribed by the Industrial Commission. No person shall become a member of a Home Buyers' League without the written consent of all of the other members, which shall be filed and recorded in the office of the Association.

SECTION 11. Each Home Buyers' League shall elect a Secretary-Treasurer, who shall perform the duties usual to such office, and shall be its executive officer. He shall also be the agent of the Association and shall perform such other duties as the Industrial Commission may prescribe.

SECTION 12. Whenever a member of a Home Buyers' League shall have deposited with the Association a sum equal to twenty per cent of the total selling price of a home or farm home, the Association shall, upon his application, purchase or build such home or farm home and convey it to him upon a cash payment of twenty per cent, the balance to be secured by a purchase money mortgage on the property, and to be paid on an amortization plan by means of a fixed number of monthly installments sufficient to cover, first, a charge on the loan, at a rate to be determined by the Industrial Commission, second, a charge for administration and surplus at a rate not exceeding one per cent per annum on the unpaid principal, said two rates combined constituting the interest rate on the deferred payments; and, third, such amounts to be applied on the principal as will extinguish the debt within an agreed period, not less than ten or more than twenty years. Additional payments in sums of twenty-five dollars or any multiple thereof, for the reduction of the amount of the unpaid principal, or the payment of the entire principal, may be made on any regular installment date, under the rules and regulations of the Industrial Commission. In case of any accident, crop failure or other event, which reduces the buyer's reasonable income by one-half, all payments under such contract may in the discretion of the Industrial Commission be extended from time to time for a period of one year; provided, however, that on the payment of all installments such further annual payments shall be payable as will pay the interest with interest thereon, for the years for which no payments were made.

SECTION 13. Each member of every Home Buyers' League shall be jointly and severally liable for all contracts, debts and obligations due the Association from his League, to the extent of fifteen per cent of the price at which his home was sold to him.

SECTION 14. All funds of the Association shall be deposited in the Bank of North Dakota and disbursed through it.

SECTION 15. All business of the Association may be conducted under the name of "The Home Building Association of North Dakota." Title to property pertaining to the operation of the Association shall be obtained and conveyed in the name of "The State of North Dakota, doing business as the Home Building Association of North Dakota." Written instruments shall be executed in the name of the State of North Dakota, signed by any two members of the Industrial Commission, of whom the governor shall be one, or by the manager of the Association within the scope of his authority so to do as defined by the Industrial Commission.

SECTION 16. Civil actions may be brought against the State of North Dakota on account of causes of action claimed to have arisen out of transactions connected with the operation of the Association, upon condition that the provisions of this section are complied with. In such actions the State shall be designated as "The State of North Dakota, doing business as the Home Building Association," and the service of process therein shall be made upon the Manager of the Association. Such actions may be brought in the same manner and shall be subject to the same provisions of law as other civil actions brought pursuant to the provisions of the Code of Civil Procedure. Such actions shall be brought, however, in the county where the Association shall have its principal place of business, except as provided in Sections 7415, 7416 and 7418, Compiled Laws of North Dakota, 1913. The provisions of Section 375 and 657 of the Compiled Laws of 1913 shall not apply to claims against the state, affected by the provisions of this section.

SECTION 17. The State Examiner shall personally or through deputy examiners visit the Association at least twice annually, and shall inspect and verify the assets in its possession and under its control, with sufficient thoroughness of investigation to ascertain with reasonable certainty whether the valuations are correctly carried on its books. He shall report the results of each examination and investigation to the Industrial Commission as soon as practicable, and to the Legislative Assembly at its next ensuing session.

SECTION 18. There is hereby appropriated out of the general funds of the State, not otherwise appropriated, one hundred thousand dollars, or so much thereof as may be necessary to carry out the provisions of this Act. This appropriation is hereby made available immediately upon the passage and approval of this Act. The Industrial Commission shall, out of the earnings of the Association, make provision for accumulating a fund with which to replace in the general funds of the State, the amount received by the Commission under this appropriation, as may be directed by the Legislative Assembly.

SECTION 19. This Act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 20.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

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

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

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management; and making an appropriation therefor.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. That for the purpose of encouraging and promoting agriculture, commerce and industry, the State of North Dakota shall engage in the business of manufacturing and marketing farm products and for that purpose shall establish a system of warehouses, elevators, flour mills, factories, plants, machinery and equipment, owned, controlled and operated by it under the name of North Dakota Mill and Elevator Association, hereinafter for convenience called the Association.

SECTION 2. The Industrial Commission shall operate, manage and control the Association, locate and maintain its places of business, of which the principal place shall be within the state, and shall make and enforce orders, rules, regulations and by-laws for the transaction of its business. The business of the Association, in addition to other matters herein specified, may include anything that any private individual or corporation may lawfully do in conducting a similar business except as herein restricted. The Industrial Commission shall meet within twenty days after the passage and approval of this Act to begin the organization of the Association.

SECTION 3. To accomplish the purposes of this Act the Industrial Commission shall acquire by purchase, lease, or by exercise of the right of eminent domain, as provided by Chapter 36 of the Code of Civil Procedure, Compiled Laws of 1913, all necessary property or property rights, and may construct, remodel or repair all necessary buildings; and may purchase, lease, construct, or otherwise acquire, warehouses, elevators, flour mills, factories, offices, plants, machinery, equipment, and all other things necessary, incidental or convenient in the manufacturing and marketing of all kinds of raw and finished farm products within or without the state

and may dispose of the same; and may buy, manufacture, store, mortgage, pledge, sell, exchange or otherwise acquire or dispose of all kinds of manufactured and raw farm and food products and by-products, and may for such purposes establish and operate exchanges, bureaus, markets and agencies, within or without the state, including foreign countries, on such terms and conditions, and under such rules and regu-

lations as the Commission may determine.

The Industrial Commission shall obtain such SECTION 4. assistance as in its judgment may be necessary for the establishment, maintenance and operation of the Association. To that end it shall appoint a Manager, and may appoint such subordinate officers and employes as it may judge expedient. It may constitute such Manager its general agent, in respect to the functions of the Association, but subject, nevertheless, in such agency, to the supervision, limitation and control of the Commission. It shall employ such contractors, architects, builders, attorneys, clerks, accountants and other experts, agents and servants as in the judgment of the Commission the interests of the state may require. and shall define the duties, designate the titles, and fix the compensation and bonds of all such persons so engaged; provided, however, that subject to the control and regulation of the Commission, the Manager of the Association shall appoint and employ such deputies and other subordinates, and such contractors, architects, builders, attorneys, clerks, accountants and other experts, agents and servants, as he shall, in his judgment, deem are required by the interests of the Association. The total compensation of such appointees and employes, together with other expenditures for the operation and maintenance of the association, shall remain within the appropriation and earnings lawfully available in each year for such purposes. All officers and employes of the Associa-tion engaged upon its financial functions shall, before entering upon their duties, respectively furnish good and sufficient bonds to the state in such amount and upon such conditions as the Commission may require and approve; but the bond of the manager shall not be less than fifty thousand Such bonds shall be filed with the Secretary dollars. State.

SECTION 5. The Industrial Commission may remove and discharge any and all persons appointed in the exercise of the powers granted by this Act, whether by the Commission or by the Manager of the Association, and any such removal may be made whenever in the judgment of the Commission the public interests require it; provided, however, that all appointments and removals contemplated by this Act shall be so made as the Commission shall deem most fit to promote the efficiency of the public service.

SECTION 6. The Industrial Commission shall fix the buying price of all things bought, and the selling price of all things sold, incidental to the operation of the Association, and shall fix all charges for any and all services rendered by the Association; but in fixing these prices—while all services are to be rendered, as near as may be, at cost—there shall be taken into consideration, in addition to other necessary costs, a reasonable charge for depreciation of all property, all overhead expenses and a reasonable surplus, together with all amounts required for the repayment, with interest, of funds received from the state.

SECTION 7. All business of the Association may be conducted under the name of "North Dakota Mill and Elevator Association." Title to property pertaining to the operation of the Association shall be obtained and conveyed in the name of "The State of North Dakota, doing business as North Dakota Mill and Elevator Association." Written instruments shall be executed in the name of the State of North Dakota, signed by any two members of the Industrial Commission, of whom the Governor shall be one, or by the Manager of the Association within the scope of his authority so to do as defined by the Industrial Commission.

SECTION 8. Civil actions may be brought against the State of North Dakota on account of causes of action claimed to have arisen out of transactions connected with the operation of the Association, upon condition that the provisions of this section are complied with. In such actions the State shall be designated as "The State of North Dakota, doing business as North Dakota Mill and Elevator Association," and the service of process therein shall be made upon the Manager of the Association. Such actions may be brought in the same manner and shall be subject to the same provisions of law as other civil actions brought pursuant to the provisions of the Code of Civil Procedure. Such actions shall be brought, however, in the county where the Association shall have its principal place of business, except as provided in Sections 7405, 7416 and 7418, Compiled Laws of North Dakota, 1913. The provisions of Section 375 and 657 of the Compiled Laws of 1913 shall not apply to claims against the state, affected by the provisions of this section.

SECTION 9. There is hereby appropriated, to carry out the purposes of this Act, all moneys raised by the mill tax for terminal elevators as provided in Section 2072 and 2073 of the Compiled Laws of 1913. Said moneys shall be paid to the Manager of said Association, and he shall place the said moneys in the general funds of the Association. Said moneys, together with any funds that shall be procured by the Industrial Commission through the sale of state bonds, as may be provided by law for that purpose, shall be designated as the capital of the Association.

SECTION 10. The State Examiner shall personally or through deputy examiners visit the Association at least twice annually, and shall inspect and verify the assets in its possession and under its control, with sufficient thoroughness of investigation to ascertain with reasonable certainty whether the valuations are correctly carried on its books. He shall report the results of each such examination and investigation to the Industrial Commission as soon as practicable, and to the Legislative Assembly at its next ensuing session.

SECTION 11. This Act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

And when so amended recommended the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Railroads made the following report:

Mr. President: Your committee on Railroads to whom was referred Senate Bill No. 150.

A bill for an act to prescribe rules and regulations for the shipping of live poultry and giving the Railroad Commissioners authority to provide uniform and standard coops therefor, and providing a penalty for failure to comply with the provisions thereof.

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

Substitute a period for the comma after the word "state" in line four of Section one of the printed bill and strike out the remainder of the section.

In line five of Section two strike out the words "in standard coop"

Strike out line four of Section three and insert in lieu thereof the following: "\$5.00 and not more than \$50.00."

And when so amended recommend the same do pass.

THORWALD MOSTAD, Chairman.

Mr. Mostad moved that the report be adopted, which motion prevailed and the report 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. 182.

A bill for an act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

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

In the fourth line of Section 80 correct the spelling of the word "nor". In the first line of the second page correct the spelling of the word "suckers". In the fifteenth line of the second page, after the word "backwaters" strike out the word "or" and insert the word "of".

And when so amended recommend the same do pass.

WM. ZIEMAN, Chairman.

Mr. Zieman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 92.

A bill for an act to appropriate the sum of \$8,221.79 for the arrest and return of fugitives from justice.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 124.

A bill for an act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit for the construction of the reinforced concrete chimney; boiler breeching, including breeching piers; and a concrete well, at the State Hospital for the Insane at Jamestown, North Dakota.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which mation prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 82.

A bill for an act appropriating the sum of \$200.00 for the purpose of printing the biennial report of the Boundary Drainage Commission.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which mation prevailed and the report was adopted.

The committee on Agriculture made the following report:

Mr. President: Your committee on Agriculture to whom was referred Senate Bill No. 137.

A bill for an act providing for the registration of brands on dairy product containers.

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

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was referred House Bill No. 99.

A bill for an act amending and re-enacting Section 4922 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the revocation of the certificate of authority of insurance companies.

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

By inserting after line 24 in Section 1 of the printed bill the following: "No action on the grounds of discrimination shall be taken by said Commissioner unless upon a written complaint under oath or information and belief of the person or persons interested, showing in substantial detail the ground for complaint with such data as will reasonably enable the

commissioner and determine whether there is probable cause therefor, and no such action shall be taken, nor shall there be any examination thereon until a copy of said complaint and data shall have been sent by registered mail to the insurance company concerned and such insurance company shall have had at least ten (10) days notice of the data when such examination is to be held.

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 was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 190.

A bill for an act amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

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

That lines six to eighteen inclusive of the printed bill be stricken out and the following inserted in lieu thereof:

SECTION 1. AMENDMENT. That Section 161 in Article 9 of the Constitution of the State of North Dakota be amended to read as follows:

SECTION 161, ARTICLE 9. The legislative assembly shall have authority to provide by law for the leasing of lands granted to the state for educational and charitable purposes; but no such law shall authorize the leasing of said lands for a longer period than five years. Said lands shall only be leased for pasturage and meadow purposes and at a public auction after notice as heretofore provided in case of sale; provided, that all of said school lands now under cultivation may be leased, at the discretion and under the control of the Board of University and School Lands, for other than pasturage and meadow purposes until sold. All rents shall be paid in advance. Provided, further, that coal lands may also be leased for agricultural cultivation upon such terms and conditions and for such a period, not exceeding five years, as the legislature may provide.

And when so amended recommend the same do pass.

R. L. Fraser, Chairman.

Mr. Frased moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Cities and Municipal Corporations made the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 199.

A bill for an act authorizing cities to employ city managers.

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

In line two of Section one strike out the word "ten" and insert in lieu thereof the word "twenty-five."

After the word "Council" in line four of Section one insert the words "or city commissioners", also make same correction in lines three and six of Section two, lines two, three, five, eight, ten, thirteen and fourteen of Section three; lines one, five and seven of Section four and lines two and ten in Section five.

In line five of Section three strike out the words "the city" and in line six strike out the word "Manager". In lieu thereof insert the following: "His salary shall be fixed by the City · Council or city commissioners and he".

In line six of Section three strike out the figure "\$1,200.00" and insert in lieu thereof "\$1,000.00".

In Section three strike out all of line eleven and the words "to become effective" and the semicolon in line twelve.

And when so amended recommend the same do pass.

E. A. BOWMAN, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 123.

A bill for an act, entitled, "An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State institutions."

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

Strike out all of Section 2 of the printed bill.

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which mation prevailed and the report was adopted.

The committee on appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 126.

A bill for an act, entitled, "An Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

Have had the same under consideration and recommend

that the same be amended as follows:

In the first line of the title of the printed bill after the words "For an Act", strike out the words, "entitled, an Act". In the third line of the title of the printed bill after the word "of" strike out the word "residence" and insert in lieu thereof the word "resident".

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which mation prevailed and the report was adopted.

The committee on Cities and Municipal Corporations made the following report:

Mr. President: Your committee on Cities and Municipal

Corporations to whom was referred Senate Bill No. 214.

A bill for an act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

Have had the same under consideration and recommend

that the same be amended as follows:

After the word "petition" in line twenty-six of Section one strike out the period and insert a comma and add the following: "Unless the petitioner presents to the auditor an affidavit stating that he signed said petition through misapprehension stating in said affidavit the reasons for such misapprehension."

And when so amended recommend the same do pass.

E. A. Bowman, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Bismarck, N. D., Feb. 13, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 171.

A bill for an act to provide for the punishment of any person who shall take undecent and improper liberties with the person of a child under the age of sixteen years.

Which the House has indefinitely postponed.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Bismarck, N. D., Feb. 13, 1919.

Mr. President: I have the honor herewith to transmit the following bills:

House Bill No. 115.

A Concurrent Resolution amending the Constitution of the State of North Dakota, relating to debt limit of any county, township, city, town, school district or any other political subdivision.

House Bill No 113.

A bill for an act providing for reasonable time for purchasers to discover defects in personal property or breaches of warranty and making the question of reasonable time one for the jury.

House Bill No. 107.

A bill for an act to amend and re-enact Sections 22, 27, 28, 36, 48, and 51 of Chapter 161 of the Laws of North Dakota for the year 1915 and to amend and re-enact Sections 33 and 52 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 122 of the Laws of North Dakota for the year 1917 and to amend and re-enact Section 46 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 63 of the Laws of North Dakota for the year 1917.

House Bill No. 104.

A bill for an act to amend and re-enact Sections 2360 and

2360a of the Compiled Laws of North Dakota for the year 1913, relating to the salary and expenses of the Adjutant General.

House Bill No. 103.

A bill for an act to amend and re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the year 1913 relating to the creation of a State Bar Board, its members, their term of office, qualifications, compensation and duties and providing for the admission of attorneys to practice. Issuance of licenses.

House Bill No. 98.

A bill for an act amending Section 2373, Compiled Laws of North Dakota for 1913, relating to the qualifications of the Adjutant General; providing for his appointment by the Commander in Chief; and providing for the appointment of colonels and majors of battalions, and the election of commissioned officers of lower rank

House Bill No. 97.

A bill for an act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate, control and fix rates, charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and all other acts or parts of acts in conflict with the provisions of this act.

House Bill No. 94.

A bill for an act providing for an appropriation and levy by the county commissioners of each county in the state for the purpose of furnishing aid to night schools.

House Bill No. 80.

A bill for an act providing that the Attorney General may maintain an action in the name of the state for the benefit of persons residing in this state.

House Bill No. 38.

A bill for an act to amend and re-enact Section 7846 of the Compiled Laws of North Dakota for the year 1918, providing that the Supreme Court may secure additional evidence in cases tried without a jury.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Ettestad moved that the report of the committee indefinitely postponing Senate Bill No. 208 be adopted, which motion prevailed, and the report was adopted.

Mr. Pendray moved that the report of the committee indefinitely postponing Senate Bill No. 132 be adopted, which motion prevailed, and the report of the committee was adopted.

Mr. Mostad moved that the Committee on Railroads be granted further time in the consideration of Senate Bill No. 210, which motion prevailed.

Mr. McCarten moved that the committee on Appropriation

be given further time in the consideration of all bills before it, which motion prevailed.

Mr. Levang moved that the committee having under consideration House Bills No. 160 and 172 be granted further time, which motion prevailed.

Mr. Cahill moved that the Committee on State Affairs be given further time in the consideration of all bills before it, which motion prevailed.

Mr. Hyland moved that Senate Bill No. 44 be amended by striking out everything after the figure "11" in lines 48 and 49 on page 3 of the printed bill, as amended, and inserting in lieu thereof the following: "Structures and improvements, used in a place of residence by the owner on village, town or city lots to the amount of one thousand dollars (\$1000), which motion prevailed, and the bill was so amended.

Mr. Cahill moved that Senate Bill No. 44 be re-referred to the committee, which motion was lost.

Mr. Ployhar moved that Senate Bill No. 44 be amended by adding the following to Section 11: "Provided, that such exemption shall not apply to any person who has availed himself of the exemption provided in paragraph 10 of Section No. 2078", which motion was duly seconded.

Mr. Wenstrom moved that Senate Bill No. 44 be re-referred to the committee, which motion was lost.

The question being on Mr. Ployhar's motion to amend the bill, the motion was lost.

Mr. Jacobsen moved that the title to Senate Bill No. 44 be amended by inserting after the word "Dakota" in line 2, of the printed bill as amended, the words "for the year", and that the words "1 Amendment. That" be inserted after the word "Section" in line 1, and that the words "for the year" be inserted after the word "Dakota" in line 1, which motion prevailed, and the bill was so amended.

THIRD READING OF SENATE BILLS

Senate Bill No. 44.

A bill for an act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 38; nays, 10; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays—Beck, Carey, Haggart, Hyland, McBride, Murphy, Nelson, Ployhar, Porter, Storstad.

Absent and not voting: Oksendahl.

So the bill passed and the title was agreed to.

Mr. Morkrid moved that the vote by which Senate Bill No. 44 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause the roll was called and there were ayes, 36; nays, 10; absent and not voting, 3.

Ayes—Benson, Berg, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Carey, Gibbens, Hyland, McBride, Murphy, Nelson, Ployhar, Porter, Storstad.

Absent and not voting: Bowman, Haggart, Oksendahl.

So the Emergency Clause passed.

Mr. Morkrid 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. Cahill moved that Senate Bill No. 130 be amended by striking out the words "at par value" in Section 6, line 11, of the engrossed bill, which motion was lost.

Mr. Cahill moved that Senate Bill No. 130 be amended by striking out the word "six" in line 12, Section 4, of the engrossed bill and inserting the word "seven" in lieu thereof, which motion prevailed and the bill was so amended.

Senate Bill No. 130.

A bill for an act providing for the issuing of bonds of the State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this act; and declaring this act to be an emergency measure.

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, 39; nays, 9; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Carey, Haggart, Hyland, Kendall, Murphy, Nelson, Ployhar, Porter.

Absent and not voting: Oksendahl.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill No. 130 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Jacobsen explained his vote as follows and asked to have it entered in the journal: I do not agree with the administrative features of the bill, but I do agree with the principle that the state should lend its credit to aid the producers, and for that reason I vote "aye."

Mr. McBride explained his vote as follows and asked to have it entered in the journal: Ever since I have been a member of this body I advocated the adoption of a constitutional amendment establishing rural credits, and voted for its enactment at all times, and because this is the first legislative embodiment following out that amendment, and not because I agree with the administrative features in it, but because it provides for the sale of bonds to furnish money for the farmers upon farm mortgages, and because that money is handled in a separate fund by the state treasurer and because he pays out the money for the mortgages and receives the money for the bonds and has charge of it at all times, and because it is run without profit and because it will be practically self-sustaining, I vote "aye."

Mr. Whitman explained his vote as follows and asked to have it entered in the journal: For the same reasons explained by Senators Jacobsen and McBride, I vote "aye."

The question being on the Emergency Clause to Senate Bill No. 130, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Hyland, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Haggart, Jacobsen, Oksendahl.

So the Emergency Clause passed.

Mr. Wenstrom 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. King moved that Senate Bill No. 97 be amended in line 1, Section 2, of the printed bill, as amended, as follows:

After the word "every" shall be inserted the words "dealer, or". After the word "vehicle" the words "which shall be operated or driven" shall be stricken out and the words "before operating or driving his motor vehicle" substituted therefor. Which motion prevailed and the bill was so amended.

Mr. King moved that Senate Bill No. 97 be amended by inserting:

"During the calendar year 1919 after the enactment of this law, and each year thereafter, every dealer in motor vehicles in this state shall pay to the State Highway Commission, at the time of or before the selling of each motor vehicle, the first year's registration fee as provided in Section 6 of this act; provided, that the payment of such fee shall be in lieu of all taxes upon such vehicle for the year in which the same is paid; provided, further, that upon the payment of such fee

the Commission shall issue to such dealer a receipt showing that the same has been paid, together with registration tags, as herein elsewhere provided, and such receipt and registration tag shall be transferred to the purchaser of said motor vehicle upon the payment of the fee provided in Section 4 of this act," at the end of Section 2 of the printed bill, as amended, which motion prevailed and the bill was so amended.

Mr. King moved that Senate Bill No. 97 be amended as follows: Line 19 on page 4 after the word "reduction", strike out everything up to "of" line 21, page 5, and in lieu thereof insert the following: "Less than a ten per cent reduction for second year; a twenty-five per cent reduction for the third year, a forty per cent reduction for the fourth year and thereafter a fifty per cent reduction," which motion prevailed and the bill was so amended.

Mr. Church moved as an amendment to Senate Bill No. 97, that Section 6 be amended by inserting after the word "fee", line 21 of the printed bill, as amended, the following: "Provided that the fee shall at no time be less than six dollars," which motion was duly seconded.

Mr. Cahill moved as an amendment that the word "five" be substituted for the word "six", which motion prevailed.

The question being on the original amendment, as amended, the motion prevailed and the bill was so amended.

Mr. King moved as an amendment to Senate Bill No. 97, that after the word "tag" in line 6, Section 9, the balance of lines 6 and line 7 be stricken out and the following inserted in lieu thereof: "A tag or tags issued for that year by the state of which he is a resident and displayed according to the laws of the state", which motion prevailed and the bill was so amended.

Mr. Drown moved that Senate Bill No. 97 be re-referred to the committee, which motion was lost.

Mr. King moved as an amend to Senate Bill No. 97, that subsections 1 and 2 of Section 11 shall be stricken out and the following substituted:

A State Highway Fund is hereby created and all moneys received into the state treasury under the provisions of this act or any provision of law for highway purposes, shall be expended under the supervision and direction of the State Highway Commission. All moneys received into the state treasury under the provisions of this act shall be expended in the following manner:

(1) A sum not to exceed \$155,000.00 per annum shall be set apart to defray the expenses of the State Highway Commission in carrying out the provisions of this act and in carrying out the provisions and purposes of the State Highway Commission Act, and in cooperating with the federal government under the Act of Congress, approved July 11, 1916 (Public No. 156) entitled "An Act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes," and in carrying out the provisions of any other law imposing duties or conferring powers on said Commission, which motion prevailed and the bill was so amended.

Mr. King moved that Senate Bill No. 97 be amended by adding: "Out of such funds" after the word "treasurer," line 15, page 7 of the amended printed bill, and before the word "upon", which motion prevailed and the bill was so amended.

Mr. King moved that Senate Bill No. 97 be amended by striking out in line 16, page 7, the word "auditor" and inserting in lieu thereof the words "auditing board," which motion prevailed and the bill was so amended.

Mr. King moved that Senate Bill No. 97 be amended by inserting in line 2, Section 12, page 8 of the printed Amended Bill after the word "paid" the words "out of the state highway fund," and in line 4, Section 12, strike out the word "auditor" and insert in lieu thereof the words "auditing board," which motion prevailed and the bill was so amended.

Mr. King moved that Senate Bill No. 97 be amended by striking out after the word "act" in line 5, Section 21, page 11, the balance of line 5 and lines 6, 7 and 8, which motion prevailed and the bill was so amended.

Mr. Hemmingsen moved as an amendment to Senate Bill No 97 that the figures "25," line 33, Section 6, of the printed bill be stricken out and the figures "50" inserted in lieu thereof, which motion was lost.

Senate Bill No. 97.

A bill for an act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the state; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all acts and parts of acts in conflict herewith.

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, 38; nays, 8; absent and not voting, 3.

Ayes—Beck, Bowman, Cahill, Carey Church, Ettestad, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays—Benson, Berg, Drown, Fleckten, Mees, Miklethun, Porter, Storstad.

Absent and not voting: Haggart, Kendall, Oksendahl.

So the bill passed and the title was agreed to.

Mr. King moved that the vote by which Senate Bill No. 97 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Mr. Benson explains his vote as follows and asks that it be printed in The Journal. Believing that this bill is unfair insofar as it is discriminatory by favoring the person who can afford to own and drive a high priced car and against the poor man who cannot afford to own and drive such cars especially in the amendment fixing it that in no case the fee be less than \$5.00 on old cars.

The question being on the emergency clause to Senate Bill No. 97, the roll was called and there were ayes, 37; nays, 7; absent and not voting,5.

Ayes—Beck, Bowman, Cahill, Carey, Church, Ettestad, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Murphy, Nelson, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Benson, Berg, Drown, Fleckten, Miklethun, Porter, Storstad.

Absent and not voting: Mees, Noltimier, Oksendahl.

So the emergency clause passed.

Mr. King moved that the vote by which the senate clause passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 107.

A bill for an Act to amend and re-enact Sections 22, 27, 28, 36, 48, and 51 of Chapter 161 of the laws of North Dakota for the year 1915 and to amend and re-enact Sections 33 and 52 of Chapter 161 of the laws of North Dakota for the year 1915 as amended by Chapter 122 of the laws of North Dakota for the year 1917 and to amend and re-enact Section 46 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 63 of the Laws of North Dakota for the year 1917.

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

House Bill No. 113.

A bill for an Act providing for reasonable time for purchasers to discover defects in personal property or breach of warranty and making the question of reasonable time one for the jury.

Was read the first and second time and referred to the

Committee on Judiciary.

House Bill No. 115.

A Concurrent Resolution amending the Constitution of the State of North Dakota, relating to debt limit of any county, township, city, town, school district or any other political subdivision.

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

House Bill No. 38.

A bill for an Act to amend and re-enact Section 7846 of the Compiled Laws of North Dakota for the year 1918, providing that the Supreme Court may secure additional evidence in cases tried without a jury.

Was read the first and second time and referred to the

Committee on Judiciary.

House Bill No. 80.

A bill for an Act providing that the Attorney General may

maintain an action in the name of the state for the benefit of persons residing in this state.

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

House Bill No. 94.

A bill for an Act providing for an appropriation and levy by the county commissioners of each county in the state for the purpose of furnishing aid to night schools.

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

House Bill No. 97.

A bill for an act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate, control and fix rates, charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and all other acts or parts of acts in conflict with the provisions of this act.

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

House Bill No. 98.

A bill for an Act amending Section 2373, Compiled Laws of North Dakota for 1913, relating to the qualifications of the Adjutant General; providing for his appointment by the Commander in Chief; and providing for the appointment of colonels, and majors of battations and the election of commissioned officers of lower rank.

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

House Bill No. 103.

A bill for an Act to amend and re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the year 1913 relating to the creation of a State Bar Board, its members, their term of office, qualifications, compensation and duties and providing for the admission of attorneys to practice. Issuance of Licenses.

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

House Bill No. 104.

A bill for an Act to amend and re-enact Sections 2360 and 2360a of the Compiled Laws of North Dakota for the year 1913, relating to the salary and expenses of the Adjutant General.

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

Courtesies of the floor were extended to Wm. English, Oscar Petterson, Henry Petterson, A. A. Pearson, Argusville; Swan Classon, Gardner; Dr. S. A. Zimmerman, Valley City; O. J. Eide, G. Grimson, Langdon; Alex Reid, Hannah; Clyde Duffy, Minnewaukan; S. S. Semmingson, Crosby; Lieut. Valentine Koch, Dickinson; H. J. Bergan, Valley City; Jim Hast-

ings, Fred Delger, C. B. Joos, Pingree; Oscar Creeghton, Spiritwood; L. R. Nostdal, Rugby; C. Anderson, Norwich; A. A. Rygg, Clifford.

Mr. Hyland moved that the Senate do now adjourn, which

motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEBRUARY 14, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 19.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end establish a business system operated by the state under the name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management.

Senate Bill No. 20.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

Senate Bill No. 150.

A bill for an act to prescribe rules and regulations for the shipping of live poultry and giving the Railroad Commissioners authority to provide uniform and standard coops therefor, and providing a penalty for failure to comply with the provisions thereof.

Senate Bill No. 182.

A bill for an act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

Senate Bill No. 92.

A bill for an act to appropriate the sum of \$8,221.79 for the arrest and return of fugitives from justice.

Senate Bill No. 124.

A bill for an act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit for the construc-tion of the reinforced concrete chimney; boiler breeching, including breeching piers; and a concrete well, at the State Hospital for the Insane at Jamestown, North Dakota.

Senate Bill No. 82.

A bill for an act appropriating the sum of \$200.00 for the purpose of printing the biennial report of the Boundary Drainage Commission.

Senate Bill No. 137.

A bill for an act providing for the registration of brands on dairy product containers.

Senate Bill No. 190.

A Concurrent Resolution for an act amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

Senate Bill No. 199.

A bill for an act authorizing cities to employ city managers.

Senate Bill No. 123.

A bill for an act, entitled, "An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State institutions."

Senate Bill No. 126.

A bill for an act, entitled, "An Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

Senate Bill No. 214.

A bill for an act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

THIRD READING OF HOUSE BILLS

House Bill No. 109.

A bill for an amendment to the Constitution of the State of North Dakota, and relating to the investment of school funds.

House Bill No. 55.

A bill for an act to regulate the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mining Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix its powers and compensation; to provide the method of appointment thereto; to provide for the registry, examination, and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor.

House Bill No. 99.

A bill for an act amending and re-enacting Section 4922 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the revocation of the certificate of authority of insurance companies.

THIRTY-NINTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 14, 1919.

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

Prayer was offered by the Chaplain Rev. Flint.

Roll Call.

All members present.

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 37th day after recess and 38th day and recommend that the same be corrected as follows: Page 4, line 46, correct the spelling of the name "N. A. Mason;" page 5, line 5, put the name "Andrew" in place of the name "Judren."

And when so corrected recommend that the same be ap-

proved.

W. H. PORTER, Chairman pro tem.

Mr. Porter moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Grand Forks, N. D., Feb. 13, 1919.

W. S. Whitman, State Senator, Bismarck, N. D.

The Grand Forks Trades and Labor Assembly representing over 1,000 members of organized labor passed a resolution unanimously at their meeting last night urging you to support Senate Bill No. 204 legalizing Sunday baseball.

CLYDE BAKER.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 43.

A bill for an act to amend and re-enact Chapter 59, Laws North Dakota, 1917, relating to the classification of property for assessment.

Senate Bill No. 44.

A bill for an act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Senate Bill No. 97.

A bill for an act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the state; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all acts and parts of acts in conflict herewith.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills.

Senate Bill No. 19.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end establish a business system operated by the state under the name of The Home Bu'lding Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged wit hits management, and making appropriation therefor.

Senate Bill No. 67.

A bill for an Act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers and duties; fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other Acts and parts of Acts in conflict herewith.

Senate Bill No. 82.

A bill for an Act appropriating the sum of \$200.00 for the purpose of printing the biennial report of the Boundry Drainage Commission.

Senate Bill No. 92.

A bill for an Act to appropriate the sum of \$8,221.79 for the arrest and return of fugitives from justice.

Senate Bill No. 123.

A bill for an Act, entitled, "An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State Institutions."

Senate Bill No. 124.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit for the construction of the reinforced concrete chimney; boiler breeching, including breeching piers; and a concrete well, at the State Hospital for the Insane at Jamestown, North Dakota.

Senate Bill No. 126.

A b'll for an Act, entitled, "An Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

Senate Bill No. 150.

A bill for an Act to prescribe rules and regulations for the shipping of live poultry and giving the Railroad Commissioners authority to provide uniform and standard coops therefor, and providing a penalty for failure to comply with the provisions thereof.

Senate Bill No. 182.

A b'll for an Act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

Senate Bill No. 190.

Concurrent Resolution for an Act amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

Senate Bill No. 199.

A bill for an Act authorizing cities to employ city managers.

Senate Bill No. 214.

A bill for an Act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Mr. Mortenson moved that the committee having under consideration Senate Bill No. 166 and House Bills Nos. 26, 27 and 176 be granted further time which motion prevailed.

Mr. Olsen moved that the committee having under consideration House Bill No. 102, be granted further time, which motion prevailed.

Mr. Welford moved that the senate do now take a recess, subject to the call of the president, which motion prevailed and the senate took a recess.

AFTER RECESS

The senate convened pursuant to recess taken. The senate returned to the sixth order of business.

REPORTS OF STANDING COMMITTEES

The committee on enrollment and engrossment made the following report:

Mr. President: Your committee on Enrollment and En-

grossment have examined the following bill:

Senate Bill No. 20.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management, and an appropriation therefor, and find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber BISMABCK, NORTH DAKOTA, February 14, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 174.

A bill for an Act to make the teaching of music compulsory in the public schools of the State of North Dakota.

House Bill No. 17.

A bill for an act creating the Industrial Commission of North Dakota, authorizing it to conduct and manage on behalf of the state certain utilities, enterprises and industries, and defining its powers and duties.

House Bill No. 18.

A bill for an act declaring the purpose of the State of North Dakota to engage in the banking business and establishing a system of banking under the name of the Bank of North Dakota, operated by the State, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

THIRD READING OF SENATE BILLS

Mr. Cahill moved that Senate Bill No. 19 be amended by striking out all of Section 19 of the engrossed bill, which

motion prevailed and the bill was so amended.

Mr. Hyland moved that Senate Bill No. 19 be amended by striking out the words "or exercise of the right of eminent domain, as provided by Chapter 36 of the Code of Civil Procedure, Compiled Laws of 1913" in lines 2, 3 and 4, Section 3 of the engrossed bill, and insert the word "or"

between the words "purchase" and "lease" in line 2 of Section 3, of the engrossed bill, and in Section 7, line 4 of the engrossed bill strike out the words "or by exercise of the right of eminent domain" which motion was lost.

Mr. Gibbens moved that Senate Bill No. 19, be amended by inserting at the end of Section 3 of the engrossed bill the following: "Provided; that the exercise of the right of eminent domain under the provisions of this act shall not apply to property owned and used as a residence or as a homestead by a citizen of the United States" which motion was lost.

Senate Bill No. 19.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end establish a business system operated by the state under the name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management, 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, 35; nays, 14; absent and not voting, 0.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

So the bill passed and the title was agreed to.

Mr. Cahill moved that the vote by which Senate Bill No. 19 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Gibbens explained his vote as follows and asked to have it entered in the journal: In explanation of my vote I wish to say that of all the bills introduced here I have looked upon this measure with most favor as benefitting the struggling citizens of our state who desire to get a home and improve their condition, but without the restriction in regard to the exercise of eminent domain, I am compelled to vote no.

Mr. McNair explained his vote as follows, and asked to have it entered in the journal. I have an idea in my mind that we men are all brothers. Some are stronger, and some are more able to build their homes, and some are not, but I have had in my heart at all times to extend whatever aid I have to the weaker brother, therefore I vote "aye."

Mr. Whitman explained his vote as follows and asked to have it entered in the journal: I would like to vote for this bill, but for the reason that the words "right of eminent domain" have not been stricken out, I vote "no.'

Mr. Mees moved as an amendment to Senate Bill No. 20,

that the word "attorneys" and the comma following, in line 10, Section 4, of the engrossed bill, be stricken out, which motion was lost.

Senate Bill No. 20.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Haggart, Hyland, McBride, Murphy, Nelson, Porter.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill No. 20 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Whitman explained his vote as follows and asked to have it entered in the journal: I do not agree with the administrative features of the bill, but have always advocated that the farmers own a terminal elevator for protection, and for that reason I vote "aye."

The question being on the Emergency Clause to Senate Bill No. 20, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Hyland, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Jacobsen,

So the Emergency Clause passed.

Mr. Wenstrom 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. 150.

A bill for an act to prescribe rules and regulations for the

shipping of live poultry and giving the Railroad Commissioners authority to provide uniform and standard coops therefor, and providing a penalty for failure to comply with the provisions thereof.

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, 3.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Church, Haggart, Noltimier.

So the bill passed and the title was agreed to.

Mr. King moved that the vote by which Senate Bill No. 150 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 182.

A bill for an Act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

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, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendary, Ployhar, Porter, Sikes, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Church, Gibbens, Hemmingsen, Hunt, McBride, Stenmo.

So the bill passed and the title was agreed to.

Senate Bill No. 92.

A bill for an Act to appropriate the sum of \$8,221.79 for the arrest and return of fugitives from justice.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksen-

dahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Church, Gibbens, McBride, Ploy-

So the bill passed and the title was agreed to.

Senate Bill No. 124.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit for the construc-tion of the reinforced concrete chimney; boiler breeching, including breeching piers; and a concrete well, at the State Hospital for the Insane at Jamestown, North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes-Beck, Benson, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Church, Gibbens, Hyland. Liederbach, McBride. McNair.

So the bill passed and the title was agreed to.

Mr. Morkrid moved that the vote by which Senate Bill No. 124 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 124, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes-Beck, Benson, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Church, Gibbens, Hagan, Hyland, McBride, McNair, Oksendahl.

So the Emergency Clause passed. Mr. Morkrid 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. 82.

A bill for an Act appropriating the sum of \$200.00 for the purpose of printing the biennial report of the Boundary Drainage Commission.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McCarten, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Bowman, Church, Gibbens, Hagan, Hyland, King, McBride, McNair, Mostad, Zieman.

So the bill passed and the title was agreed to.

Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Haggart, Hamerly, Hunt, Hyland, Jacobsen, Kendall, Levang, Llederbach, McCarten, McNair, Mees, Mostenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar ,Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Gibbens, Hagan, Hemmingsen, Ingerson, King, McBride, Mostad, Nelson, Welford.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 137, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Ayes—Beck, Benson, Berg, Bowman, Carey, Church, Ettestad, Fleckten, Fraser, Haggart, Hamerly, Hunt, Hyland, Ingerson, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, Drown, Gibbens, Hagan, Hemmingsen, Jacobsen, King, Mostad, Nelson, Pendray, Welford.

So the Emergency Clause passed.

Senate Bill No. 190.

A Concurrent Resolution for an act amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agriculture cultivation, and fixing the maximum time for which leases may be given on such lands.

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, none; absent and not voting, 7.

Ayes—Beck Benson, Berg, Bowman, Carey, Church, Drown Ettestad, Fleckten, Fraser, Haggart, Hamerly, Hunt, Hyland. Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, Gibbens, Hagan, Hemmingsen, King, Nelson, Oksendahl.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 190 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 199.

A bill for an Act authorizing cities to employ city managers. 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, none; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ploybar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Hagan, Hemmingsen, King, Mortenson, Noltimier, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Ployhar moved that the vote by which Senate Bill No. 199 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 123.

A bill for an Act, entitled, "An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State Institutions."

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 47; nays, none; absent and not voting, 2.

Ayes—Beck, Benson, Bowman, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: King, Mostad.

So the bill passed and the title was agreed to.

Mr. Benson moved that Senate Bill No. 126 be re-referred to the Committee on Taxes and Tax Laws, which motion was duly seconded.

Mr. Bowman moved that the motion to re-refer Senate Bill No. 126 be laid on the table, which motion prevailed.

Mr. Hyland moved that Senate Bill No. 126 be re-referred to the Committee on Appropriations, which motion prevailed and the bill was re-referred.

Mr. Bowman moved that the engrossed Senate Bill No. 214 be amended by striking out the words "Unless the petitioner presents to the auditor an affidavit stating that he signed said petition through misapprehension stating in said affidavit the reasons for such misapprehension." Appearing in Section 3835, lines 23, 24 and 25, which motion prevailed and the bill was so amended.

Senate Bill No. 214.

A bill for an Act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

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, 45; nays, none; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Jacobsen, Noltimier, Ployhar.

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR

BISMARCK, NORTH DAKOTA, February 14, 1919.

To the Honorable Members of the Senate:

Gentlemen: You are hereby informed that I have approved and filed with the Secretary of State, Senate Bill No. 21, an Act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and Relating to Service of Subpoenas.

Also Senate Bill No. 23, an Act providing for notices before foreclosure.

Also Senate Bill No. 24, an Act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for five assistant attorneys general, and for the oath of office and the salary therefor.

Also Senate Bill No. 25, an Act prohibiting the sale of any new draft sleds or new sleighs within the state of which the runners measure less than four feet six inches from center to center and making the sale of same a misdemeanor.

Also Senate Bill No. 26, an Act to regulate the sale of

berries and small fruit and the containers in which they are sold and providing penalties for violation thereof.

Also Senate Bill No. 30, an Act amending and re-enacting Sections 715 and 716 of the Compiled Laws of North Dakota for the year 1913, providing for the terms of the supreme court and the placing of cases on the calendar there-

Also Senate Bill No. 31, an act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege in this state; repealing Section 425 of the Compiled Laws of North Dakota 1913 and conflicting provisions to this Act. Emergency.

Also Senate Bill No. 42, an Act providing for the survey and platting of portions of railway right of way for the purpose of taxation when such property is used for any purpose other than the operation of a railroad thereon.

Also Senate Bill No. 45, an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913 relative to extension of powers of boards of drain commissioners.

Also Senate Bill No. 52, an Act providing for investigating and presecuting violations of law by the attorney general in the various counties and for the payment of expenses incurred therein.

Also Senate Bill No. 80, an Act to amend and re-enact Section 1346 of the Compiled Laws of North Dakota, for 1913, as amended by Section 1 of Chapter 210 of the Session Laws of 1917, relating to Health Inspection of pupils in public schools.

Also Senate Bill No. 83, an Act to amend and re-enact Section 2731 of the Compiled Laws of North Dakota, 1913, relating to animals killed for glanders. Very respectfully,

LYNN J. FRAZIER. Governor.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 17.

A bill for an act creating the Industrial Commission of North Dakota, authorizing it to conduct and manage on behalf of the state certain utilities, enterprises and industries, and defining its powers and duties.

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

House Bill No. 18.

A bill for an act declaring the purpose of the State of North Dakota to engage in the banking business and establishing a system of banking under the name of the Bank of North Dakota, operated by the State, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.
Was read the first and second time and referred to the

Committee on Banks.

House Bill No. 174.

A bill for an Act to make the teaching of music compulsory in the public schools of the State of North Dakota.

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

Courtesies of the floor were extended to Victor M. Carey, Fargo; Henry Seen, Rugby; Sigr. Rodvik, St. Paul, Minn., Mr. and Mrs. Mark Brindle, Hazleton; J. M. Staurt, Linton; Martin Aakraan, Minot; B. L. O'Connor, Tim O'Connor; John Layne, Fessenden; T. I. Hunt, LaMoure.

Mr. Hyland moved that the senate do now adjourn, which

motion prevailed and the senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEB. 15, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 67.

A bill for an Act providing for the appointment of a tax commissioner; prescribing his qualifications, powers and duties; fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other acts and parts of acts in conflict herewith.

THIRD READING OF HOUSE BILLS

House Bill No. 109.

A bill for an amendment to the Constitution of the State of North Dakota and relating to the investment of school funds.

House Bill No. 55.

A bill for an act regulating the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mining Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix its powers and compensation; to provide the method of appointment thereto; to provide for the registry, examination, and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor.

House Bill No. 99.

A bill for an Act amending and re-enacting Section 4922 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the revocation of the certificate of authority of insurance companies.

FORTIETH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 15, 1919

The senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the chaplain, Rev. Flint. Roll Call.

All members present except Mr. McBride, who was excused. 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 39th day and recommend that the same be corrected as follows: Page 2, line 2, change the figures 2087 to 2078; page 2, line 28, at the end of line insert the following: "and making an appropriation therefore"; page 4, line 14, after the word "management" put in the following: "and making an appropriation therefor"; page 5, line 19, put in the following: "and making an appropriation therefor"; page 6, line 12, put in the following: "and making an appropriation therefor."

And when so corrected recommended that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Oakes, N. D., Feby. 14, 1919.

William Zieman, Senator, Bismarck, N. D.

We, the undersigned, request you to do everything in your power to kill House Bill No. 107, prohibiting use of hunting dogs.

Geo. A. Wilson, and 87 others.

We, the undersigned, citizens of Cavalier county, state of North Dakota, voice our protest against Mr. Bailey's House Bill No. 153. We learn that it will destroy the privilege we have of buying household veterinary remedies which we believe should regularly sold and which we desire to continue buying. We do not want that privilege killed by law.

H. H. Reimer, and 28 others.

Grand Forks, N. Dak., Feb. 8, 1919.

To the Senate and House of Representatives of the State of North Dakota.

We, the undersigned citizens of Grand Forks, State of North Dakota, hereby protest against the passage of Senate Bill No. 152, proposing the repeal of the anti-cigarette law, now in force in the State of North Dakota, and hereby request that no bill be passed by the present Senate and House of Representatives intended to repeal or lessen the effect of said law.

Earl Pratt, and 53 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and En-

grossment have examined the following bills:

Senate Bill No. 214.

A bill for an Act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

And find the same correctly re-engrossed.

A. G. STOBSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

Mr. President: Your committee on mileage and per diem submits the following additional report. Peter A. Berg, Englevale, 14 district, N. P., 528; Tean, 8; total, 536.

G. F. HUNT, Chairman.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 189.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing grain and its products and for establishing stateowned elevators and a state-owned flour mill under the name of North Dakota Mill and Elevator Association, operated by the state, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 168.

Concurrent Resolution for an amendment to the constitution of the State of North Dakota, providing for the recall of state, county, judicial and legislative officers by the people. Have had the same under consideration and recommend

that the same be amended as follows:

Change the title of the bill so it will read as follows: "A Concurrent resolution for an amendment to the Constitution of the State of North Dakota, providing for the recall of congressional, state, county, judicial and legislative officers by the people."

After the word "any" in line nine of the printed bill in-

sert the word "congressional" and a comma.

After the word "elective in line ten of the printed bill insert the word "congressional" followed by a comma. And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 1918.

Have had the same under consideration and

that the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 80.

A bill for an Act providing that the Attorney General may maintain an action in the name of the state for the benefit of persons residing in this state.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. L. FRASER, Chairman.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred House Bill No. 17.

A bill for an Act creating the Industrial Commission of North Dakota, authorizing it to conduct and manage on behalf of the State certain utilities, enterprises and industries, and defining its powers and duties.

Have had the same under consideration and recommend

the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Banks and Banking made the following

report:

Mr. President: Your committee on Banks and Banking to whom was referred House Bill No. 18.

House Bill No. 18.

A bill for an act declaring the purpose of the State of North Dakota to engage in the banking business and establishing a system of banking under the name of the Bank of North Dakota, operated by the State, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

Have had the same under consideration and recommend

that the same do pass.

CHRIST LEVANG, Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adpted

The Committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was

referred House Bill No. 25.

A Bill for an Act relating to the exemption of personal property from attachment, levy and sale on execution and to amend and re-enact Sections 7731 of the Compiled Laws of North Dakota for the year 1913; and 7738 of the Compiled Laws of North Dakota for the year 1913; and 7739 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 155 of the Compiled Laws of North Dakota for the year 1015.

Have had the same under consideration and recommended

that the same be amended as follows:

In the title of the bill, after the semi-colon after the figures "1913," in line four of the printed bill, insert the following: "as amended by Chapter 157 of the Session Laws of North Dakota for the year 1915."

In line 6, of the title of the printed bill, strike out the word "Compiled" and insert in lieu thereof the word, "Ses-

sion."

In line 4, of the body of the printed bill, add the letters "al" to the word, "addition' thus making the word "additional."

Strike out from line 11 to line 19, of Section 1 of the print-

ed bill, inclusive.

In line 2, of Section 2 of the printed bill, after the figures "1913" insert the following "as amended by chapter 157 of the Session Laws of North Dakota for the year 1915."

In Section 3 of the printed bill, in line 9, strike out the word, "for" and insert in lieu thereof the word, "from."

In line 10, of section 3, of the printed bill, strike out the word, "bills," and insert in lieu thereof the words. "a bill"

And when so amended recommended the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr.President: Your committee on Education to whom was referred Senate Bill No. 71.

A Bill for an Act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special school districts.

Have had the same under consideration and recommend that

the same be amended as follows:

Strike out everything after "A BILL" and insert the following:

FOR AN ACT TO AMEND AND RE-ENACT SECTION 1240 OF THE COMPILED LAWS OF NORTH DAKOTA FOR THE YEAR 1913, RELATING TO ADJACENT TERRITORY IN SPECIAL SCHOOL DISTRICTS.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF

THE STATE OF NORTH DAKOTA

SECTION 1. AMENDMENT. That Section 1240 of the Compiled Laws of North Lakota for 1913, is hereby amend-

ed and enacted to read as follows:

SECTION 1240. ADJACENT TERRITORY. HOW ATTACHED FOR SCHOOL PURPOSES. When any special school district has been organized and provided with a board of education under any general law, or a special act, or under the provisions of this article, territory outside the limits thereof but adjacent thereto may be attached to such special school district by the board of county commissioners, upon application in writing signed by two-thirds of the voters of such adjacent territory; provided that no territory shall be annexed from any school district where the part remaining after such proposed annexation would have an assessed valuation of less than forty thousand dollars for each one room school which must be maintained in such remaining territory.

Such adjacent territory shall be attached for voting purposes to such corporation, or if the election is held in wards, to the ward or wards or election precinct or precincts to which it lies adjacent; and the voters thereof shall vote only for school officers and on school questions; provided that nothing in this act shall prevent any such adjacent territory from being annexed because of such adjacent territory being in an adjoining county and provided that the county commissioners shall detach any part of such adjacent territory which is at a greater distance than three miles from central school in such special district and attach it to any adjacent common or special school district or districts on petition to do so signed by three-fourths of the legal voters of such adjacent territory; provided further that in all cases of annexation or detaching of territory fourteen days notice of hearing before the board of county commissioners shall be given by posting notices in conspicuous places, three to be in the special district, three in the territory sought to be annexed or detached, and three in the district from which the territory is to be taken or to which it is to be attached. If the board of county commissioners decide to annex or tach as the case may be then such territory shall become a part of the special district or be detached therefrom within five days after such hearing, and all assets and liabilities shall be equalized according to Section 1327 of the Compiled Laws of North Dakota for 1913.

And when so amended recommend the same do pass.

Albert Stenmo, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom

was referred House Bill No. 174.

A Bill for an Act to make the teaching of music compul-

sory in the Public Schools of the State of North Dakota.

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

ALBERT STENMO, Chairman.

The committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom

was referred House Bill No. 42.

A Bill for an Act designating the State Inspector of Grades, Weights and Measures, Sealer and Inspector of Weights and Measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights; fixing fees, authorizing the appointment of Deputy inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

Have had the same under consideration and recommend

that the same be amended as follows:

Amend the title of the bill by striking out the words "Section 2998" and inserting in lieu thereof the words "Sections 2998, 3001 and 3002."

Make the same correction in line one of Section thirteen

of the printed bill.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on State Affairs made the following re-

Mr. President: Your committee on State Affairs to

whom was referred House Bill No. 115.

A concurrent Resolution Amending the Constitution of the State of North Dakota, Relating to Debt Limit of any County, Township, City, Town, School District or any other Political Sub-division.

Have had the same under consideration and recommend-

ed that the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom

was referred House Bill No. 38.

A Bill for an Act to amend and re-enact Section 7846 of the Compiled Laws of North Dakota for the year 1913, providing that the Supreme Court may secure additional dence in cases tried without a jury,

Have had the same under consideration and recommend

that the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was

referred House Bill No. 113.

A Bill for an Act Providing for Reasonable Time for Purchasers to Discover Defects in Personal Property or Breaches of Warranty and Making the Question of Reasonable Time one for the Jury.

Have had the same under consideration and commend

that the same do pass.

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which mo-

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Ettestad moved that the report of the committee indefinitely postponing Senate Bill No. 180 be adopted which motion prevailed and the report was adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 67.

A bill for an Act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers and duties; fixing his salary and term of office; and repealing Article 4. Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other acts and parts of acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 19; absent and

not voting, 1.

Ayes-Benson, Berg, Bowman, Cahill, Church, Ettestad. Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Wenstrom,

Nays-Beck, Carey, Drown, Gibbens, Haggart, Jacobsen, Kendall, Mees, Mostad, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Welford, Whitman, Zieman.

Absent and not voting-McBride.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 67 passed, be reconsidered and the motion to reconsider be laid on the table which motion prevailed.

The question being on the emergency clause to Senate Bilt No. 67, the roll was called and there were ayes, 29; nays, 19,

absent and not voting 1.

Ayes-Benson, Ferg. Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Noltmier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Wenstrom.

Nays-Beck, Carey, Drown, Gibbens, Haggart. Hyland, Jacobsen, Kendall, Mees, Mostad, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Welford, Whitman, Zieman.

Absent and not voting-McBride. So the emergency clause is lost.

THIRD READING OF HOUSE BILLS

House Bill No. 109.

A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota and relating to the investment of school funds.

Was read the third time.

The question being on the final passage of the the bill. roll was called and there were ayes, 47; nays, 0, absent and not voting, 2.

Ayes-Beck. Benson, Berg. Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly. Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Milklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zie-

Absent and not voting-Haggart, McBride. So the bill passed and the title was agreed to.

Mr. McCarten moved that House Bill No. 55 be amended by striking out all of Section 3 after the words "Section 3" of the engrossed bill, down to the word "and" after the words "North Dakota", in line 7, and inserting the following in lieu thereof: No person shall be eligible to the offce of State Coal Mine Inspector unless he shall possess the following qualifications: He shall be a citizen of the States, and shall have been actually engaged at coal mining for a period of five years prior to his appointment. motion prevailed, and the bill was so amended.

House Bill No. 55.

A bill for an Act to regulate the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mining Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix its powers and compensation; to provide the method of appointment thereto; to provide for the registry. examination, and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor. Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 43; nays. 3; absent and not voting, 3.

Ayes. Beck, Benson, Berg, Bowman, Cahill, Carey, Church.

brown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson Kendall, King, Levang. Liederbach, McCarten, McNair, Mees, Mortenson, Mostad. Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl. Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays—Jacobson, Porter Storstad

Nays-Jacobsen, Porter, Storstad.

Absent and not voting-Gibbens, Haggart, McBride.

So the bill passed and the title was agreed to.

Mr. Jacobsen rose to explain his vote and asked to have it entered in the journal. I believe that this act in its present form will work a hardship to the smaller mines in the southwestern part of the state of North Dakota, if not entirely depriving them of conducting their business. I also believe that a proper bill could have been prepared which would have covered the point which was desired to reach in this bill without discriminating as this does against smaller mines in this state. I vote no.

The question being on the emergency clause to House Bill No. 55, the roll was called and there were ayes. 37; nays,

7; absent and not voting, 5.

Ayes Beck, Benson, Bowman, Cahill. Carey, Church, Droxvn, Eternal Fleckten, Fraser, Hagan, Hamerly, Hem-mingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach. McCarten. McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Ployhar, Ward, Weber, Welford, Wenstrom, Zieman. Sikes,

Nays-Hyland Jacobsen. Murphy, Nelson, Porter. Storstad.

Whitman,

Absent and not voting-Berg, Gibbens, Haggart, McBride Oksendahl.

So the emergency clause passed.

House Pill No. 99.

A Bill for an Act Amending and re-enacting Section 4992 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation of the certificate of authority of insurance companies.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 38; nays,

4; absent and not voting, 7.

Ayes-Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hyland, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Murphy, Nelson, Porter. Absent and not voting-Gibbens, Haggart, Hunt, Jacobsen, Liederbach, McBride, Oksendahl,

So the bill passed and the title was agreed to. MESSAGE FROM THE HOUSE

House Chamber BISMARCK, NORTH DAKOTA. February 15, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 85.

A bill for an Act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroads to properly man their trains; providing penalties and measuring damages for the violation thereof.

Senate Bill No. 84.

A bill for an Act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof.

Senate Bill No. 72.

A bill for an Act appropriating money for the use of the office of the Secretary of State, Motor Vehicle Registration Department, between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, both dates inclusive.

Senate Bill No. 36.

A bill for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring Railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Senate Bill No. 27.

A bill for an Act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Which the house has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk, BISMARCK, NORTH DAKOTA, February 15, 1919,

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2, of Chapter 12, of the Revised Laws of 1913, of the State of North Dakota.

Which the House has indefinitely postponed.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.
BISMARCK, NORTH DAKOTA.

February 15, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 49.

A bill for an Act provising for the issuing of bonds of the State of North Dakota in the sum of two million dollars, to be known as "Bonds of North Dakota, Bank Series;" prescribing the terms, and stating the purposes thereof; providing a tax and making other provisions for the payment thereof; making appropriations for the payment of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

House Bill No. 127.

A bill for an Act to promote the development of the Dairy Industry of the State, especially through the manufacturing and marketing of dairy products and authorizing the Commissioner of Agriculture and Labor to contract for and operate and manage a creamery for experimental purposes and to engage in the activities connected with or incident to the manufacturing and marketing of dairy products and byproducts, defining his powers and duties; making an appropriation; and providing for the raising and expenditure of funds for carrying into effect the provisions of this Act.

House Bill No. 60.

A bill for an Act to appropriate money for the care of Insane Patients at the Hospital for the Insane, charged to the State at large, as provided under Sections 261 and 2576 of the Compiled Laws of 1913 for North Dakota.

Which the House has passed and your favorable consid-

eration is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Highways made the following report: Mr. President: Your committee on Highways to whom was referred House Bill No. 86.

A bill for an Act to amend and re-enact Section 1951 of the Compiled Laws of North Dakota for the year 1913, relating to the construction of bridges by county commissioners.

Have had the same under consideration and recommend that the same do pass. C. D. KING, Chairman.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred House Bill No. 37.

A bill for an Act to repeal Section 4051 of the Compiled Laws of North Dakota for the year 1913, relating to the road and bridge taxes.

Have had the same under consideration and recommend that the same do pass. W. J. CHURCH, Chairman.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report: Mr. President: Your committee on Highways to whom was referred Senate Bill No. 218.

A bill for an Act to amend and re-enact Section 2012 of the Compiled Laws of North Dakota for 1913, relating to compensation for labor.

Have had the same under consideration and recommend that C. D. KING, Chairman. the same do pass.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report: Mr. President: Your committee on Highways to whom

was referred Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are

opened as public highways.

Have had the same under consideration and recommend the same be amended as follows: Line 2, in title, change the word "piling" to "placing"; line 2, in title, change the words "two rods" to "twenty-seven feet"; section 1, line 1, change the word 'pile to "place"; section 1, line 1, change the word "piled" to "place"; section 1, line 1, change the word "piled" to "placed"; section 1, line 2, change the words "two rods" to "twenty-seven feet"; section 1, line 5, change the word "pile" to "placed"; section 1, line 5, change the word "piled" to "placed"; section 2, line 5, change the words "two rods" to "twenty-seven feet"; take out all of section 3, and when so amended recommend the same do pass.

C. D. KING, Chairman.

Mr. King moved that the report be adopted, which motion

prevailed and the report was adopted.

Mr. Drown moved that Hon. Lee Combs of Valley City be asked to address the senate, which motion prevailed, and the president requested Mr. Ployhar to escort Mr. Combs to the platform.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 49.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of two million dollars, to be known as "Bonds of North Dakota, Bank Series;" prescribing the terms, and stating the purposes thereof; providing a tax and making other provisions for the payment thereof; making appropriations for the payment of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Was read the first and second time and referred to the

committee on banks.

House Bill No. 60. A bill for an Act to appropriate money for the care of Insane Patients at the Hospital for the Insane, charged to the state at large, as provided under Sections 261 and 2576 of the Compiled Laws of 1913 for North Dakota.

Was read the first and second time and referred to the

committee on Appropriation.

House Bill No. 127.

A bill for an Act to promote the development of the Dairy Industry of the State, especially through the manufacturing and marketing of dairy products and authorizing the Com-missioner of Agriculture and Labor to contract for and operate and manage a creamery for experimental purposes and to engage in the activities connected with or incident to the manufacturing and marketing of dairy products and by products, defining his powers and duties; making an appropriation; and providing for the raising and expenditure of funds for carrying into effect the provisions of this act.

Was read the first and second time and referred to the

committee on Agriculture.

Courtesies of the floor were extended to Victor Carlson, Geo. Von Neider, Minot; Mrs. Chas. W. Hoffman, Van Hook; Albert Dusbaceck, Michigan, N. D.

Mr. Mees moved that the senate do now adjourn, which

motion prevailed, and the senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEBRUARY 17, 1919

Senate Bill No. 168.

A concurrent resolution for an amendment to the constitution of the State of North Dakota, providing for the recall of state, county, judicial and legislative officers by the people. Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 1918.

Senate Bill, No. 71.

A Bill for an Act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special school districts.

Senate Bill No. 218.

A Bill for an Act to amend and re-enact Section 2012 of the Compiled Laws of North Dakota for 1913, relating to compensation for labor.

Senate Bill No. 215.

A Bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

THIRD READING HOUSE BILLS

House Bill No. 17.

A Bill for an Act creating the Industrial Commission of North Dakota, authorizing it to conduct and manage on behalf of the state certain utilities, enterprises and industries and defining its powers and duties.

House Bill No. 18.

A Bill for an Act declaring the purpose of the State North Dakota to engage in the banking business and establishing a system of banking under the name of the Bank of North Dakota, operated by the State, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

House Bill No. 25.

A Bill for an Act relating to the exemption of personal property from attachment, levy and sale on execution and to amend and re-enact Sections 7731 of the Compiled Laws of North Dakota for the year 1913; and 7738 of the Compiled Laws of North Dakota for the year 1913; and 7739 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 155 of the Compiled Laws of North Dakota for the year 1915. House Bill No. 42.

A Bill for an Act designating the State Inspector Grades, Weights and Measures, Sealer and Inspector Weights and Measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights; fixing fees, authorizing the appointment of Deputy inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

House Bill No. 115,

A Concurrent Resolution Amending the Constitution of the State of North Dakota, Relating to Debt Limit of any County. Township, City. Town, School District or any other Political Sub-division.

House Bill No. 38.

A Bill for an Act to amend and re-enact Section 7846 of the Compiled Laws of North Dakota for the year 1918, providing that the Supreme Court may secure additional dence in cases tried without a jury.

House Bill No. 113.

A Bill for an Act Providing for Reasonable Time for Purchasers to Discover Defects in Personal Property or Breaches of Warranty and Making the Question of Reasonable Time one for the Jury.

House Bill No. 86.

A bill for an Act to amend and re-enact Section 1951 of the Compiled Laws of North Dakota for the year 1913, relating to the construction of bridges by county commissioners.

House Bill No. 37.

A Bill for an Act to repeal Section 4051 of the Compiled Laws of North Dakota for the year 1913, relating to the road and bridge taxes.

FORTY-SECOND DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 17, 1919.

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

Prayer was offered by the Chaplain Rev. Bell.

Roll Call.

All members present.

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 fortieth day and recommend that the same be corrected as follows: Page 2, line 28, correct the spelling of the word "Englevale;" page 2, line 33, correct the spelling of the word "state;" page 3, after line 36 put in the following: "Have had the same under consideration and recommend the same do pass;" page 3, line 56, correct the spelling of the word "judiciary;" Page 4, line 1, correct the spelling of the word "compiled;" Page 4, line 3, correct the spelling of the word "compiled;" page 4, line 4, correct the spelling of the word "compiled;" page 4, line 46, correct the spelling of the word "compiled;" page 5, line 14, correct the spelling of the word "district;" page 5, line 17, correct the spelling of the word "according;" page 7, line 10, after the name "Hunt" insert the name "Ingerson;" page 7, line 15, correct the spelling of the word "according;" page 7, line 16, correct the spelling of the name "Zieman;" page 7, line 16, correct the spelling of the word "unless;" page 8, line 14, correct the spelling of the word "unless;" page 8, line 14, correct the spelling of the word "unless;" page 8, line 23, correct the spelling of the word "business;" page 8, line 23, correct the spelling of the word "business;" page 8, line 23, correct the spelling of the word "compiled;" page 8, line 25, take out the word "transmit" and insert in lieu thereof the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the word "carriers;" page 8, line 58, correct the spelling of the wor

And when so corrected recommend that the same be ap-

proved.

W. H. PORTER, Chairman pro tem.

Mr. Porter moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

We, the undersigned, residents and voters of your District, respectfully request that you use your influence and vote against any bills, which may be introduced in our Legislature, the object of which is to impose burdens or unfair conditions and restrictions or excessive license fees on Rural Retailers selling and delivering Spices, Extracts, Toilet Preparations, Domestic and Stock Remedies, Poultry Supplies, Dips and Disinfectants, etc.

These Retailers have their regular customers and supply them at their door with high grade goods at reasonable prices and on very favorable terms, and we strongly protest against any Legislation which will injure or restrict their business. Any such Legislation would not only be unjust and unfair to them, but it would also be an imposition upon our rights as citizens to buy where we please and under advantageous

circumstances.

We find their method of doing business both economical and convenient. They guarantee the quality of their goods which we have always found to be very satisfactory. Their business affords suitable occupation for hundreds of men who are good, industrious, tax-paying citizens of our state, and legislation imposing unjust burdens on these Retailers, will have a tendency to destroy honest competition, foster monopoly and increase the cost of our household necessities, and we earnestly protest against the passage of such bills.

Respectfully yours,

GEO. FITZGERALD, and 55 others.

Elgin, Feb., 1919.

Hon. J. J. Cahill,

Dear Sir: We, the undersigned voters of your Electoral District living around Leipzig, N. D., herewith ask and pray you, not to vote for the Bill No. 96 forbidding the teaching of all foreign languages in Private Parochial Schools, and in societies, etc., as it would seriously interfere with our religious services, etc. The most of us would have to do without public church services, etc. Which would be a detriment to our souls and religious life, and even to the making of good citizens of this U. S., according to the Command of Christ: "Render unto Ceasar the things which are Ceasar's and unto God the things which are God's, etc.

Yours respectfully,

SAM C. HINTZ, and 25 others.

We, the undersigned citizens of LaMoure County, hereby protest House Bill No. 153 by Representative Bailey, which is unreasonable and uncalled for and would prevent the sale of domestic and veterinary remedies in North Dakota. We believe the bill to be un-American in spirit and monopolistic in effect.

J. E. FAINGEN, and 55 others.

Page, N. D., Jan. 11th, 1919.

Senator Chas. E. Drown: We, the undersigned residents and tax payers ask you as our Senator to do everything in your power to defeat House Bill No. 81, and House Bill No. 134, as we believe that it is intended to strip every community of the control of its own schools, and will demoralize the teaching profession, in this state.

R. R. BROWNLEE, and 35 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the fol-

lowing report:
Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 71.

A bill for an Act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special school districts.

Senate Bill No. 168.

Concurrent Resolution for an amendment to the constitu-tion of the State of North Dakota, providing for the recall of state, county, judicial and legislative officers by the people.

Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 1918.

Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

Senate Bill No. 218.

A bill for an Act to amend and re-enact Section 2012 of the compiled Laws of North Dakota for 1913, relating to compensation for labor.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 27.

A bill for an act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Senate Bill No. 36.

A bill for an act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Senate Bill No. 72.

A bill for an Act appropriating money for the use of the office of the Secretary of State, Motor Vehicle Registration Department, between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, both dates inclusive.

Senate Bill No. 84. A bill for an act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof.

Senate Bill No. 85.

A bill for an act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom
was referred Senate Bill No. 32.

Senate Bill No. 32.

A bill for an Act creating and establishing a State Fire Insurance Fund for State Fire insurance on public buildings in the office of the Commissioner of Insurance, providing for the maintenance thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses authorizing the Commissioner to purchase Insurance for the State Capitol and repealing all Acts in conflict herewith,

Have had the same under consideration and recommended

that the same be amended as follows:

Strike out everything after the word "A Bill" and insert

the following:

FOR AN ACT creating and establishing a State Fire and Tornado Fund for insurance on public buildings of the State of North Dakota, and of cities, counties and other political subdivisions thereof; fixing the powers and duties of the Commissioner of Insurance in connection therewith; providing for the maintenance thereof; providing for the adjustment and payment of losses; authorizing the Commissioner to employ all necessary employes and incur and pay such other expense as may be necessary; authorizing Commissioner to purchase other insurance on large risks; limiting the amount of expense which may be incurred; and repealing all Acts in conflict herewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. STATE BUILDINGS INSURED. On and after August 1st, 1919, no officer or agent of this State and no person or persons having charge of any public buildings or property of the State shall pay out any public moneys or funds on account of any insurance against loss by fire or tornado or shall in any manner contract for or incur any indebtedness against the State on account of any such insurance upon any of the public buildings, furniture or fixtures or property of any kind whatever belonging to the State except in the manner hereafter provided.

SECTION 2. REPORT OF STATE BUILDINGS. Within thirty days after the passage of this Act each officer, board of con rol, board of regents, or agents of the State of any kind having in charge any public buildings or property of any kind whatsoever belonging to the State, shall report

to the Commissioner of Insurance of the State, each policy of insurance which shall be then in force upon any property of any kind belonging to the State, showing in said report the property covered by such insurance, date of expiration of policy, rate of insurance and amount paid.

SECTION 3. INSURANCE PROVIDED. On or between July 1st and August 1st, 1919, and annually thereafter, the Commissioner shall provide for the insurance in the State Fire and Tornado Fund of all state property subject to destruction by fire or tornado, for an amount not to exceed ninety percent of the actual value of the property, as such value is determined by the Commissioner and the officer or board having control of such property. The commissioner shall first determine the insurable value of each article of property and shall fix the rate of premium which, in his opinion, is the average rate charged by responsible fire and tornado insurance companies doing business in this state and issuing policies on property of similar kinds and exposed to risk of fire or tornado in like manner. He shall then ascertain the amount of insurance upon all such property and provide for such additional insurance in the State Fire and Tornado Fund as may be necessary.

SECTION 4. PREMIUMS TO BE PAID. The Commissioner of Insurance, shall as soon thereafter as possible, certify to the State Auditor the amount of insurance upon such property to be carried by the State, with a statement showing the amount of premium, also the name and location of each building, and a list of the class of property contained therein, and it shall be the duty of the State Auditor to issue a state warrant on the State Treasurer for the payment of premiums so certified to the Commissioner of Insurance for the benefit of and to the credit of the State Fire and Tornado Fund and which shall be used only for the purposes provided for in this Act.

SECTION 5. REPORT ON OTHER BUILDINGS. On or before August 1st, 1919, and annually thereafter, each county auditor, city auditor, town village and school district clerk, as the case may be, shall report to the Commissioner each policy of insurance which shall then be in force upon any property of any kind belonging to the county, city, village or school district, whether under the control of such board or council or any other board, officer or agent, describing the property covered by such policy, stating the date of the issue and the expiration thereof, and the amount and rate of insurance and premium thereon.

SECTION 6. INSURANCE PROVIDED. Premiums. From and after August 1st, 1919, the insurance on all property of any such county, city, town, village or school district, shall be provided for by Commissioner in the manner provided for the insurance of property of the state, except that the amount of insurance and the premiums thereon shall be certified by the Commissioner to the clerk or auditor of the town, village, city, county or school district. Upon receipt of such certification, the amount of premium so certified shall, on or before sixty days from the date of such certification, be remitted by the proper officer to the Commissioner of Insurance to be by him deposited with the State Treasurer to the credit of the State Fire and Tornado Fund and which shall be used only for the purposes provided for in this Act. In case of failure to pay the same within six-

ty days from the date of such certification, the town village, city, county or school district official or officials responsible therefor, shall become jointly and severally, as the case may be, personally liable for the same, in an amount equal to double the premium due from such town, village, city, county or school district, and in case of such default it shall be the duty of the State Insurance Commissioner to notify the Attorney General, who shall bring an action in the courts of this state, or shall direct the State's Attorney of the county, in which such delinquency occurs to bring such action, to recover the amount hereinbefore provided for.

SECTION 7. REPLACEMENT OF POLICIES. The Commissioner shall not cause any policies to be cancelled which are in effect on August 1, 1919, but shall provide for the insurance in the State Fire and Tornado Fund of buildings and property as hereinbefore stated, increasing the amount of insurance in the State Fire and Tornado Fund at such times as the policies existing on above date may from time to time require so as to maintain at all times the amount of

insurance required by the provisions of this Act.

SECTION 8. LOSSES, HOW PAID. All losses by fire and tornado shall be paid out of the State Fire and Tornado Fund in amount not exceeding the amount of insurance upon the particular risk. The losses upon any building or property insured in the State Fire and Tornado Fund, either totally destroyed or partially damaged by fire or tornado, shall be adjusted by the Commissioner of Insurance or his representative by him duly authorized. Immediately upon the happening or occasion of any loss or damage, the officer, Board of Control, Board of Regents, agents or agency having charge or control of the property destroyed or damaged, shall, by telegram or in writing, notify the Commissioner of Insurance, giving the description of the property, the amount of insurance carried, the probable amount of loss or damage, and the probable cause of loss or damage. The persons or agency having control of such damaged property shall not disturb the same until the Commissioner of Insurance or his agent shall have appeared and adjusted the loss or shall have notified them that the information on which an adjustment is to be made has been secured. Adjustments and allowances for loss and damage to insured property shall be paid out of the State Fire and Tornado Fund upon warrants drawn by the Commissioner of Insurance upon the State Treasurer against the State Fire and Tornado Fund.

However, if at any time sufficient funds are not available in the State Fire and Tornado Fund to cover any loss or damage sustained by fire or tornado, the person or board under whose supervision or charge such building or property might be, shall submit to the Commissioner of Insurance a claim for the amount of the adjustment of loss or damage, made by him, which claim, when approved by the Commissioner of Insurance, shall be by him submitted to the State Auditing Board, and if the State Auditing Board shall approve the same it shall make it payable ninety days after the end of the next session of the legislature, it shall bear interest at 5 per cent per annum, and the State Auditor shall, on the ninetieth day succeeding the last day of the next session of the legislature, draw a warrant upon the State Treasurer, against any fund appropriated by such legislature for that purpose, payable to such person or board,

as trustee for the state or political subdivision which they represent, in the amount of such claim with interest. Thereafter, whenever the State Fire and Tornado Fund shall have acquired a surplus sufficient to pay any or all of the claims paid out of such special funds of the state, the Commissioner of Insurance shall draw his warrants upon the State Treasurer, against the State Fire and Tornado Fund, payable to the State Treasurer and deliver same to the State Treasurer, and the amount of said warrants shall be credited to the general fund of the state.

SECTION 9. READJUSTMENT OF KATES. If and when the State Fire and Tornado Fund shall equal ten per cent of the risks carried, it shall be the duty of the Commissioner of Insurance to so adjust the premiums to be paid as to reduce the amount to the lowest possible amount consistent with maintaining said Fire and Tornado Fund at said per cent.

SECTION 10. ARBITRATION OF LOSS. In case an agreement as to the amount of the loss cannot be arrived at between the Commissioner of Insurance and the person or board representing the state or the political subdivision, the Commissioner of Insurance shall choose one disinterested person, and the person or board representing the rate or political subdivision shall choose one disinterested person; the two thus chosen shall choose a third disinterested person, and the three shall constitute a board of arbitration to determine the amount of the loss or damage, and the finding of the majority of the three thus appointed, as to the amount of the loss or damage, shall be final and binding upon all parties.

SECTION 11. EXPENDITURES. The Commissioner may employ the State Fire Marshal and any of the employes in the Department of Insurance and such other assistance, and incur such expenses as may be necessary to carry out the provisions of this Act, but all the expenditures made hereunder for such purposes shall be paid out of the State Fire and Tornado Fund. upon the warrant of the Commissioner of Insurance drawn upon the State Treasurer against the State Fire and Tornado Fund, and such expenditures shall not exceed ten per cent of the earned premiums paid into said State Fire and Tornado Fund.

SECTION 12. PROPERTY EXEMPT. The provisions of this Act shall not apply to the property of any town or school district located outside of the incorporated limits of any city or village unless the clerk of the town or school district, at the direction of the town or school board, as the case may be, shall file with the Commissioner written application for such insurance that such town or school district come under the provisions of this Act, and unless such application shall be approved, in writing, by the Commissioner of Insurance.

SECTION 13. LIMITATION OF RISK. No single risk in an amount greater than one hundred thousand dollars shall be carried by the State Fire and Tornado Fund within the period of five years after this Act goes into effect; but the Commissioner of Insurance shall, in all cases of risks exceeding the amount of one hundred thousand dollars, insure such risk, up to one hundred thousand dollars, in the State Fire and Tornado Fund, and all insurance exceeding that amount he shall place with some reliable fire and tornado in-

surance company or companies. He shall collect from the state or the political subdivision thereof, the entire premium for all of the insurance and deposit it in the State Fire and Tornado Fund, as herein provided, and shall draw his warrant upon the State Treasurer against the State Fire and Tornado Fund for the amount of premium due upon that portion of the insurance placed with such reliable fire and tornado insurance company or companies,

SECTION 14. REPEAL. All Acts and parts of Acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

WALTER WELFORD, Chairman.

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

The committee on Appropriations made the ing report:

Mr. President: Your committee on Appropriations whom was referred Senate Bill No. 102.

A Bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit.

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

On the last line of Section 1 strike out the words, "an deficit" and insert in lieu thereof the words "and providing the payment of deficit now existing in the bovine tuoular funds."

Amend the title by striking out at the end the words, "and deficit" and insert in lieu thereof the words "and providing for payment of deficit now existing in the bovine tubular

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Banks made the following report:

Mr. President: Your committee on Banks to whom was referred House Bill No. 49.

A Bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of two million dollars, to be known as "Bonds of North Dakota, Bank Series;" prescribing the terms, and stating the purposes thereof; providing a tax and making other provision for the payment thereof; making appropriations for the payment of said bonds and to carry into effect the provision of this Act; and declaring this Act to be an emergency measure.

Have had the same under consideration and recommend

Have had the same under consideration and recommend

that the same do pass.

CHRIST LEVANG, Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Banks made the following report: Mr. President: Your committee on Banks to whom was referred House Bill No. 172.

A Bill for an Act relative to payment of deposits in trust. Have had the same under consideration and recommend the same be amended as follows:

Strike out the repealing clause.

And when so amended recommend the same do pass.

CHRIST LEVANG, Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 57.

A Bill for an Act entitled an act to appropriate money for the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, and specifying the purposes for which the appropriation is made.

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

In line 3 of Section 2 of the Printed Bill, after the word "passage," strike out the period and add in lieu thereof the words and period "and approval."

And when so amended recommend the same do pass.

R. MCCARTEN, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to

whom was referred Senate Bill No. 50,

A Bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Have had the same under consideration and recommend

that the same do pass.

R. MCCARTEN, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 107.

A Bill for an Act making an appropriation for the Florence Crittendon Home at Fargo, N. Dak.

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

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 87.

A Bill for an Act appropriating Fifteen Hundred Fiftythree and 11-100 Dollars (\$1553.11) to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde, in the months of October, November and December, 1916.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on whom was referred Senate Bill No. 109. Appropriations

A Bill for an Act appropriating the sum of \$399.90 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson, and T. Twichell for services and expenses during the month of February 1917 on the Budget Board.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways & Means made the following report:

Mr. President: Your committee on Ways & Means to whom was referred House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, pro-hibiting discrimination in commodities sold in the State of North Dakota.

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

JAMES A. WENSTROM, Chairman.

Mr. Westrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 32.

A bill for an Act making it unlawful to separate or cause to be separated any child under six months of age from its mother for the purpose of placing such child in a foster home or institution, or to place, receive or retain such child in a foster home or institution, and to regulate the manner and circumstances under which it may be done, and to provide a penalty for violation of said Act.

Have had the same under consideration and recommend

that the same do pass.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to

whom was referred House Bill No. 165.

A bill for an Act to authorize fraternal beneficiary societies to provide whole family protection.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Temperance made the following report:

Mr. President: Your committee on Temperance to whom
was referred Senate Bill No. 61.

A bill for an Act defining the crime of immorality and providing punishment therefor.

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

Strike out everything after the words, "A Bill" and insert the following: For an Act defining prostitution, lewdness and assignation; prohibiting the same; and providing rules of evidence, penalty and for repeal of laws in conflict therewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. That from and after the passage of this Act it shall be unlawful:

- (a) To keep, set up, maintain or operate any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation;
- (b) To occupy any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation or for any person to permit any place, structure, building or conveyance owned by him or under his control to be used for the purpose of prostitution, lewdness or assignation, with knowledge or reasonable cause to know that the same is, or is to be, used for such purpose;
- (c) To receive or offer or agree to receive any person into any place, structure, building or conveyance for the purpose of prostitution, lewdness or assignation or to permit any person to remain there for such purpose;
- (d) To direct, take or transport, or to offer or agree to take or transport, any person to any place, structure or building or to any other person with knowledge or reasonable cause to know that the purpose of such directing, taking or transporting is prestitution, lewdness or assignation;
- (e) To procure or to solicit or to offer to procure or solicit for the purpose of prostitution, lewdness or assignation;
- (f) To reside in, enter or remain in any place, structure or building, or to enter or remain in any conveyance, for the purpose of prostitution, lewdness or assignation;
- (g) To engage in prostitution, lewdness or assignation or to aid or abet prostitution, lewdness or assignation by any means whatsoever.

SECTION 2. That the term "prostitution" shall be construed to include the offer or receiving of the body for sexual intercourse for hire, and, shall also be construed to include the offering or receiving of the body for indiscriminate sexual intercourse without hire. That the term "lewdness" shall be construed to include any indecent or obscene act. That the term "assignation" shall be construed to include the making of any appointment or engagement for prostitution or lewdness or any act in furtherance of such appointment or engagement.

SECTION 3. That in the trial of any person charged with a violation of any of the provisions of Section 1 of this act, testimony of a prior conviction or testimony concerning the reputation of any place, structure or building and of the person or persons who reside in or frequent the same and of the defendant shall be admissable in evidence in support of the charge.

SECTION 4. That any person who shall be found to have committed two or more violations of any of the provisions of Section 1 of this act within a period of one year next preceding the date named in an indictment, information or charge of violating any of the provisions of Section 1 of this act shall be deemed guilty in the first degree. That any person who shall be found to have committed a single violation of any of the provisions of this Act shall be deemed guilty in the second degree.

SECTION 5. (a) That any person who shall be deemed guilty in the first degree, as set forth in Section 4, shall be subject to imprisonment in, or commitment to, any penal reformatory institution in this state for not less than one nor more than three years; provided, that in case of commitment to a reformatory institution the commitment shall be made for an indeterminate period of time of not less than one or more than three years in duration, and the Board of Control shall have authority to discharge or to place on parole any person so committed after the service of the minimum term, or any part thereof, and to require the return to the said institution for the balance of the maximum term of any person who shall violate the terms or conditions of the parole.

(b) That any person who shall be deemed guilty in the second degree, as set forth in Section 4, shall be subject to imprisonment for not more than one year; provided that the sentence imposed, or any part thereof, may be suspende and provided further that the detendant may be placed on probation in the care of a probation officer designated by law or theretofore appointed by the court upon the recommendation of five responsible citizens.

(c) That probation or parole shall be granted or ordered in the case of a person infected with a venereal disease on such terms and conditions only as shall insure medical treatment therefor and prevent the spread thereof, and the court may order any convicted defendant to be examined for venereal disease.

(d) That no girl or woman who shall be convicted under this act shall be placed on probation or on parole in the care or charge of any person except a woman probation officer.

SECTION 6. That the declaration by the courts of any of the provisions of this act as being in violation of the constitution of this state shall not invalidate the remaining provisions.

SECTION 7. That all laws or parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

SECTION 8. Emergency. Whereas, it is necessary for the immediate preservation of the public peace, health and safety that this act shall become effective without delay, there being at present no law covering such acts and the lack of the same resulting in widespread vice and venereal disease; therefore, this act shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

J. P. HEMMINGSEN, Chairman.

Mr. Hemmingsen moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 39.

A bill for an Act to amend and to re-enact Section 2141, Compiled Laws of North Dakota, 1913, Creating a State Board of Equalization, and prescribing its powers and duties.

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

In line one, after the word, "Section," insert the figure, "1, Amendment, that," and in line one insert after the word, "Dakota" the words, "for the year."

On page two, of the printed bill, in line 36, after the word, "assessed" strike out the words, "by District or County Assessor."

On page three, strike out all of Section 7.

In line 58, page three, change the number of the paragraph from "8" to "7."

Strike out the "Emergency Clause."

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws

to whom was referred Senate Bill No. 126.

A bill for an Act, entitled, an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence of-ficers of the State Hospital for the Insane. Have had the same under consideration and recommend

that the same be indefinitely postponed.

THOMAS PENDRAY, Chairman.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the Board of Experts, and compensation.

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

By striking out all matters after the word "A Bill" and inserting in place thereof the following:

"For an Act to amend and re-enact Section 10948 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915.

BE IT ENACTED by the Legislative Assembly of the State of North Dakota.

SECTION 1.—AMENDMENT. That Section 10948 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 233 of the Laws of North Dakota for the year 1915 is hereby amended and re-enacted to read as follows:

10948.—BOARD OF EXPERTS. A member of the State Board of Control, chosen and designated by said board, the warden of the state penitentiary, the prison physician, a chaplain of the state penitentiary, and one other person to be chosen as a member at large by the State Board of Control shall constitute the Board of Experts whose duty it shall be to advise upon the application for discharge of the inmates of the penitentiary, who may have been sentenced under the induterminate sentence law and also to advise upon the applications. indeterminate sentence law, and also to advise upon the applications of the inmates of the penitentiary, who may make application to be paroled as provided by law. The State Board of Control shall elect one of its members as well as the member at large to sit upon the Board of Experts at their first meeting in April and thereafter at the April meeting in each odd numbered year. The terms of these members of the Board of Experts shall be two years, commencing immediately after the April meeting of the Board of Control in the odd numbered years. The State Board of Control of State Institutions shall certify to the governor and the state auditor, the names of the members selected by them to act as members of the Board of Experts as soon as they are elected and have qualified as members thereof. The Board of Experts shall advise the Board of Pardons as to the date when an inmate should be paroled or discharged and shall keep a complete record of all findings and orders of the Board. It shall be the duty of the Board of Experts to provide blanks to record applications and advise to the Board of Pardons rules and regulations to govern the conduct of the inmates applying for a parole and the manner in which they become eligible for discharge or parole. It shall be the duty of the Board of Experts to meet once in each month and to keep a complete record of all the inmates discharged or paroled and to make a biennial report to the proper board of all inmates paroled or discharged by the Board of Pardons and statistics pertaining thereto.

And when so amended recommended the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Corporations Other Than Municipal made the following report:

Mr. President: Your committee on Corporations other than Municipal, to whom was referred Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mail and to delegate as representative voting in Co-operative Associations.

Have had the same under consideration and recommend that the same be amended as follows: By striking out all after the word "A Bill" and inserting in lieu thereof the following:

FOR AN ACT to amend and re-enact Sections 12 and 16 of Chapter 97 of the Laws of North Dakota for the year 1917, relating to voting by mail and to delegate voting in co-operative associations, and providing what corporations may adopt the provisions of this act.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1.—AMENDMENT. Section 12 of Chapter 97 of the Laws of North Dakota for the year 1917 is hereby amended and re-enacted to read as follows:

- SECTION 12.—STOCKHOLDERS MAY VOTE BY MAIL. (1) At any regularly called general or special meeting of stockholders a written vote received by mail from any absent stockholder and signed by him may be read in such meeting and shall be equivalent to a vote of such stockholder so signing; provided, he has been previously notified in writing through the mail of the exact motion or resolution upon which vote is taken and copy of same is forwarded with and attached to the vote so mailed by him.
- (2) Any association created under this act or which has adopted the provisions of this act, as herein provided, and which has more than five thousand stockholders may, by bylaw, herein called the "principal by-law," adopted by a vote of not less than two-thirds of the shareholders of the association at a general or special stockholders meeting, duly called to consider said by-law, enact that the stockholders of the company and those who thereafter become stockholders shall be grouped in local units or societies formed upon the basis of territorial area, or such other basis as may be determined in said by-law or by resolution or action of the directors as hereinafter provided.
- (3) The association shall enact by said principal by-law that said societies or units shall be formed by the directors of the association at the first director's meeting following the annual election and that the directors shall then determine the territorial limits or other basis from or upon which each society or unit and membership therein is drawn or formed, which territorial limits or other basis shall remain the same until after the next annual election of directors.
- (4) Each of said societies or units shall be entitled to be represented at the annual or other stockholders' meetings of the association by a delegate chosen by each society or unit from its members. Each delegate shall have the same powers at all such meetings as the shareholders of the association would have had if said principal by-law had not been adopted. Provided that each delegate shall have and be entitled to cast but one vote on each question for each member of the society or unit which he represents who is not present and voting, in person or by proxy. Every question proposed for consideration of the association shall be subject to the provisions herein contained.
 - (5) The directors of the association shall have the power

to do all things needful, whether by by-law, rule or otherwise, necessary to give effect to this section, and all rules or by-laws passed hereunder, including the power to fix the time and place and rules of conduct for the holding of meetings by said local societies or units for the selection of delegates, and the doing by said societies or units of all things needful to insure the representation of said societies at meetings of the association, and the transaction by said societies or units of business proper or needful to be dealt with by them to carry out the objects of this act. Upon the enactment of said by-law with these provisions, or any of them, the directors shall be vested with the powers therein provided for.

(6) The said societies or units shall have power to do all things necessary to give effect to this section and any rules or by-laws adopted hereunder.

SECTION 2.—AMENDMENT. Section 16 of Chapter 97 of the laws of North Dakota for the year 1917, is hereby

amended and re-enacted to read as follows:

SECTION 16.—CO-OPERATIVE ASSOCIATIONS OTHER CORPORATIONS HERETOFORE ORGANIZED, MAY ADOPT PROVISIONS OF THIS ACT. All co-operative corporations, companies, or associations heretofore or associations described by the corporation of the companies of t ganized and doing business under prior statutes, or which have attempted to so organize and do business under prior statutes, or which have attempted to so organize and do bus-iness, or which prior to March 12, 1917, were organized under the general corporation laws of the state, and whose articles of incorporation or by-laws did then provide for distribution of any portion of earnings or profits upon a co-operative basis, shall have the benefit of all of the provisions of this act, and be bound thereby on filing with the secretary of state a written declaration signed and sworn to by the president and secretary to the effect that said co-operative company or association has, by majority vote of its stockholders, adopted at any time subsequent to March 12, 1917, decided to accept the benefits of and to be bound by the provisions of this act. No association organized under this act, or which has adopted the provisions of this act, shall be required to do or perform anything not specifically required herein, in order to become a corporation or to continue its business as

SECTION 3 .- REPEAL All acts and parts of acts in conflict

herewith are hereby repealed.

And when so amended recommend the same do pass.

O. H. OLSON, Chairman.

Mr. Olson moved that the report be adopted which motion prevailed and the report was adopted.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to

was referred House Bill No. 46.

A bill for an Act to amend and re-enact Section 5888 of the compiled Laws of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1917, and providing what warrants are to be in writing.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. L. Fraser, Chairman.

The committee on Corporations other than Municipal made the following report:

Mr. President: Your committee on Corporations other

than Municipal, to whom was referred House Bill No. 190.

A bill for an Act Reinstating and Validating charters of corporations and organizations for the purpose of securing homes for Orphans, affected by failure to comply with the provisions of Section 5100 of the Compiled Laws of the State of North Dakota for the year of 1913.

Have had the same under consideration and recommend that

the same do pass.

O. H. OLSON, Chairman.

Mr. Olson moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Corporations other than Municipal made

the following report:

Mr. President: Your committee on Corporations than Municipal, to whom was referred House Bill No. 102.

A bill for an Act to amend and re-enact Section 4544 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4544 of the Compiled Laws of North Dakota for the year 1913.

Have had the same under consideration and recommend

that the same do pass.

O. H. OLSON, Chairman.

Mr. Olson moved that the report be adopted, which motion prevailed and the report 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. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3,

4, 6, 7 and 8, Laws of North Dakota of 1917.

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

In line sixteen of section six of the printed bill substitute the word "may" for "shall."

In line eighteen of section six strike out the words "or surrounding territory," and also strike out the comma after the word "city" and insert in lieu thereof the word "or."

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Health made the following re-

Mr. President: Your committee on Public Health to whom

was referred House Bill No. 129.

A bill for an Act amending and re-enacting Section 2698 of the Compiled Laws of the State of North Dakota for the year 1913, providing for the inspection of meat and all animals to be slaughtered.

Have had the same under consideration and recommend

that the same be amended as follows:

In line one, page one, of the printed page after the figure "1," insert the word "Amendment."

And when so amended recommend the same do pass.

M. MORTENSON, Chairman.

Mr. Mortenson moved that the report be adopted, which

motion prevailed and the report was adopted.

Mr. Cahill moved that the report of the committee indefinitely postponing Senate Bill No. 189 be adopted, which motion was duly seconded.

Roll call was demanded.

The roll was called and there were ayes, 32; nays, 15; absent

and not voting, 2.

Ayes—Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson King, Levang, Liederbach, McCarten, Mees Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo,

Storstad, Whitman.

Absent and not voting: Drown, McNair.

So the motion prevailed.

Mr. Stenmo moved that the report of the committee indefinitely postponing House Bill No. 174 be adopted, which motion prevailed and the report was adopted.

Mr. Fraser moved that the report of the committee indefinitely postponing House Bill No. 80 be adopted, which motion prevailed and the report of the committee was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 17, 1919.

I have the honor to return herewith the Mr. President: following bills:

Senate Bill No. 2.

A bill for an act providing for hearing petitions for letters

of administration and probating of wills.

Senate Bill No. 127.

A bill for an Act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 23.

A bill for an Act to amend and re-enact Section 7753; Sections 7754 and 7758 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 223 of the Laws of North Dakota for the year 1915 and as amended by Chapter 109 of the Laws of North Dakota for the year 1917; Section 7762 of the Compiled Laws of North Dakota for the year 1913; and Sections 8085 and 8115 of the Compiled Laws of North Dakota for the year 1913, relating to redemption from sales of real estate under execution and foreclosure and the rate of interest to be charged thereon.

House Bill No. 48.

A bill for an Act relating to freight rates in North Dakota; the transportation of freight within the State; the classification of freight for the purpose of such transportation and the application of rates thereon; fixing the maximum rates and charges for the transportation of freight intra-state; providing penalties and punishments for the violation of the provisions thereof and defining certain duties and powers of the board of railroad commissioners.

House Bill No. 63.

A bill for an Act to amend and re-enact Section 4863 of he Compiled Laws of North Dakota for the year 1913, relating to capital stock required by domestic and other stock insurance companies.

House Bill No. 108.

A bill for an Act to amend and re-enact Section 4847 of the Compiled Laws of North Dakota for the year 1913, relating to abstracts and briefs upon appeal to the Supreme Court, and repealing Acts or parts of Acts in conflict therewith.

House Bill No. 133.

A bill for an Act making the simulation of organization names a crime.

Senate Bill No. 72.

A bill for an Act appropriating money for the use of the office of the Secretary of State, Motor Vehicle Registration Department, between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, both dates inclusive.

Senate Bill No. 27.

A bill for an act establishing equal weights and measures for commodities bought, sold and exchanged within the State of North Dakota, and repealing Section 3006 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Senate Bill No. 36.

A bill for an act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring railroads to build and maintain fences, cattle guards, and swinging gates, and providing penalties for failure to comply therewith.

Senate Bill No. 58.

A bill for an Act to regulate the admission of dentists to practice dentistry in the State of North Dakota and defining who may practice dentistry in North Dakota without examination.

Senate Bill No. 81.

A Concurrent Resolution for an amendment to the Constitution providing for the Elective Franchises.

Senate Bill No. 84. A bill for an act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof.

Senate Bill No. 85.

A bill for an act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof. Senate Bill No. 148.

A bill for an Act to amend and re-enact Section 2062 of the

Compiled Laws of North Dakota for the year 1913, relating to ferries.

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

THIRD READING OF SENATE BILLS

Senate Bill No. 168.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota, providing for the recall of state, county, judicial and legislative officers by the people.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 6; absent and not

voting, 2.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Haggart, Hyland, Jacobsen, McBride, Murphy, Whitman.

Absent and not voting: McNair, Mees.

So the bill passed and the title was agreed to.

Mr. McCarten moved that Senate Bill No. 169 be amended by striking out the word "five" in line 5 Section 1762 of the engrossed bill, which motion prevailed and the bill was so amended.

Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 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, 2; absent

and not voting. 3.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hem-mingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zeiman.

Nays-Jacobsen, Porter.

Absent and not voting: Fraser, Gibbens, McNair.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 169, the roll was called and there were ayes, 44; nays, 3;

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman. Nays—Jacobsen, Nelson, Porter.

Absent and not voting: Gibbens, McNair.

So the Emergency Clause passed.

Mr. Stenmo moves to amend Senate Bill No. 71 as follows: In line 1 on page 5 of the amended bill as it appears in the Senate Journal for February 15th, 1919, strike out "one room school which must be maintained" and insert in lieu thereof the words "teacher employed".

In line 15, page 5 of the amended bill, as it appears in the Senate Journal for February 15th, 1919, strike out "three-fourths" and insert in lieu thereof "two-thirds".

At end of amended bill as it appears in the Senate Journal

for February 15th, 1919, insert the following:

"Provided, also, that any special school district to which adjacent territory has been attached under this or any other act shall furnish transportation for all pupils residing in said special school district more than one and one-half miles from the central school house thereof in accordance with Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws for 1915, and other amendments thereto.

Which motion prevailed, and the bill was so amended.

Mr. Ingerson moved that Senate Bill No. 71 be amended by striking out the word "forty" in line 11, Section 1240 of the engrossed bill and inserting in lieu thereof the words "one hundred", which motion prevailed and the bill was so amended.

Senate Bill No. 71.

A bill for an act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special school districts.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 46; nays,

0; absent and not voting, 3. Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.
Absent and not voting: Gibbens, McNair, Oksendahl.
So the bill passed and the title was agreed to.
Mr. Church moved that Senate Bill No. 218 be amended by

striking out the word "three" and inserting the word "two", and striking out the word "six" and inserting the word "three" in line 6, Section 2012 of the engrossed bill, which motion prevailed and the bill was so amended.

Senate Bill No. 218.

A bill for an act to amend and re-enact Section 2012 of the Compiled Laws of North Dakota for 1913, relating to compensation for labor.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 46; nays,

0; absent and not voting, 3.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckton, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, Hunt, McNair. So the bill passed and the title was agreed to.

Mr. Bowman moved that Senate Bill No. 215 be amended by inserting the words "or rubbish" in the second and fourth lines of the title after the word "stone" and lines 2, 5, 11, 15, 22 and 24, Section 1 of the engrossed bill, which motion prevailed and the bill was so amended.

Mr. Ward moved that Senate Bill No. 215 be re-referred to

the Committee on Judiciary, which motion prevailed.

Mr. Welford moved that the Senate do now take a recess, subject to the call of the president, which motion prevailed and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

Call of the Senate demanded,

Mr. Levang moved that the call of the Senate be dispensed with.

Mr. Welford moved that the President appoint a committee of three to wait upon the governor and invite him to appear before the Senate and give his views and position on the question of the referendum, which motion prevailed, and the President appointed as such committee Messrs. Welford, Hunt and Gibbens.

THE GOVERNOR; Mr. President and members of the Senate. You understand, of course, that with the constitutional amendments that were passed at the last general election 7000 voters will referend bills without an emergency clause, or bills with an emergency clause at the next general election. That it takes 30,000 signers on a bill that has an emergency clause in order to call a special election on that matter. Some of the members have made the statement that they thought 30,000 signers to a petition was rather large, that as in fact it was almost prohibitive, and that might seem true-it may be rather large-although it seems to me that in view of the vote of the people at the last election, the primary election last June and the general election last November that there is no question what the majority of the people would say upon these matters should it come to a special election. A special election, of course, would cost the state quite a lot of money. I would say off hand between \$25,000 and \$30,000, and I would not favor a special election unless there were enough signers on the petition to convince me that such a special election was wanted by a representative number of the people of the state, and if this 30,000 seems too high I am willing to pledge myself to call a special election upon any of these important measures should 20,000 people of the state sign petitions to referend any of these important measures, and even less than 20,000 should they be scattered around over the state showing that a majority of the people, or a representative number of the people wanted these bills, referended, then I would be perfectly willing to call a special election. Of course, the people when they sign these petitions are the people when they are the people wanted th election. Of course, the people when they sign these petitions must realize that it is going to cost the state quite a considerable sum of money to have a special election, and in signing the petitions that is one of the things they should

be willing to stand for in case a special election is called because the costs will amount to thousands of dollars,—it cannot be helped, but if 20,000 people, voters of the state want any of those bills referended, I will call a special election, and if—well 15,000 scattered around over the state among all classes of the state, farmers as well as town people, a special election will be called even in that case too. There is no attitude on the part of the state administration to be unfair. We want to be fair and square, and if there is a sentiment among the people, among enough of them, to justify calling a special election, a special election will be called, and if 15,000 people of the state composed of farmers and business men representing all classes of the people of the state, industries of the state, want to referend any of those bills at a special election we will call a special election. If there is any question I would be willing to answer if I can. If not I thank you very much for your courtesy in calling me in. I am glad of the opportunity to state my side of the question.

MR. CHURCH: Would there be any question as to the legality provided a special election was called with a smaller number than required by the constitution.

THE GOVERNOR: I think not. As I understand it the amendments provide that if there are 7,000 signers that question must be referended at the next general election, but that the governor may call a special election, but I would not want to call a special election on 7,000 signers because there is no question but what you could find enough opposition against any of these measures to get 7,000 signers, and I would not feel justified in calling a special election at a large expense to the state on a proposition of this kind.

MR. HYLAND: Do you think you would be subjected to unjust criticism if you were to put the number of signers at some exact sum, say 15,000 or 20,000?

THE GOVERNOR: I should say it should be at least 15,000

THE GOVERNOR: I should say it should be at least 15,000 signers to make it a representative number, or approximate-

ly 15,000 at least.

MR. GIBBENS: Of course, the attitude I have assumed here is that these are questions of vast importance and radically different from anything we have done heretofore, and my idea of it is that the people should have a say upon these questions, and they should be submitted. Instead of the emergency clause we should ask that they be submitted

at a special election called by the governor.

THE GOVERNOR: I hardly feel that in view of the fact that the last four elections two primary and two general elections, I would feel justified in calling a special election just on general principles without a referendum petition, a good sized referendum petition. There is no question in my mind what the result would be if a special election were called on any of these measures, and I do not believe there is any question in your mind, and I have put up the question to several, and they say there is no question as to what the result would be, but they think the people should have the right to vote on these questions, but in my orinion they have voted upon the questions four times, and if 15,000 people of the state representing different industries want to vote again on it, all well and good, let them vote.

MR. CAHILL: You expect to have some farmers and some business men, you want both represented. Would it not be a good plan to name how many you want of each.

and how many counties of the state should be represented? I think it would be wise to name something definite especially as to the counties.

THE GOVERNOR: I do not think there will be any question about that in view of the fact that quite a large majority of our citizens live upon farms, or own farms, but at least a number of the signatures should be of residents of the farm rural districts, but so far as percentage is concerned, if there are 15,000 signers—of course I would not want them all out of the towns as some of these bills, especially the elevator bill and mill proposition effect directly the farmers, and it would be no more than right that the farmers have something to say on that and not have them referended entirely upon the petitions of people from the towns.

MR. GIBBENS: There is one other question. If the constitution provides that it require 30,000 to referend a bill that has an emergency to it, how would you reconcile it by calling a special election to pass upon the question. 7,000 signers will refer a bill with an emergency clause to the next general election, but how will you get around the constitution in regard to calling a special election?

THE GOVERNOR: It provides that the governor may call a special election even though there is but 7,000 signers, but 30,000 on the petitions demands a special election, so I think there will be no trouble in regard to that.

MR FRASER: That is covered in House Bill No. 6, page 3.

THE GOVERNOR: I do not remember the number of the bill.

MR. CHURCH: I think it would be at this time a good thing to give the prorata. I think referendum petitions should carry 50-50 because most of these things refer to farm industries and I think the petitions should be 50-50, that is my opinion.

THE GOVERNOR: I think it would be no more than fair to have 50 per cent from the farmers, but I would not bother about a little thing like that.

MR. LIEDERBACH: I think as these measures pertain mostly to the agricultural interests, at least 75 per cent should come from the farmers.

MR. HYLAND: Governor Frazier, this matter pleases me very much. I move that the members of the Senate extend to the governor a standing vote of thanks, which motion prevailed.

THE GOVERNOR: Gentlemen, I thank you.

Mr. Porter moved that House Bill No. 17 be amended as follows:

In Section Two, line 1 of the amended bill, after the word "of", strike out the word "three" and insert in lieu thereof "seven". Also in the same section, in line 3, after the words "North Dakota" insert "and four others to be appointed by the Governor, by and with the advice and consent of the Senate", and also in line 3 strike out the word "two" and insert "a majority of such" and after the word "business" in line 4, insert the following: "Two of the four of such members shall hold their office for a period of two years and two of them for a period of four years, and the members thereafter

appointed shall hold office for a term of four years", which motion was lost.

Mr. Gibbens moved that House Bill No. 17 be amended as follows:

That all of Section eight of the engrossed bill be stricken out and in lieu thereof insert the following:

"SECTION 8. This Act shall become effective at once after the voters of the state have approved the same by a majority of the votes cast upon the proposition at a special election which shall be called by the governor within ninety days after the adjournment of this Legislative Assembly", which motion was duly seconded, and roll call demanded.

The roll was called and there were ayes, 13; nays, 36; absent and not voting, 0.

Ayes—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Nays—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

So the motion was lost.

THIRD READING OF HOUSE BILLS

House Bill No. 17.

A bill for an Act creating the Industrial Commission of North Dakota, authorizing it to conduct and manage on behalf of the State certain utilities, enterprises and industries, and defining its powers and duties.

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 14; absent and not voting, 0.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

So the bill passed and the title was agreed to.

Mr. Levang 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.

Mr. Mees explained his vote and asked that it be entered in the journal: I was elected on the league program by a majority of the voters of Morton county with the distinct understanding that if at any time the people felt that our actions as legislators exceeded their wishes or expectations, we would give them a workable referendum whereby they could check any legislation not meeting with their approval, and in view of the explanation of the governor given before this body, I vote "aye".

The question being on the Emergency Clause to House Bill

No. 17, the roll was called and there were ayes, 34; nays, 15; absent and not voting, 0.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

So the Emergency Clause passed.

Mr. Morkrid 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. 18.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the banking business and establishing a system of banking under the name of the Bank of North Dakota, operated by the State, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 14; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

Absent and not voting: Kendall.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which House Bill No. 18 passed, he reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Mees explained his vote and asked to have it entered in the journal: "For the same reasons given on House Bill No. 17, I vote aye".

The question being on the Emergency Clause to House Bill No. 18, the roll was called and there were ayes, 33; nays, 16; absent and not voting, 0.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

So the Emergency Clause passed.

Mr. Wenstrom 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. Cahill moved that House Bill No. 25 be amended by inserting in the engrossed bill as amended lines 11 to 19, Section No. 7731 inclusive of the engrossed bill, and striking out the words "one hundred" in line 10 and inserting in lieu thereof the words "twenty-five," which motion was lost.

House Bill No. 25.

A bill for an Act relating to the exemption of personal property from attachment, levy and sale on execution and to amend and re-enact Sections 7731 of the Compiled Laws of North Dakota for the year 1913; and 7738 of the Compiled Laws of North Dakota for the year 1913; and 7739 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 155 of the Compiled Laws of North Dakota for the year 1915.

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, 3; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Bowman, Cahill, Ingerson.

Absent and not voting: Haggart, Hunt, Hyland, Mees, Morkrid, Ward.

So the bill passed and the title was agreed to.

House Bill No. 42.

A bill for an act designating the State Inspector of Grades, Weights and Measures, Sealer and Inspector of Weights and Measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights; fixing fees, authorizing the appointment of deputy inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

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, 0; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Ettestad, Gibbens, Haggart, Hyland, McCarten, Murphy.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 42, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, Haggart, Hyland, Jacobsan, McBride, Murphy, Ployhar.

So the Emergency Clause passed.

House Bill No. 115.

A Concurrent Resolution amending the Constitution of the State of North Dakota, relating to debt limit of any county, township, city, town, school district or any other political subdivision.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Ayes—Beck, Benson, Berg, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, Haggart, Hyland, Jacobsen, Kendall, Liederbach, McBride, Ployhar, Sikes.

So the bill passed and the title was agreed to.

House Bill No. 38.

A bill for an Act to amend and re-enact Section 7486 of the Compiled Laws of North Dakota for the year 1918, providing that the Supreme Court may secure additional evidence in cases tried without a jury.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, Haggart, Hyland, Jacobsen, Liederbach, McBride, Ployhar, Sikes.

So the bill passed and the title was agreed to.

Mr. Fraser moved that House Bill No. 113 be amended by striking out the words "not to exceed ten days" in line 13 of the printed bill, and the word "ten" in line 17, and inserting in lieu thereof the word "thirty" and inserting the word "thereafter" after the word "days" in line 17, which motion prevailed and the bill was so amended.

Mr. Fraser moved that the vote by which House Bill No. 113 was amended be reconsidered, which motion prevailed, and the vote was reconsidered.

Mr. Fraser moved that the amendment be stricken out which motion prevailed.

House Bill No. 113.

A bill for an act providing for reasonable time for purchasers to discover defects in personal property or breaches of warranty and making the question of reasonable time one for the jury.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Hyland, Jacobsen, Kendall, Liederbach, McBride, McNair, Ployhar, Ward, Welford.

So the bill passed and the title was agreed to.

House Bill No. 86.

A bill for an Act to amend and re-enact Section 1951 of the Compiled Laws of North Dakota for the year 1913, relating to the construction of bridges by county commissioners.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimler, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Hyland, Jacobsen, Kendall, Liederbach, McBride, McNair, Ployhar, Ward.

So the bill passed and the title was agreed to.

Mr. Church moved that House Bill No. 37 be re-referred to the Committee on Judiciary, which motion prevailed and the bill was so re-referred.

The Senate returned to the Eighth Order of Business.

Mr. Bowman moved that the Secretary be instructed to prepare a statement of the status of all Senate Bills, and all House Bills in the Senate, which motion prevailed. Mr. Welford moved that the remarks of the governor be printed in the journal, which motion prevailed.

Courtesies of the floor were extended to C. C. Simons, Aneta,

H. A. Haakenson, Portland.

Mr. Gibbens moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEBRUARY 18, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 32.

A bill for an Act creating and establishing a State Fire Insurance Fund for State fire insurance on public buildings in the office of the Commissioner of Insurance, providing for the maintenance thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses authorizing the commissioner to purchase insurance for the State Capitol and repealing all acts in conflict herewith.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit.

Senate Bill No. 57.

A bill for an Act entitled an act to appropriate money for the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, and specifying the purposes for which the appropriation is made.

Senate Bill No. 50.

A bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Senate Bill No. 107.

A bill for an Act making an appropriation for the Florence Crittendon Home at Fargo, N. Dak.

Senate Bill No. 87.

A bill for an Act appropriating Fifteen Hundred Fifty-three and 11-100 Dollars (\$1553.11) to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde, in the months of October, November and December, 1916.

Senate Bill No. 109.

A bill for an Act appropriating the sum of \$399.00 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson, and T. Twichell for services and expenses during the month of February, 1917, on the Budget Board. Senate Bill No. 61.

A bill for an act defining the crime of immorality and providing punishment therefor.

Senate Bill No. 39.

A bill for an Act to amend and to re-enact Section 2141, Compiled Laws of North Dakota, 1913, creating a State Board of Equalization, and prescribing its powers and duties.

Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the Board of Experts, and compensation.

Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mail and to delegate as representative voting in Cooperative Associations.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7 and 8, Laws of North Dakota of 1917.

THIRD READING OF HOUSE BILLS

House Bill No. 49.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of two million dollars, to be known as "Bonds of North Dakota, Bank Series;" prescribing the terms, and stating the purposes thereof; providing a tax and making other provision for the payment thereof; making appropriations for the payment of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

House Bill No. 172.

A bill for an Act relative to payment of deposits in trust.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

House Bill No. 32.

A bill for an Act making it unlawful to separate or cause to be separated any child under six months of age from its mother for the purpose of placing such child in a foster home or institution, or to place, receive or retain such child in a foster home or institution, and to regulate the manner and circumstances under which it may be done, and to provide a penalty for violation of said Act.

House Bill No. 165.

A bill for an Act to authorize fraternal beneficiary societies to provide whole family protection.

House Bill No. 190.

A bill for an Act reinstating and validating charters of corporations and organizations for the purpose of securing homes for orphans, affected by failure to comply with the provisions of Section 5100 of the Compiled Laws of the State of North Dakota for the year 1913.

House Bill No. 102.

A bill for an Act to amend and re-enact Section 4544 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4544 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 129.

A bill for an act amending and re-enacting Section 2698 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the payment of funds to organize city, town or village fire departments and companies.

FORTY-THIRD DAY

SENATE CHAMBER. BISMARCK, NORTH DAKOTA, February 18, 1919.

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

Prayer was offered by the Chaplain Rev. Bell.

Roll Call.

All members present except Mr. Hyland, who was excused 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 42nd day and recommend that the same be corrected as follows: Page 4, take out lines "30" and "31;" page 6, line 27, correct the spelling of the word "commissioner;" the last line on page 8, correct the spelling of the word "repealing;" page 10, line 7, correct the spelling of the name "McCarten;" page 15, line 25, put in the words "to the" between the words "attacked" and "vote;" page 16, line 46, correct the world of the name "Olson;" page 17 take out line "9;" page 20, line 26, take out the word "fine" and insert in lieu thereof the word "five;" page 18, line 20, change figures "84" to "174."

And when so corrected recommend that the same be ap-

proved.

W. H. PORTER, Chairman pro tem.

Mr. Porter moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Grand Forks, N. D., Feb. 17, 1919.

Senator W. S. Whitman, Bismarck, N. Dak.

Amend House Bill No. 107 not prohibiting the case of Hunting Dogs but place a bounty on crows and crow eggs and if possible prohibit shooting of chickens in at least one township in every county, this will do more to protect them than anything else.

C. A. HALE, and 29 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 2.

A bill for an act providing for hearing petitions for letters of administration and probating of wills.

Senate Bill No. 127.

A bill for an Act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 71.

A bill for an Act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special school districts.

Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 1918. Senate Bill No. 218.

A bill for an Act to amend and re-enact Section 2012 of the Compiled Laws of North Dakota for 1913, relating to compensation for labor.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion, prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 32.

A bill for an Act creating and establishing a State Fire Insurance Fund for State Fire insurance on public buildings in the office of the Commissioner of Insurance, providing for the maintenance thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses authorizing the Commissioner to purchase Insurance for the State Capitol and repealing all Acts in conflict herewith,

Senate Bill No. 39.

A bill for an Act to amend and to re-enact Section 2141, Compiled Laws of North Dakota, 1913, creating a State Board of Equalization, and prescribing its powers and duties.

Senate Bill No. 50.

A bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Senate Bill No. 57.

A bill for an Act entitled an act to appropriate money for the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919. and specifying the purposes for which the appropriation is made.

Senate Bill No. 61.

A bill for an Act defining the crime of immorally and providing punishment therefor.

Senate Bill No. 87.

A bill for an Act appropriating Fifteen Hundred Fifty-three and 11-100 Dollars (\$1553.11) to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde. in the months of October, November and December, 1916.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit.

Senate Bill No. 107.

A bill for an Act making an appropriation for the Florence Grittendon Home at Fargo, N. Dak.

Senate Bill No. 109.

A bill for an Act appropriating the sum of \$399.00 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson, and T. Twichell for services and expenses during the month of February, 1917, on the Budget Boards.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7 and 8, Laws of North Dakota of 1917.

Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mail and to delegate as representatives voting in Cooperative Associations.

Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the Board of Experts, and Compensation.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Railroads made the following report:

Mr. President: Your committee on Railroads to whom

was referred Senate Bill No. 210.

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 recommend

that the same be indefinitely postponed.

THORWALD MOSTAD, Chairman.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 181.

A bill for an Act concerning public utilities investigating and regulation and control thereof in the Commissioners of Railroads of the State of North Dakota.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

J. I. CAHILL, Chairman.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom

was referred Senate Bill No. 75.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Five Million Dollars, to be known as "Bonds of North Dakota, Mill and Elevator Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an experience measure. emergency measure.

Have had the same under consideration and recommend that the same be amended as follows: Strike out everything after the words "A Bill" and insert the following:

FOR AN ACT providing for the issuing of bonds of the State of North Dakota in a sum not exceeding Five Million Dollars to be known as "Bonds of North Dakota, Mill and Elevator Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations and sions for the payment thereof; making appropriations and other provisions for the payment of interest and principal of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:
SECTION 1. The issuance of bonds of the State of North Dakota, to be known as "Bonds of North Dakota, Mill and Elevator Series," is hereby authorized and directed, under the conditions and in the manner and for the purposes hereinefter set forth

inafter set forth.

SECTION 2. Whenever the Industrial Commission shall

deem it expedient so to do, for the purpose of authorizing the issuance of bonds of the State of North Dakota as contemplated by this act, it shall cause mortgages to be executed in the manner prescribed by Section 7 of the act entitled "AN ACT declaring the purpose of the State of North Dakota to engage in the hydrogen of the State of North Dakota to engage in the hydrogen of the State of North Dakota to engage in the hydrogen of the State of North Dakota to engage in the hydrogen of the State of North Dakota to engage in the hydrogen of the State of North Dakota to engage in the hydrogen of the State of North Dakota to engage in the hydrogen of the State of North Dakota to engage in the hydrogen of the State of North Dakota as contemplated the state of North Dakota as contemplated by the state of North Dakota as conte Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator association operated by the state, and defining the scope and manner of its operation, and the and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management; and making an appropriation therefor," enacted in the year 1919 by the Sixteenth Session of the Legislative Assembly of North Dakota, being Senate Bill Number 20. The grantee and mortgagee designated in said mortgages shall be "the State Treasurer of North Dakota and his successors in office in trust." Each mortgage shall be executed and delivered to the treasurer of North Dakota and his successors in office, in trust as security for bonds to be issued by the State of North Dakota under the designation of "Bonds of North Dakota, Mill and Elevator Series," as provided by law, and shall contain a recital to that effect. The property law, and shall contain a recital to that effect. The property described in and covered by said mortgages shall be such property as is owned by or may be acquired for the State of North Dakota, doing business as North Dakota Mill and Elevator Association, and dedicated to or acquired for the use thereof by the Industrial Commission. All property dedicated to or acquired for the State of North Dakota doing business as North Dakota Mill and Elevator Association shall be described in and covered by first mortgages so that at all times all of the property of the State of North Dakota doing business as North Dakota Mill and Elevator Association shall be pledged to the payment of all of the bonds issued, sold and delivered under the provisions of this act and attached to each of said mortgages, and incorporated by reference into the provisions thereof, shall be an itemized statement of all of the property specified and covered therein, showing the true value of each item thereof based upon appraisal made under the direction of the Industrial Commission and verified by the oath of the appraisers. Said mortgages shall be a first lien upon all of said property without prior lien or incumbrance of any kind whatsoever.

SECTION 3. Said mortgages shall be duly recorded in each county in which the property affected thereby is situated. As soon as such mortgages are recorded they shall be delivered to the state treasurer, and be retained by the state treasurer and his successors in office in trust until all of the bonds secured thereby as provided by this act shall be paid.

SECTION 4. As soon as the state treasurer shall receive such mortgages so recorded he shall notify the governor, the state auditor and the secretary of state, who shall thereupon immediately inspect them: and, upon ascertaining from such examination and inspection that said mortgages have been properly executed and duly recorded, it shall be the duty of the state treasurer to immediately prepare for issue, and the governor and state treasurer shall thereafter issue, negotiable bonds of the State of North Dakota in an amount not exceeding the value of the property including within the terms of said mortgages as expressed in the itemized statements and valuation attached to said mortgages, as provided in Section 2 of this act. Each of the bonds so issued shall contain a recital that it is secured by first mortgages deposited with the state treasurer of North Dakota upon property of the state, dedicated to the use of the North Dakota Mill and Elevator Association; that it is issued in pursuance of the provisions of this act, which may be cited as the "Mill and Elevator Bond Act of North Dakota." Said bonds shall be executed by the governor and the state treasurer under the great seal of the state, and shall be attested by the secretary of state. The auditor and secretary of state shall endorse and sign on each such bond, when issued, a certificate showing that it has been issued pursuant to law and is within the debt limit. The bonds so issued shall be designated "Bonds of North Dakota, Mill and Elevator Series," and may be issued in series from time to time as the industrial commission may by order designate and require.

SECTION 5. The bonds so issued shall be payable to the purchaser or bearer; provided, however, that the provisions of Section 151, Compiled Laws of 1913, are hereby declared to apply to them. They shall be issued in denominations of from five dollars to ten thousand dollars and shall be payable in not less than ten or more than thirty years from the passage of this act. They shall bear interest at a rate not exceeding six per cent per annum from their date until maturity, payable semi-annually on the first day of January and of July in each year; and coupons shall be attached to each bond, evidencing the amount of interest payable at each

first day of January and July until maturity. Principal and interest shall be payable at the office of the state treasurer in Bismarck. The terms of said bonds, as to values of denominations and rates of interest, shall be fixed by the commission in its sound judgment, within the limitations above stated. Every such bond and coupon must be presented for payment at the office of the state treasurer within six years from the date of its maturity; and no such bond or coupon shall bear interest after maturity unless payment thereof shall not be made upon due presentation for payment.

SECTION 6. The said bonds so issued shall be delivered to the industrial commission of North Dakota to the end that the said commission may by negotiation and sale of said bonds procure necessary funds for the operation of

said association.

SECTION 7. In furtherance of the purpose declared by this act, it is hereby made the duty of the governor and the state treasurer after the issue, execution, sealing and attestation of said bonds, to deliver them to the Industrial commission, in such denominations and amounts, bearing interest at such rates, and running to such period of maturity, as may be required by the commission, within the limitations herein stated. The industrial commission is empowered, authorized and directed, in connection with and in addition to its other powers and duties, to act as the agent of the state for the negotiation, sale and delivery of said bonds. It shall sell them for cash at not less than par value in such manner and at such times as in its sound discretion it shall deem most advantageous to the interests of the state. The commission is hereby authorized to receive all moneys paid by buyers of said bonds, upon the sale thereof, and upon receipt of the purchase price to deliver to each purchaser the bonds by him purchased. Upon such delivery of bonds so purchased and paid for, the faith and credit of the State of North Dakota is pledged for the payment thereof, both principal and interest, to the lawful holder and owner thereof upon presentation for payment, according to law. The moneys so derived and received from the sale of said bonds shall be placed by the industrial commission in the funds of the association. Nothing in this act, however, shall be construed to prevent the purchase of any said bonds with any funds in the Bank of North Dakota.

SECTION 8. The state treasurer and his successors in office shall hold such mortgages, first for the security and payment of the bonds issued as provided in this act, and second, for the satisfaction and cancellation thereof, and redelivery to the industrial commission, if and when said bonds

have been fully paid.

SECTION 9. From time to time the industrial commission shall, out of the earnings derived from the operation of the association, pay to the state treasurer such moneys as the commission shall deem available to devote to the purpose of paying said bonds and interest. In making such payment the commission shall file a statement with the state treasurer specifying the purpose of such payment. When moneys shall have been so paid to the state treasurer, he shall apply the same to their specified purpose as hereinafter directed.

SECTION 10. At the time of each annual meeting of the State Board of Equalization hereafter, the industrial commission shall deliver to said board an exact written state-

ment of all bonds issued under the provisions of this act outstanding at that time, including therein the dates of maturity, interest rates and all other information proper to enable the board intelligently to comply with the provisions of this act in regard to tax levies. On the basis of such information, the state board of equalization shall annually levy a tax, at the time other taxes are levied, sufficient in amount to pay such interest on said bonds as will become due during the year beginning on the next ensuing first day of January, and said tax shall be collected in the same manner as other state taxes are collected. In determining, however, the amount of the tax sufficient for such purpose, the board of equalization shall take into account whatever moneys, if any, shall then have been paid to the state treasurer by the industrial commission, as provided in this act, for the specific purpose of paying such interest. The board of equalization shall apply to the state treasurer for information as to the amount of such moneys, and he shall forthwith supply the information requested. If the amount of such moneys shall equal or exceed the amount of the interest on said bonds payable during said year beginning on the next ensubonds payable during said year beginning on the next ensuing first day of January, then no tax shall be levied by the board of equalization for that purpose; but if the amount of such moneys shall be less than the amount of the interest on said bonds payable during said year, then the board of equalization shall deduct the amount of said moneys in the possession of the treasurer from the amount of the interest so payable, and shall levy the tax hereinbefore in this section provided for not least the difference between said this section provided for at least the difference between said amounts.

SECTION 11. Whenever it shall appear to the board of equalization from the information contained in any statement delivered to it by the industrial commission at an annual meeting of said board, as provided in Section 10 above, that there will mature, within a period of five years from such annual meeting, any of the bonds provided for in this act, the board of equalization shall thereupon, at such annual meeting, levy a tax in an amount equal to one-fifth of the amount of the principal of such bonds; provided, however, that in determining the amount of such tax, the board of equalization shall take into account whatever moneys, if any, shall have been paid to the state treasurer by the industrial commission for the specific purpose of paying the principal of said bonds when due, as provided in Section 9 of this act. The board of equalization shall apply to the state treasurer for information as to the amount of such moneys and as to the times when paid to him. If the amount of such moneys paid to the treasurer since the date of the last preceding tax levy made by the board of equalization, shall equal or exceed one-fifth of the amount of the bonds so to mature, then such tax shall not be levied; but if the amount of such moneys paid to the state treasurer since the date of the last preceding tax levy, shall be less than one-fifth of the amount of such moneys, so paid, from such one-fifth of said bonds, and shall levy the tax, hereinbefore in this section provided for the difference. It is the intention of this section to provide that in each of the last five years, before the maturity of any of said bonds, a state tax shall be levied which, together with such moneys as shall during

the next preceding year have been paid to the state treasurer, by the industrial commission for the purpose, shall be at least sufficient to pay one-fifth part of the principal of said bonds.

SECTION 12. To identify and distinguish the funds provided and available for the payment of the bonds issued pursuant to this act, there is hereby created and established, as a part of the moneys of the state received and kept by the state treasurer, a fund to be designated the "Mill and Elevator Bond Payment Fund." All moneys received by the state treasurer, whether from the proceeds of taxes or from payments made by the industrial commission, or from legislative appropriation, or otherwise, which shall be by law or by other authoritative designation made applicable to the payment of the said bonds, or interest thereon, shall be by him kept in said fund distinct from all other moneys, and shall be disbursed by him only for the particular purpose or purposes for which such moneys shall be delivered to him; and no other appropriation shall ever be made of the moneys in said fund until the said bonds shall be fully paid. But this act shall not be construed as preventing the state treasurer from depositing said funds in the Bank of North Dakota, as provided by law with respect to all public funds.

SECTION 13. There is hereby appropriated, all of the moneys obtained as proceeds of the taxes provided for in Section 10 and 11 above, and all moneys paid to the state treasurer by the industrial commission as specified in Section 9 above, and all moneys constituting the Mill and Elevator Bond Payment Fund, or so much thereof as may be from time to time necessary, to pay the interest and principal upon the said bonds as payments thereon shall become due; and whenever any of said bonds, or any coupons thereon, being due, shall be presented for payment, the state treasurer shall pay the same out of the fund applicable thereto. If for any reason the said fund shall, for the time being, be insufficient, the treasurer shall supply the deficiency out of any other available moneys of the state in his custody; but in that case he shall as soon as possible, out of the Mill and Elevator Bond Payment Fund, return the amount of such deficiency to the source whence taken.

SECTION 14. The state treasurer shall pay the interest on said bonds upon presentation to him of the coupons for such interest when due, and shall redeem said bonds upon their maturity by paying the principal thereof, all such payments being made from the Mill and Elevator Bond Payment Fund, without auditor's warrant. Each payment so made, in addition to other accounting as provided by law, shall be reported to the said association. All moneys in said fund, or as much thereof as may be necessary, are hereby appropriated for the payment of the interest and the principal of said bonds, and this appropriation shall not be repealed, and no provision made in this act for the payment of said bonds and interest shall be discontinued until the debt evidenced by said bonds, both principal and interest, shall have been paid.

SECTION 15. The powers herein granted may be repeatedly exercised and the duties following thereupon shall be likewise repeatedly performed from time to time as occasion may arise under the terms of this act; provided, however, that at no time shall the amount of bonds issued and

outstanding pursuant to the terms of this act, exceed the total of five million dollars.

SECTION 16. All said bonds shall be exempt from state,

county and municipal taxes of any and all kinds.

SECTION 17. There is hereby appropriated out of the general funds of the state, not otherwise appropriated, ten thousand dollars, or as much thereof as may be necessary, to carry out the provisions of this act. This appropriation is hereby declared to be immediately available upon the passage and approval of this act.

SECTION 18. This act is hereby declared to be an emergency measure and shall take effect and be in force from

and after its passage and approval.

And when so amended recommended the same do pass. J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on banks made the following report:

Mr. President: Your committee on banks to whom was referred House Bill No. 160.

A Bill for an Act to amend and re-enact Paragraph 1 of Chapter 126 of the Laws of North Dakota for the year 1917, relating to the guarantee of bank deposits.

Have had the same under consideration and recommend

that the same do pass.

CHRIST LEVANG, Chairman.

Mr. Levang moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Health made the following report: Mr. President: Your committee on Public Health to whom

was referred House Bill No. 176. A Bill for an Act relating to the practice of Chiropractic

in the State of North Dakota. Have had the same under consideration and recommend

that the same be amended as follows:

In SECTION 1, line 6 of the printed bill after the word "and" strike out the word "that."

In SECTION 2. line 3, after the word "state" strike out; "the same as regularly licensed physicians," and insert in lieu thereof the following: "when requested so to do, by patients or their guardians."

Strike out all of SECTION 3.

In SECTION 4, line 1 after the word "section" strike out the figure "4" and insert in lieu thereof the figure "3".

In SECTION 5, line 1 after the word "section" strike out

the figure "5" and insert in lieu thereof the figure "4."

Strike out all of SECTION 6.

In SECTION 7 line 1 after the word "section' strike out the figure "7" and insert in lieu thereof the figure "5".

In SECTION 7 line 4 after the word "than" strike out the word "fifty" and insert in lieu thereof the word "five."

In SECTION 7, line 5 after the word "dollars" strike out the figure "(\$50)" and insert in lieu thereof the figure "(\$10)" In SECTION 7 line 5 after the word "than" strike out the word "five" and insert in lieu thereof the word "one"

In SECTION 7 line 5 after the word "dollars" strike out the figure "\$500" and insert in lieu thereof the figure "\$100".

Strike out all of SECTION 8.

And when so amended the same do pass.

M. MORTENSON, Chairman.

Mr. Mortenson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the folloing re-

port:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 46.

A Bill for an Emergency Appropriation for the Office of the Attorney General. For an Act appropriating money for the use of the office of the Attorney General.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. McCarten, Chairman.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 65.

A Bill for an Act making an appropriation to the Department of Tax Commission for specific purposes:

Have had the same under consideration and recommend

that the same be amended as follows: In the Printed Bill after the Title, strike out everything

between the Title and the Enacting Clause.

In SECTION 1 of the Printed Bill strike out all of line 8. In line 3 of SECTION 1 of the Printed Bill in the figures \$987.38, strike out the fgure "9" and insert in lieu thereof the figure "7".

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 89.

A Bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 29 SECTION 1 of the Printed Bill strike out the figures "500" and "1,000" and insert in lieu thereof the figures "450" and "900".

In line 47 of SECTION 1 of the Printed Bill strike out the figures "50" and "100" and insert in lieu thereof the figures "200".

And when so amended recommend that same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 91.

A Bill for an Act making an appropriation for the maintenance, improvements, repairs, new buildings, equipment and miscellaneous expenses of the school for the Deaf and Dumb at Devils Lake, North Dakota. Have had the same under considtration and recommend

that the same be amended as follows:

In line 3 of SECTION 1 of the Printed Bill, after the words "the sum of", strike out the figures "\$67,364" and insert in lieu thereof the figures "\$91,702."

In line 7 of SECTION 1 of the Printed Bill strike out the figures "\$8,257" and "16,514" and insert in lieu thereof the figures "\$22,176" and "\$44,352" respectively.

In SECTION 1 of the Printed Bill strike out all of line

In line 28 of SECTION 1 of the Printed Bill strike out the figures "\$67,364.00" and insert in lieu thereof the figures "\$91,702.00."

And when so amended recommend that same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President Your committee on Appropriations to whom was referred Senate Bill No. 100.

A Bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 125.

A Bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit at the Institution for Feeble Minder at Grafton, North Dakota."

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 131.

A Bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 8 of SECTION 1 of the Printed Bill strike out the figures "\$33,000" and insert in lieu thereof the "\$48,500."

In line 9 of SECTION 1 of the Printed Bill strike out the figures "\$48,500" and insert in lieu thereof the figures "\$33,-000."

In line 16 of SECTION 1 of the Printed Bill, after the

words "New Buildings;" insert the words and figures "Super-

intendent's House 7,500."

In line 19 of SECTION 1 of the Printed Bill strike out the figures "\$45,000" and "\$90,000" and insert in lieu thereof the figures "\$41,250" and "\$82,500,"

And when so amended recommend the same do pass ...

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 54.

A Bill for an Act authorizing the Board of Control to erect, construct and complete a four story building north of the present capitol building and making an appropriation there-

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriation made the following re-

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 60.

A Bill for an Emergency Appropriation for the Office of the Attorney General. For an Act appropriating Six Hundred and Eighty Dollars (\$680.00) for the immediate use of the office of the Attorney General.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 217.

A Bill for an Act making an appropriation to pay F. C. Heffron for his services as Assistant Attorney General during the years 1909, 1910, 1911, 1912, 1913 and 1914.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 122.

A Bill for an Act to appropriate seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk-hire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on State Affairs made the following re-

Mr. President: Your committee on State Affairs to whom

was referred Senate Bill No. 149.

A Bill for an Act introducing a Concurrent Resolution amending the constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dol-lars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build, maintain and repair highways.

Have had the same under consideration and recommend

that the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was

referred Senate Bill No. 215.

A Bill for an Act to prevent the obstruction of highways and section lines, to prevent the placing of stones within 27 feet of any section line, and to provide for the removal of stones and fences along section lines when such lines are opened as public highways.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 23 of Section 1, after the second word be, strike out the words "entered as a tax" and insert in lieu thereof the following, "returned and entered the same as taxes."

In line 23 of Section 1, strike out the word "other."

In line 10 of Section 2, after the word be, strike out the words "entered as a tax", and insert in lieu thereof the following "return and entered the same as taxes."

In line 11 of Section 2, strike out the word "other." And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was

referred House Bill No. 37.

A bill for an Act to amend and re-enact Section 4051 of the Compiled Laws of North Dakota for the year 1913, relating to the road and bridge taxes,

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. L. FRASER, Chairman.

The committee on Judiciary made the following report: Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 156.

A Bill for an Act to provide for Conciliation of Controversies and to Repeal Sections 9187, 9188, 9189, 9190, 9191, and 9192 of the Compiled Laws of North Dakota, 1913.

Have had the same under consideration and recommend

that the same be amended as follows:

Strike out everything after the word, "A BILL" and insert the following:

For an Act to Provide for the Conciliation of Controversies Be it enacted by the Legislative Assembly of the State of North Dakota.

SECTION 1.—CONCILIATION BOARDS CREATED.) It shall be the duty of District Court judges to establish a Conciliation Board in each county of their respective districts within ninety days from the taking effect of this act. Each such Conciliation Board shall consist of such number of Conciliators as the District Court judge of such county shall determine, and he shall have power to increase the number thereof and to remove Conciliators at his pleasure, but at no time shall there be less than six members nor more than twelve members on any such boards. These members shall not include the County Court judge, who shall be an exofficio member of the Conciliation Board for his county.

SECTION 2.—ELIGIBILITY AND COMPENSATION.) Every person having the qualifications of a voter shall be eligible for appointment as Conciliator for the county in which he resides. Any member of the bar who acts as Conciliator shall not thereafter appear, in any subsequent proceeding, on behalf of either party to any controversy submitted to him as Conciliator. It shall be unlawful for any Conciliator to receive any compensation whatsoever for his services as such except \$5 per day and actual expenses to be paid out of the general fund of the county as provided for in Section 3289 of the compiled laws of North Dakota for 1913, but the necessary forms and stationery shall be furnished to Conciliators by the clerks of the District Courts of the several counties.

SECTION 3.—APPOINTMENT AND OATH.) Conciliators shall be appointed and removed by order of the District Court judges for the counties in which they reside, entered upon the docket of the District Court for each county. Within ten days from the date of their appointment, and before entering upon the discharge of their duties, they shall take an oath of office prescribed by the judge appointing them.

SECTION 4.—ORGANIZATION.) The District Court judge shall be chairman ex-officio of the Conciliation Board in each county of his district. He shall call such meetings of Conciliators as he shall deem proper, preside over such meetings and instruct Conciliators in respect to their duties. Upon his request any such Conciliator shall make report to him in writing of his official acts.

SECTION 5.—CONCILIATION PROCEEDINGS PRERE-QUISITE TO PROCESS.) After the expiration of said ninety days no process shall be issued in commencement of a civil suit by any justice of the peace or by any other trial court unless the moving party shall file in court a certificate of a conciliator showing that an attempt has been made to effect a settlement of the claim and that such attempt has failed; but the foregoing shall not apply to suits commenced by attachment or replevin, or to applications for injuntion or the writ of quo warranto, also writ of mandamus, prohibition, certiorari arrest and bail and actions involving title to or possession of real estate. Provided, however; that any District Court judge in chambers may in a particular instance, on a proper showing, direct the issuance of any such

process in any trial court without recourse to conciliation proceedings.

SECTION 6.—APPLICATION FOR CONCILIATION.) person presuming to have any civil claim not specied as an exception in Section 5, before commencing suit, shall request one of the Conciliators for the county in which he resides, or in which the person complained of resides, to act as Conciliator. Thereupon such Conciliator if qualified and able to act, shall summon by letter or telephone or personally the party complained of to appear before him at a certain time. Upon the hour set for such conciliation hearing, if the the parties are present, it shall be the duty of the Conciliator to hear the parties and their witnesses and to endeavor to effect an amicable settlement of the controversy agreeable to law and equity. Conciliators may, in their discretion, administer oaths and require statements under oath. They shall make no record of the evidence adduced, and no parts of the proceedings shall be admitted as evidence, or considered at the trial of the case, and no Conciliator shall be competent as a witness in respect thereto in any subsequent proceeding.

SECTION 7.—CHANGE OF VENUE.) At the time of the first hearing and before proof has been submitted by any party, the parties may by mutual agreement elect to submit their controversy to another Conciliator than the one first selected; and in such case the first Conciliator shall dismiss the proceedings and make no record or report thereof.

SECTION 8.—CONTINUANCES.) Conciliators shall have power to continue their hearings from time to time to meet the convenience of the parties.

SECTION 9.—CONCILIATORS MAY SIT TOGETHER.) Conciliators shall have power to request the assistance of other Conciliators of their county in any conciliation proceeding, and in case two or more Conciliators officiate in respect to any controversy any one of them may certify the proceedings on behalf of all.

SECTION 10. CONCILIATORS NOT OBLIGED TO SERVE.) No Conciliator is obliged to act in any given controversy, and shall not act if he has any interest in the controversy or is a member of the immediate family of either of the parties, unless consent is given. In case no Conciliator convenient to the moving party is obtainable then the County Judge

of that county shall act as Conciliator.

SECTION 11.—CONCILIATOR'S REPORT.) In every case in which a Conciliator shall serve he shall forthwith certify to the District Court for his county the terms of the agreement, if any be effected. The report shall describe the claimant's demand and embody the terms of settlement, bearing the signatures of the parties. It shall be entered upon the docket of the District Court and thenceforth shall have the full force and effect of a judgment of the said court, but shall be subject to any terms concerning its satisfaction which the parties shall have agreed upon, and subject to the lawful orders of the judge for such District Court.

SECTION 12. FAILURE TO AGREE) In case the party complained of shall fail to appear at the conciliation hearing or for any other reason there shall be no settlement of the controversy by agreement of the parties, then the Conciliator shall give to either or both parties, upon request, his certificate to the effect that an attempt has been made in good

faith by the moving party to effect a settlement of a controversy, which shall be concisely described and that the at-

tempt has failed.

SECTION 13.—PERSONAL APPEARANCE.)—The parties to all conciliation proceedings shall appear in person, except that, for good cause shown, the Conciliator may permit a party to be represented by another person, not a member of the bar. In order to be so represented the party unable to appear shall authorize his representative to appear and act for him in effecting a settlement of the controversy by agreement, or by arbitration, if the representative shall so elect, and shall be bound by the acts of his representative the same as if he were present in person.

SECTION 14—Arbitration by conciliator.) Whenever both parties shall agree in writing to submit their controversy to a Conciliator for his determination as arbitrator, the Conciliator shall receive the evidence and within five days make his award, which award shall be filed in the District Court for that county and be entered upon the docket as a judgment by award and shall have the full force and effect of a

judgment of such Court.

SECTION 15.—REPEAL Sections 9187, 9188, 9189, 9190, 9191, and 9192 of the Compiled Laws of North Dakota 1913, are hereby repealed.

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. R. L. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Storstad moved that the report of the committee indefinitely postponing Senate Bill No. 126 be adopted, which motion prevailed.

Mr. Fraser moved that the report of the committee indefinitely postponing House Bill No. 46 be adopted, which motion

prevailed.

Mr. Fraser moved that House Bill No. 107 be re-referred to the committee on Game and Fish, which motion prevailed and the bill was so re-referred.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA. February 18, 1919.

Mr. President: I have the honor to return Senate Bill No. 136.

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows:

Which the House passed.

The Emergency lost.

Very respectfully, GEO. A. TOTTEN, JR., Chief Clerk.

> BISMARCK, NORTH DAKOTA, February 18, 1919.

Mr. President: I have the honor to return Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year

1913 relating to the revocation or suspension of an attorney's right to practice.

Which the House has amended as follows:

After line 19, page two of the printed bill add "for pay, profit and remuneration.

In paragraph 5 of the engrossed bill put in a comma after the word "person" in line 4.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 18, 1919.

Mr. President: I have the honor to return Senate Bill No. Senate Bill No. 177.

A Concurrent Resolution.

Which the House has amended as follows:

After the word "States" in line two of the last paragraph of the engrossed bill insert the words, "the Secretary of the Navy.'

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA, February 18, 1919.

Mr. President: I have the honor to return Senate Bill No. 49.

A bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the investment of university and school land funds.

Which the House has amended as follows:

In line one of page two of the engrossed bill change the compound word "one-half" to "one-third".

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Bismarck, N. D., Feb. 18, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 120.

A bill for an Act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor. Senate Bill No. 140.

A bill for an Act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering health boards to regulate, make rules to regulate and control such diseases and providing penalty and repeal.

Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of the State Training School.

Senate Bill No. 198.

A bill for an Act legalizing certain acts of city, village and school district officials.

Which the House has passed unchanged.

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

THIRD READING OF SENATE BILLS

Mr. Welford moved that further action on Senate Bill No. 32 be deferred to the next legislative day, which motion prevailed.

Mr. McCarten moved that Senate Bill No. 102 be amended by striking out the word "tubular" in line 9 of Section 1, of the engrossed bill, and inserting in lieu thereof the word "tuberculosis," which motion prevailed and the bill amended.

Mr. McCarten moved that the title to Senate Bill No. 102 be amended by striking out the word "tubular" in line 3, and inserting in lieu thereof the word "tuberculosis", which motion prevailed and the title was so amended.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 46; nays,

0; absent and not voting, 3.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Hyland, McNair, Welford.

So the bill passed and the title was agreed to.

Senate Bill No. 57.

A bill for an Act entitled an act to appropriate money for the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, and specifying the purposes for which the appropriation is made.

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, 2.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hyland, McNair.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 57, the roll was called and there were ayes, 47; nays, 0;

absent and not voting, 2.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Morten-son, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman. Absent and not voting: Hyland, McNair.

So the Emergency Clause passed. Mr. McCarten moved that Senate Bill No. 50 be amended by inserting the following at the end of the bill: "Section 5. This act is hereby declared to be an emergency measure and shall be in operation immediately after its passage and approval", which motion prevailed and the bill was so amended.

Senate Bill No. 50.

A bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 47; nays, 0;

absent and not voting, 2.

Aves-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hyland, McNair.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 50, the roll was called and there were ayes, 48; nays, 0;

absent and not voting, 1.

Aves-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hyland, So the Emergency Clause passed.

Senate Bill No. 107.

A bill for an Act making an appropriation for the Florence Crittendon Home at Fargo, N. Dak.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 48; nays, 0; absent and not

voting, 1.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hyland.

So the bill passed and the title was agreed to.

Senate Bill No. 87.

A bill for an Act appropriating Fifteen Hundred Fifty-three and 11-100 Dollars (\$1553.11) to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde, in the months of October, November and December, 1916.

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

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Nolt-imier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hyland, Ward. So the bill passed and the title was agreed to.

Senate Bill No. 109.

A bill for an Act appropriating the sum of \$399.90 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson, and T. Twichell for services and expenses during the month of February, 1917, on the Burget Board.

Was read the third time.

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

voting, 5.

Ayes-Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Hyland, McBride, Mos-

tad. Ward.

So the bill passed and the title was agreed to.

Senate Bill No. 61.

A bill for an Act defining the crime of immorally and providing punishment therefor.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 4; absent and not

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Ettestad, Hamerly, Mees, Zieman. Nays:

Absent and not voting: Hyland, Mostad, Noltimier, Porter. So the bill passed and the title was agreed to.

Mr. Ward moved that the vote by which Senate Bill No.

61 passed, be reconsidered and the motion to reconsider be

laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 61, the roll was called and there were ayes, 33; nays, 13;

absent and not voting, 3. Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church,

Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Sikes, Storstad, Ward, Weber, Welford, Wenstrom. Nays—Drown, Ettestad, Haggart, Hamerly, Jacobsen, Ken-

dall, McBride, Mees, Noltimier, Ployhar, Stenmo, Whitman,

Zieman.

Absent and not voting: Hyland, Mostad, Porter.

So the Emergency Clause passed.

Mr. Ward 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. 39.

A bill for an Act to amend and to re-enact Section 2141, Compiled Laws of North Dakota, 1913, creating a State Board of Equalization, and prescribing its powers and duties.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 2; absent and not

voting, 4.

Ayes—Beck Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Gibbens, Nelson.

Absent and not voting: Fraser, Hyland, Pendray, Porter. So the bill passed and the title was agreed to.

Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the Board of Experts, and Compensation.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not

voting, 4.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Fraser, Hunt, Hyland, Ward.

So the bill passed and the title was agreed to.

Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mail and to delegate as representatives voting in Cooperative Associations.

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, 2.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Hyland.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that Senate Bill No. 141 be re-referred to the Committee on Indian Affairs, which motion prevailed and the bill was so re-referred.

THIRD READING OF HOUSE BILLS

Mr. Jacobsen moved that House Bill No. 49 be amended by inserting the words "at not less than par" in line 12 after the word "cash", which motion was lost.

House Bill No. 49.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of two million dollars, to be known as "Bonds of North Dakota, Bank Series;" prescribing the terms, and stating the purposes thereof; providing a tax and making other provision for the payment thereof; making appropriations for the payment of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welfard, Wenstrom, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, Jacobsen, McBride, Murphy, Nelson, Porter, Stenmo, Storstad, Whitman.

Absent and not voting: Hyland, Kendall, Ployhar. So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 49, the roll was called and there were ayes, 33; nays, 12;

absent and not voting, 4.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, McBride, Mees, Murphy, Nelson, Porter, Stenmo, Storstad, Whitman.

Absent and not voting: Hyland, Jacobsen, Kendall, Ploy-

So the Emergency Clause passed.

Mr. Levang moved that the Senate do now take a recess, which motion prevailed, and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

House Bill No. 172.

A bill for an Act relative to payment of deposits in trust.

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, 39; nays, 0;

absent and not voting, 10.

Ayes—Beck, Benson, Berg, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

mo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.
Absent and not voting: Cahill, Haggart, Hyland, King,

Mostad, Nelson, Olson, Pendray, Ployhar, Zieman.

So the bill passed and the title was agreed to.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not

voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Hyland, McBride, Nelson,

Olson, Ployhar.

So the bill passed and the title was agreed to.

Mr. Jacobsen moved that the vote by which House Bill No. 34 was passed, be reconsidered, which motion prevailed and

the vote was reconsidered.

Mr. Cahill moved that a committee of three be appointed by the President to act with a like committee of the House to ascertain the present status of House Bill No. 34, which motion prevailed, and the President appointed as such committee Messrs. Bowman, Jacobsen and Stenmo.

House Bill No. 32.

A bill for an Act making it unlawful to separate or cause to be separated any child under six months of age from its mother for the purpose of placing such child in a foster home or institution, or to place, receive or retain such child in a foster home or institution, and to regulate the manner and cercumstances under which it may be done, and to provide a penalty for violation of said Act.

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, 7.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Hyland, Jacobsen, Mc-Bride, Nelson, Oksendahl, Ployhar.

So the bill passed and the title was agreed to.

House Bill No. 165.

A bill for an Act to authorize fraternal beneficiary societies to provide whole family protection.

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, 0; absent and not

voting, 6.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Le-vang, Liederbach, McCarten, McNair, Mees, Mortenson, Mos-tad, Morkrid, Miklethun, Murphy, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Hyland, McBride, Nelson,

Oksendahl, Ployhar.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 165, the roll was called and there were ayes, 42; nays, 0;

absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Hyland, Levang, McBride, Nelson, Oksendahl, Ployhar.

So the Emergency Clause passed.

House Bill No. 190.

A bill for an Act reinstating and validating charters of corporation and organizations for the purpose of securing homes for orphans, affected by failure to comply with the provisions of Section 5100 of the Compiled Laws of the State of North Dakota for the year 1913.

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, 0; absent and not voting, 6.

Ayes-Beck, Benson, Berg, Cahill, Carey, Church, Drown,

Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford. Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Haggart, Hyland, Mc-Bride, Nelson, Ployhar.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 190, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Haggart, Hyland, Levang, McBride, Nelson, Ployhar.

So the Emergency Clause passed.

Mr. Jacobsen moved that House Bill No. 102 be re-referred to the committee on Judiciary, which motion prevailed and the bill was so re-referred.

House Bill No. 129.

A bill for an Act amending and re-enacting Section 2698 of the Compiled Laws of the State of North Dakota for the year 1913, providing for the inspection of meat and of all animals to be slaughtered.

Was read the third time.

The question being on the final passage of the bill, amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman, Absent and not voting: Haggart, Hyland, Nelson.

So the bill passed and the title was agreed to. The Senate Returned to 6th order of business.

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. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 3 of the printed bill strike out the words and figures "Twenty Thousand (20,000)" and insert in lieu thereof the words and figues "Twenty-five Thousand (25,000)."

Strike out all of line 7 in the printed bill and insert the following: "For Glanders and Dourine Horse fund Twenty Thousand Dollars (\$20,000). For deficit in Glanders and Dourine Horse fund Fife Thousand Dollars (\$5,000.)"

Amend the title by striking out the word "Indemnity" and

inserting in lieu thereof the word "horse."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following

report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 94.

A bill for an Act providing for the forfeiture to the State of real property upon which taxes are delinquent; fixing the period of such delinquency; the notice to be given and the method of service; the order to show cause and service thereof and the decree of title; the recording thereof and the duties of the public officials in connection therewith.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

THOMAS PENDRAY, Chairman.

The committee on Taxes and Tax Laws made the following

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Have had the same under consideration and recommend

that the same be amended as follows:

In line two of the title, after the word "Chapter" strike out the figures "239" and insert in lieu thereof the figures "229."

In line one, Section one, after the figure one, insert the word "amendment."

In line 2, of Section 1, strike out the word "be" and insert in lieu thereof the word "as."

In line 30, on page 2, strike out the word, "of" and insert in lieu thereof the word "if."

Strike out all of Section 2.

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 68.

A bill for an Act supplementing the general tax laws of the State by providing for annual reports to the State Tax Commissioner from corporations, joint-stock companies or associations doing business in the State.

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

In Section one after the word "July" in line one strike out the remainder of the line and to and including the word "thereafter" in line two and insert the words "of each year."

In lines seventeen and eighteen on page three after the first word "July" strike out the words "1919 and on or before the first day of March in each calendar year thereafter" and insert the words "of each year."

At the end of line sixteen on page four insert the semicolon in the place of the period and the following: "provided that in any case in which any of the information in this Act required to be furnished to the Tax Commissioner such information has been reported to and can be obtained from any other department of the State the Tax Commissioner may allow any such information to be omitted from any return herein required; and where any corporation, company or association subject to the provisions of this Act has previous to July first of any year furnished to the Tax Commissioner any information herein required, the Commissioner shall not require such information to be included in the report herein required."

In line four of Section five, page four, strike out the number "\$500" and insert the number "\$50."

In line five of Section five, page four, strike out the word "day" and insert the word "month."

In line eleven of Section five, on page four, strike out the numbers "\$100 and \$500" and insert in the place thereof the numbers "\$50 and \$100."

In line twelve of Section five, on page four, after the word "imprisonment" insert the words "in the county jail."

At the end of Section five insert a semicolon in place of the period and the following: provided that when such neglect is due to unavoidable causes, or in other meritorious cases, the Tax Commissioner may extend the time for making any return herein required."

In line eight of Section six, on page five, after the word "imprisonment" insert the words "in the county jail."

Str'ke out all of Section nine on page five.

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Election and Election Privileges made the following report:

Mr. President: Your committee on Election and Election Privileges to whom was referred Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota for the year 1913.

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

That the title be amended as follows: In line 1 thereof after the word "amend" insert the words "and re-enact." And in Section 1 of the engrossed bill in the second line, after the word "North Dakota" insert the words "for the year," and

after the word "amended" in the same line insert the words "and re-enacted."

And when so amended recommend the same do pass.

A. M. HAGAN, Chairman.

Mr. Hagan moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following

report:

Mr. President: Your committee on Taxes and Tax Laws

to whom was referred Senate Bill No. 179.

A bill for an Act amending Section 3680 of the compiled laws of North Dakota for 1913, and permitting cities to levy a tax for general purposes sufficient to meet the expenses of the fiscal year of not exceeding thirty-five mills on the dollar of the assessed value of property in the city.

Have had the same under consideration and recommend that

the same be indefinitely postponed.

THOMAS PENDRAY, Chairman.

The committee on Election and Election Privileges made the following report:

Mr. President: Your committee on Election and Election

Privileges to whom was referred Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3784, Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

Have had the same under consideration and recommend

that the same be amended as follows:
That the title be amended as follows: After the figures "3784" insert the words "or the," and after the words "relat-

ing to" in the title insert the word "municipal."
In line 5 of Section 3784 of the printed bill strike out the words "in the morning" and insert in lieu thereof "A. M." And in line 14 of Section 3784 of the bill, after the word "purposes" strike out all of the remaining portion of such paragraph and insert in lieu thereof the following: "The board of city commissioners shall at least ten days before any election is held appoint in such precinct established in the city one inspector and two judges of election."

And when so amended recommend the same do pass.

A. M. HAGAN, Chairman.

Mr. Hagan moved that the report be adopted, which motion prevailed and the report was adopted.

The Senate returned to the 8th order of business.

MOTIONS AND RESOLUTIONS

Mr. Liederbach asked the unanimous consent of the senate be given for the purpose of introducing a concurrent resolution, which consent was given.

CONCURRENT RESOLUTION Introduced by Mr. Liederbach

WHEREAS, the United States Senate in congress assembled has passed as part of the post office appropriation bill the so-called Bankhead amendment to the present federal aid law, which amendment provides among other things additional federal appropriations to the amount of \$200,000, 000.00 and

WHEREAS, by the passage of this bill, the state of North Dakota may secure federal aid in the construction of state highways in the amount of \$1,226,375.37 in 1919, \$1,459,884.53 in 1920 and \$1,539,720.56 in 1921, or a total of \$4,222,980.46, and

WHEREAS, the aforesaid amendment is now under consideration in the National House of Representatives, therefore

BE IT RESOLVED by the Senate of the State of North Dakota, the House of Representatives concurring therein:

That we, the members of the Sixteenth Legislative Assembly of the State of North Dakota, respectfully petition our members in the House of Representatives in Congress assembled, to severally and collectively support this amendment to passage, which amendment proposes to increase the amount of federal aid available to the states in the improvement of their respective state highways, etc., and

BE IT FURTHER RESOLVED, that our representatives in congress be hereby respectfully requested also to support and endeavor to secure the passage of such an amendment, and

BE IT FURTHER RESOLVED, that the secretary of state be instructed to send a copy of these resolutions to our representatives in congress and that, because of the urgency of the matter, the committee on highways be instructed to send each of our representatives in congress a night letter or message respectfully soliciting their support of the aforesaid amendments or measures.

Mr. Liederbach moved that the resolution be adopted, which motion prevailed and the resolution was adopted.

Mr. Cahill moved that the committee appointed to confer with a like committee of the House on the advisability of sending a committee to attend the peace conference at St. Paul be discharged, which motion prevailed.

Mr. Bowman moved that the senate do now concur in House amendment to Senate Bill No. 78.

The roll was called and there were ayes, 31; nays, 4; absent and not voting, 14.

Ayes—Benson, Berg, Bowman, Cahill, Drown, Ettestad, Fleckten, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Miklethun, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Carey, Gibbens, Porter.

Absent and not voting—Church, Fraser, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Morkrid, Murphy, Nelson, Noltimier, Ployhar, Storstad.

So the amendment was concurred in.

The secretary announced that the president was about to sign:

Senate Bill No. 2.

A bill for an act providing for hearing petitions for letters of administration and probating of wills.

Senate Bill No. 127.

A bill for an Act repealing Section 6868 of the Compiled

Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

And the president signed the same in the presence of the

senate.

Courtesies of the floor were extended to A. Weber, Ashly,

N. D.

Mr. McCarten moved that the Senate do now take a reand the Senate took a recess.

W. J. Prater, Secretary.

SENATE CALENDAR, FEBRUARY 19, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 32.

A bill for an Act creating and establishing a State Fire Insurance Fund for State fire insurance on public buildings in the office of the commissioner of insurance, providing for the office of the commissioner of insurance, providing for the maintenance thereof, prescribing the duties of the of-ficers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix compensation of necessary assistants and pay all other expenses authorizing the commissioner to purchase in-surance for the state capitol and repealing all acts in conflict herewith.

Senate Bill No. 75.

A bill for an act providing for the issuing of bonds of the State of North Dakota in the sum of Five Million Dollars, to be known as "Bonds of North Dakota, Mill and Elevator Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal of said bonds and to carry into effect the provisions of this act; and declaring this act to be an emergency measure.

Senate Bill No. 65.

A bill for an Act making an appropriation to the Department of Tax Commissioners for specific purposes.

Senate Bill No. 89.

A bill for an act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

Senate Bill No. 91.

A bill for an Act making an appropriation for the maintenance, improvements, repairs, new buildings, equipment and miscellaneous expenses of the school for the deaf and dumb at Devils Lake, North Dakota.

Senate Bill No. 100.

A bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

Senate Bill No. 125.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit at the Institution for Feeble Minded at Grafton, North Dakota. Senate Bill No. 131.

A bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Senate Bill No. 215.

A Bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

Senate Bill No. 54.

A bill for an Act authorizing the Board of Control to erect, construct and complete a four story building north of the present capitol building and making an appropriation therefor.

Senate Bill No. 60.

A bill for an Act appropriating Six Hundred and Eighty Dollars (\$680.00) for the immediate use of the office of the attorney general.

Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1911, 1912, 1913 and 1914.

Senate Bill No. 122.

A bill for an Act to appropriate seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk hire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Senate Bill No. 149.

A concurrent resolution for an Act amending the constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build, maintain and repair highways.

Senate Bill No. 156.

A bill for an Act to provide for Conciliation of Controversies and to Repeal Sections 9187, 9188, 9189, 9190, 9191, and 9192 of the Compiled Laws of North Dakota, 1913.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit.

Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Senate Bill No. 68.

A bill for an Act supplementing the general tax laws of the State by providing for annual reports to the State Tax Commissioner from corporations, joint-stock companies or associations doing business in the State.

Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota, for the year 1913.

Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3784, Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

THIRD READING OF HOUSE BILLS

House Bill No. 160.

A bill for an Act to amend and re-enact Paragraph 1 of Chapter 126 of the Laws of North Dakota for the year 1917, relating to the guarantee of bank deposits.

House Bill No. 176.

A bill for an Act relating to the practice of Chiropractic in the State of North Dakota.

FORTY-THIRD DAY AFTER RECESS AND FORTY-FOURTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February, 19, 1919.

The Senate convened at 1:30 p. m., pursuant to recess taken, the President presiding.

The senate returned to the 6th order of business.

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. 102.

A bill for an Act to amend and re-enact Section 4543 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4543 of the Compiled Laws of North Dakota for the year 1913.

Have had the same under consideration and recommend

that the same be amended as follows:

In the third line of the title of the engrossed bill, change the figures "4544" to 4543."

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom
was referred Senate Bill No. 28.

A bill for an act providing for a bounty for wolves and coyotes, prescribing the method for payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year of 1917.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report: Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 77.

A bill for an Act authorizing the extension division of the agricultural college to co-operate with the Bureau of Biological Survey. United State Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes and other noxious predatory animals, providing appropriation therefor and repealing all Acts and parts of Acts in conflict herewith.

Have had the same under consideration and recommend that

the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted. The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 211.

A bill for an Act imposing a tax on each automatic vending machine or device operated in the State of North Dakota, that any violation of this act be deemed a misdemeanor and providing for a penalty therefor.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report: Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 183.

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session

Laws of North Dakota, 1917, relating to farmers' institutes.
Have had the same under consideration and recommend
that the same be amended as follows:
In line 3 of Section 1 of the printed Bill, after the words
"sum of," strike out the word "nine" and insert in lieu thereof
the word "eighteen;" in the same line in the figures "\$9,000"
strike out the figure "9" and insert in lieu thereof the figures "18."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Cities and Municipal Corporations made

the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plants for the manufacture and distribution of light and pow-er for municipal and commercial purposes and to assess abut-ting property in accordance with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

Have had the same under consideration and recommend

that the same be amended as follows:

After the word "light" in the title of the bill insert a comma and the word "heat." In line four of the title of the printed bill after the word "such" insert the words "system of."

In line five of Section one after the word "lighting" insert

a comma and the word "heating."

In line seven after the word "lights" insert a comma and the word "heat."

In line twelve change the word "probably" to "probable." In line twenty-one after the word "lighting" insert a comma

and the word "heating."

In line twenty-three after the word "lighting" insert a comma and the word "heating."

In line twenty-nine after the word "lamps" insert a comma and the words "mains or conduits." In line thirty-one after the word "lighting" insert a comma

and the word "heating." And when so amended recommend the same do pass.

E. A. BOWMAN, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was

referred Senate Bill No. 47.

A Bill for an Act amending and re-enacting Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

Have had the same under consideration and recommend

that the same be amended as follows:

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

in lieu thereof the following:

For an Act amending and re-enacting Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915; establishing a system of Hail Insurance and a Hail Insurance Department in the office of the Commissioner of Insurance; providing for the maintenance thereof and for the employment and compensation of a Manager, Chief Inspector, Deputy Inspectors, Adjusters and all other help; levying a flat acreage tax on all tillable land and authorizing the Commissioner to levy an indemnity acreage tax on all tillable land in crop which shall be a lien upon such land, and for the collection thereof; defining the duties and compensation of assessors, the duties of treasurers, auditors and other officers; for the withdrawal of tillable land from the indemnity tax; for the creation of a Hail Insurance Fund; appropriating all taxes levied herein for the use of such Hail Insurance Fund; for the adjustment and payment of losses by hail from such fund and all other expenses of the Department; for the issuance of warrants; an appropriation to carry this Act into effect; providing penalties and declaring an Emergency; and repealing all Acts and parts of Acts in conflict herewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF

THE STATE OF NORTH DAKOTA:

SECTION 1. DEFINITION. (a) The term "tillable land" when used in this Act shall mean all land suitable or capable of agricultural cultivation, whether used as such or not, and shall not mean rough, mountainous, timbered, stony, sandy, alkali, swampy or land flooded, to such an extent as to be unprofitable for the purpose of agricultural cultivation.

SECTION 2. DEPARTMENT ESTABLISHED. A Hail In-

surance Department of the State of North Dakota is hereby established for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail. And such Department shall be under the management, control and supervision of the Commissioner of Insurance, subject to the

provisions of this Act.

SECTION 3. COMMISSIONER TO EMPLOY HELP. The Commissioner of Insurance shall have authority to employ all necessary assistants, to provide for and furnish all necessary supplies, to appoint a manager, subject to the approval of the

Governor, and a chief inspector and such other deputy inspectors as may be necessary to carry out the provisions of this Act; to appoint a chief clerk and as many adjusters and assistants as may be necessary to adjust all claims for losses from hail. The Commissioner of Insurance shall designate the duties and fix the compensation of all such employees, and may remove any or all of them with or without cause. Such compensation together with other expenditures for the operation and maintenance of the Hail Insurance Department shall remain within the appropriation and surplus lawfully available in each year for such purposes, and shall not exceed available in each year for such purposes, and shall not exceed the sum of Fifty Thousand Dollars per annum. The Commissioner of Insurance shall pay all salaries and expenses of the department after March 1, 1920, and reimburse the general fund of the State, out of the Hail Insurance Fund, for all money appropriated, expended or disbursed on behalf of such department.

SECTION 4. REPORTS AND RULES. The Commissioner of Insurance shall keep account of all moneys expended and disbursed by the Department and shall, not later than the 1st day of July of each year, prepare and file with the Governor a printed report of the activities of said department; and he shall prepare all other forms and blanks necessary or convenient in accomplishing the purposes of this Act. The Commissioner of Insurance shall have power and authority to adopt, establish and promulgate all rules and regulations necessary for the purpose of carrying out the provisions of this Act, and shall cause this Act and the rules established hereunder to be printed and distributed for general information.

SECTION 5. CROPS INSURED. The crops insured under this Act shall consist of all crops grown on cultivated land actually cropped, subject to and paying the taxes herein specified, provided that no loss shall be allowed or paid for damage to crops after they have been harvested or that occur

after the 15th day of September of any year.

SECTION 6. FLAT TAX. There is hereby levied for the year 1919 and each year thereafter, upon each and every acre of tillable land in this State a flat tax of three cents per annum for the purpose of carrying out this Act; provided that lands used exclusively for public roads, rights of way of common carriers, mining or manufacturing purposes, and lands included within the limits of any incorporated city, town

or village, shall be exempt from such tax.

SECTION 7. INDEMNITY TAX. The Commissioner of Insurance shall, on or before the 1st day of October of each year, ascertain the amount which is required in addition to the amount secured by said flat acreage tax for the total payment of all loss caused by hail to crops insured by the Department, plus the total cost of maintaining and operating said Department, together with a sufficient sum to maintain and operate same for the succeeding year, and shall thereupon, for the purpose of securing and paying the same, levy an indemnity acreage tax sufficient to cover said amount on all actually cultivated and cropped land except hay and meadow land not withdrawn from the operation of this Act, as hereinafter specified; provided that the total amount of said indemnity tax shall not exceed in any one year the sum of forty cents per acre.

SECTION 8. NOTICE TO COUNTY AUDITOR. After the

Commissioner shall have determined and levied said indemnity

acreage tax, he shall forthwith notify the County Auditor of each county of such levy and the County Auditor shall spread such indemnity and flat tax on the tax rolls in a separate column for that purpose. Such tax and all flat acreage taxes shall be collected by the Treasurer of said county and shall be kept in a separate fund to be known as the "Hail Insurance Fund".

SECTION 9. DUTY OF ASSESSORS. It shall be the duty of every county and township assessor in his respective district at the time of listing property for assessment, to return the number of tillable acres in every tract, parcel or subdivision of land subject to taxation, together with the name of the person in whose name the land is taxed, and also the number of acres of such land, if any, in crop or to be sowed or planted to crop during such year, and shall return and file same with the County Auditor of such county on or before the 1st day of June of each year. Such assessor in addition to the compensation allowed by law shall receive the sum of five cents for each one hundred acres or fraction thereof listed by any assessor under the provisions of this Act. Such compensation shall be paid out of the Hail Insurance Fund on vouchers issued by the Commissioner and approved by the State Auditor.

SECTION 10. COLLECTION OF TAXES. All provisions of law with reference to lien and collection of taxes shall apply to the taxes herein specified. As often as ten per cent of the Hail Insurance tax due in each county shall come to the hands of the County Treasurer, he shall remit some to the State Treasurer and at the same time mail a statement of the amount remitted to the Commissioner of Insurance.

SECTION 11. CROP AFFIDAVIT. Any owner or his agent or the occupant or tenant of any land insured by the provisions of this Act shall make an affidavit that the land so insured is actually cultivated and in crop or intended to be cultivated and to be put into crop. Such affidavit shall contain a legal description of the land together with the number of acres claimed as cropped land and in case of any loss by hail, such owner shall be bound by said affidavit as to the number of acres cropped. Such affidavit shall be made in duplicate and may be sworn to before the assessor or any person authorized to administer oaths, and shall be left with the assessor, who shall file same with the County Auditor on or before the 1st day of June of each year.

SECTION 12. WITHDRAWAL. Any owner of land liable to the indemnity tax herein provided for, may at any time prior to the 25th day of June in each year, withdraw any portion or all land owned by such person from the levy of said indemnity tax upon the making of an affidavit in duplicate, giving the legal description of the land, the number of acres withdrawn and stating that he desires to withdraw therefrom, and filing such affidavit with the Commissioner of Insurance. and a copy thereof with the County Auditor; provided that in case said land or any portion thereof is rented, such owner shall first procure the written consent of such tenant for such withdrawal; provided that the owner shall have a first lien upon all crops belonging to the tenant grown upon the land as security for the payment of said tax or the part of such tax properly chargeable against the tenants share of such crop.

SECTION 13. FILING AFFIDAVITS BY COUNTY AUDITOR. Each county auditor shall file and keep the affidavits presented to him by assessors, and shall forward the duplicates thereof on or before the 1st day of August of each year, to the Commissioner of Insurance at Bismarck, together with a tabulated statement showing the total number of acres classified as tillable land and cropped land in his county. Any County Auditor who shall fail or neglect to make returns, statements and reports to the Commissioner of Insurance at the time specified in this section shall forfeit the sum of Ten Dollars per day during the time he neglects to make such returns, statements or reports and it shall be the duty of the Attorney General to proceed to collect the amount of such penalty from any delinquent auditor.

SECTION 14. PENALTY FOR FALSE AFFIDAVIT. Any person making a false affidavit or fraudulent affidavit under this Act shall, upon conviction thereof, be guilty of a misdemeanor.

SECTION 15. AMOUNT OF INDEMNITY. The maximum indemnity to be paid for total loss shall be Seven Dollars per acre; provided that no indemnity shall be allowed to any claimant for the loss of less than ten per cent, and a loss of eighty-five per cent or more shall be deemed a total loss. There shall be no claim allowed for any loss or damage by hail to the crops described in this Act except for such portion as is traceable to hail.

SECTION 16. NOTICE OF LOSS. Any person claiming a loss by hail under this Act shall notify the Commissioner of Insurance by registered mail or telegram within five days thereafter. Such notice shall give the legal description of the land; the interest in such crop which he claims; the name and postoffice address of the claimant; the name and postoffice address of the person liable for the tax on the land; the name and postoffice address of any other person claiming any interest in the crop or indemnity; the date of the loss and the percent of the damage claimed. The Commissioner shall, as soon as possible after receiving such notice of loss, direct an official adjuster to visit the place of loss and proceed to estimate and adjust such loss.

ADJUSTMENT OF CLAIMS. In making ad-SECTION 17. justments of claims it shall be the duty of the adjuster to inspect the crops on which damage is claimed and he shall have the authority, if deemed necessary, to call witnesses to testify as to the condition of the crop before and after the loss. It shall be the duty of the adjuster, wherever possible, secure the written concurrence of the claimant or his legal representative in the award made by the adjuster of the claim, and to immediately forward same to the Commissioner of Insurance. In case the claimant does not concur in the findings and award of the adjuster, the adjuster shall immediately notify the Commissioner of Insurance of such fact and the inspector or deputy inspector shall re-inspect the crops claimed to have been damaged, and if upon such re-inspection the insured still refuses to concur in the adjustments as found by the inspector, then the inspector shall appoint one disinterested person and the claimant shall appoint one disinterested person and these two shall appoint a third person, and the finding of a majority of the three so appointed shall be final and binding upon the State Hail Insurance Department

and the claimant. If the finding be for more than the amount allowed by the inspector the expenses of such adjustment shall be paid by the Commissioner of Insurance as other expenses of this Department are paid, otherwise the expenses of such adjustment, including witness fees, if necessary, shall be borne by the claimant. The fees to be paid witnesses and arbitrators under this section shall be the same as those allowed to witnesses in cival actions.

SECTION 18. REPORT OF ADJUSTER. After the final adjustment of every loss the adjuster shall then and there carefully fill out and make a report in duplicate on an adjustment blank, stating the county, township, range, number of section and quarter-section or subsection thereof, on which crop was damaged or destroyed, also the number of acres and different kinds of grain estimated damaged or destroyed, stating the amount allowed for each separate kind and the name of the insured and that such estimate is true and correct. Such report must be signed by the official adjuster or arbitrators, when arbitration is resorted to, and the person whose loss has been adjusted with the residence and postoffice address respectively of the persons so signing. The official adjuster shall, within a reasonable time, not to exceed five days, forward by registered mail said report—the original to the Commissioner and a copy to the Treasurer.

SECTION 19. DUTY OF MANAGER. The manager shall devote all of his time to the work of this department. A chief inspector shall be employed and appointed only if found necessary to successfully carry out the work of adjustment of claims. It shall be the duty of the manager to superintend and standardize the work of the adjusters in the allowance of claims, and where deputy adjusters are employed, to superintend their work.

SECTION 20. DIVERSE INTEREST IN CROP. In case of diverse ownership of interest in any crop upon which damages are allowed, proof of the percentage of interest in the award shall be made to the Commissioner of Insurance by affidavit or other showing under such rules and regulations as the Commissioner may provide, and the award shall be disbursed to the owner of the land, tenant, or different claimants as their interest may appear.

SECTION 21. ISSUANCE OF WARRANTS. Whenever the Commissioner of Insurance shall furnish to the State Auditor a certified list giving the losses sustained, together with the names and addresses, and a written acceptance of the amount allowed any claimant under the provisions of this Act, it shall be the duty of the State Auditor with the consent and approval of the Governor, in anticipation of the payment of the taxes provided therefor, to draw warrants upon the State Treasurer for said amounts in favor of such persons, which amounts shall be charged to the State Hail Insurance Fund. Such warrants to be mailed to the persons entitled thereto as shown by the certified list of the Commissioner of Insurance. All such warrants to be paid from the State Hail Insurance Fund and shall draw interest from date of issue at the rate of six percent per annum until due and payable. Such warrants shall become due and payable on the call of the State Treasurer.

SECTION 22. INDEMNITY EXEMPT FROM GARNISH-MENT. The indemnity provided for herein shall be exempt from garnishment, levy, execution, attachment and any other legal process whatsoever, but may be assigned in such manner and form as the Commissioner of Insurance may determine.

SECTION 23. HAIL INSURANCE FUND. All moneys collected under the provisions of this Act shall be deposited with the State Treasurer and shall be kept in a separate fund to be designated "State Hail Insurance Fund", and all expenses of conducting the department and all losses provided for under the provisions of this Act shall be paid out of said fund, as hereinbefore provided; and all of said moneys so collected are hereby appropriated for the purpose of carrying out the provisions of this Act.

SECTION 24. APPROPRIATION. There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, for the purpose of creating a Hail Insurance Department and the carrying out of this Act, the sum of Fifty Thousand Dollars.

SECTION 25. EMERGENCY. An emergency is hereby declared to exist and this Act shall be in force from and after its passage and approval.

SECTION 26. REPEAL. All Acts and parts of Acts in con-

flict herewith are hereby repealed.

And when so amended recommend the same do pass.

WALTER WELFORD, Chairman.

Mr. Welford moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

The committee on Insurance made the following report: Mr. President: Your committee on Insurance to whom was

referred House Bill No. 88

A Bill for an Act to provide for the organization or admission and the regulation and taxation of Incorporated Mutual Insurance Companies other than life.

Have had the same under consideration and recommend

that the same be amended as follows:

That Section 18 be stricken out and the following inserted

in lieu thereof:

"In all other respects companies organized under the provision of this act shall be subject of the provisions of the general laws of the State of North Dakota relating to such Insurance Companies."

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 was adopted.

Mr. Welford moved that the Senate do now adjourn, which motion prevailed and the Senat adjourned.

W. J. PRATER, Secretary.

FORTY-FOURTH DAY

SENATE CHAMBER. BISMARCK, NORTH DAKOTA, February, 19, 1919.

The Senate convened at 2 o'clock p. m., the President pre-

Prayer was offered by the Chaplain Rev. Bell. Roll Call.

All members present except Mr. Haggart who was excus-

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 Forty-third day and recommend that the same be corrected as follows: Page 2, line 14, change the figures "1340" to "1240."

Page 7, line 55, correct the spelling of the word "amount." Page 13, line 24, change the word "piling" to "placing" and the word "stone" to "stones, and the words "two rods" to "twenty-seven feet."

Page 13, line 26, change the word "stone" to "stones."

Page 13, line 45, take out the word "repeal" and insert in lieu thereof the words "amend and re-enact."

Page 21, line 20, correct the spelling of the word "re-enact." Page 23, line 51 correct the spelling of the word "cause." Page 26, line 4, correct the spelling of the word "fund". Page 27, line 6, after the word "first," insert the word "word."

Page 27, line 15, correct the spelling of the word "depart-

ment."

proved.

Page 27, line 18. correct the spelling of the word "July". Page 28, line 31, correct the spelling of the word "strike." Page 28, line 43, correct the spelling of the word "eighth" And when so corrected recommend that the same be ap-

W. H. PORTER, Chairman pro tem.

Mr. Porter moved that the report be adopted which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATION

February 13, 1919.

Senator George Hunt Bismarck N. Dak.

Dear Mr Hunt:-

I have no copies of House Bill 177 and Senate Bill 134 but understand these bills propose to take all corporation taxes, like the revenue from the Railroads and put them into the general treasury of the state and pre-rate to all parts of the state. On the surface this would seem to have some merit but let us look at the school proposition. This corporation tax makes possible an efficient High school system in the cities that is as much a farmers' school as it is a city school. Where it isn't it should be made so. In some places notably here at Bowman, we have more country children in High school than city children. We have an eurollment of 71 and 46 of these are from the country. We give them free tuition and even free text books. It would be impossible to build a High school like this for each country community. Some High school work should be done in the country, and certain subjects can be offered there fully as strong as in the City High school but just the same the City High school can more economically be used as the finishing school for the Rural and Consolidated schools. We are offering four courses here at Bowman in Agriculture, besides courses in Blacksmithing, shoe repairing and Carpentry and Home Economics. These courses have been carried so far by the taxpers of this district wholly for the benefit of the Rural districts not for the City children unless some one desires to go on the farm to live later on, or for the professionally inclined to broaden their work by industrial electives. You know that the University has hitherto dictated the College entrance requirements for the High schools and those courses have filled our High schools to the extent that they have taxed our capacity to the limit. Any school offering Industrial work has loaded an added burden on the taxpayer in that particular community and that is our situation here at Bowman and I believe it is fairly representative of most City schools in the State. No city school in the State is functioning as it should that does not provide in its curriculum broad opportunities for the country children in that immediate teritory. I am arguing now almost wholly for the country child. The city could narrow its course and make professional people of all her children, which would be a bad thing but it would be infinitely worse for the country child. The city school should be a relay institution for all industrial students to The Agricultural college. I believe in giving Rural districts more aid. Much more but it should not be taken from the city schools that are now performing a great work for the surrounding country.

If this corporation tax is scattered over the state I am afraid so far as High schools are concerned that we shall have no efficient High schools anywhere. We are struggling for an existence now. Some of us especially here at Bowman are overreaching ourselves to make our High school an institution for this end of the state regardless of the City boundary lines. I am confident that the demand for a good High school here at Bowman is more a Country need than a city need. I believe I can demonstrate to that in the next few years if we are allowed to develop our industrial courses. Even at present with 46 country children in this High school out of a total enrollment of 71 shows the relative need of the farmer boys and girls and 27 of these 46 come from outside of the District limits and the schooling does not cost them a cent either in tuition or books, and they pay no taxes whatever.

Yours truly,

C. J. N. NELSON, City Superintendent,

Bowman, North Dakota.

"We, the undersigned citizens of Kidder County, hereby protest House Bill No. 153, by Representative Bailey, which is unreasonable and uncalled for and would prevent the sale of domestic and veterinary remedies in North Dakota. We believe the bill to be un-American in spirit and monopolistic in effect."

MRS. JOHN SCHOENHARD, and 22 others.

"We, the undersigned Citizens of Williams County, hereby protest H. B. No. 153, by Representative Bailey, which is unreasonable and uncalled for and would prevent the sale of domestic and veterinary remedies in North Dakota. We

believe the bill to be un-American in spirit and monopolistic in effect.

ALBERT SYVERSON, and 30 others.

To the Senators and Representatives of the 26th Legislative District, State of North Dakota:

Gentlemen:

The School Officers of the County of Kidder in Convention assembled at the City of Steele this 28th day of January, 1919 by a unanimous vote endorsed and approved a resolution in favor of the proposal to appropriate by the 16th Legislative Assembly the sum of one-hundred thousand dollars (\$100,000) in aid of transportation of pupils to the common schools where needed.

The undersigned were appointed a committee to urge your

advocacy of such a bill.

Respectfully submitted,

ROSS HAIBECK, and 2 others.

New Leipzig, N. Dak.

Mr. J. I. Cahill, Senator.

Dear Sir:

We, the undersigned voters of your electoral district around New Leipzig. N. D., herewith most heartily ask and pray your honor not to vote for H. Bill No. 96, forbidding all foreign language in private and parochial schools churches and other societies as this would interfere with our public religious services. Many of the emigrated people especially the old folks cannot be reached otherwise than by their own language. This therefore is the only medium by which they can be made faithful Americans and good citizens. So we kindly ask you to do all in your power to suppress this bill, as it is un-American and also unconstitutional.

REV. F. BUNGE, and 64 others,

Aneta, No. Dak., Feb. 18, 1919

Hon. C. I. Morkrid, Senator.

Bismarck, N. Dak.

Dear Sir:-

We, the undersigned voters of the vicinity of Aneta, N. D., do hereby manifest our approval and appreciation of the steadfastness with which you are performing your duties as a member of the present Legislature. We realize that the adherents of the old gang and tools and sub-tools of corrupt business in and out of the State, are purposely misrepresenting the progressive measures which you are helping pass. And by falsely construing said measures they hope to create a sentiment to bear pressure on you, and by petitions and other means try to discourage you from carrying out the program on which you were elected. We whom have placed our trust and confidence in you and elected you to your important office hereby petition you to stand firm by your present principles and pay no heed to any efforts made to influence you to waver in the performance of your duty.

"STICK" and we will "STICK" with you.

A. F. RETZLAFF, and 32 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 120.

A bill for an Act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

Senate Bill No. 140.

A bill for an Act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering health boards to regulate, make rules to regulate and control such diseases and providing penalty and repeal.

Senate Bill No. 170.

A concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of the State Training School.

Senate Bill No. 198.

A bill for an Act legalizing certain acts of city, village and school district officials.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 50.

A bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit.

Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Senate Bill No. 54.

A bill for an Act authorizing the Board of Control to erect, construct and complete a four story building north of the present capitol building and making an appropriation therefor.

Senate Bill No. 60.

A bill for an Act appropriating Six Hundred and Eighty Dollars (\$680.00) for the immediate use of the office of the attorney general.

Senate Bill No. 65.

A bill for an Act making an appropriation to the Department of Tax Commissioners for specific purposes.

Senate Bill No. 68.

A bill for an Act supplementing the general tax laws of the State by providing for annual reports to the State Tax Commissioner from corporations, joint-stock companies or associations doing business in the State.

Senate Bill No. 75.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Five M'llion Dollars, to be known as "Bonds of North Dakota, Mill and Elevator Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal of said bonds and to carry into effect the provisions of this act; and declaring this act to be an emergency measure.

Senate Bill No. 89.

A bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota Tuberculosis Sanitorium at Dunseith, North Dakota.

Senate Bill No. 91.

A bill for an Act making an appropriation for the maintenance, improvements, repairs, new buildings, equipment and miscellaneous expenses of the school for the deaf and dumb at Devils Lake, North Dakota. Senate Bill No. 100.

A bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 122.

A bill for an Act to appropriate seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk hire, postage, office supplies, furniture and fixtures, printed and stationery and miscellaneous expenses and refund items.

Senate Bill No. 125.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit at the Institution for Feeble Minded at Grafton, North Dakota.

Senate Bill No. 131.

A bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Senate Bill No. 149.

A concurrent resolution for an Act amending the constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build, maintain and repair highways.

Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota, for the year 1913.

Senate Bill No. 156.

A bill for an Act to provide for Conciliation of Controversies and to Repeal Sections 9187, 9188, 9189, 9190, 9191, and 9192 of the Compiled Laws of North Dakota, 1913.

Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3784, Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1911, 1912, 1913 and 1914.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Cities and Municipal Corporations made the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred House Bill No. 111.

A bill for an Act defining Mutual Telephone Companies placing the same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

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

E. A. BOWMAN, Chairman.

Br. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Jacobsen moved that the report of the committee indefinitely postponing Senate Bill No. 94 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Jacobsen moved that the report of the committee indefinitely postponing Senate Bill No. 179 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Fraser moved that the report of the committee indefinitely postponing House Bill No. 37 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 46 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Mostad moved that the report of the committee indefinitely postponing Senate Bill No. 210 be dopted, which motion prevailed and the report of the committee was adopted.

Mr. Cahill moved that the report of the committee indefinitely postponing Senate Bill No. 181 be adopted, which motion prevailed and the report of the committee was adopted.

MOTIONS AND RESOLUTIONS

Mr. Cahill moved that the Senate do now concur in House amendments to Senate Bill No. 49, which motion prevailed.

Senate Bill No. 49.

A bill for an act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the investment of University and School Land funds.

The question being on the final passage of the bill, as emendded by the House, the roll was called and there were ayes, 42; nays, none; absent and not voting, 7.

Ayes—Beck, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Benson, Haggart, Liederbach, Mc-Bride, Mees, Olson, Wenstrom.

So the bill passed and the title was agreed to.

Mr. McCarten moved that Senate Bill No. 211 be re-referred to the committee on Taxes and Tax Laws, which motion prevailed and the bill was so re-referred.

MESSAGE FROM THE GOVERNOR

February 19, 1919.

To the Honorable Members of the Senate: Gentlemen:

You are hereby informed that I have approved and filed with the Secretary of State, Senate Bill No. 36, An Act to Amend and Re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring railroads to build and maintain fences, cattle guards, swinging gates, and providing penalties for failure to comply therewith.

Also Senate Bill 27, an Act Establishing Legal Weights and Measures for commodities bought, sold and exchanged within the State of North Dakota, repealing Section 3006 of the Compiled Laws of 1913 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Also Senate Bill No. 58, an Act to Amend and Re-enact Section 510 of the Compiled Laws of the State of North Dakota for 1913, as amended by Chapter 119 Laws of North Dakota for the year 1915, relating to the practice of dentistry.

Also Senate Bill No. 81, A Concurrent Resolution for an Amendment to the Constitution providing for the Elective Franchises.

Also Senate Bill No. 84, an Act requiring employers to provide shelter and protection for employees while engaged in the repair or construction of the equipment of common carriers and providing penalties for the violation thereof

Also Senate Bill No. 85, An Act to promote the safety of employees and travelers and the expeditious movement of freight on railroads by compelling common carriers by railroad to properly man their trains; providing penalties and measuring damages for the violation thereof.

Also Senate Bill No. 148, An Act to Amend and Re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, relating to Ferries.

Respectfully,

LYNN J. FRAZIER, Governor.

Mr. Sikes moved that the Senate do now concur in House amendments to Senate Bill No. 177 which motion prevailed and the amendments were concurred in.

The Senate returned to the fifth order of business Petitions and Communications.

February 6, 1919.

To Our Representatives in the 16th Legislative Assembly: Your attention is called to House Bill No. 121 which makes provision for the erection of a \$200,000 building on the capitol grounds in memory of our soldiers, sailors and mariety who have been killed in the present war In this building are to be housed the museum and library of the State Historical Society. I am strongly in favor of this bill and urge you to do all you can to secure its passage.

FRANK B. FEELHOUE and 17 others.

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. 55.

A Bill for an act to provide a State Contingency Functobe placed at the disposal of the State Emergency Commission to be used as provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and making an appropriation of \$50,000, which shall be known as the State Contingency Fund.

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

In the third line of the Title of the Printed Bill strike out the word "Chapter" and insert in lieu thereof the word "Chapters."

In the third line of the Title of the Printed Bill after the word "for" insert the words "the year."

In the fourth line of the Title of the Printed Bill after the word "of" strike out the figures "\$50,000" and insert in lieu thereof the figures "\$40,000".

In line 3 of Section 1 of the Printed Bill after the words "sum of" strike out the figures "\$50,000.00" and insert in lieu thereof the figures "\$40,000.00".

In line 6 of Section 1 of the Printed Bill after the word "under" strike out the word "Chapter" and insert in lieu thereof the word "Chapters".

In line 7 of Section 1, of the printed bill after the word "of" where it appears the second time in the said line, strike out the figures "1915" and the word "for"; strike out the period at the end of the line and insert the words, "for the year 1915."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February, 19, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 43.

A bill for an act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Senate Bill No. 20.

A bill for an Act declaring the purpose of the State of

North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

Senate Bill No. 19.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end to establish a business system operated by the state under the name of The Home Euilding Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management.

Senate Bill No. 15.

A bill for an Act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasolines, and other low flash test petroleum products, providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriation for carrying out the provisions of this act.

Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

BISMARCK, NORTH DAKOTA. February, 19, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 33.

A bill for an Act to amend and re-enact Section 983 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 70.

A bill for an Act appropriating money for the use of the War History Commission between the following dates, June 30th, 1919, to July 1st, 1921.

House Bill No. 71.

A bill for an Act to appropriate \$4,000.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying premiums on State Officials' Bonds as provided by Chapter 175 of the Session Laws of North Dakota, 1917.

House Bill No. 73.

A bill for an Act to appropriate \$1,000.00 out of any money in the State Treasury not otherwise appropriated for the apprehension of criminals.

House Bill No. 74.

A bill for an Act to appropriate the sum of \$400.00 out of

any money in the State Treasury not otherwise appropriated for the purpose of defraying the burial expenses of inmates of the pentientiary and reform school according to the provisions of Section 11302 of the Compiled Laws of North Dakota, 1913.

House Bill No. 75.

A bill for an Act to appropriate the sum of \$300.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying expenses incurred in actions brought for the release of insane persons under the provisions of Section 2562 of the Compiled Laws of North Dakota, 1913.

House Bill No. 76.

A bill for an Act to appropriate \$1200.00 for the purpose of paying the expenses of appraisers of inheritances, devises, bequests and legacies under the provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

House Bill No. 78.

A bill for an Act to appropriate the sum of 500.00 out of any money in the State Treasury not otherwise appropriated for the purposes of paying the expenses of presidential electors according to the provisions of Section 1038 of the Compiled Laws of North Dakota, 1913.

House Bill No. 83.

A bill for an Act providing for the listing of certain personal property for purposes of assessment and defining duties of Attorney General in connection therewith, and providing for subpoenaing witnesses and penalty for failing to list such property.

House Bill No. 105.

A bill for an Act to appropriate out of any moneys in the State Treasury not otherwise appropriated, the sum of \$6500.00 for the Glanders and Dourine Horse Fund—in order to pay claims on file and which may be allowed prior to July 1st, 1919. for animals destroyed for being infected with glanders or dourine, according to law.

House Bill No. 158.

A bill for an Act to provide for the establishment of flood irrigation project, the establishment, constuction and maintenance of dams, gates and necessary ditches for the purpose of controlling, regulating and forcing the overflow of waters in non-navigable rivers and streams, and the appointment of Boards of Flood Irrigation, and defining their powers and duties.

House Bill No. 161

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, relating to Deputy County Superintendents of Schools, and compensation therefor.

House Bill No. 168.

A bill for an Act to amend and re-enact Section 3630 of the Compiled Laws of 1913, relating to the duties of City Attorney.

House Bill No. 110.

A bill for an Act regulating the construction, reconstruction, operation and maintenance of electrical supply and signal

lines upon the highways and public places of the State of North Dakota and vesting in the Board of Railroad Commissioners certain powers and duties, and giving to said Commission power to adopt rules and regulations for the purpose of avoiding or mitigating interference with the service of signal lines, by reason of the close association or proximity of signal lines to or with electrical supply lines.

House Bill No. 59.

A bill for an Act amending and re-enacting Sections 1505, 1507, 1517, 1518, 1520, 1521, 1523, 1524 and 1528 of the Compiled Laws of the State of North Dakota for the year 1913 and amending and re-enacting Sections 1506 and 1513 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 140 of the Session Laws of the State of North Dakota for the year 1915, relating to and extending the provisions of the Teachers' Insurance and Retirement Fund.

House Bill No. 147.

A bill for an Act making an appropriation for the county agricultural and training schools at Park River, and Maddock, North Dakota.

House Bill No. 149.

A bill for an Act making an appropriation to enable the State of North Dakota to pay its pro-rata share to cover the expenses of the governor's conference, for the years 1919 and 1920.

House Bill No. 150.

A bill for an Act appropriating money for the North Dakota Fair Association.

House Bill No. 151.

A bill for an Act making an appropriation for the purpose paying insurance tax to the various Fire Departments of the State.

House Bill No. 156.

A bill for an Act entitled "An Act to permit townships through their board of supervisors to build drains within the township and outlets therefor without the township, and to provide the manner of assessing the cost thereof and provide for its payment.

House Bill No. 179.

A bill for an Act to amend Section 1147, Compiled Laws of North Dakota for the year 1913 as amended by Chapter 135 of the Session Laws for the year 1915.

House Bill No. 180.

A bill for an Act to amend and re-enact Section 2223 of the Compiled Laws of North Dakota for the year 1913, relating to the redemption of land sold for taxes.

House Bill No. 182.

A bill for an Act to amend and re-enact Section 6749, Compiled Laws of 1913, relating to the satisfaction of mortgages and liens.

Which the House has passed and your favorable consider-

ation is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

THIRD READING OF SENATE BILLS

Senate Bill No. 32.

A bill for an Act creating and establishing a State Fire Insurance Fund for State Fire insurance on public buildings in the office of the Commissioner of Insurance, providing for the maintenance thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses; authorizing the Commissioner to purchase Insurance for the State Capitol and repealing all Acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 44; nays, 4; absent and

not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Church, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Murphy, Nelson, Porter. Absent and not voting—Haggart. So the bill passed and the title was agreed to.

Senate Bill No. 75.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Five Million Dollars, to be known as "Bonds of North Dakota, Mill and Elevator Series"; prescribing the terms and stating the purposes there-of; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal of said bonds and to carry into effect the provisions of this act; and declaring this act to be an emergency measure.

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, 5; absent and

not voting, 2.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenetrom, Whitman, Timen, T ford, Wenstrom, Whitman, Zieman.

Nays-Beck, Hyland, McBride, Murphy, Porter. Absent and not voting-Haggart, Ployhar. So the bill was passed and the title was agreed to.

Mr. Drown moved that the vote by which Senate Bill No. 75 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the emergency clause to Senate Bill No. 75. The roll was called and there were ayes, 36; nays,

11; absent and not voting, 2.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church
Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Gibbens, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Porter, Storstad, Whitman.

Absent and not voting-Haggart, Ployhar.

So the emergency clause passed.

Mr. Morkrid 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. 65.

A bill for an Act making an appropriation to the Department of Tax Commission for specific purposes:

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Cahill, Carey, Chruch, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Notimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Drown, Gibbens, Haggart, Kendall, McCarten, Mostad, Ployhar.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 65. The roll was called and there were ayes, 40; nays, none; absent and not voting, 9.

Ayes—Beck, Benson, Berg, Cahill, Carey, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Church, Drown, Gibbens, Haggart, Kendall, McBride, Mostad, Ployhar.

So the emergency clause passed.

Senate Bill No. 89.

A bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 37; nays, none; absent and not voting, 12.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, McBride, McCarten, McNair, Mees, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman Zieman.

Absent and not voting—Drown, Gibbens, Haggart, Hamerly, Levang, Liederbach, Mortenson, Mostad, Morkrid, Ployhar, Sikes, Ward.

So the bill passed and the title was agreed to.

Mr. McCarten moved that further consideration of Senate Bill No. 91 be deferred for one day, which motion prevailed.

Senate Bill No. 100.

A bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 36; nays, none; absent and not voting, 13.

Ayes—Beck, Benson, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, McBride, McCarten, McNair, Mees, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Berg, Drown, Fraser, Haggart, Hamerly, Kendall, Liederbach, Mortenson, Mostad, Morkrid, Ployhar, Ward, Welford.

So the bill passed and the title was agreed to.

Senate Bill No. 125.

A bill for an Act entitled, "An Act making an appropriation to meet an emergency maintenance deficit at the Institution for Feeble Minded at Grafton, North Dakota."

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 36; nays, none; absent and not voting, 13.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, McBride, McNair, Mees, Mortenson, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Storstad, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Drown, Haggart, Hamerly, Kendall, Liederbach, McCarten, Mostad, Morkrid, Ployhar, Stenmo, Ward, Welford.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 125. The roll was called and there were ayes, 36; nays, none; absent and not voting, 13.

Ayes—Beck, Benson, Berg, Carey, Church, Ettestad, Fleckten, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Miklethun, Murphy, Nelson Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Cahill, Drown, Fraser, Gibbens, Haggart, Hamerly, Kendall, Liederbach, Mostad, Morkrid, Ployhar, Welford.

So the emergency clause passed.

Senate Bill No. 131.

A bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs and equipment for the Institution for the Feeble Minded at Grafton, North

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 37; nays, none; absent and not voting, 12.

Ayes—Benson, Berg, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Porter, Sikes, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Bowman, Cahill, Drown, Haggart, Hamrely, Kendall, Liederbach, Mostad, Pendray, Ployhar, Stenmo.

So the bill passed and the title was agreed to.

Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 37; nays, none; absent and not voting, 12.

Ayes—Beck, Benson, Berg, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hunt, Hyland, Ingerson, Jacobsen, King, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Bowman, Cahill, Drown, Haggart, Hamerly, Hemmingsen, Kendall, Levang, Liederbach, Oksendahl, Pendray, Ployhar.

So the bill passed and the title was agreed to.

Senate Bill. No. 54.

A bill for an Act authorizing the board of control to erect, construct and complete a four story building north of the present capitol building and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 42, nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, McBride, McCarten, McNair, Mess, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman Ziemen man, Zieman.

Absent and not voting—Drown, Haggart, Hamerly, Kendall, Liederbach, Mortensen, Pendray, Sikes.

So the bill passed and the title was agreed to.

Senate Bill No. 60.

A bill for an Act appropriating Six Hundred and Eighty Dollars (\$680.00) for the immediate use of the office of the attorney general.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 42; nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Hyland, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Gibbens, Haggart, Hamerly, Ingerson, Kendall, Pendray, Welford.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 60. The roll was called and there were ayes, 40; nays, none; absent and not voting, 9.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Ettestad, Haggart, Hamerly, Hyland, Ingerson, Kendall, Pendray, Ployhar, Welford.

So the emergency clause passed.

Mr. Drown moved that Senate Bill No. 217 be re-referred to the committee on Indian Affairs, which motion was duly seconded.

Mr. Bowman moved that the motion to re-refer Senate Bill No. 217, to the committee on Indian Affairs, be laid upon the table, which motion prevailed.

Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1911, 1912, 1913, and 1914.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 40; nays, 4; absent and not voting, 5

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Jacobsen, Kendall, King, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Welford, Wenstrom, Whitman, Zieman.

Nays-Drown, Ettestad, Liederbach, Noltimier.

Absent and not voting-Haggart, Hamerly, Ingerson, Levang, Weber.

So the bill passed and the title was agreed to.

Senate Bill No. 122.

A bill for an Act to appropriate seventy thousand one-hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk-hire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 41; nays, none; absent and not voting. 8.

Ayes—Beck, Benson, Berg, Bowman, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, Drown, Haggart, Hamerly, Ingerson, Liederbach, Noltimier, Weber.

So the bill passed and the title was agreed to.

Mr. King moved that Senate Bill No. 149 be re-referred to the committee on State Affairs, which motion prevailed and the bill was so re-referred.

Senate Bill No. 156.

A bill for an Act to Provide for Conciliation of Controversies and to Repeal Sections 9187, 9188, 9189, 9190, 9191 and 9192 of the Compiled Laws of North Dakota, 1913.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 27; nays, 18; absent and not voting, 4.

Ayes—Bowman, Cahill, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom.

Nays—Beck, Berg, Carey, Church, Drown, Ettestad, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Noltimier, Ployhar, Porter, Storstad, Whitman, Zieman.

Absent and not voting-Benson, Gibbens, Haggart, Hamerly.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 156 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Mr. Church explained his vote as follows: For the reason I believe this places a double burden on the parties, and that it exposes all the evidence of a man has to defend or prosecute his cause, and believing we now have boards willing to take care of these things, and the new board created by this bill not having power to enforce its findings, I vote "no."

Mr. Drown explained his vote as follows: "For the same reasons given by Senator Church, I vote "no."

Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 45; nays, none; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Drown, Haggart, Hamerly, Kendall.

So the bill passed and the title was agreed to.

Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

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, none; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Drown, Haggart, Hamerly, King, McBride, Ployhar.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 40. The roll was called and there were ayes, 44; nays, none; absent and not voting, 5.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Drown, Ettestad, Haggart, Hamerly, King.

So the emergency clause passed.

Senate Bill No. 68.

A bill for an Act supplementing the general tax laws of the State by providing for annual reports to the state tax commissioner from corporations, joint-stock companies or associations doing business in the state.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 42; nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Haggart, Hamerly, Hemmingsen, Kendall, Mortenson, Oksendahl, Sikes.

So the bill passed and the title was agreed to.

Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota, for the year 1913.

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, none; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hunt, Hyland, Ingerson, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Haggart, Hamerly, Hemmingsen, Jacobsen, Kendall, Mortenson, Oksendahl.

So the bill passed and the title was agreed to.

Mr. Levang moved that the vote by which Senate Bill No. 155 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3784, Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

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, none; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Haggart, Hamerly, Hemmingsen, Hyland, Kendall, Mortenson.

So the bill passed and the title was agreed to.

The Senate returned to the sixth order of business.

REPORTS OF STANDING COMMITTEES

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 195.

A bill for an Act to provide for the uniformity of warranty deeds, quit claim deeds, real estate mortgages, satisfaction and assignments of real estate mortgages, and to enact forms of such instruments to be recorded within this state, authorizing registers of deeds to charge and collect double fees.

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

On page 1, of the printed bill, commencing with line 9, strike out everything thereafter including line 52 of the printed bill on page 3, and inserting in lieu thereof the following: (Sub. Sec.)

| in the year of our Lord one thousand nine hundred and between |
|--|
| partof the first part, and |
| partof the second part: WITNESSETH, That the said partof the first part, for and in consideration of the sum ofDOLLARS, |
| to |
| SELL and CONVEY unto said part of the second part heirs and assigns FOR-EVER, all tract or parcel |
| of land lying and being in the County of |
| TO HAVE AND TO HOLD THE SAME, Together with all |
| the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said partof the second partheirs and assigns |
| FOREVER, And the said. |
| partof the first part, for |
| well seized in fee of the land and premises aforesaid and ha good right to sell and convey the same in manner and form aforesaid; that the same are free from all incumbrances |
| and the above bargained and granted lands and premises in the quiet and peaceable possession of said partof the second part. |
| heirs and assigns, against all persons lawfully claiming or to claim the whole or any part thereof, the said part |

of the first part will warrant and defend. IN WITNESS WHEREOF, The said part.....of the first part hereunto set.....hand.....the day and year first above written. Signed, Sealed and Delivered in presence of).....(SEAL))....(SEAL)(SEAL) 2. WARRANTY DEED, Corporation Form. (SEAL) THIS INDENTURE, Made this.....day ofin the year of our Lord one thousand nine hundred and.....between(a corporation under the laws of the State of), party of the first part, and of the County of and State of..... part..... of the second part. WITNESSETH, That the said party of the first part, in con-to it in hand paid by the said part...... of the second part, the receipt whereof is hereby acknowledged, does hereby Grant, Bargain, Sell and Convey unto the said part..... of the second part, heirs and assigns, Forever, all..... tract.....or parcel of land lying and being in the County ofand State of North Dakota, described as follows, to-wit: TO HAVE AND TO HOLD THE SAME, Together, with all the hereditaments and appurtenances thereunto belonging or in anywise appertaining, to the said part.....of the second part,heirs and assigns, FOREVER. And the saidparty of the first part, for itself and its successors, does covenant with the said part.....of the second part, heirs and assigns, that it is well seized in fee of the lands and premises aforesaid, and has good right to sell and convey the same in manner and form aforesaid; and that the same are free from all incumbrances, and the above bargained and granted lands and premises, in the quiet and peaceable possession of the said IN TESTIMONY WHEREOF, The said party of the first part has caused these presents to be executed in its corporate name by its......President and itsSecretary, and its corporate seal to be hereunto affixed the day and year first above written.

Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913.

Signature of a corporation shall conform to the provisions

) By) Its

Signed, Sealed and Delivered in Presence of)

| of Section 5515 of the Compiled Laws of North Dakota, 1913. |
|--|
| On page 3, of the printed bill commencing at line 1, strike out everything thereafter up to and including line 36, on page |
| 4 of the printed bill, and insert in lieu thereof the following. |
| 3. QUIT CLAIM DEEDS. The form of Quit Claim Deeds |
| shall be substantially as follows: |
| THIS INDENTURE, Made this |
| one thousand nine hundred and between |
| of the County of and State of |
| partof the first part, andof the second partof the second part. |
| WITNESSETH. That the said part of the first |
| part, in consideration of the sum of |
| DOLLARS, toin hand paid by the said partof the second part the receipt whereof is here- |
| by acknowledged, dohereby Grant, Bargain, Sell, |
| Remise, Release and Quit-Claim unto the said part |
| of the second partheirs and assigns, forever, all the |
| following tractor parcel |
| of land lying and being in the County of |
| TO HAVE AND TO HOLD, The above Quit-Claimed prem- |
| ises, together with all the hereditaments and appurtenances |
| thereto belonging or in anywise appertaining to the said |
| part of the second part heirs and assigns, Forever |
| |
| THE RECOGNITION OF THE PARTY OF |
| IN TESTIMONY WHEREOF, The said partof the first part hahereunto set |
| handthe day and year first |
| above written. |
| Signed, Sealed and Delivered in Presence of |
| SEAL |
| SEAL |
| SEAL SEAL |
|) CITAL |
| Acknowledgement shall conform to the provisions of Sec- |
| tion 5574 of the Compiled Laws of North Dakota, 1913. |
| Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. |
| Sub. Sec. 4. QUIT CLAIM DEED, Corporation Form. |
| THIS INDENTURE, Made thisday ofin the year of our Lord one |
| thousand nine hundred andbetween |
| (a corporation under the laws of the State of), |
| party of the first-part, and |
| of the County of |
| of the second part. |
| |

| WITNESSETH, That the said party of the first part, in consideration of the sum of |
|--|
| TO HAVE AND TO HOLD, The above Quit-Claimed premises, together with all the hereditaments and appurtenances |
| thereunto belonging or in anywise appertaining, to the said partof the second part, |
| *************************************** |
| IN TESTIMONY WHEREOF, The said corporation has caused these presents to be executed in its corporate name by its |
| Signed, Sealed and Delivered) |
| in presence of |
| ItsPresident |
| |
| ItsSecretary |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. On page 4, of the printed bill, strike out everything after the figure, "3" and insert in lieu thereof the following: |
| THIS INDENTURE, Made thisday of |
| thousand nine hundredbetween |
| whose postoffice address isof the County of |
| and State ofpartof the first |
| part, and |
| the County of and State of |
| WITNESSETH, That the said partof the first |
| part, for and in consideration of the sum of |
| partof the second part, the receipt whereof is here- |
| by acknowledged, do by these presents Grant, Bargain, Sell and Convey unto the said part of the sec- |
| ond partheirs and assigns, For ever, allor parcelof |
| land lying and being in the County of |
| |

| TO HAVE AND TO HOLD THE SAME, Together with all the hereditaments and appurtenances thereunto belonging or |
|--|
| in anywise appertaining, unto the said partof the |
| second part,heirs and assigns, FOREVER. And the said. |
| partof the first part, docovenant |
| with the said partof the second part,heirs and assigns, as follows: That |
| helawfully seized of said premises; Second, that |
| right to convey the same; Third, that the same are free from |
| all incumbrances |
| and, Fourth, that the said partof the second part,heirs and assigns, shall quiet- |
| ly enjoy and possess the same, and that the said part of the first part will warrant and defend the title to the same |
| against all lawful claims. And the said partof the |
| first part do still further covenant and agree with the said part of the second part, |
| heirs and assigns, that at all times during the continuance of |
| this mortgage, and until the same shall be fully paid or re- leasedwill keep the buildings on |
| said premises continually insured in some responsible insur- |
| ance company satisfactory to the Mortgageeagainst loss by fire for at least the sum ofDollars, with |
| Mortgagee's indemnity clause attached to the policy; and against loss or damage by tornado or cyclone for at least |
| |
| ance to be payable, in case of loss, to the said part of the second part, asinterest |
| may appear. |
| PROVIDED, NEVERTHELESS, That if the said |
| heirs, executors or ad- |
| ministrators, shall well and truly pay, or cause to be paid, to the said part of the second part |
| heirs, executors, administrators or assigns, the sum of |
| |
| One note for \$ |
| One note for \$due; |
| One note for \$due; One note for \$due; |
| One note for \$due; |
| All of said notes payable at |
| per annum, and from maturity until paid atper cent per annum, bearing even date herewith, and also to pay |
| all taxes which now are or may be hereafter assessed on |
| said premises as they shall become due, and to pay when due all taxes of every kind that may be levied within the State of |
| North Dakota upon this mortgage or the notes or indebtedness |
| secured thereby or assessed against the partof the second part orassigns by reason of |
| the ownership thereof, any part thereof, at the time and in the |
| manner hereinbefore or hereinafter specified for the payment thereof, the said part of the executors, administra- |
| tors or assigns, to sell the said hereby granted premises, and |
| convey the same to the purchaser, in fee simple, agreeably to |

| IN TESTIMONY WHEREOF, The said partof the |
|---|
| first part ha hereunto sethand |
| and affixedseal |
| the day and year first above written. |
| Signed, Sealed and Delivered in Presence of |

| Sigi | iea, | Se | area | and | | | | | | | | |
|------|------|----|------|-----|--|------|------|------|------|------|------|--------------|
| | | | | | | | | | | | | . (SEAL) |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | .(SEAL) |
| | | | | | | | | | | | | . (SEAL) |

.....(SEAL)

Sub. Sec. 6. MORTGAGE, Second.

together with all the hereditaments and appurtenances thereunto belonging.

The Mortgagor...... hereby covenant..... with the Mortgagee...... and assigns, that..... he.... seized in fee simple of the aforesaid premises; that they are free from all incumbrances, except a Mortgage for........ DOLLARS, and that...... will WARRANT and DE-

| FEND the title to the same to the Mortgageeand assigns against the lawful claims of all persons whomsoever. PROVIDED NEVERTHELESS, That if the Mortgagor or assigns shall pay to the Mortgage or assigns the sum of |
|--|
| DOLLARS, with interest thereon, according to the conditions of |
| turity until paid atper cent per annum, and described as follows, to-wit: (|
| One note for \$ |
| One note for \$ |
| then this mortgage to be null and void, otherwise to remain in full force and effect. But if default shall be made in the payment of any part of the principal or interest, then the Mortgageeor assigns may declare the whole |
| Mortgageeor assigns may declare the whole principal sum due and payable, and this Mortgage may be foreclosed at once. And in case of such default the Mort- |
| gageeor assignshereby authorized and empowered to sell the hereby mortgaged premises and convey the same to the purchaser agreeably to the statute in |
| such case made and provided, and out of the moneys arising from the foreclosure sale, whether said foreclosure be by ac- tion or advertisement, to retain the principal and accrued in- |
| terest, together with all costs and charges and statutory at- torney's fees, paying the surplus, if any, to the Mortgagor or assigns. And in case of a failure of the Mortgagor |
| to pay the taxes, then the Mortgageeor assigns may pay the same, and such sum paid shall become a part of the Mortgage indebtedness and draw interest atper cent per annum from date of such payment by said Mort- |
| IN WITNESS WHEREOF, |
| day of |
| Signature of a corporation shall conform to the provisions |
| of Section 5515 of the Compiled Laws of North Dakota, 1913. Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. |
| On page 6, of the printed bill, strike out everything commencing with line 1 and including line 25 of page 7, and insert in lieu thereof the following: "Satisfactions of Mortgages. The forms of Satisfactions of Real Estate mortgages |
| shall be substantially as follows: THIS CERTIFIES, That a certain Mortgage, executed by of |
| of North Dakota to |
| in the County of |
| |

| for the County of and State of North Da- |
|--|
| kota, in Book of Mortgage Deeds, on page is paid and satisfied, with the notes accompanying the same. |
| is paid and satisfied, with the notes accompanying the same. |
| and hereby authorize and require said Register of Deeds for said County to discharge the same of record in |
| his office. |
| Witness hand this day |
| of A. D. 191 |
| |
| Sub. Sec. 8. Satisfaction of Mortgage by Corporation. |
| (A Corporation Under the Laws of the State of North Da- kota.) |
| DOES HEREBY CERTIFY, That a certain Indenture of Mort- |
| gage, bearing date the day of |
| A. D. 191, made and executed by |
| and recorded in the office of the Register of Deeds in and for the County of |
| North Dakota, in Book of Mortgages, on page on the day of |
| on the day of |
| A. D. 191 at o'clock minutes |
| M., is, with theaccompanying it, fully paid and satisfied. And the Register |
| of Deeds of said County is hereby authorized and directed |
| to discharge the same upon record thereof, according to the |
| statute in such case provided |
| IN TESTIMONY WHEREOF, The said corporation has |
| caused these presents to be executed in its corporate |
| name by its |
| ****** |
| Signed, Sealed and Delivered) in Presence of) |
| Ву |
| |
| ······································ |
| } |
| ······································ |
| |
| } |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. On page 8 of the printed bill, after line 34, insert the fol- |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. On page 8 of the printed bill, after line 34, insert the following: STATE OF |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. On page 8 of the printed bill, after line 34, insert the following: STATE OF |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. On page 8 of the printed bill, after line 34, insert the following: STATE OF |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. On page 8 of the printed bill, after line 34, insert the following: STATE OF ON SS: COUNTY OF DO HEREBY CERTIFY, That a certain Indenture of Mortgage, bearing date the day of. |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. On page 8 of the printed bill, after line 34, insert the following: STATE OF) SS: COUNTY OF DO HEREBY CERTIFY, That a certain Indenture of Mortgage, bearing date the |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. Signature of a corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. On page 8 of the printed bill, after line 34, insert the following: STATE OF ON SS: COUNTY OF DO HEREBY CERTIFY, That a certain Indenture of Mortgage, bearing date the day of. |

| Dakota, in Book |
|--|
| ato'clockminutesM., and which said Mortgage was heretofore duly assigned to |
| by deed of assignment bearing date theday of |
| A. D. 19 and recorded in the office of the Register of |
| Deeds in and for the County of |
| pageday of |
| |
| accompanying it, fully paid and satisfied. And the Register of Deeds of said County is hereby authorized and directed |
| to discharge the same upon the record thereof, according to the statute in such case provided |
| IN TESTIMONY WHEREOF,ha |
| hereunto sethandand sealthisday ofA. D. 19 |
| Signed, Sealed and Delivered in Presence of: |
| (SEAL) |
| (SEAL) |
| (SEAL) |
| (SEAL) |
| Signature of a Corporation shall conform to the provisions of Section 5515 of the Compiled Laws of North Dakota, 1913. |
| Acknowledgement shall conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913. |
| Sub-Section 11.ASSIGNMENT OF MORTGAGE. BY COR- |
| PORATION, KNOW ALL MEN BY THESE PRESENTS, That the |
| a corporation duly organized and existing under the laws of |
| the State of party of the first part, in consideration of the sum of |
| in hand paid by |
| ha sold, assigned, transferred and set over, and by these |
| presents to sell, assign, transfer and set over unto the said part of the second part, a certain Mortgage, |
| bearing date the day of, A. D. 19, made and executed by |
| Mortgagor to |
| upon the following described premises, situated in the County |
| of and State of North Dakota, to-wit: |
| |
| |
| |
| AND recorded in the office of the Register of Deeds in and |
| for the County of |
| and the note of obligation therein also mentioned and all |

| moneys secured thereby, and hereby appoint the |
|--|
| part of the second part Attorney |
| irrevocable, to collect, prosecute and discharge said Mortgage |
| at own cost, as fully as might or could do. |
| And of |
| and that ha good right and lawful authority to sell |
| and assign the same in manner aforesaid. |
| IN TESTIMONY WHEREOF, The said corporation has |
| caused these presents to be executed and its corporate |
| caused enese presents to be executed and its corporate |

name by ..., its President, and ..., its Secretary, and its corporate seal to be hereunto affixed this day of, A. D., 19.... Signed, Sealed and Delivered in Presence of

By Its By..... Its.....

Acknowledgment to conform to the provisions of Section 5574 of the Compiled Laws of North Dakota, 1913.

On page 8 of the printed bill, strike out everything including lines 1 to 7, and insert in lieu thereof the following:

SECTION 2.—THE REGISTER OF DEEDS MAY REFUSE A RECORD OF INSTRUMENTS. DOUBLE FEES. After six months of the taking of effect of this Act, the Register of Deeds may refuse to record any warranty deeds, Quit Claim Deeds, real estate mortgages, satisfaction and assignments of real estate mortgages not substantially in form, as required in Section one hereof, unless a double fee for the recording of the same be paid. And the Register of Deeds may demand, collect and turn into the county treasury such double fee, provided that nothing herein contained shall be construed so as to conflict with the provisions of Chapter 108 of the Session Laws of North Dakota for the year 1917. SECTION 3.—REPEALING CLAUSE. All Acts and parts

of Acts, in so far as they are in conflict with this Act are

hereby repealed.

And when so amended recommend the same do pass.

R. L. Fraser, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was referred House Bill No. 56.

A Bill for an Act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by a Workmen's Compensation Bureau in the Department of Agriculture and Labor and making an appropriation therefor.

Have had the same under consideration and recommend

that the same be amended as follows:

Strike out the title of the Bill and insert in lieu thereof the

following:

"For an Act creating the North Dakota Workmen's Compensation Fund, for the benefit of employees injured and the dependents of employees killed in hazardous employments; fixing the duties and liabilities of employees and employers; creating the Workmen's Compensation Bureau and prescribing its powers and duties; providing for expenditures hereunder and limiting the amount thereof; and making an appropriation therefor.'

On page 2, Section Two, line 20 of the engrossed bill, strike out the word "employee" and insert in lieu thereof the word

"employer."

On page 10, Section Four, line 25 of the engrossed bill, strike out the word "state" and insert in lieu thereof the

word "fund."

On page 11, Section Four. lines 36 and 37 of the engrossed bill, strike out the words "state treasury" and insert in lieu thereof, "Workmen's Compensation Fund and the

appropriation herein made."

On page 11, Section Four, line 38 of the engrossed bill, after the word "service" strike out the rest of line 38, all of lines 39 and 40 and insert in lieu thereof the words "provided, however, the same shall not exceed in any one year the sum of Fifty Thousand Dollars."

On page 15, Section Seven, line 5 of the engrossed bill, between the words "for" and "the" insert the words "the payment of the expenditures of the bureau."

On page 15, Section Seven, line 13 of the engrossed bill, between the word "with," and the word "the" insert the words "the payment of the expenditures of the bureau."

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 was adopted.

The committee on State Affairs made the following re-

port:

Mr. President: Your committee on State Affairs to whom

was referred House Bill No. 97.

A Bill for an Act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate control and fix rates charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209 Laws of North Dakota for 1915 and all other Acts or parts of Acts in conflict with the provisions of this Act.

Have had the same under consideration and recommend

that the same be amended as follows:

That the title be amended by adding thereto at the end and after the word "act" the following:

"Providing penalties for the violation thereof."

That Section 34 of the engrossed bill be stricken out and

the following inserted in lieu thereof:
"SECTION 34. Any party to any controversy heard by the Commissioners feeling aggrieved by the decision or by the entry of any final order of the Commissioners therein may appeal therefrom to the District Court in the District in which the hearings of the Commissioners were held in the matter by serving notice in writing on all other parties to said controversy and on the Commissioners within thirty days after the rendering of said decision and entry of the final order therein by the Commissioners."

That Section 35 of the engrossed bill be stricken and the

following inserted in lieu thereof:

"SECTION 35. On such appeal the lawfulness of the decision or final order shall be inquired into and determined on the record of the Commissioners as certified to by it. No new or additional evidence shall be taken on such appeal or introduced in evidence by any party to such hearing on appeal in the District Court. Any appeal from any final order of the Commissioners shall not suspend or delay the execution or operation thereof pending the appeal and final determination thereof, but the Court in which such appeal is pending may in its discretion suspend in whole or in part the operation of the Commissioners' order or decis-

In case the order or decision of the Commissioners is stayed or suspended, the order of the court shall not become effective until a suspending bond shall first have been executed and filed with and approved by the Commissioners (or approved on appeal by the district court), payable to the people of the State of North Dakota, and sufficient in amount people of the State of North Dakota, and sufficient in amount and security to insure the prompt payment, by the party appealing, of all damages caused by the delay in the enforcement of the order or decision of the Commissioners, and of all the moneys which any person or corporation may be compelled to pay, pending the review proceedings for transportation, transmission, product, commodity or service in excess of the charges fixed by the order or decision of the Commissioners, in case said order or decision is sustained. The district court, in case it stays or suspends the order or decision of the Commissioners in any matter affecting rates, fares tolls, rentals, charges or classifications, shall also by fares, tolls, rentals, charges or classifications, shall also by order direct the public utility affected to pay into court, from time to time, there to be compounded until the final decision of the case, or into some bank or trust company paying interest on deposits, under such conditions as the court may prescribe, all sums of money which it may collect from any corporation or person in excess of the sum which corporation or person would have been compelled to pay if the order or decision of the Commissioners had not been stayed or suspended. The Commissioners, any public utility or person or complainant may after the entry of judgment in the district court in any such action, prosecute an appeal to the Supreme Court of this State. Such appeal shall be prosecuted as appeals from the judgment of the district court in civil cases except as otherwise provided in this Act. The record and testimony and exhibits, certified to by the Com-missioners and filed in the District court in any such action, together with a transcript of the proceedings in the district court shall constitute the record on appeal to the supreme court. The general laws relating to anneals to the supreme court. The general laws relating to appeals to the supreme court shall, so far as applicable and not in conflict with the provisions of this Act, apply to appeals taken under the provisions of this Act.

That Section four of the engrossed bill, be amended by striking out everything after the word "law", in line twelve on page four, and inserting the following:

Provided, that when any public utility corporation, company or person operating said public utility shall in any proceeding before the commission, ask to have its rates

proceeding before the commission, ask to have its rates raised, above the maximum rates contained in its charter, such public utility shall furnish the commission, the original cost of all its property, the date of the acquistion of said property, the amount of money invested in said property, the amount of stock outstanding, the amount of bonds outstanding against said property, blue-prints showing the location and position of all mains, pole lines, wires, and all other property belonging to the company, and shall furnish the commission with all books, papers, and memoranda of the company showing the financial condition of said utility and shall furnish the commission with the number of persons in its employ, the salary paid such employees, its total monthly salaries and wage expense for such time as the commission may request. Also an itemized statement of its expenditures and the details of its profit and loss account and any and all other books, papers, vouchers, accounts which the said Board of Railroad Commissioners shall ask to have produced as evidence at such hearing.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes & Tax Laws made the following

report:

Mr. President: Your committee on Taxes & Tax Laws to

whom was referred Senate Bill No. 38.

A Bill for an Act providing that reports required for the assessment of taxes heretofore made to the State Auditor or to any other officer or Department of the State, shall be made to the State Tax Commissioner.

Have had the same under consideration and recommend

that the same do pass.

THOMAS PENDRAY, Chairman.

Mr.. Ployhar moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes & Tax Laws made the following

report:

Mr. President: Your committee on Taxes & Tax Laws to

whom was referred Senate Bill No. 153.

A Bill for an Act to amend Section 2306 C. L. 1913, being Section 1. Chapter 161, laws 1903, relating to property sold to the state or county for taxes.

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

THOMAS PENDRAY, Chairman.

Mr. Ployhar moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

The committee on Taxes & Tax Laws made the following

report:

Mr. President: Your committee on Taxes & Tax Laws to whom was referred Senate Bill No. 174.

A Bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridge purposes and prescribing the manner in which all township taxes shall be levied.

Have had the same under consideration and recommend

that the same be amended as follows:

In line one of the printed bill, after the figure 1, after the word, "section" insert the word, "Amendment."

In line 11 of the printed bill, between the word, "the" and

the word "direction" insert the word "joint."

In line 12 of the printed bill, after the word "township" and before the word "furnishing" insert the word "interest-

And when so amended recommend the same do pass. THOMAS PENDRAY, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes & Tax Laws made the following

report:

Mr. President: Your committee on Taxes & Tax Laws to

whom was referred Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of property of corporations, joint-stock companies or associations for taxation.

Have had the same under consideration and recommend

that the same be amended as follows:

On line one, of the printed bill, after the figure "one", after the word. "Section" insert the word, "Amendment."

And when so aniended recommend the same do pass. THOMAS PENDRAY, Chairman.

Mr. Cahill moved that the report be adopted which mo-

tion prevailed and the report was adopted.

The committee on Counties made the following report:

Mr. President: Your committee on Counties to whom was

referred Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Have had the same under consideration and recommend that the same be amended as follows: Amend the title by striking out the period of the last line and inserting the following: "And prescribing a penalty for the violation thereof." In line 3 of Section One of the printed bill after the word "filed" insert the words "with county auditor." In the same section in line 10 after the word "county" and before the semi-colon insert the following: "Provided, however, in no case shall such levy exceed one and one-half mills on all taxable property in said county." In the same line after the semi-colon and before the word "provided" add the word "and." After the word "provided" in the same line and before the comma add the word "further." In Section 4, in line 11 of the printed bill, strike out the period and insert the following: "And such amount so expended for such labo" may be by the county commissioners assessed against Have had the same under consideration and recommend labor may be by the county commissioners assessed against each respective tract of land to be collected in the same manner as taxes are collected." In Section 6, in line 6, of the printed bill after the word "dollars" strike out the comma and insert a period and strike out the balance of said section.

And when so amended recommend the same do pass. JOHN W. BENSON, Chairman.

Mr. Benson moved that the report be adopted, which motion prevailed and the report was adopted.

THIRD READING OF HOUSE BILLS

House Bill No. 160.

A bill for an act to amend and re-enact Paragraph 1 of Chapter 126 of the Laws of North Dakota for the year 1917, relating to the guarantee of bank deposits.

Was read the third time.
The question being on the final passage of the bill. The roll was called and there were ayes, 35; nays, 3; absent and

not voting, 11.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Hagan, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays—Jacobsen, McBride, Murphy. Absent and not voting: Bowman, Drown, Gibbens, Haggart, Hamerly, Hemmingsen, Hyland, Kendall, Mortensen, Nelson, Stenmo.

So the bill passed and the title was agreed to.

Mr. Pendray moved that House Bill No. 176 be amended
by striking out the word "same" in line 1, section 2, of the
engrossed bill, which motion prevailed and the bill was so amended.

Mr. Bowman moved the previous question, which motion

prevailed.

House Bill No. 176.

A bill for an Act relating to the practice of chiropractic in the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill as

amended. The roll was called and there were ayes, 23; nays,

15; absent and not voting, 11. Ayes—Benson, Berg, Bowman, Cahill, Church, Fleckten, Fraser, Hagan, Hunt, Ingerson, King, Levang, Liederbach, McNair, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Wenstrom.

Nays-Beck, Carey, Ettestad, Jacobsen, McBride, McCarten, Mees, Mostad, Murphy, Noltimier, Ployhar, Porter, Stor-

stad, Welford, Zieman.

Absent and not voting: Drown, Gibbens, Haggart, Hamerly, Hemmingsen, Hyland, Kendall, Nelson, Stenmo, Whitman.

So the bill was lost.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 33.

A bill for an Act to amend and re-enact Section 983 of the Compiled Laws of North Dakota for the year 1913.

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

House Bill No. 70.

A bill for an Act appropriating money for the use of the War History Commission between the following dates, June 30th, 1919, to July 1st, 1921.

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

House Bill No. 71.

A bill for an Act to appropriate \$4,000.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying premiums on State Officials' Bonds as provided by Chapter 175 of the Session Laws of North Dakota, 1917.

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

House Bill No. 73.

A bill for an Act to appropriate \$1,000.00 out of any money in the State Treasury not otherwise appropriated for the apprehension of criminals.

Was read the first and second time and referred to the

Committee on Appropriations.

House Bill No. 74.

A bill for an Act to appropriate the sum of \$400.00 out of any money in the State Treasury not otherwise appropriated for the purpose of defraying the burial expenses of inmates of the penitentiary and reform school according to the provisions of Section 11302 of the Compiled Laws of North Dakota, 1913.

Was read the first and second time and referred to the

Committee on Appropriations.

House Bill No. 75.

A bill for an Act to appropriate the sum of \$300.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying expenses incurred in actions brought for the release of insane persons under the provisions of Section 2562 of the Compiled Laws of North Dakota, 1913.

Was read the first and second time and referred to the

Committee on Appropriations.

House Bill No. 76.

A bill for an Act to appropriate \$1200.00 for the purpose of paying the expenses of appraisers of inheritances, devises, bequests and legacies under the provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

Was read the first and second time and referred to the

Committee on Appropriations.

House Bill No. 78.

A bill for an Act to appropriate the sum of \$500.00 out of any money in the State Treasury not otherwise appropriated for the purposes of paying the expenses of presidential electors according to the provisions of Section 1038 of the Compiled Laws of North Dakota, 1913.

Was read the first and second time and referred to the

Committee on Appropriations.

House Bill No. 83.

A bill for an Act providing for the listing of certain personal property for nurposes of assessment and defining duties of Attorney General in connection therewith, and providing for subpoenaing witnesses and penalty for failing to list such property.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

House Bill No. 105.

A bill for an Act to appropriate out of any moneys in the State Treasury not otherwise appropriated, the sum of \$6500.00 for the Glanders and Dourine Horse Fund—in order to pay claims on file and which may be allowed prior to July 1st, 1919, for animals destroyed for being infected with glanders or dourine, according to law.

Was read the first and second time and referred to the

Committee on Appropriations.

House Bill No. 158.

A bill for an Act to provide for the establishment of flood irrigation project, the establishment, constuction and maintenance of dams, gates and necessary ditches for the purpose of controlling, regulating and forcing the overflow of waters in non-navigable rivers and streams, and the appointment of Boards of Flood Irrigation, and defining their powers and duties.

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

House Bill No. 161

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, relating to Deputy County Superintendents of Schools, and compensation therefor.

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

House Bill No. 168.

A bill for an Act to amend and re-enact Section 3630 of the Compiled Laws of 1913, relating to the duties of City Attorney. Was read the first and second time and referred to the Committee on Cities and Municipalities.

House Bill No. 110.

A bill for an Act regulating the construction, reconstruction, operation and maintenance of electrical supply and signal lines upon the highways and public places of the State of North Dakota and vesting in the Board of Railroad Commissioners certain powers and duties, and giving to said Commission power to adopt rules and regulations for the purpose of avoiding or mitigating interference with the service of signal lines, by reason of the close association or proximity of signal lines to or with electrical supply lines.

Was read the first and second time and referred to the

Committee on Ways and Means.

House Bill No. 59.

A bill for an Act amending and re-enacting Sections 1505, 1507, 1517, 1518, 1520, 1521, 1523, 1524 and 1528 of the Compiled Laws of the State of North Dakota for the year 1913 and amending and re-enacting Sections 1506 and 1513 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 140 of the Session Laws of the State of North Dakota for the year 1915, relating to and extending the provisions of the Teachers' Insurance and Retirement Fund.

Was read the first and second time and referred to the

Committee on Education.

House Bill No. 147.

A bill for an Act making an appropriation for the county agricultural and training schools at Park River, and Maddock, North Dakota.

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

House Bill No. 149.

A bill for an Act making an appropriation to enable the State of North Dakota to pay its pro-rata share to cover the expenses of the governor's conference, for the years 1919 and

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

House Bill No. 150.

A bill for an Act appropriating money for the North Dakota Fair Association.

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

House Bill No. 151.

A bill for an Act making an appropriation for the purpose paying insurance tax to the various Fire Departments of the

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

House Bill No. 156.

A bill for an Act entitled "An Act to permit townships through their board of supervisors to build drains within the township and outlets therefor without the township, and to provide the manner of assessing the cost thereof and provide for its payment.

Was read the first and second time and referred to the

Committee on Irrigation and Drainage.

House Bill No. 179.

A bill for an Act to amend Section 1147, Compiled Laws of North Dakota for the year 1913 as amended by Chapter 135 of the Session Laws for the year 1915.

Was read the first and second time and referred to the

Committee on State Affairs.

House Bill No. 180.

A bill for an Act to amend and re-enact Section 2223 of the Compiled Laws of North Dakota for the year 1913, relating to the redemption of land sold for taxes.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

House Bill No. 182.

A bill for an Act to amend and re-enact Section 6749, Compiled Laws of 1913, relating to the satisfaction of mortgages and liens.

Was read the first and second time and referred to the

Committee on Ways and Means.

Courtesies of the floor were extended to E. O. Ellison, La Moure; Hon. W. E. Martin, Mandan; H. E. Wheeler, R. W. Kennard, R. J. Livingston, Minot.

Mr. Bowman moved that the Senate do now take a recess to 1:30 p. m., February 20, 1919, which motion prevailed and W. J. PRATER, Secretary. the Senate took a recess.

THIRD READING OF SENATE BILLS

Senate Bill No. 91.

A bill for an Act making an appropriation for the maintenance, improvements, repairs, new buildings, Equipment and miscellaneous expenses of the school for the Deaf and Dumb at Devils Lake, North Dakota.

Senate Bill No. 28.

A bill for an act providing for a bounty for wolves and coyotes, prescribing the method for payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year of 1917.

Senate Bill No. 77.

A bill for an Act authorizing the extension division of the agricultural college to co-operate with the bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes and other noxious predatory animals, providing appropriation therefor and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 211.

A bill for an act imposing a tax on each automatic vending machine or device operated in the State of North Dakota, that any violation of this act be deemed a misdemeanor and providing for a penalty therefor.

Senate Bill No. 183.

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session Laws of North Dakota, 1917, relating to farmers' institutes.

Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plants for the manufacture and distribution of light and power for municipal and commercial purposes and to assess abutting property in accordance with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

Senate Bill No. 47.

A bill for an Act amending and re-enacting Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

Senate Bill No. 55.

A bill for an Act to provide a state contingency fund to be placed at the disposal of the state emergency commission to be used as provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and making an appropria-tion of \$50,000, which shall be known as the State Contingency Fund.

Senate Bill No. 195.

A bill for an Act to provide for the uniformity of warranty deeds, quit-claim deeds, real estate mortgages, satisfactions and assignments of real estate mortgages, and to enact forms of such instruments to be recorded within the state, authorizing registers of deeds to charge and collect double fees.

Senate Bill No. 38.

A bill for an Act providing that reports required for the assessment of taxes heretofore made to the State Auditor or

to any other officer or department of state, shall be made to the state tax commissioner.

Senate Bill No. 153.

A bill for an Act to amend Section 2306 C. L. 1913, being Section 1, Chapter 161, laws 1903, relating to property sold to the state or county for taxes.

Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridges payments and prescribing the manner in which and bridge purposes, and prescribing the manner in which all township taxes shall be levied.

Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of the property of corporations, joint stock-companies or associations for taxation.

Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

House Bill No. 102.

A bill for an Act to amend and re-enact Section 4544 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4544 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 88.

A bill for an Act to provide for the organization or admission and the regulation and taxation of Incorporated Mutual Insurance Companies other than life.

House Bill No. 111.

A bill for an Act defining Mutual Telephone companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

House Bill No. 56.

A bill for an Act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by a Workmen's Compensation Bureau in the Department of Agriculture and Labor and making an appropriation therefor.

House Bill No. 97.

A bill for an act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate, control and fix rates, charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and all other acts or parts of acts in conflict with the provisions of this act.

FORTY-FOURTH DAY AFTER RECESS AND FORTY-FIFTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 20, 1919.

The Senate convened at 1:30 p.m., pursuant to recess taken, the President presiding.

The Senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred Senate Bill No. 203.

A bill for an Act to amend and re-enact Section 1334 of the Compiled Laws of North Dakota for the year 1913, relating to bonds denomination of rate of interest and limit of issue.

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

ALBERT STENMO, Chairman.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred Senate Bill No. 185.

A bill for an Act to amend Section 1440 of the Compiled Laws of North Dakota for 1913 as amended by Chapter 212 of the Session Laws of North Dakota, 1917, relating to State Aid for Consolidated Graded and Rural Schools.

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

ALBERT STENMO, Chairman.

The committee on State Affairs made the following report:

Mr. President: Your committee on State Affairs to whom was referred Senate Bill No. 48.

A Bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15 and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all Acts and parts of Acts in conflict herewith.

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

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

FOR AN ACT to amend and re-enact Chapter 62, Laws of North Dakota for the year 1915; to create a State Bonding Fund; providing for the maintenance and limiting the expense therefor; prescribing the duties of the officers connected therewith; providing for the payment of premiums and of indemnities; providing for presentation and allowance of claims and fixing limitations of actions thereon; and providing for adjustment of premiums; providing for transfer of funds and records and assuming liabilities under the previous Act.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. That Chapter 62 of the Session Laws of North Dakota for the year 1915 be amended and re-enacted to read as follows:

SECTION 1. A state bonding fund is hereby established, under the management of the Commissioner of Insurance herein called "Commissioner" to provide a fund for the bonding of all officers, deputies and employees, herein called "public employees", of the State or of any of its subdivisions, who are required by any law of this state to be bonded.

SECTION 2. On or before the time any such public employee shall take office and assume his duties, the state auditor, county auditor, city auditor, village clerk, town clerk or school district clerk, as the case may be, shall report to the commissioner, the fact of the election or appointment and the amount of the bond required of such public employee and shall therewith remit by check draft or express or postal money order the premium herein required.

SECTION 3. Such report shall be made in such form and manner as the commissioner shall prescribe. Unless such report with payment of the premium shall be made within ten days after the service of such public employee has begun, the officer or officers whose duty it shall be to make such report and payment, shall, during the term of such default on his or their part, by force of this act, be liable as sureties on the bond of such public employee with the same effect and to the same extent as if said bond had been duly signed, approved and filed as otherwise provided by law. In addition thereto any officer guilty of such default shall be liable to punishment for a misdeameanor. No compensation shall be paid to any public employee unless such report and payment shall have been made to the commissioner or a bond shall have been filed in lieu thereof as provided in this Act.

SECTION 4. The premiums for such insurance shall be twenty-five cents per year per hundred dollars of the amount of the required bond. Such premium shall be paid in advance by the proper authorities of the state or of any of its subdivisions from its respective treasurers to the state treasurer, who shall keep the same in a fund to be known as a "state bonding fund," and who shall issue quadruple

receipts therefor, one to be filed in his office, and one eachto the official making such payment the commissioner and
the state auditor. The minimum premium for each public
employee shall be \$2.50 per year. Usless the term of office
or employment shall be for a shorter period, payments shall
be made for one year or for such longer terms as the commissioner may prescribe.

SECTION 5. The state and each political subdivision, as the case may be, shall be insured in said state bonding fund according to the provisions of this Act, automatically without issue of any bond or further action on the part of said commissioner. The provisions of this Act and of any statute requiring a bond, shall constitute the bond of each and every public employee for the purpose of any law of this state requiring such bond and shall constitute the entire contract between the state bonding fund and the state or its political subdivisions respectively as the obligee in any such bond.

SECTION 6. The condition of such bond shall be that such public employee, as principal, shall faithfully and impartially discharge and perform the duties of his said office or employment including such duties as are or may be imposed upon him by law, and shall render a true account of all moneys and property of every kind that shall come into his hands as such public employee, and pay over and deliver the same according to law.

SECTION 7. Immediately upon, and in no event later than sixty days after, the discovery of any default or wrongful act on the part of any public employee for which the state bonding fund is or may become liable, the state auditor, county auditor, city auditor, village, township or school district clerk or the treasurer in case such officer is the auditor or clerk, and any other officer having supervision of such public employee shall, and any person injured by such default or wrongful act may, file with the commissioner a claim against the state bonding fund. Such claim shall contain an abstract of the facts upon which it is based, and shall be verified by the claimant or by some one in his or its behalf.

SECTION 8. In case any public employee shall default or create a liability against said state bonding fund, the commissioner shall notify the state examiner who shall immediately check the accounts of such public employee and file a report with the commissioner stating the amount if any due from the state bonding fund. For such service he shall be paid out of the state bonding fund the same fees as he is paid for examining the accounts of county officers.

SECTION 9. All claims against the State Bonding Fund shall be audited by a board consisting of the Commissioner of Insurance, the State Examiner, and the Attorney General, and such persons are hereby created a board to audit all claims arising under this Act. Such board shall have authority to prescribe the forms upon which claims shall be presented, and may administer oaths and examine witnesses in connection with claims presented to them. If the said board of audit shall find a claim or any part thereof to be a valid, just and proper charge against the said State Bonding Fund, they shall make and file and order to that ef-

fect, stating the amount allowed upon such claim. A brief description of every claim filed against the State Bonding Fund shall be entered by the Commissioner of Insurance in a register provided for that purpose, showing the name of the claimant, the amount, and the character of the claim, the action taken by the board of audit, and the date thereof.

No action shall be maintained against the State Bonding Fund upon any claim whatever, until the claim has been first presented for allowance as hereinbefore provided, and allowance thereof refused; provided, however, that the neglect or refusal of the board of audit to act upon any claim for a period of sixty days after its presentation for allowance, shall be deemed a refusal of the claim.

No action shall be maintained against the State Bonding Fund upon any claim unless such action is brought within one year after the filing of the claim with the Commissioner of Insurance.

All claims and papers connected with claims shall be filed and remain on file with the Commissioner of Insurance; and all claims against the State Bonding Fund shall be paid upon warrants drawn by the Commissioner of Insurance upon the State Treasurer against the State Bonding Fund.

SECTION 10. Any person of corporation injured by the default or wrongful act of any such public employee may sue such public employee and join the state bonding fund as co-defendant, and in case judgment is obtained against such public employee, the judgment shall further specify that such judgment shall be paid out of any funds on hand in the State Bonding Fund, or that may thereafter accrue to such fund. In case a judgment is paid out of the State Bonding Fund in any such action, the State Bonding Fund shall be subrogated under the judgment to the right of the judgment creditor to recover against such public employee. In all proceedings to enforce such right of subrogation the Commissioner shall act for and in behalf of the State Bonding Fund, and may in any action or proceeding appeal from any appealable order or from any judgment against said State Bonding Fund the same as is provided for other parties to civil actions.

SECTION 11. If at any time, the Commissioner shall be of the opinion that the interests of the State Bonding Fund are jeopardized by the misconduct or inefficiency of any public employee, he shall make or request the state examiner to make an examination, and if necessary cause an action for an accounting to be instituted against such public employee for the purpose of requiring a complete disclosure of the business of the office of which such official is an incumbent. Such action shall be brought in the name of the Commissioner as plaintiff and the court may in such action interplead all parties concerned. If at any time the Commissioner deems it advisable, it shall be his duty to make a complaint to the Governor, requesting the Governor to institute an investigation with the purpose of removing from office any defaulting official or any official who so conducts the affairs of his office as to endanger the State Bonding Fund.

SECTION 12. The Commissioner may, after due investigation if in his judgment the interests of the State Bonding Fund require such action, cancel the liability of the Bonding Fund for the acts of any public employee, to take effect thirty days after written notice of such cancellation. In such case the official whose insurance is cancelled may secure a bond executed either by private surety or by a duly authorized company.

SECTION 13. The Commissioner shall immediately notify the public employee of such cancellation by registered mail, and the public employee shall have twenty days after the receipt of such notice within which to take an appeal from such decision of the Commissioner to the district judge of the judicial district in which the public employee resides. The judge of said court shall hear such appeal at a day to be fixed by him not less than ten nor more than thirty days after the filing of the appeal with the clerk. The case shall be tried by the court without a jury. Notice of such appeal shall be served by the appellant upon the Commissioner.

SECTION 14. Any person elected or appointed to office may furnish in lieu of such insurance provided for in this Act, a bond by personal sureties or by a surety company, but no officer or board of the state or of any county, city, town, village, school district or township shall have the right to pay for any such bond or bonds out of any public funds, except for such bonds as are procured to replace insurance cancelled by the Commissioner or to cover the excess over the amount carried in the State Bonding Fund.

SECTION 15. The State Treasurer shall deposit the State Bonding Fund in approved State depositories at the usual rate of interest paid on other funds of the state, subject to check, but whenever there is in such checking account more than \$10,000 the State Treasurer shall deposit same upon time certificates of deposit drawing the same rate of interest as other state funds deposited upon time certificates, or he may invest such funds in securities in which school funds of the state are authorized to be invested.

SECTION 16. The Commissioner shall on or about the first day of January in each year, publish in four newspapers of general circulation within the state a copy of the statement of his work and of the condition of the State Bonding Fund during the preceeding year, and he shall make a biennial report to the Governor and the Legislative Assembly containing a detailed statement of the work and the condition of said bonding fund during the preceeding biennial period.

SECTION 17. The Commissioner may reinsure any part of any Hability in excess of \$25,000 upon any one public employee at a cost not exceeding the rate of premium herein provided for, and the expense of such reinsurance shall be paid out of the State Bonding Fund.

SECTION 18. The Commissioner shall have authority to employ such clerical and other assistance and fix their compensation, and incur and pay such other expenses as may be necessary, the cost of which shall be paid from the State Bonding Fund upon warrants drawn by the Commissioner upon the State Treasurer and against the State Bonding Fund and shall in no event exceed ten per cent of the amount received into such fund in any calendar year.

SECTION 19. All the records and funds heretofore acquired, under the provisions of Chapter 62 of the laws of North Dakota for year 1915, shall be hereafter administered under the terms of this Act and all liabilities incurred or assumed under the provisions of said Act are hereby assumed under the provisions of this Act.

SECTION 20. It is hereby made the duty of the Attorney General to act as attorney for the Commissioner in any and all actions and proceedings to which the Commissioner is a party, on behalf of the State Bonding Fund.

SECTION 21. Should any section or provision of this Act be decided by the courts to be unconstitutional or invalid, the same shall not affect the validity of the Act as a whole or any part thereof, other than the part so decided to be unconstitutional.

SECTION 22. All Acts and parts of Acts insofar as they conflict with the provisions of this Act are hereby repealed.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 175.

A bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913 relating to the State trolley line, the management, maintenance and operation of the same and prescribing the duties of the State Industrial Commission in respect thereto, and repealing all Acts inconsistent there-

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

In line twenty six of Section One of the printed bill strike out the words "in the proper" and in line twenty-seven strike out the words "character and condition that he may have, in his charge."

In Section Four strike out the figures "1805" and insert in lieu thereof the figures "1804."

In line one of Section Three strike out the word "herein." And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 95.

A bill for an Act providing for the registering of the titles of all land within County under the provisions of Chapter 235 of the Laws of North Dakota for the year 1917.

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

In line 3 of the printed bill change the words thirty-five to fifteen, also in same line change the figures 35 to 15.

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred House Bill No. 103.

A bill for an Act to amend and re-enact Sections 782, 783, 784, 787, 789, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the year 1913 relating to the creation of a State Bar Board, its members, their term of office, qualifications, compensation and duties and providing for the admission of attorneys to practice, Issuance of License.

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

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 200.
 A bill for an Act to reimburse the city of Grand Forks for

certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co. Have bed the some under consideration and recommend

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

R. McCarten, Chairman.

The convoitee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom
was referred Senate Bill No. 116.

A bill for an Act making an appropriation for public printing. Have had the same under consideration and recommend that the same be amended as follows:

After line 17 of Section 1 of the printed bill, add line 18 and the following figures and words: "10,000 copies State Constitution \$500."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report: Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in Congress assembled, and approved February twenty-third, nineteen hundred seventeen; and to make an appropriation for providing vocational educational education within the state.

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

R. McCarten, Chairman.

Mr. McCarten moved that report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred Senate Bill No. 114.

A bill for an Act to appropriate money to reimburse W. J. Curren, Valley City, N. D., for moneys paid for interest during construction of buildings at the State Hospital for the Insane.

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

In line 2 of Section 1 of the Printed Bill, strike out the figures \$1,262,36 and insert in lieu thereof the figures \$888.10; in line 7 strike out the figures \$12,750 and insert in lieu thereof the figures \$11,750; in line 8 strike out the figures \$303,89 and insert in lieu thereof the figures \$256.50; in line 9 strike out the figures \$4,250.00 and insert in lieu thereof the figures \$4,000.00; in line 10 strike out the figures \$74.80 and insert in lieu thereof the figures \$62.00; in line 11 strike out the figures \$8,500.00 and insert in lieu thereof the figures \$8,250.00; in line 12 strike out the figures \$114.37 and insert in lieu thereof the figures \$108.60; in line 14 strike out the figures \$37.70 and insert in lieu thereof the figures \$27.76; in line 15 strike out the figures \$13,400.00 and insert in lieu thereof the figures \$3,000.00; in line 16 strike out the figures \$77.25 and insert in lieu thereof the figures \$24.50; in line 17 strike out the figures \$5,000.00 and insert in lieu thereof the figures \$2,000.00; in line 18 strike out the figures \$35.02 and insert in lieu thereof the figures \$11.33; in line 20 strike out the figures \$200.00 and insert in lieu thereof the figures \$25.00 and inser

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom
was referred Senate Bill No. 119.

A bill for an Act authorizing the Board of Control to erect, construction and complete a two story executive mansion on the capitol grounds and making an appropriation therefor.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report: *Mr. President*: Your committee on Appropriations to whom was referred House Bill No. 64.

A bill for an Act making an appropriation for the purpose of reimbursing the County of LaMoure, North Dakota, for moneys expended in maintaining a trachoma hospital.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 65.

A bill for an Act to appropriate the sum of \$1,900.00 for the maintenance of a trachoma hospital in the County of LaMoure State of North Dakota.

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

R. McCarten, Chairman.

Mr. M Carten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred House Bill No. 94.

A bill for an Act providing for an appropriation and levy by the county commissioners of each county in the state for the purpose of furnishing aid to night schools.

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

At the end of Section 1 add the following:

"Provided, that the school board or board of education in any district receiving aid from the county shall contribute to the maintenance of such evening school an amount equal to the amount received from the county."

In line 4 of the printed bill between the word "and" and the word "levy" insert the word "may."

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was referred House Bill No. 93.

A bill for an Act authorizing and regulating the exchange of reciprocal or inter-insurance contracts among individuals, partnership and corporations; empowering corporations to enter into such contracts; regulating process in suits on such contracts; fixing certain taxes and fees and providing penalties for violation of this Act.

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

Strike out Sub-Section G in Section 3 and insert the following: "That there is on deposit with such attorney and available for the payment of losses a sum of not less than twenty-five thousand (\$25,000.00) dollars. Provided, however that in case of liability or compensation insurance all subscribers shall be engaged in the same class of business and have annual payroll in North Dakota of not less than four million (\$4,000,000.00) dollars and a deposit with such attorney for the payment of losses not less than one hundred thousand (\$100,000.00) dollars."

Strike out all of Section 6 and insert the following: "Reserve Fund. There shall at all times be maintained as a re-

serve a sum in cash or convertible securities equal to fifty per cent of the net annual deposits collected and credited to the accounts of the subscribers on policies having one year or less to run and pro rata on those for longer periods. Net annual deposits shall be construed to mean the advance payments of subscribers after deducting therefrom the amounts specifically provided in the subscriber's agreement, for expenses. Said sum shall at no time be less than twenty-five thousand (\$25,000.00) dollars, and if at any time fifty per cent of the deposits so collected and credited shall not equal that amount, then the subscribers, or their attorney for them, shall make up any deficiency.

Strike out all of Section 12 in the engrossed bill and insert the following: "In all other respects companies organized under the provisions of this Act shall be subject to the provisons of the general laws of the State of North Dakota relating to such insurance companies.

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 was adopted.

The committee on Public Health made the following report:

Mr. President: Your committee on Public Health to whom was referred Senate Bill No. 166.

A Bill for an Act to amend and reenact Sections 1404 and 1405 of the Compiled Laws of North Dakota for the year 1913, relating to the employment of minors.

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

On page one line twelve, of the printed page, strike out the word "fourteen' and insert in lieu thereof the word "twelve."

On page 1 line 17 after the word "under" strike out the word "fourteen" and insert in lieu thereof the word "twelve."

On page 2 line 21 after the word "over" strike out the word "fourteen" and insert in lieu thereof the word "twelve."

On page 2 line 24 after the word "sections" insert the following: "provided however, that permits may be issued as hereinafter provided to children between the ages of ten and twelve to sell newspapers periodicals and magazines, between the hours of seven A. M., and 7:00 P. M."

between the hours of seven A. M., and 7:00 P. M."

On page 2 line 26 after the word "child" strike out the word "under" and insert in lieu thereof the words "between

fourteen and."

On page 3 after the word "the" strike out the words "Public Welfare Commission."

On page 3 line 17, after the word "the" strike out the words

"Public Welfare Commission."

On page 3 line 31, after the word "required" strike out the words "from such employer," and in line 32 strike out the words "the same evidence of age of such child as is required."

And when so amended recommend the same do pass.

M. MORTENSON, Chairman.

Mr. Mortenson moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Levang moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

FORTY-FIFTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 20, 1919.

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the chaplain, Rev. Bell.

Roll caill. All members present except Mr. Hemmingsen, who was excused.

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 Forty-third day after recess forty-fourth day and recommend that the same be corrected as follows: Page 1, line 13, change the figures "4544" to "4543." Page 4, line 38, take out the word "an" between the words "keep" and "accurate." Page 7, line 47, change the word "division" to "section." Page 10, line 46 correct the word "division" to "section." Page 10, line 47 correct the word "division" to "section." Page 10, line 47 correct the word "division" to "section." Page 10, line 47 correct the word "division" to "section." Page 10, line 47 correct the word "division" to "section." Page 10, line 47 correct the word "division" to "section." Page 10, line 47 correct the word "division" to "section." Page 10, line 47 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." Page 10, line 48 correct the word "division" to "section." line 16 correct the spelling of the word "pro-rate." Page 10, line 38, correct the spelling of the word "electives." Page 11, line 38, correct the spelling of the word "twenty-eighth." Page 31, line 56, correct the spelling of the word "between." Page 40, line 40, correct the spelling of the word "commissioners." Page 41, line 31, correct the spelling of the word "commissioners." Page 41, line 31, correct the spelling of the word "acquisition." On page 9, after line 24, insert the line "Forty-fourth Day."

And when so corrected recommend that the same be ap-

proved.

W. H. PORTER, Chairman pro tem.

Mr. Porter moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 28.

A bill for an Act providing for a bounty for wolves and coyotes, prescribing the method for payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year of 1917.

Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of the property of corporations, joint-stock companies or associations for taxation.

Senate Bill No. 38.

A bill for an Act providing that reports required for the

assessment of taxes heretofore made to the state auditor or to any other officer or department of state, shall be made to the state tax commissioner.

Senate Bill No. 47.

A bill for an Act amending and re-enacting Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

Senate Bill No. 55.

A bill for an Act to provide a state contingency fund to be placed at the disposal of the state emergency commission to be used as provided by Chapter 26 and 152 of the Session Laws of North Dakota for 1915; and making an appropriation of \$50,000, which shall be known as the State Contingency fund.

Senate Bill No. 77.

A bill for an Act authorizing the extension division of the agricultural college to co-operate with the bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes and other noxious predatory animals, providing appropriation therefor and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Senate Bil No. 153.

A bill for an Act to amend Section 2306 C. L. 1913, being Section 1, Chapter 161, laws 1903, relating to property sold to the state or county for taxes.

Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridge purposes, and prescribing the manner in which all township taxes shall be levied.

Senate Bill No. 183.

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session Laws of North Dakota, 1917, relating to formers' institutes.

Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plants for the manufacture and distribution of light and power and for municipal and commercial purposes and to assess abutting property in accordance with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

Senate Bill No. 195.

A bill for an Act to provide for the uniformity of warranty deeds, quit-claim deeds, real estate mortgages, satisfactions and assignments of real estate mortgages, and to enact forms of such instruments to be recorded within the state, authorizing registers of deeds to charge and collect double fees.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

Mr. McCarten moved that Senate Bill No. 72 be recalled from the governor, which motion prevailed and the bill was recalled.

Mr. McCarten moved that the vote by which House Bill No. 176 was lost be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Liederbach moved that House Bill No. 176 be made a special order of business for 4 o'clock today, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 20, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 216.

A bill for an act creating a board of arbitration to hear petitions of teachers for release from contracts; prescribing duties; to make it the duty of teachers to submit to such board the question of release from contracts to teach; and providing for the filing of findings with the board of education to be acted upon; and providing penalties for breach of teachers' contracts.

Which the House has indefinitely postponed. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH - DAKOTA. February 20, 1919.

Mr. President: I have the honor to return Senate Bill No.

A bill for an Act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the state examiner.

Which the House has amended as follows: Strike out the

word "twenty" in the last line of page one, of the engrossed bill and substitute in lieu thereof the word "forty." Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

THIRD READING OF SENATE BILLS

Senate Bill No. 91.

A bill for an Act making an appropriation for the maintenance, improvements, repairs, new buildings, equipment and miscellaneous expenses of the school for the Deaf and Dumb at Devils Lake, North Dakota.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 42; nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hunt, Hyland, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Church, Fleckten, Hamerly, Hemmingsen, Ingerson, Noltimier, Welford.

So the bill passed and the title was agreed to.

Senate Bill No. 28 was read the third time.

Mr. Gibbens moved that further action on Senate Bill No. 28 be deferred until action is taken on Senate Bill No. 77, which motion prevailed.

Mr. Hyland moved that Senate Bill No. 77 be amended by striking out the word "one" in line 3, section 3, of the engrossed bill, and inserting in lieu thereof the word "ten," which motion prevailed, and the bill was so amended.

Senate Bill No. 77.

A bill for an Act authorizing the extension division of the agricultural college to co-operate with the bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes and other noxious predatory animals, providing appropriation therefor and repealing all Acts and parts of Acts in conflict herewith.

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, none; absent and not voting, 5.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Church, Fleckten, Hemmingsen, Mostad, Ployhar.

So the bill passed and the title was agreed to.

Mr. McCarten moved that Senate Bill No. 28 be amended by striking out Sections 7 and 8 of the engrossed bill, which

motion prevailed, and the bill was so amended.

Mr. McCarten moved that Senate Bill No. 28 be amended by striking out the figure "9" after the word "Section" in Section 9, line 1, and inserting in lieu thereof the figure "7," and by striking out the figure "10" after the word "Section" in Section 10, line 1, and inserting in lieu thereof the figure "8" which motion prevailed and the bill was so amended.

Mr. McCarten moved that Senate Bill No. 28 be amended by striking out the figure "11" after the word "Section" in Section 11, line 1, and inserting in lieu thereof the figure "10," which motion prevailed and the bill was so amended.

Mr. McCarten moved that the title to Senate Bill No. 28 be amended by striking out the words "Creating a fund and providing for a levy therefor" in line 2 of the engrossed bill and inserting in lieu thereof "making an appropriation therefor," which motion prevailed and the title was so amended.

Mr. McCarten moved that Senate Bill No. 28 be amended by inserting the word "days" after the word "ninety" in line 3, Section 2 of the engrossed bill, which motion prevailed, and the bill was so amended.

Mr. McCarten moved that Senate Bill No. 28 be amended by adding after Section 8, the following:

"SECTION 9. APPROPRIATION. There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of \$40,000.00 or so much thereof as may be necessary for the payment of the bounty herein provided."

Which motion prevailed and the bill was so amended.

Mr. Jacobsen moved that Senate Bill No. 28 be amended by inserting after the word "extermination" in line 1, Section 1, the words "Provided that no bounty shall be paid for wolves killed by," which motion prevailed and the bill was so amended.

Senate Bill No. 28.

A bill for an act providing for a bounty for wolves and coyotes, prescribing the method for payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year of 1917.

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, 45; nays, 0; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Church, Hemmingsen, Levang,

Mostad.

So the bill passed and the title was agreed to.

Senate Bill No. 183.

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session Laws of North Dakota, 1917, relating to farmers' institutes.

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, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Gibbens, Hagan, Haggart, Hamerly, Hyland, Ingerson, Jacobsen, Kendall, King, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Church, Fraser, Hemmingsen, Hunt, Levang, Mostad, Ployhar.

So the bill passed and the title was agreed to.

Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plants for the manufacture and distribution of light and power for municipal and commercial purposes and to assess abutting property in accordance with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

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, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Gibbens, Hagan, Haggart, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, King, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Fraser, Hemmingsen, Hyland, Levang, Mostad, Pendray.

So the bill passed and the title was agreed to.

Mr. Welford moved that Senate Bill No. 47 be amended as follows:

In Section 7, line 2, of the bill, strike out the figure "1st" and insert in lieu thereof the figure "10th".

In Section 7, last line, after the words, "the sum of" strike out the word "forty" and insert in lieu thereof the word "fifty".

In Section 11 at the end of the last word of said Section, insert the following:

"If the owner be absent or refuses or neglects to furnish such affidavit the assessor shall certify the number of acres cropped, the description of the said land and the name of the owner, and file same with the County Auditor, and such owner shall be bound by such certificate as to the facts so certified."

In Section 12, line 3, strike out the figures "25th" and insert in lieu thereof the figures "15th."

In Section 13, line 4, strike out the word "August" and insert in lieu thereof the word "July".

In Section 18, line 13, after the word "Shall" insert the words, "leave a copy of said report with the insured, and." In same Section, strike out all of line 15 after the word "mail" and all of line 16 and insert in lieu thereof the words "the original of said report to the Commissioner of Insurance".

Strike out all of Section 25 and insert in lieu thereof the following:

"SECTION 25. All funds and records belonging to the State Hail Insurance Fund and remaining on hand with the State Treasurer and the Commissioner of Insurance shall automatically be transferred to and become a part of the fund created under this Act immediately upon its passage and approval."

After Section 26 insert the following: SECTION 27. EMERGENCY. This is hereby declared to be an emergency measure and shall be in force from and after its passage and approval.

Which motion prevailed, and the bill was so amended.

Mr. Ingerson moved that Senate Bill No. 47 be amended by striking out the first word "and" after the word "Hail" in line 13, Section 21 of the engrossed bill, which motion prevailed and the bill was so amended.

Senate Bill No. 47.

A bill for an Act amending and re-enacting Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

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, 48; nays, 0; absent and not voting, 1.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Hemmingson.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 47, the roll was called and there were ayes, 47; nays, 0; absent and not voting, 2.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart,

Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hemmingsen, Mees.

So the Emergency Clause passed.

Senate Bill No. 55.

A bill for an Act to provide a state contingency fund be placed at the disposal of the state emergency commission to be used as provided by Chapters 26 and 152 of the Session Laws of North Dakota for 1915; and making an appropriation of \$50,000, which shall be known as the State Contingency Fund.

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 vot-

Ayes-Beck, Benson, Berg, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, St Ward, Weber, Welford, Wenstrom, Whitman, Zieman. Absent and not voting: Cahill, Hemmingsen, Hunt. So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 20, 1919.

Mr. President: I have the honor to return Senate Bill No. 111.

A bill for an act to amend Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of cities, towns or villages.

Which the House has amended as follows:

In line one of the title after the word "amend" insert the words "and re-enact".

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 20, 1919.

Mr. President: I have the honor to return Senate Bill No.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the income of persons, corporations, jointstock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deduction in certain cases; prescribed a method of assessing and collecting said cax; prescribing penalties for non-conformance with the provisions of this Act and repealing all acts and parts of acts in conflict herewith.

Which the House has amended as follows: Sec. 5, line 14.

To strike out the word (Lands) after the words North Dakota, and insert in lieu thereof the words (Real Property). Sec. 6. Sub. Div. 3, line 4.

After the word state, strike out the word (Not). Sec. 6. Sub. Div. B, line 10.

Insert the word (and) between the words (Within Without). Sec. 10. Sub. Div. C, line 10.

After the word corporations, strike out the word (with), and insert in lieu thereof the word (Within). Sec. 11. Sub. Div. 10 of the printed bill.

Strike out the word (or) after the word "crop", and insert the words (or Life) after the word "fire". Sec. 11. Page 20, line 12 of the printed bill.

Strike out the word "domestic." Sec. 12. Sub. Div. B, line 4.

After the word shall, strike out the word (No) and insert in lieu thereof the word (Not). Sec. 12. Sub. Div. 4.

After the words North Dakota, strike out the word (Lands) and insert in lieu thereof (Real Property).

Sec. 23. After the word shall strike out the word (Preside) and insert in lieu thereof the word (Reside).

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 20, 1919.

Mr. President: I have the honor to return Senate Bill No. 86.

Senate Bill No. 86.

A Bill for an Act to repeal Sections 2619, 2620 and 2621 of the compiled Laws of North Dakota for the year 1913, and to amend and re-enact Section 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

Which the House has amended as follows:

In Section three, line four of the engrossed bill, strike out the word "double" and in line five, same section, strike out the words "amount of".

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 20, 1919.

Mr. President: I have the honor to return Senate Bill No. 112.

A bill for an Act to encourage and promote the teaching

of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Which the House has amended as follows:

In Section four, line two of the printed bill, strike out the word "shall" and insert the word "may," also strike out the emergency.

Very respectfully,

GEO. A. TOTTEN, JB., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA. February 20, 1919.

Mr. President: I have the honor to request the return of Senate Bills Nos. 69 and 216 for further consideration by the House.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 20, 1919.

Mr. President: I have the honor to ask the return of House Bill No. 34 for further consideration by the House.

To which your favorable consideration is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Hyland moved that further consideration of House Bill No. 176 be indefinitely postponed, which motion was duly seconded.

Mr. Liederbach moved that the motion to indefinitely postpone be laid upon the table, which motion prevailed.

Mr. Hyland moved that House Bill No. 176 be amended by inserting at the end of Section 1 of the bill: "Provided that before applicant shall be licensed to practice chiropractic in this state said applicant shall have the same college attainments as are required from physicians under Section 466 of the Laws of North Dakota for 1913, which motion was duly seconded.

Mr. Liederbach moved that the motion be laid upon the table, which motion was lost.

The question being on the motion to amend the bill, the motion was lost.

Mr. Liederbach moved that House Bill No. 176 be placed upon third reading and final passage, which motion prevailed.

House Bill No. 176.

A bill for an Act relating to the practice of Chiropractic in the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Drown, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mortenson, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Wenstrom.

Nays—Beck, Carey, Church, Ettestad, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, McCarten, Mees, Mostad, Murphy, Nelson, Noltimier, Ployhar, Porter, Stenmo, Storstad, Welford, Whitman, Zieman.

Absent and not voting: Hemmingsen.

So the bill passed and the title was agreed to.

Mr. Drown moved that the vote by which House Bill No. 176 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Fraser moved that Senate Bill No. 195 be placed at the foot of the calendar, which motion prevailed.

The Senate returned to the Eighth Order of Business.

MOTIONS AND RESOLUTIONS

Mr. Liederbach moved that the Senate do not concur in House amendments to Senate Bill No. 86, and that a conference committee of three be appointed, which motion prevailed.

Mr. Hagan moved that the Senate do not concur in House amendments to Senate Bill No. 145, and that a conference committee of three be appointed, which motion prevailed.

Mr. Bowman moved that the Senate do now concur in House amendments to Senate Bill No. 111, which motion prevailed.

Senate Bill No. 111.

A bill for an act to amend Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of cities, towns or villages.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Hagan, Haggart, Hamerly, Hunt, Jacobsen, Kendall, King, Levang, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Welford, Whitman, Zieman.

Absent and not voting: Fleckten, Fraser, Gibbens, Hemmingsen, Hyland, Ingerson, Liederbach, McBride, McCarten, Noltimier, Oksendahl, Weber, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Stenmo moved that the Senate do now concur in House amendments to Senate Bill No. 112, which motion prevailed.

Senate Bill No. 112.

A bill for an Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Ayes—Beck, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fraser, Hagan, Haggart, Hamerly, Hyland, Jacobsen, King, Levang, McBride, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Benson, Fleckten, Gibbens, Hemmingsen, Hunt, Ingerson, Kendall, Liederbach, McCarten, Mostad, Noltimier, Oksendahl, Porter, Ward, Weber.

So the bill passed and the title was agreed to.

Mr. Jacobsen moved that the vote by which the motion to reconsider the vote by which House Bill No. 34 was passed on the 30th day of January, 1919, as shown by the journal on page 6 of that day, be laid on the table, be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Jacobsen moved that the vote by which House Bill No. 34 was passed on the 30th day of January, 1919, be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Jacobsen moved that House Bill No. 34 be returned to the House in accordance with its request, which motion prevailed and the bill was returned.

Mr. Church asked the unanimous consent of the Senate for permission to introduce a bill, and the unanimous consent of the Senate was given.

Mr. Mees moved that Senate Bill No. 143 be placed at the head of the calendar.

THIRD READING OF SENATE BILLS

Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not

voting, 8.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Whitman, Zieman.

Absent and not voting: Drown, Hemmingsen, King, Mostad,

Nelson, Ployhar, Welford, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 143 passed be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Mees moved that Senate Bill No. 143 be amended by inserting after Section 6 the following:

SECTION 7.—DUTY OF COUNTY AGENT. It shall be the duty of the county agent of each county to aid, assist and advise the county commissioners and the residents of such county in carrying out the provisions of this act.

SECTION 8.—EMERGENCY. This act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

Which motion prevailed and the bill was so amended.

Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Fleckten, Fraser, Gibbens, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederback, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Church, Ettestad, Hagan, Hemmingsen, Nelson, Storstad, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 143 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 143, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Bowman, Church, Hagan, Hemmingsen, Nelson, Storstad, Wenstrom.

So the Emergency Clause passed.

Mr. Mees 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. 38.

A bill for an Act providing that reports required for the assessment of taxes heretofore made to the State Auditor or to any other officer or department of state, shall be made to the state tax commissioner.

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, 7.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Whitman

Absent and not voting: Beck, Fraser, Gibbens, Hemmingsen, Nelson, Storstad, Wenstrom, Zieman.

So the bill passed and the title was agreed to

The question being on the Emergency Clause to Senate Bill No. 38, the roll was called and there were ayes, 38; nays, 1; absent and not voting, 10.

Ayes—Benson, Berg, Bowman, Cahill, Carey ,Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Nays-Gibbens.

Absent and not voting: Beck, Fraser, Hemmingsen, Levang, McBride, Nelson, Oksendahl, Porter, Storstad, Wenstrom.

So the Emergency Clause passed.

Senate Bill No. 153.

A bill for an Act to amend Section 2306 C. L. 1913, being Section 1, Chapter 161, laws 1903, relating to property sold to the state or county for taxes.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Church, Fleckten, Hemmingsen, Kendall, Nelson, Porter, Storstad.

So the bill passed and the title was agreed to.

Mr. Jacobsen moved that Senate Bill No. 174 be amended by inserting the words "and re-enact" after the words "amended" in line 2, Section 1, of the engrossed bill, which motion prevailed and the bill was so amended.

Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and

bridge purposes, and prescribing the manner in which all township taxes shall be levied.

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, none; absent and not voting, 12.

Ayes-Benson Berg, Bowman, Carey, Church, Drown. Ettestad, Gibbens, Hagan, Haggart, Hamerly, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Beck, Cahill, Fleckten, Fraser, Hemmingsen, Hunt, Hyland, McBride, Nelson, Porter, Stor-

stad, Weber.

So the bill passed and the title was agreed to.

The question being on the emergency clause, to Senate Bill No. 174. The roll was called and there were ayes, 37; nays, none; absent and not voting, 12.

Ayes—Benson, Berg, Carey, Church, Drown, Ettestad, Gibbens, Haggart, Hamerly, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Beck Bowman, Cahill, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Hyland, McBride, Nelson, Storstad, Weber.

So the emergency clause passed.

Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of property of corporations, joint-stock companies or associations for taxation.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 39; nays, none; absent

and not voting, 10.

Ayes—Benson, Berg, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Rieckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Beck, Bowman, Cahill, Hemmingsen, Hyland, Liederbach, McBride, Nelson, Porter, Storstad. So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 33. The roll was called and there were ayes, 40; nays,

none; absent and not voting, 9.
Ayes—Benson, Berg, Carey, Church, Drown, Ettestad, Fleckten, Gibbens, Hagan, Haggart, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman Timers, Ti man, Zieman.

Absent and not voting—Beck, Bowman, Cahill, Fraser, Hemmingsen, Hyland, Liederbach, McBride, Nelson.

So the emergency clause passed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 120.

A bill for an Act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

Also Senate Bill No. 140.

A bill for an Act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports of health officers; empowering health boards to regulate, made rules to regulate and control such diseases and providing penalty and repeal.

Also Senate Bill No. 170.

A Concurrent Resolution amending the Constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the County of Morton, to that of The State Training School.

Also Senate Bill No. 198.

A bill for an Act legalizing certain Acts of city, village and school district officials.

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

INTRODUCTION, FIRST AND SECOND READING OF SENATE BILLS

Mr. Church introduced Senate Bill No. 220.

A bill for an Act to amend and re-enact Section 1224 of the Compiled Laws of North Dakota for the year 1913, relating to the tax of two mills on the dollar on taxable property for the school districts of the county.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

The President appointed as a conference committee on Senate Bill No. 86, Messrs, Hunt, Ingerson and Liederbach, and on Senate Bill No. 145, Messrs, Hagan, Olson and Weber.

Mr. Mees moved that the Senate do now take a recess to 1 o'clock p. m., February 21, 1919, which motion prevailed and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR FEB. 21, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 195.

A bill for an Act to provide for the uniformity of warranty deeds, quit-claim deeds, real estate mortgages, satisfactions and assignments of real estate mortgages, and to enact forms of such instruments to be recorded within the state, authorizing registers of deeds to charge and collect double fees.

Senate Eill No. 48.

A Bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15 and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 175.

A Bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913 relating to the State trolley line, the management, maintenance and operation of the same and prescribing the duties of the State Industrial Commission in respect thereto, and repealing all Acts and parts of Acts inconsistent therewith.

Senate Bill No. 95.

A Bill for an Act providing for the registering of the titles of all of the land within a county under the provisions of Chapter 235 of the Laws of North Dakota for the year 1917.

Senate Bill No. 116.

A Bill for an Act making an appropriation for public printing.

Senate Bill No. 63.

A Bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in Congress assembled, and approved February twenty-third, nineteen hundred seventeen; and to make an appropriation for providing vocational educational education within the state.

Senate Bill No. 114.

A Bill for an Act to appropriate money to reimburse W. J. Curren, Valley City. N. D., for moneys paid for interest during construction of buildings at the State Hospital for the Insane.

Senate Bill No. 119.

A Bill for an Act authorizing the Board of Control to erect, construct and complete a two story executive mansion on the capitol grounds and making an appropriation therefor.

Senate Bill No. 166.

A Bill for an Act to amend and re-enact Sections 1404 and 1405, of the Compiled Laws of North Dakota for the year 1913, relating to the employment of minors.

THIRD READING OF HOUSE BILLS

House Bill No. 102.

A Bill for an Act to amend and re-enact Section 4541 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4543 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 88.

A Bill for an Act to provide for the organization or admission and the regulation and taxation of Incorporated Mutual Insurance Companies other than life.

House Bill No. 111.

A Bill for an Act defining Mutual Telephone Companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

House Bill No. 56.

A Bill for an Act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments providing for the administration of such fund by a Workmen's Compensation Eureau in the Department of Agriculture and Labor and making an appropriation therefor.

House Bill No. 97.

A Bill for an Act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate, control and fix rates, charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and all other Acts or parts of Acts in conflict with the provisions of this Act.

House Bill No. 103.

A Pill for an Act to amend and re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the year 1913 relating to the creation of a Senate Bar Board, its members, their term of office, qualifications, compensation and duties and providing for the admission of attorneys to practice. Issuance of Licenses.

House Bill No. 64.

A Pill for an Act making an appropriation for the purpose of reimbursing the County of LaMoure, North Dakota, for moneys expended in maintaining a trachoma hospital.

House Bill No. 65.

For an Act to appropriate the sum of \$1900.00 for the maintenance of a trachoma hospital in the County of La-Moure, State of North Dakota.

House Bill No. 94.

A Bill for an Act providing for an appropriation and levy by the county commissioners of each county in the state for the purpose of furnishing aid to night schools.

House Bill No. 93.

A Bill for an Act authorizing and regulating the exchange of reciprocal or inter-insurance contracts among individuals, partnerships and corporations; empowering corporations to enter into such contracts; regulating process in suits on such contracts; fixing certain taxes and fees and providing penalties for violation of this act.

FORTY-FIFTH DAY AFTER RECESS AND FORTY-SIXTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 21, 1919.

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

The Senate returned to the 6th order of business.

The committee on Taxes and Tax Laws made the following report :

Mr. President: Your committee on Taxes and Tax Laws to

whom was referred Senate Bill No. 173.

A bill for an Act to amend and re-enact Chapter 111 of the Laws of North Dakota for the year 1915; same being Section 2150 of the Compiled Laws of 1913 relating to the rate of levy for State and County roads and bridges and providing for levy for sinking fund.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

THOMAS PENDRAY, Chairman.

The committee on Temperance made the following report: Mr. President: Your committee on Temperance to whom

was referred Senate Bill No. 18.

A bill for an Act to amend and re-enact Sections one and two of Chapter 236 of the Laws of North Dakota for the year 1915 relative to the Board of Nurse Examiners of the State of

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

J. P. HEMMINGSEN, Chairman.

The committee on Temperance made the following report: Mr. President: Your committee on Temperance to whom was referred Senate Bill No. 204.

A bill for an Act to amend Section 9238, Compiled Laws 1913 as amended by Chapter 223, of the Session Laws of 1917, relating to sports on the first day of the week.

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

J. P. HEMMINGSEN, Chairman.

The committee on Temperance made the following report: Your committee on Temperance to whom was referred Senate Bill No. 151.

A bill for an Act to provide for the guardianship of dissolute women.

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

J. P. HEMMINGSEN, Chairman.

The committee on Temperance made the following report:

Mr. President: Your committee on Temperance to whom
was referred Senate Bill No. 152.

A bill for an Act to repeal Chapter 69 of the Laws of 1913, being Sections 10,184 and 10,185, Compiled Laws of 1913, forbidding the sale of cigarettes.

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

J. P. HEMMINGSEN, Chairman.

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

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

Strike out all that follows the words "A bill," and insert in the place thereof the following:

For an Act providing for the limitation of tax levies and debt limits in counties and political subdivisions thereof, and relating to the salaries, powers and duties of public officials when based upon the assessed valuation of property in such counties, or political sub-divisions.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. For the years 1919 and 1920, the total annual amount of the taxes levied for any purpose, except special levies for local improvements and for the maintenance of sinking funds in any county or political subdivision thereof shall not exceed by more than ten per sent the amount that would be produced by the levy of the maximum rate provided by law upon the assessed valuation of 1918; provided, that for road or school purposes the amount levied may be twenty per cent for 1919 and forty per cent for 1920, respectively, upon the basis of the assessed valuation of 1918.

SECTION 2. No salary of any official now determined on the basis of the amount of the assessed valuation of the taxable property in any county or political subdivision thereof shall be increased, prior to July first, 1921, beyond the amount now authorized on the basis of the assessed valuation of 1918.

SECTION 3. In any case wherein any duty or power is impossed or conferred by law upon any official in any county or political subdivision thereof and such duty or power is contingent upon the assessed valuation of the taxable property in such county or political subdivision, prior to July first, 1921, such duty or power shall rest upon and be conditioned by the assessed valuation of 1918, except as provided in Section one hereof.

SECTION 4. The debt limit of any county or political subdivision thereof shall not be increased, prior to July 1st, 1921, more than twenty-five per cent annually above the limit now fixed by law upon the basis of the assessed valuation of 1918.

SECTION 5. All Acts or parts of Acts, insofar as inconsistent with the provisions of this Act, are hereby repealed.

SECTION 6. This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

THOMAS A. PENDRAY, Chairman.

Mr Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Temperance, made the following report: Mr. President: Your committee on Temperance to whom was referred House Bill No. 68.

A bill for an Act defining the crime of gambling; fixing the punishment therefore; and providing certain rules of evidence in prosecutions thereunder.

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

J. P. HEMMINGSEN, Chairman.

Mr. Hemmingsen moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Temperance made the following report: Mr. President: Your committee on Temperance to whom was referred House Bill No. 66.

A bill for Act to prohibit the liquor trafic and provide exceptions, regulations, for inforcement and penalty.

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

J. P. HEMMINGSEN, Chairmai.

Mr. Hemmingsen moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 98.

A bill for an Act appropriating the sum of One Hundred Thousand Dollars for the biennial period beginning July 1, 1919 to be used as aid to consolidated rural school districts for transportation of school children therein; providing for the apportionment thereof among the counties of the state and the varous consolidated school districts therein; designating the time of payment and the duties of the State Superintendent of Public Instruction, County Superintendent of Schools, County Trasurer and the State Auditor with respect thereto.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. McCarten, Chairman.

The committee on Appropriations made the following report :

Mr. President: Your committee on Appropriations to wiom was referred Senate Bill No. 118.

A bill for an Act authorizing the appointment of an overseer to supervise the repairing and upkeep of each state owned building, and providing an appropriation therefor.

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

R. McCarten, Chairman.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 110.

A bill for an Act entitled 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 and as amended by Chapter 8, of the laws passed at the special session of the Fifteenth Legislative Assembly in January 1918, relating to maintaining patients in the Hospital for the Insane.

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

R. McCarten, Chairman.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this

Have had the same under consideration and recommend

that the same be amended as follows:

In the third line of Section 7 of the Engrossed Bill, strike out the figures and word "\$2000 annually" and insert in lieu thereof the figures and words "\$4.000 for the biennium,"

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 106.

A bill for an Act making an appropriation for the Current and Contingent Expenses, Maintenance, Improvements and Repairs, New Buildings and equipment, and Miscellaneous Expenses of the Hospital for the Insane.

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

In line 3 of Section 1 of the Printed Bill, strike out the figures "\$299,415.00" and insert in lieu thereof the figures "\$311-965.00;" in line 9 strike ou the figures "5,000" and "10,000" and insert in lieu thereof the figures "10,000" and "20,000" respectively; strike out all of line 17 and insert in lieu thereof the following words and figures: "Laboratory and Mortuary 2,500;" strike out all of line 22 and insert in lieu thereof the following words and figures: "Chicken House Addition 750;" in line 30 strike out the figures "2,750" and "5,500" and insert in lieu thereof the figures "6,000" and "12,000" respectively; lin line 37 strike out the figures "5,000" and insert in lieu thereof the figures "12,800," and in line 40 strike out the figures "\$299,415.00" and insert in lieu thereof the figures "\$311,965.00."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom . was referred Senate Bill No. 103.

A bill for an Act to appropriate \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 of the Session Laws of North Dakota, 1917.

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

In the third line of the Title of the Printed Bill, after the word "Dakota," strike out the comma and insert in lieu thereof the words "for the year."

In line 5 of Section 1 of the Printed Bill, after the word "Dakota," strike out the comma and insert in lieu thereof the words "for the year."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 93.

A bill for an Act making appropriations for the maintenance, improvements and repairs of the State Capitol.

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

In line 3 of Section 1 of the Printed Bill, strike out the figures \$75,509.00" and insert in lieu thereof the figures "\$81,-884.00."

In line 18 of Section 1 of the Printed Bill, strike out the words "Gov. Chauffeur" and insert in lieu thereof the words "Caretaker Executive Mansion."

After line 21 of Section 1 of the Printed Bill. add line 21½ and the following words and figures: "Night Watchman 1,116 2,232."

In line 36 of Section 1 of the Printed Bill, strike out the figures "4,857" and insert in lieu thereof the figures "9,000."

In line 38 of Section 1 of the Printed Bill, strike out the figures "\$75,509,00" and insert in lieu thereof the figures "\$81,884.00."

In line 7 of Section 2 of the Printed Bill, strike out the figures "\$4,857.00" and insert in lieu there of the figures "\$9,000.00."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 22.

A bill for an Act providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, prescribing his duties, providing for the printing, publishing and distributing of Supreme Court reports and granting power to the Supreme Court concerning the same and repealing all Acts inconsistent therewith.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report 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. 134.

A Bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such in-stitutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all Acts and parts of Acts in conflict herewith.

Have had the same under consideration and recommend

the same be amended as follows:

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

the following:

FOR AN ACT creating the "Board of Administration" for the general supervision and administration of all State Penal, Charitable and Educational Institutions, and the general supervision of the public schools of the State, defining its powers and duties, making an appropriation, and repealing all Acts and parts of Acts in conflict herewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY

OF THE STATE OF NORTH DAKOTA:

SECTION 1. There is hereby created the "Board of Administration" for the general supervision and administration of all State Penal, Charitable and Educational Institutions, and the general supervision of the public and common schools of the state. Said Board shall consist of five members, the State Superintendent of Public Instruction and the Commissioner of Agriculture and Labor who shall be ex-officio members of said Board, and three other members who shall be appointed by the Governor within ten days after this Act takes effect. The members so appointed shall hold their office as follows: One until July 1, 1921, one until July 1, 1923, and one until July 1, 1925, as designated by the Governor; and thereafter the appointment of the members of said Board shall be for a term of six years and until their Successors are appointed and qualified; provided however. successors are appointed and qualified; provided, however, that the Governor may remove any appointive member of said Board for cause.

The appointive members of said Board shall SECTION 2.

give all their time to the duties of said office, and shall furnish bond in the sum of ten thousand dollars in manner required by law, and each of them shall take oath of office and qualify in the same manner as other state officials, and shall receive a salary of Three Thousand Dollars per annum and all traveling and necessary expenses while in the discharge of their official duties.

SECTION 3. The members of said Board shall meet at Bismarck within twenty days after this Act takes effect and organize by electing one of the members thereof Chairman of said board. A majority of said Board shall constitute a quorum for the transaction of business. Said Board shall be provided with suitable offices at the State Capitol.

SECTION 4. The Board of Administration may employ a Secretary, whose salary shall not exceed Three Thousand Dollars per annum; and it may employ such other administrative assistants, officers, directors of vocational training and all school inspectors, business managers, accountants, and employees as may be necessary, and fix the compensation of the same within the appropriation made for such purpose.

SECTION 5. The Board of Administration shall assume all the powers and perform all the duties of the State Board of Education, State Board of Regents, State Board of Control, State Board of Normal School Trustees, Board of Directors of the North Dakota School of Forestry, and the Eoard of Trustees of the County Agricultural and Training Schools, as are now exercised by any and all of said Boards, and it shall succeed to the possesison on behalf of the State, or any political subdivision thereof, of all records, documents reports and appurtenances of all kinds now held by any and all of said Boards.

SECTION 6. Said Board shall have charge and supervision of the certification of teachers; standardization of schools; examination for Eighth grade and High School pupils: preparation of courses of study for the several classes of public schools, common schools and State Institutions; and shall have power and authority to provide a method for promoting co-ordination and uniformity of the educational bromoting co-ordinaton and unitarity of the educations system of the State; to adopt and establish uniform text books for all educational institutions, public schools and common schools of this State; and to provide a method and system for the management, control and operation of all other State institutions subject to the jurisdiction of said Board; to make any and all necessary rules and regulations for its own official procedure and for the general administration, supervision, management and control of the various penal, charitable and educational institutions and for the general supervision of the public and common schools of the tate; to adopt and establish a uniform system of accounting and auditing for all such schools and institutions under its control and supervision; to investigate and prepare a comprehensive and instructive program for the extension and development of the school system and of educational institutions, including a comprehensive and constructive building program for such schools and institutions.

SECTION 7. The powers and duties of the State Superintendent of Public Instruction, as heretofore provided by law shall be subject to the supervision and control of the

Board of Administration, only insofar, as such powers and duties were by law subject to the supervision and control of any and all of the Boards mentioned in Section 5 of this Act.

SECTION 8. The Board of Administration shall file a report on or before the 1st day of November in each year with the Governor of the State.

SECTION 9. There is hereby appropriated out of any funds in the State Treasury not otherwise appropriated the sum of Forty Thousand Dollars annually, or as much there of as may be necessary to carry out the provisions of this Act. All salaries and expenditures shall remain within the appropriation herein, and shall be paid by the State Treasurer upon warrant of the State Auditor in the man-ner provided by law.

SECTION 10. All Acts and parts of Acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 196.

A Concurrent Resolution for a Constitutional amendment requiring that Legislative acts relative to business or industrial undertakings by the state, a county, city, village or township be submitted to the people for approval.

A Concurrent Resolution to amend the Constitution of the State of North Dakota by adding a section thereto requiring that Legislative acts authorizing the state or a county, city, village or township to engage in business or industrial undertaking, be submitted to the people for their approval.

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

J. I. CAHILL, Chairman.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA. February 21, 1919.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 124.

A Bill for an Act providing for judicial districts, judges, thereof, terms of court to be held therein and the powers and duties of such courts and the procedure therein, and repealing all Acts and parts of Acts in conflict therewith.
Which the House has passed and your favorable consid-

eration is respectfully requested.

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

The Senate Returned to the Fourteenth order of Business.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 124.

A Bill for an Act providing for judicial districts, judges, thereof, terms of court to be held therein and the powers and duties of such courts and the procedure therein, and repealing all Acts and parts of Acts in conflict therewith.

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

A Concurrent Resolution introduced by Mr. Mostad.

WHEREAS, the Government of the United States has taken control of all the railroads in the United States during the great world war, and

WHEREAS, the Government of the United States has not had control of the railroads for a sufficient period of time to fairly test the desirability of permanent government control of railroads, and

WHEREAS, Director General McAdoo has recommended to Congress that the railroads of the United States be under government control for a period of five years from and after the 1st of January 1919, and

WHEREAS, it is the sense of this Legislature that the government should try out thoroughly the feasibility of government control and ownership of railroads, and

WHEREAS, five years appears to be no more than a reasonable time to give such a question a fair and thorough trial therefore,

BE IT RESOLVED by the Senate the House of Representatives concurring:

That they urge Congress to pass such Legislation as is necessary to authorize government control of all the railroads in the U.S., for a period of five years from and after the 1st of January 1919.

BE IT FURTHER RESOLVED: That the Secretary of State send a copy of this Resolution, one to each Senator and member of Congress for North Dakota and to the chairman of the committee on railroads of the National Senate and House of Representatives.

Mr. Welford moved that the resolution be adopted, which motion prevailed and the resolution was adopted.

Mr. Storstad moved that Senate Bill No. 195 be placed at the foot of the calendar, which motion prevailed.

THIRD READING OF HOUSE BILLS

House Bill No. 102.

A Bill for an Act to amend and re-enact Section 4544 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4543 of the Compiled Laws of North Dakota for the year 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, 41; nays, 3; absent and not voting, 5.

Aves-Beck, Benson, Berg, Bowman, Cahill, Carey, Church,

Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Ingerson, Kendall, King, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl. Olson, Polyhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Hyland, Jacobsen, Whitman.

Absent and not voting—Drown, Hemmingsen, Levang, Mees, Pendray.

So the bill passed and the title was agreed to.

House Bill No. 88.

A Bill for an Act to provide for the organization or admission and the regulation and taxation of Incorporated Mutual Insurance Companies other than life.

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, 5.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown. Ettestad, Fraser, Gibbens, Hagen, Haggart, Humerly, Hunt, Hyland, Ingerson Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Polyhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Fleckten, Hemmingsen, Mees, McCarten, Morkrid.

So the bill passed and the title was agreed to.

Mr. Bowman moved that House Bill No. 111 be made a special order of business for 4 o'clock which motion prevailed.

Mr. King moved that the Senate do now adjourn, which

W. J. PRATER, Secretary.

FORTY-SIXTH DAY

Senate Chamber

BISMARCK, NORTH DAKOTA, February 21, 1919.

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

Prayer was offered by the Chaplain, Rev. Bell.

Roll Call.

All members present except Mr. Hemmingsen who was excused.

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 Forty-fourth day after recess, and forty-fifth day and recommend that the same be corrected as follows:

On page 2, line 39, correct the spelling of the word "and."
On page 6, line 5, correct the spelling of the word "as-

On page 9, line 26, strike out the word "each" and substitute the word "such."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

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

PETITIONS AND COMMUNICATIONS

TO OUR HONORABLE SENATOR AND REPRESENTATIVES OF RANSOM COUNTY, NORTH DAKOTA:

We, the undersigned citizens and artesian well owners of Ransom County, do hereby protest against the passage of House Bill No. 188, or any other bill giving the State Engineer or anyone else power to control, measure or test our wells, knowing as we do that measuring the flow and teeting will often times cause wells to become dirty and remain so for days and weeks, and sometimes causes them to clog, thereby destroying the usefulness of them.

Therefore, we petition you to vote and use your influence

against the passage of this bill.

J. L. McWILLIAMS, Lisbon, N. D., and 27 others.

Cooperstown, N. Dak. February 14, 1919.

Honorable J. L. Miklethun, Bismarck, North Dakota.

Dear Sir:

We are writing to you to ask you if you will use your influence and vote to keep our anti-cigarette law in force, and also work against Senate Bill No. 204 permitting Sunday Base Ball.

To keep things clean and right for our children here in North Dakota is a duty and privilege that we all should encourage and we respectfully ask your support and cooperation.

Sincerely yours,

MRS W. H. BUTLER, MRS E. S. HAMILTON.

Cooperstown, N. Dak. February 14, 1919.

Hon. J. L. Miklethun, Bismarck, N. Dak.

Dear Sir:

I am writing to call your attention to the Bill No. 152 repealing our Anti-Cigarette Law, and Bill 204 permitting Sun-

day Base Ball.

I feel that we have a duty and privilege in keeping conditions as near right as possible for our children here in North Dakota, and we respectfully ask your good support and cooperation in keeping the Anti-Cigarette Law, and the Sunday Base Ball Laws on the Statutes.

Very respectfully,

ELLA T. BARTLETT and 12 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 15.

A Bill for an Act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasolines, and other low flash test petroleum products, providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriation for carrying out the provisions of this act.

Senate Bill No. 19.

A bill for an Act declaring the purpose of the State of North Daketa to engage in the enterprise of providing homes for residents of this state and to that end to establish a business system operated by the state under the name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management.

Senate Bill No. 20.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management

Senate Bill No. 43.

A bill for an Act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Senate Bill No. 49.

A bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the investment of university and school land funds.

Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

Senate Bill No. 36.

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows:

Senate Bill No. 177.

A Concurrent Resolution. And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 48.

A Bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15, and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefics of an Act to promote vocational education passed by the Serate and House of Representatives of the United States of America, in Congress assembled, and approved February twenty-third, nineteen hundred seventeen; and to make an appropriation for providing vocational educational education within the state.

Senate Bill No. 95.

A Bill for an Act providing for the registering of the titles of all of the land within a county under the provisions of Chapter 235 of the Laws of North Dakota for the year 1917.

Senate Bill No. 114.

A Bill for an Act to appropriate money to reimburse V. J. Curren, Valley City, N. D., for moneys paid for interest during construction of buildings at the State Hospital for the Insane.

Senate Bill No. 116.

A Bill for an Act making an appropriation for public printing.

Senate Bill No. 119.

A Bill for an Act authorizing the Board of Control to erect, construct and complete a two story executive mansion on the capitol grounds and making an appropriation therefor,

Senate Bill No. 166.

A Bill for an Act to amend and re-enact Sections 1404 and 1405, of the Compiled Laws of North Dakota for the year 1913, relating to the employment of minors.

Senate Bill No. 175.

A Bill for an Act amending and re-enacting Article 2 (f Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913 relating to the State trolley line, the management, maintenance and operation of the same and prescribing the duties of the State

Industrial Commission in respect thereto, and repealing all Acts and parts of Acts inconsistent therewith.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 28.

A bill for an Act providing for a bounty for wolves and coyotes, prescribing the method for payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year of 1917.

Senate Bill No. 47.

A bill for an Act amending and re-enacting Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

Senate Bill No. 77.

A bill for an Act authorizing the extension division of the agricultural college to co-operate with the bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes and other noxious predatory animals, providing appropriation therefor and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridge purposes, and prescribing the manner in which all township taxes shall be levied.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted. The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred Senate Bill No. 138.

A bill for an Act to amend and re-enact Section 1147 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the formation of new common school districts.

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

Strike out everything after line three in printed bill, and insert in lieu thereof the following:

SECTION 1147. NEW COMMON SCHOOL DISTRICTS. HOW ORGANIZED. The board of county commissioners may organize a new school district from another school district or from portions of school districts already organized, if in their judgment the organization of a new district is desirable and necessary, upon being petitioned so to do by at least a majority of the school voters residing in the districts whose boundaries will be affected by the organization of a new district and by at least three-fourths of the residents of the territory to be included in the new district, provided, that when a common school district contains within its boundaries a village, town or city, the board of county commissioners may organize a new common school district from territory lying three or more miles by section line outside of the corporate limits of such village, town or city, when petitioned so to do by two-thirds of the voters residing within the territory to be included in such proposed new district. Provided, that when the districts from portions of which any new district is sought to be organized lie in two or more adjoining counties, such new districts shall be organized by the concurrent action of the boards of county commissioners of such counties.

Provided further, that action upon such organizations shall be taken only at the July meeting of the county commissioners.

Provided also that all assets and liabilities of a district or districts affected by a change of boundaries shall be equalized according to Section 1327 of the Compiled Laws of North Dakota for the year 1913.

And when so amended recommend the same do pass,

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred House Bill No. 161.

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, relating to Deputy County Superintendents of Schools, and compensation therefor.

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

In the title of printed bill insert the following after the figures "1913": "as amended by chapter 208 of the Session Laws for 1917"; also insert the same words after "North Dakota" in line 2 of bill. In title strike out: "Deputy County Superintendents of Schools, and compensation therefor" and

insert in lieu thereof: "the office of County Superintendents of Schools."

In line 1 insert after Section 1, the words: "Amendment. That." To the House amendment to the printed bill in line 7, being the words, to-wit: "provided further that no office deputy shall receive more than one-hundred dollars per month salary" add the following words: "and not less than seventy-five dollars".

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Stenmo moved that the report of the committee indefinitely postponing Senate Bill No. 185 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Stenmo moved that the report of the committee indefinitely postponing Senate Bill No. 203 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that further action on the report of the committee indefinitely postponing Senate Bill No. 200, be deferred until the next legislative day, which motion prevailed.

Mr. Bowman moved that the report of the committee indefinitely postponing Senate Bill No. 151 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Hagan moved that further action on the report of the committee indefinitely postponing Senate Bill No. 18 be deferred until the next legislative day, which motion prevailed.

Mr. Bowman moved that the report of the committee indefinitely postponing Senate Bill No. 204 be adopted, which motion was duly seconded.

Mr. Hyland moved as an amendment that further action on the report of the committee be deferred until next Monday, February 24, 1919, which motion prevailed.

Mr. Pendray moved that the report of the committee indefinitely postponing Senate Bill No. 173 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Bowman moved that the report of the committee indefinitely postponing Senate Bill No. 52 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 98, be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 118 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 110 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Bowman moved that the report of the committee indefinitely postponing Senate Bill No. 196 be adopted, which motion was duly seconded.

Mr. Gibbens moved as an amendment that Senate Bill No. 196 be placed on its third reading and final passage, which motion was lost.

The question being on the motion to adopt the report of the committee. The motion prevailed, and the report of the committee was adopted.

A Concurrent Resolution introduced by Mr. Pendray.

A concurrent resolution petitioning the congress of the United States for sufficient and ample appropriations to provide for the maintenance and continuance of the federal employment service and offices.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, AS FOLLOWS:

WHEREAS, the department of labor has established public employment offices in North Dakota, and

WHEREAS, the service is now permanently established with seven offices and forty-two bureaus for returning soldiers' and twenty-one community labor boards, and

WHEREAS, the service has been of great value to the securing of farm labor, and

WHEREAS, the supply of farm labor for the year's work depends largely on the public employment service, and its maintenance and continuance, and

WHEREAS, the department of labor through these public employment offices and bureaus for returning soldiers have been assigned the important task and great responsibility of securing opportunities and work for returning demobilized soldiers, and

WHEREAS, this important work is now being carried out successfully in North Dakota and a further continuance of

this highly important work is a necessity.

THAT WE RESPECTFULLY PETITION THE CONGRESS OF THE UNITED STATES THAT SUFFICIENT AND AMPLE APPROPRIATION BE MADE AT THIS TIME TO PROVIDE FOR THE CONTINUANCE AND MAINTENANCE OF THE EMPLOYMENT SERVICE AND FURTHER, THAT A COPY OF THIS RESOLUTION BE, BY THE SECRETARY OF STATE, WIRED IMMEDIATELY TO SENATORS MCCUMBER, GRONNA, CONGRESSMEN NORTON, YOUNG and BAER.

Mr. Pendray moved that the resolution be adopted, which motion prevailed and the resolution was adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 48.

A bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15, and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all

deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all acts and parts of acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 42; nays, none; absent and not voting, 7.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Jacobsen, Kendall, King, Levang, Liederbach,, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Drown, Hemmingsen, Hyland, Ingerson, McBride, Oksendahl.

So the bill passed and the title was agreed to.

Mr. Church moved that the vote by which Senate Bill No. 48 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Cahill moved that Senate Bill No. 175 be put at the foot of the calendar, which motion prevailed.

Senate Bill No. 95.

A bill for an Act providing for the registering of the titles of all of the land within a county under the provisions of Chapter 235 of the Laws of North Dakota for the year 1917.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 29; nays, 11; absent and not voting, 9.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Fleckten, Fraser, Hamerly, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Pendray, Sikes, Stenmo, Storstad, Ward, Wenstrom, Whitman, Zieman.

Nays-Gibbens, Haggart, Hyland, Jacobsen, Kendall, Mc-Bride, Murphy, Nelson, Ployhar, Porter, Welford.

Absent and not voting: Beck, Carey, Ettestad, Hagan, Hemmingsen, Oksendahl, Olsen, Weber. Mr. McCarten asked to be excused from voting.

So the bill passed and the title was agreed to.

Mr. Jacobsen explained his vote and asked to have it entered in the Journal. "Believing there is a doubt as to the constitutionality of this bill, and also believing that it will be impossible under its terms to carry out its provisions, I vote "no."

Mr. Cahill moved that the vote by which Senate Bill No. 95 passed be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Cahill moved that Senate Bill No. 95 be re-referred to the Committee on Judiciary, which motion prevailed and

the bill was so re-referred.

Mr. Gibbens moved that Senate Bill No. 116 be amended by

striking out the figures "5000" in line 14, section 1, of the engrossed bill and inserting in lieu thereof the figures "15,-000" which motion prevailed.

Mr. Gibbens moved that Senate Bill No. 116 be amended by striking out the figures 22,000 in line 3, of Section 1, and inserting in lieu thereof the figures \$32,600, which motion prevailed.

Mr. Fraser moved that Senate Bill No. 116 be re-referred to the committee on Appropriations, which motion was lost.

Senate Bill No. 116.

A bill for an Act making an appropriating for public print-

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, 41; nays, 3; absent and not voting, 5.

Ayes—Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Wenstrom, Whitmer, Tieres Whitman, Zieman.

Nays-King, Ward, Welford.

Absent and not voting-Beck, Berg, Haggart, Hemmingsen, Oksendahl.

So the bill passed and the title was agreed to.

Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefits of an act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in congress assembled, and approved February twenty-third, nineteen hundred seventeen; and to make an appropriation for providing vocational education within the state.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 43; nays, none; absent

and not voting, 6.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Beck, Drown, Hemmingsen, Oksendahl, Porter, Zieman.

So the bill passed and the title was agreed to.

Mr. King moved that the vote by which Senate Bill No. 63 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the emergency clause of Senate Bill No. 63. The roll was called and there were ayes, 43; nays,

none; absent and not voting, 6.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hyland, Ingerson, Jacobsen, Kendall, King, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Beck, Drown, Hemmingsen, Hunt, Levang, Oksendahl.

So the emergency clause passed.

Mr. Stenmo 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. 114.

A bill for an Act to appropriate money to reimburse W. J. Curren, Valley City, N. D., for moneys paid for interest during construction of buildings at the State Hospital for the Lusane.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 44; nays, none; absent and not voting, 5.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Jacobsen, Kendall, King, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stemmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Beck, Drown, Hemmingsen, Ingerson, Levang.

So the bill passed and the title was agreed to.

Mr. Ployhar moved that the vote by which Senate Bill No. 114 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 119.

A bill for an Act authorizing the Board of Control to erect, construct and complete a two story executive mansion on the capitol grounds and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill. roll was called an dthere were ayes, 15; nays, 26; absent and not voting, 8.

Ayes-Benson, Berg, Cahill, Drown, Ettestad, Gibbens, Haggart, Hunt, Jacobsen, Kendall, Liederbach, McCarten, Mc-

Nair, Sikes, Ward.

Nays—Bowman, Carey, Church, Fleckten, Fraser, Hagan, Hyland, King, McBride, Mees, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.
Absent and not voting—Beck, Hamerly, Hemmingsen, Ing-

erson, Levang, Mortenson, Mostad, Oksendahl.

So the bill was lost.

Mr. Hyland moved the previous question, which motion prevailed.

Senate Bill No. 166.

A bill for an Act to amend and re-enact Sections 1404 and 1405 of the Compiled Laws of North Dakota for the year 1913, relating to the employment of minors.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 12; nays, 33; absent and not voting, 4.

Ayes—Bowman, Cahill, Gibbens, Hagan, King, Mees, Mortenson, Miklethun, Oksendahl, Olson, Sikes, Wenstrom.

Nays—Berg, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mostad, Murphy, Nelson, Noltimier, Pendray, Ployhar, Porter, Stenmo, Storstad, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting-Beck, Benson, Hemmingsen, Morkrid.

So the bill was lost.

Mr. Fraser moved that the vote by which Senate Bill No. 166 was lost be reconsidered, which motion was duly seconded.

Mr. Hyland moved the motion to reconsider be laid on the table, which motion was duly seconded.

Roll call was demanded.

The roll was called and there were ayes, 23; nays, 21; ab-

sent and not voting, 5.

Ayes—Carey, Drown, Ettestad, Haggart, Hamerly, Hunt, Hyland, Jacobsen, Kendall, McBride, McCarten, McNair, Mostad, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Weber, Welford, Whitman, Zieman.

Weber, Welford, Whitman, Zieman.
Nays—Berg, Bowman, Cahill, Church, Fleckten, Fraser, Gibbens, Hagan, Ingerson, King, Levang, Liederbach, Mees, Mortenson, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Ward, Wenstrom.

Absent and not voting-Beck, Benson, Hemmingsen, Mork-

rid, Pendray.

So the motion prevailed.

Mr. Bowman moved that House Bill No. 111 be re-referred to the committee on Irrigation and Drainage, which motion prevailed and the bill was so re-referred.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 21, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 75.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Five Million Dollars, to be known as "Bonds of North Dakota, Mill and Elevator Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the pay-

ment of interest and principal of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

House Chamber

BISMARCK, NORTH DAKOTA, February 21, 1919.

I have the honor to transmit herewith the Mr. President: following bills:

House Bill No. 47.

A bill for an Act to provide for defraying the general expenses of the state government, by imposing a tax on the shares of stock and the bond issues of corporations organized or doing business in the state, and repealing all acts and parts of acts in conflict herewith.

House Bill No. 84.

A bill for an Act to amend and re-enact Chapter 231, Laws of North Dakota, 1917, relating to the taxation of transfers of property by will or by interstate law.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Levang moved that the Senate do now take a recess for fifteen minutes, which motion prevailed and the Senate took a recess.

AFTER RECESS

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 19.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end to establish a business system operated by the state under the name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management.

Senate Bill No. 20.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

Senate Bill No. 177.

A Concurrent Resolution.

Senate Bill No. 15.

A bill for an Act amending and re-enacting Chapter 188 of the Session Laws of 1915 and Chapter of the Session Laws of 1917, the same being an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasolines, and other low flash test petroleum products; providing for the establishment of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees, and providing appropriation for carrying out the provisions of this act.

Senate Bill No. 136.

A bill for an Act to amend and re-enact Section 2844 of the Compiled Laws of 1913, as amended by Chapter 105 of the Session Laws relating to license covering dairy products be and the same is hereby amended to read as follows.

Senate Bill No. 49.

A bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, relating to the investment of university and school land funds.

Senate Bill No. 78.

A bill for an Act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation or suspension of an attorney's right to practice.

Senate Bill No. 43.

A bill for an Act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

House Bill No. 190.

A bill for an Act reinstating and validating charters of corporations and organizations for the purpose of securing homes for orphans, affected by failure to comply with the provisions of Section 5100 of the Compiled Laws of the State of North Dakota for the year of 1913.

House Bill No. 172.

A bill for an Act relative to payment of deposits in trust.

House Bill No. 165.

A bill for an Act to authorize fraternal beneficiary societies to provide whole family protection.

House Bill No. 160.

A bill for an Act to amend and re-enact Paragraph 1 of Chapter 126 of the Laws of North Dakota for the year 1917, relating to the guarantee of bank deposits.

House Bill No. 129.

A bill for an Act amending and re-enacting Section 2698 of the Compiled Laws of the State of North Dakota for the year 1913, providing for the inspection of meat and all animals to be slaughtered.

House Bill No. 115.

A Concurrent Resolution amending the Constitution of the

State of North Dakota, relating to debt limit of any county, township, city, town, school district or any other political sub-division.

House Bill No. 113.

A bill for an Act providing for reasonable time for purchasers to discover defects in personal property or breaches of warranty and making the question of reasonable time one for the jury.

House Bill No. 109.

A Concurrent Resolution for an amendment to the Constitution of the State of North Dakota and relating to the investment of school funds.

House Bill No. 99.

A bill for an Act amending and re-enacting Section 4922 of the Compiled Laws of the State of North Dakota for the year 1913 relating to the revocation of the certificate of authority of insurance companies.

House Bill No. 86.

A bill for an Act to amend and re-enact Section 1951 of the Compiled Laws of North Dakota for the year 1913, relating to the construction of bridges by county commissioners.

House Bill No. 55.

A bill for an Act to regulate the operation of all coal mines in the State of North Dakota; to provide for their inspection; to create the office of Coal Mining Inspector; to fix his qualifications, duties, powers and compensation; to provide for his appointment; to create a Board of Examiners; to fix its powers and compensation; to provide the method of appointment thereto; to provide for the registry, examination, and issuing of certificates to certain employes of coal mines and to provide for an appropriation therefor.

House Bill No. 49.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of two million dollars, to be known as "Bonds of North Dakota, Bank Series;" prescribing the terms, and stating the purposes thereof; providing a tax and making other provision for the payment thereof; making appropriations for the payment of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

House Bill No. 42.

A bill for an Act designating the State Inspector of Grades, Weights and Measures, Sealer and Inspector of Weights and Measures; prescribing his powers and duties; defining the standard of weights and measures; providing penalties and repealing Section 2998 of the Compiled Laws of North Dakota for the year 1913 relating to the inspection and selling of weights; fixing fees, authorizing the appointment of deputy inspectors and providing for their compensation, and regulating the use and sale of weights and measures.

House Bill No. 38.

A bill for an Act to amend and re-enact Section 7846 of the Compiled Laws of North Dakota for the year 1918, providing that the Supreme Court may secure additional evidence in cases tried without a jury. House Bill No. 32.

A bill for an Act making it unlawful to separate or cause to be separated any child under six months of age from its mother for the purpose of placing such child in a foster home or institution, or to place, receive or retain such child in a foster home or institution, and to regulate the manner and circumstances under which it may be done, and to provide a penalty for violation of said Act.

House Bill No. 25.

A bill for an Act relating to the exemption of personal property from attachment, levy and sale on execution and to amend and re-enact Sections 7731 of the Compiled Laws of North Dakota for the year 1913; and 7738 of the Compiled Laws of North Dakota for the year 1913; and 7739 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 155 of the Compiled Laws of North Dakota for the year 1915.

House Bill No. 18.

A bill for an Act declaring the purpose of the State of North Dakota to engage in the banking business and establishing a system of banking under the name of the Bank of North Dakota, operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management.

House Bill No. 17.

A bill for an Act creating the Industrial Commission of North Dakota, authorizing it to conduct and manage on behalf of the State certain utilities, enterprises and industries, and defining its powers and duties.

And the President signed the same in the presence of the

Senate.

Mr. Wenstrom moved that Senate Bill No. 195 be amended by striking out the word "six" line 1, Section 2, and substituting in lieu thereof the word "twelve", which motion prevailed and the bill was so amended.

Senate Bill No. 195.

A bill for an Act to provide for the uniformity of warranty deeds, quit-claim deeds, real estate mortgages, satisfactions and assignments of real estate mortgages, and to enact forms of such instruments to be recorded within the state, authorizing registers of deeds to charge and collect double fees.

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, 45; nays, 0; absent and not voting, 4.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Hemmingsen, Mostad, Nelson. So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill No.

195 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Bowman moved that Senate Bill No. 175 be amended by striking out the words "Sections 1804 and 1806 of the Compiled Laws of 1913 and", which motion prevailed and the bill was so amended.

Senate Bill No. 175.

A bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913 relating to the State trolley line, the management, maintenance and operation of the same and prescribing the duties of the State Industrial Commission in respect thereto, and repealing all acts and parts of acts inconsistent therewith.

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, 38; nays, 7; absent and not voting, 4.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays—Carey, Haggart, Hyland, Jacobsen, McBride, Murphy, Porter.

Absent and not voting: Beck, Hemmingsen, Nelson, Noltimier.

So the bill passed.

Mr. Bowman moved to amend the title to Senate Bill No. 175 by striking out the words "Article 2 of Chapter 15 of the Compiled Laws of 1913, being" in line 1 and the words and figures "and 1806" line 2, which motion prevailed and the title was so amended, and the title as amended was agreed to.

Mr. Jacobsen explained his vote and asked to have it entered in the journal. For the reason of the fact that the proposed bill has been so amended as to not repeal an apparent standing appropriation, and for the further fact that there is now pending an appropriation effecting this same subject matter, and in view of the fact that there is confusion in the mode as to what section of the code is amended or re-enacted, I believe the bill now before this assembly confusing in the extreme, therefore I vote no.

THIRD READING OF HOUSE BILLS

House Bill No. 97.

A bill for an Act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate, control and fix rates, charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and all other acts or parts of acts in conflict with the provisions of this Act.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahn, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Hemmingsen, Nelson.

So the bill passed and the title was agreed to.

Mr. Hyland moved that the vote by which House Bill No. 97 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to House Bill No. 97, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Hemmingsen, Nelson.

So the Emergency Clause passed.

Mr. Hyland 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. Pendray moved that the Senate do now concur in House amendments to Senate Bill No. 37, which motion prevailed and the amendments were concurred in.

Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the income of persons, corporations, joint-stock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deduction in certain cases; prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act and repealing all acts and parts of acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were

ayes, 38; nays, 7; absent and not voting, 4.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman

Nays-Gibbens, Haggart, Hyland, Murphy, Ployhar, Porter,

Whitman.

Absent and not voting: Beck, Hemmingsen, Nelson, Noltimier.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause, the roll was called and there were ayes, 38; nays, 7; absent and not voting,

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman,

Nays-Gibbens, Haggart, Hyland, Murphy, Ployhar, Porter, Whitman

Absent and not voting: Beck, Hemmingsen, Nelson, Noltimier.

So the Emergency Clause passed.

Mr. Welford moved that further action on House Bill No. 56 be deferred, which motion prevailed.

House Bill No. 103.

A bill for an Act to amend and re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the year 1913 relating to the creation of a State Bar Board, its members, their term of office, qualifications, compensation and duties and providing for the admission of attorneys to practice. Issuance of licenses.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 9; absent and not voting, 8.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McNair, Mees, Mortenson, Morkrid, Miklethun, Oksendahl, Olson, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Haggart, Hyland, Jacobsen, McBride, McCarten, Murphy, Porter, Storstad, Whitman.

Absent and not voting: Beck, Gibbens, Hemmingsen, Mostad, Nelson, Noltimier, Pendray, Ployhar.

So the bill passed and the title was agreed to.

Mr. Fleckten moved that the vote by which House Bill No. 103 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber BISMAECK, NORTH DAKOTA, February 21, 1919.

Mr. President: I have the honor to return Senate Bill No. 130.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment

thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Which the House has amended as follows:

In Section 4, line 12 of the engrossed bill strike out the word "seven" and insert the word "six" in lieu thereof.

In Section 4, line 20 of the engrossed bill strike out the words "Governor" and "his" and insert the words "Commission" and "its" in lieu thereof.

In Section 6, line 11 of the engrossed bill, between the words "at par" insert the words "not less than".

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Courtesies of the floor were extended to John Homelvig, Amidon; and Geo. Crozier, Niagara, N. D.

Mr. Hyland moved that the Senate do now take a recess to 12:30 p. m. February 24, 1919, which motion prevailed and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEBRUARY 24, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this Act.

Senate Bill No. 106.

A bill for an Act making an appropriation for the current and contingent expenses, maintenance, improvements and repairs, new buildings and equipment, and miscellaneous expenses of the Hospital for the Insane.

Senate Bill No. 103.

A bill for an Act to appropriate \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 of the Session Laws of North Dakota, 1917.

Senate Bill No. 93.

A bill for an Act making appropriations for the maintenance, improvements and repairs of the State Capitol.

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 138.

A bill for an Act to amend and re-enact Section 1147 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the formation of new common school districts.

THIRD READING OF HOUSE BILLS

House Bill No. 56.

A bill for an Act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by a Workmen's Compensation Bureau in the Department of Agriculture and Labor and making an appropriation therefor.

House Bill No. 64.

A bill for an Act making an appropriation for the purpose of reimbursing the County of LaMoure, North Dakota, for moneys expended in maintaining a trachoma hospital.

House Bill No. 65.

A bill for an Act to appropriate the sum of \$1900.00 for the maintenance of a trachoma hospital in the County of LaMoure, State of North Dakota.

House Bill No. 94.

A bill for an Act providing for an appropriation and levy by the county commissioners of each county in the state for the purpose of furnishing aid to night schools.

House Bill No. 93.

A bill for an Act authorizing and regulating the exchange of reciprocal or inter-insurance contracts among individuals, partnerships and corporations; empowering corporations to enter into such contracts; regulating process in suits on such contracts; fixing certain taxes and fees and providing penalties for violation of this act.

House Bill No. 68.

A bill for an Act defining the crime of gambling; fixing the punishment therefor; and providing certain rules of evidence in prosecutions thereunder.

House Bill No. 66.

A bill for an Act to prohibit the liquor traffic and provide exceptions, regulations, for enforcement and penalty.

House Bill No. 22.

A bill for an Act providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, prescribing his duties, providing for the printing, publishing and distributing of Supreme Court reports and granting power to the Supreme Court concerning the same and repealing all acts inconsistent therewith.

House Bill No. 161.

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, relating to Deputy County Superintendents of Schools, and compensation therefor.

FORTY-EIGHTH DAY AFTER RECESS AND FORTY-NINTH DAY

SENATE CHAMBER. BISMARCK, NORTH DAKOTA. February 24, 1919.

The Senate convened at 12:30 o'clock p. m., pursuant to recess taken, the President presiding.

The Senate returned to 14th order of business

FIRST AND SECOND READING OF HOUSE BILLS House Bill No. 47.

A bill for an Act to provide for defraying the general expenses of the State government, by imposing a tax on the shares of stock and the bond issues of corporations organized or doing business in the State, and repealing all Acts and parts of Acts in conflict herewith.

Was read the first and second time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 84.

A bill for an Act to amend and re-enact Chapter 231, Laws of North Dakota, 1917, relating to the taxation of transfers of property by will or by intestate law.

Was read the first and second time and referred to the

Committee on Taxes and Tax Laws.

REPORTS OF STANDING COMMITTEES

The committee on Counties made the following report:

Mr. President: Your committee on Counties to whom was referred Senate Bill No. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

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

That in the "Enacting Clause" between the word "Legislative" and the word "of" the word "Session" be stricken out and the word "Assembly" be inserted in lieu thereof.

And when so amended recommend the same do pass.

JOHN W. BENSON, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Cities and Municipal Corporations made the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred House Bill No. 85.

A bill for an Act to amend and re-enact Section 3896 of the Compiled Laws of North Dakota of 1913; providing for the improvement on petition of public streets of villages and for the levy and collection of tax therefor.

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

E. A. BOWMAN, Chairman.

Mr. Bowman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Counties made the following report:

Mr. President: Your committee on Counties to whom was referred Senate Bill No. 184.

A bill for an Act providing for the publication of assessment lists.

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

JOHN W. BENSON, Chairman.

The committee on Cities and Municipal Corporations made the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

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

E. A. BOWMAN, Chairman.

The committee on Cities and Municipal Corporations made the following report:

Mr. President: Your committee on Cities and Municipal Corporations to whom was referred House Bill No. 168.

A bill for an Act to amend and re-enact Section 3630 of the Compiled Laws of 1913, relating to the duties of City Atotrney. Have had the same under consideration and recommend that the same be indefinitely postponed.

E. A. BOWMAN, Chairman.

The committee on Public Health made the following report: Mr. President: Your committee on Public Health to whom was referred House Bill No. 26.

A bill for an Act, to amend and re-enact Section 507 of the Compiled Laws of North Dakota for the year 1913 relative to the State Board of Dental Examiners.

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

M. MORTENSON, Chairman.

The committee on Public Health made the following report: Mr. President: Your committee on Public Health to whom was referred House Bill No. 27.

A bill for an Act to amend and re-enact Section 477 of the Compiled Laws of North Dakota for the year 1913, relative to the Board of Pharmacy.

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

M. MORTENSON, Chairman.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was referred Senate Bill No. 76.

A bill for an Act authorizing the Commissioner of Insurance to examine fire rating bureaus; forbidding discriminatory rates and requiring written variation to be filed; requiring Fire Insurance Companies to maintain or be member of Rating Bureau; providing that risks be inspected; requiring rating agreements to be submitted to Commissioner of Insurance; also providing for review by Commissioner of Insurance of rates fixed by bureau, and proceedings under appeal from order of commissioner, and penalty for violation thereof. Exempting county mutual companies.

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

WALTER WELFORD, Chairman.

The committee on Irrigation and Drainage made the following report:

Mr. President: Your committee on Irrigation and Drainage to whom was referred House Bill No. 158.

A bill for an Act to provide for the establishment of flood irrigation project, the establishment, construction and maintenance of dams, gates and necessary ditches for the purpose of controlling, regulating and forcing the overflow of waters in non-navigable rivers and streams, and the appointment of Boards of Flood Irrigation, and defining their powers and cuties.

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

W. J. CHURCH, Chairman.

Mr. Church moved that the report be adopted, which motion prevailed and the report 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. 124.

A bill for an Act providing for judicial districts, judges thereof, their compensation and method of payment, terms of court to be held, powers and duties of such courts and the procedure therein, and repealing all Acts and parts of Acts in conflict therewith.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was referred Senate Bill No. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof. Have had the same under consideration and recommend that the same do pass.

WALTER WELFORD, Chairman.

Mr. Welford moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Irrigation and Drainage made the following report:

Mr. President: Your committee on Irrigation and Drainage to whom was referred House Bill No. 156.

A bill for an Act entitled "An Act to permit townships through their board of supervisors to build drains within the township and outlets therefor without the township, and to provide the manner of assessing the cost thereof and provide for its payment.

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

W. J. CHURCH, Chairman.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

THIRD READING OF HOUSE BILLS

Mr. Welford moved that House Bill No. 56 be amended as follows:

That Section 27, page 26, line 4, be amended by adding thereto, after the word "Act", the following:

"The Workmen's Compensation Bureau shall reimburse the general fund of the state, out of the Workmen's Compensation fund, for all money appropriated, expended or disbursed on behalf of said Bureau."

Which motion prevailed and the bill was so amended Mr. Jacobsen moved that House Bill No. 56 be amended as follows:

On page 26 of the printed bill at the end of Section 27 add.

SECTION 28. The employee shall have the option at any time within thirty days after he enters upon any of the employments specified herein to elect not to remain within or subject to the provisions of this Act. Such option may also be exercised within thirty days after this act takes effect.

Which motion was lost.

House Bill No. 56.

A bill for an Act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by a Workmen's Compensation Bureau in the Department of Agriculture and Labor 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, 42; nays, 4; absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach.

McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Carey, Murphy, Porter.

Absent and not voting-Drown, Hemmingsen, King.

So the bill passed and the title was agreed to.

Mr.. Mees moved that the vote by which House Bill No. 56 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. .

REPORTS OF STANDING COMMITTEES

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 110.

A bill for an Act regulating the construction, reconstruction, operation and maintenance of electrical supply and signal lines upon the highways and public places of the State of North Dakota and vesting in the Board of Railroad Commissioners certain powers and duties, and giving to said Commission power to adopt rules and regulations for the purpose of avoiding or mitigating interference with the service of signal lines, by reason of the close association or proximity of signal lines to or with electrical supply lines.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 182.

A bill for an Act to amend and re-enact Section 6749, Compiled Laws of 1913, relating to the satisfaction of mortgages and lines.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report 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. 149.

A bill for an Act amending the constitution of the State of North Dakota, by changing the debt limit, thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build, maintain and repair highways.

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

In line fifteen of the printed bill strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Judiciary made the following report:

Mr. President: Your committee on Judiciary to whom was referred Senate Bill No. 95.

A bill for an Act providing for the registering of the titles of all of the land within a county under the provisions of Chapter 235 of the Laws of North Dakota for the year 1917.

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

R. L. FRASER, Chairman.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations whom was referred Senate Bill No. 5.

A bill for an Act to provide suitable monuments, memorials or tokens of appreciation of the men of North Dakota who entered the service of the United States in the war with Germany for Liberty, Justice, Humanity and Democracy.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. McCarten, Chairman.

The Committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill 135.

A bill for an Act providing for the selection and purchase of a site for the Insane Asylum at Rugby, North Dakota, and

creating an appropriation therefor.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. McCarten, Chairman.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 121.

A bill for an Act to incorporate and establish the Minot Agriculture and Fair Association, and making an appropriation therefor.

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

R. McCarten, Chairman.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations whom was referred Senate Bill No. 202.

A bill for an Act imposing a tax on each game of pool, billards, game of ball or pin game played in any indoor public place, on automobiles stored in any public garage, on each order of goods and merchandise sold by traveling sales persons, on each soft drink beverage, on each ticket sold or issued for admission to any place of amusement, on each bottle of patent medicine, on each box of shot loaded shells, on each game of base ball, tennis ball and golf ball, on each base ball bat, golf stick and golf bag, on each phonograph record and piano roller, on each sack, package, or can of tobacco, on each box or package of cigars, on each piece of fiction, on each typewriter, adding machine, phonograph or victrola, on each hunting license issued, requiring the State Treasurer to issue receipts and declaring that any violation of this Act be deemed a misdemeanor and providing for a penalty therefor.

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

R. McCarten, Chairman.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 16.

A bill for an Act appropriating moneys for student soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said buildings to be further utilized as herein set out.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard, or State Militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the Federal Statutes.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report.

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

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

In line 8 of Section 1 of the Printed Bill, after the word "Deficit" strike out the words and figures "from July 1st, 1918, 10 months at \$3,000 \$10,000" and insert in lieu thereof the words and figures "to July 1st, 1919," so that said line 8 of Section 1 of the Printed Bill when amended shall read, "Deficit to July 1st, 1919 \$20,000."

After line 44 of Section 1 of the Printed Bill, amend the Printed Bill further by the addition thereto of Section 2, a specific emergency clause, in the words and figures, as follows, to-wit: Section 2. EMERGENCY. Whereas, it was and is impossible to properly maintain the State Penitentiary until July 1st, 1919 on the funds appropriated by the Fifteenth legislative Assembly, and it is necessary for the public peace, health and safety that suitable funds be provided at once, therefore, that portion of this Act making an appropriation of \$20,000 for "Deficit to July 1st, 1919" shall be in effect and the same shall go into instant operation upon its passage and approval by the Governor.

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School.

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

In line 3 of Section 1 of the Printed Bill, after the word "of," strike out the figures "\$119,760" and insert in lieu thereof the figures "\$308,960;" in line 15, strike out the word "water" and insert in lieu thereof the words and figures "Traveling Expenses 300;" in line 24, strike out after the word "Deficit" the figures "1917-1918" and insert in lieu thereof the words and figures "to July 1st, 1919";; strike out all of lines 30, 31, 32, 33, 40, 47 and 48; in line 37, after the words "New Buildings," add the following:

| "Main Building\$ | 90,000.00 |
|------------------------------|-----------|
| Gymnasium, School and Chapel | 50,000.00 |
| Boiler Room and Equipment | 35,000.00 |
| Water Supply and Sewerage | 25,000.00 |

Total\$200,000.00

This amount to become available March 1st, 1920;" in line 63, strike out the figures "\$119,760" and insert in lieu thereof the figures "\$308,960." After line 63 of Section 1 of the Printed Bill. amend said Bill further by the addition thereto of Section 2. a specific emergency clause, in the words and figures, as follows, to-wit:

"Section 2. EMERGENCY. Whereas, it was, and is impossible to properly maintain the North Dakota Reform School until July 1st, 1919 on the funds appropriated by the Fifteenth Legislative Assembly, and it is necessary for the public peace,

health and safety that suitable funds be provided at once, therefore, that portion of this Act making an appropriation of \$14,500 for 'Deficit to July 1st, 1919' shall be in effect and the same shall go into instant operation upon its passage and approval by the Governor."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from a misappropriation of such funds occurring previous to January 1, 1917.

Have had the same under consideration and recommend that the same be amended as follows: In the first line of the title of the printed bill, after the word "the," strike out the words "common school fund" and insert in lieu thereof the following: "permanent funds of the common schools, university, agricultural college, school for the deaf and dumb, normal schools, and other permanent funds derived from the sale of public lands or from any other source." In line 4 of Section 1, of the printed bill, after the word "the" where it appears the first time in said line, strike out the words "common school fund" and insert in lieu thereof the following: "permanent funds of the common schools, university, agricultural college, school for the deaf and dumb, normal schools, and other permanent funds derived from the sale of public lands or from any other source."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report 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. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school districts.

Have had the same under consideration and recommend that the same be amended as follows: In line eleven of Section one, after the word "provided" insert "further, the provisions of this Section shall apply only to payment of warrants issued for a legal purpose and outstanding on July 1st, 1919." and commence a new sentence with the word "such."

And when so amended recommended the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriation made the following re-

port:

Mr. President: Your committee on Appropriation to whom was referred Senate Bill No. 53.

Providing for the extension of the State Street Car line from the McKenzie hotel to Tenth street, hence north and west to the capitol; and making an appropriation therefor.

Have had the same under consideration and recommend that the same be amended as follows: Amend Section 1, line 1, of the printed bill by inserting after the word and figure Section 1, the following: "In connection with the erection and construction of public buildings at the capitol and for the purpose of transferring locomotive engines, freight cars, and other cars, fuel, building material and workmen and employees of the State of North Dakota. Amend the title by inserting after the word "capitol" the following: "For the purpose of transferring materials for the erecting, construction and completing buildings at the capitol." Strike out all of Section 3 and insert the following: "Section 3. Appropriation. For the purpose of carrying out the provisions of this Act, the sum of \$40,000 or so much thereof as may be necessary is hereby appropriated from the interests and income of the Capitol Building Fund not otherwise appropriated.

And when so amended recommended the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. McCarten moved that the senate do now adjourn, which motion prevailed and the senate adjourned.

W. J. PRATER, Secretary.

FORTY-NINTH DAY

SENATE CHAMBER,* BISMARCK, NORTH DAKOTA. February 24, 1919.

The senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the chaplain, Rev. Hiltner.

Roll call.

All members present.

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 45th day after recess and the 46th day and recommend that the same be corrected as follows: Page 11, strike out line 7 and insert the following: Petitions and communications. After line 42, page 15 insert the following: And when so amended recommend the same do pass. Albert Stenmo, chairman. Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted. On page 5, line 49, change the figures \$4,857.00 to \$75,509.00.

And when so corrected recommend that the same be approved.

W. H. PORTER, Chairman pro tem.

Mr. Porter moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Fargo, N. Dak., February 23rd, 1919.

Howard R. Wood, Bismarck, N. Dak.

To the Senate of the Sixteenth Legislative Assembly:

The executive board of the state federation of labor in session today representing all organized labor of North Dakota, being thoroughly acquainted with existing conditions under which girls and women are compelled to work for a livelihood respectfully urge your honorable body to take favorable action of House Bills 184 and 186.

Conrad Meyer, Secretary.

Kenmare, North Dakota. February 24, 1919

Senator Frank Hyland, Bismarck, North Dakota.

House Bill No 134 is extremely vicious and dangerous to our schools. Kill it or it will kill the schools.

W. A. Godward.

Helena, Montana, February 22, 1919.

President of the Senate, Bismarck, North Dakota.

I am directed by resolution of the Montana State Legislature now in session to transmit to you the following resolution:

WHEREAS, the congress of the United States passed a law enabling the president of the United States to carry out the guaranteed price for wheat produced in the year of nineteen hundred and nineteen and to protect against undue enhancement in price,

WHEREAS, the committee on agriculture of the House of Representatives have reported an amendment to the guaranteed wheat price bill providing that the guaranteed price shall be effective only until the 31st day of October, nineteen hundred and nineteen, instead of until December 31st, nineteen hundred and nineteen as the original law provides, and,

WHEREAS, by the reduction of this limit of time of the guaranteed wheat price it will work great injustice and irreparable injury to the wheat producers of the State of Montana and that the producers of wheat in the State of Montana cannot harvest and market their crops for the year nineteen hundred and nineteen within the limit now sought to be placed for the guarantee of wheat prices, and,

WHEREAS, the limit of time to with October 21st nineteen hundred and nineteen will enable wheat producers of the state situated in warmer climates to dispose of their wheat within the time limit proposed and thus receive the benefit of the guaranteed wheat price and it will result in further unjust discrimination in favor of the states more favorably located as to climatic conditions to the injury of the wheat producers in the State of Montana; now, therefore,

BE IT RESOLVED, that the senate of the State of Montana, the House of Representatives concurring: Do protest against the changing of the time limit for guaranteed wheat

prices to October 31st, nineteen hundred and nineteen as being an unjust discrimination against the wheat producers of Montana, and,

BE IT FURTHER RESOLVED: That we most respectfully urge upon the Senators and Representatives of the state of Montana that they use every effort to defeat the reducing of the time limit of the guaranteed prices to the end that the wheat producers of the state of Montana and of the Northwest be given a fair and equal opportunity to compete with the wheat producers of other sections of the United States.

BE IT FURTHER RESOLVED: That the Secretary of State of Montana be directed to transmit by wire the resolution to the Senators and Representatives of the State of Montana at Washington and to the Speaker of the House of Congress and to the Legislative Assembly of the State of Washington, Idaho, Oregon, North and South Dakota and Minnesota.

C. T., STEWART, Sec. State.

Hon. Wm. Zieman, Bismarck, N. Dak.

Dear Sir:

We the undersigned owners of artesian wells, citizens of Dickey county, do hereby petition you to vote and work against any proposed law which will in any way cause us troube or expense on our artesian wells. We have been and are taking care of the water from our wells and will resent any attempt to interfere with the free use of our wells by anybody, without we are amply recompensed for any annoyance or damage we are put to.

W. R. SINGLETON, and 16 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Serate Bill No. 116.

A bill for an Act making an appropriation for public printing.

Senate Bill No. 175.

A bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913 relating to the State trolley line, the management, maintenance and operation of the same and prescribing the duties of the State Industrial Commission in respect thereto, and repealing all acts and parts of acts inconsistent therewith.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

senate Bill No. 93.

A bill for an Act making appropriations for the maintenance, improvements and repairs of the State Capitol.

Senate Bill No. 103.

A bill for an Act to appropriate \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 of the Session Laws of North Dakota, 1917.

Senate Bill No. 106.

A bill for an Act making an appropriation for the current and contingent expenses, maintenance, improvements and repairs, new buildings and equipment, and miscellaneous ex penses of the Hospital for the Insane.

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 138.

A bill for an Act to amend and re-enact Section 1147 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the formation of new common school districts.

Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this Act.

And find the same correctly engrossed,

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report adopted.

The Conference Committee made the following report.

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 86.

A bill for an Act to repeal sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large. Have had the same under consideration and recommend

that the same be amended as follows: In section 3 line 5 of the engrossed bill strike out the period and insert in lieu thereof the words "together with statutory costs and reasonable attorney fees to be allowed by the court.

OSCAR R. NESVIG
R. H. WALKER
J. N. KUNKEL
House Committee.

A. A. LIEDERBACH RALPH INGERSON Senate Committee.

And when so amended recommend the same do pass.

G. F. Hunt, Chairman.

Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted.

Senate Bill No. 86:

A bill for an Act to repeal sections 2619, 2629 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact section 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

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, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Murphy, Nelson, Noltmier, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Ettestad, Ingerson, McBride, Miklethun, Oksendahl, Olson, Pendray.

So the bill passed and the title was agreed to.

The Conference Committee made the following report:

Mr. President: Your Conference Committee to whom was referred Senate Bill No. 145.

A bill for an Act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the State Examiner.

Have had the same under consideration and recommend

that the same he amended as follows:

Strike out the words 40 per cent and insert in lieu thereof the words 35 per cent.

A. M. HAGAN O. H. OLSON JOHN WEBER

Senate

J. C. MILLER F. J. HAINES ROLLAN V. WELD

House

And when so amended recommend the same do pass.

Mr. Hagan moved that the report be adopted, which motion prevailed and the report was adopted

Senate Bill No. 145.

A bill for an Act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the State Examiner.

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, 0; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown. Fleckten, Fraser, Gibbens, Hagen, Haggart, Hamerly Hemmingsen, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Murphy, Nelson, Noltmier, Oksendahl, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Ettestad, Hunt, McBride, Miklethun, Olson, Ployhar.

So the bill passed and the title was agreed to.

MOTIONS AND RESOLUTIONS

Mr. Bowman moved that Senate Bill No. 134 be re-referred to the committee, which motion prevailed and the bill was so re-referred.

Mr. Mees moved that the report of the committee indefinitely postponing Senate Bill No. 204 be not adopted.

Roll Call demanded.

The roll was called and there were ayes, 25; nays, 24; absent and not voting, 0.

Ayes—Beck, Cahill, Carey, Drown, Ettestad. Fraser, Hagan, Haggart, Hamerly, Hunt, Hyland, Jacobsen, Kendall, Liederbach, McBride, Mees, Mortenson, Mostad, Nelson, Ployhar. Porter, Stenmo, Storstad, Whitman, Zieman.

Nays—Benson, Berg, Bowman, Church, Fleckten, Gibbens, Hemmingsen, Ingerson, King, Levang, McCarten, McNair, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom.

So the motion prevailed.

Mr. Mees moved that Senate Bill No. 204 be placed on the Calendar for third reading and final passage, which motion was duly seconded.

Mr. Bowman moved as an amendment that Senate Bill No. 204 be re-referred to the Committee on Temperance, which motion was lost.

The question being on the original motion, the motion prevailed.

Mr. Benson moved that Senate Bill No. 204 be placed at the foot of the Calendar, which motion was lost.

Mr. Hyland moved that Senate Bill No. 204 be taken up and considered at the present time, which motion prevailed.

Mr. Mostad moved that Senate Bill No. 204 be considered properly engrossed, which motion prevailed.

Senate Bill No. 204.

A bill for an Act to amend Section 9238, Compiled Laws

1913 as amended by Chapter 223, of the Session Laws of 1917, relating to sports on the first day of the week.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Ayes—Beck, Cahill, Carey, Drown, Ettestad, Fraser, Hagan, Haggart, Hamerly, Hyland, Jacobsen, Kendall, Liederbach, McBride, Mees, Mortenson, Mostad, Nelson, Oksendahl, Ployhar, Porter, Stenmo, Storstad, Whitman, Zieman.

Nays—Benson, Berg, Bowman, Church, Fleckten, Gibbens, Hemmingsen, Hunt, Ingerson, King, Levang, McNair, Morkrid, Miklethun, Murphy, Noltimier, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom.

Absent and not voting: McCarten.

So the bill passed and the title was agreed to.

Mr. Mostad moved that the vote by which Senate Bill No. 204 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Benson explained his vote and asked to have it entered in the journal. I believe that two years ago under Senate Bill No. 137 that we gave the boys all that they were asking for, both town boys and country boys, but I think under Senate Bill No. 204 we are not being asked by the town boys or the country boys, but we are being asked by the towns, villages and cities of the state to commercialize baseball. What for? So these merchants in these cities will be able to reap some money out of the farm boys who come to play baseball and for that very reason I want to work and fight against this bill. I do not think the day is ripe when we shall commercialize the desecration of the Lord's day, therefore I vote no.

Mr. Stenmo moved that further action on Senate Bill No. 138 be deferred to the next legislative day, which motion prevailed.

Mr. Cahill moved that House Bill No. 179 be re-referred to the committee on Education, which motion prevailed and the bill was so re-referred.

Mr. Wenstrom moved that House Bill No. 66 be re-referred to the committee on State Affairs, which motion prevailed and the bill was so re-referred.

Mr. Hagan moved that further action on Senate Bill No. 18 be deferred to the next legislative day, which motion was lost.

Mr. Hemmingsen moved that the report of the committee indefinitely postponing Senate Bill No. 18 be adopted, which motion was duly seconded.

Mr. Mees moved the previous question, which motion prevailed.

The question being on the motion to adopt the report of the committee, roll call was demanded.

The roll was called and there were ayes, 31; nays, 16; absent and not voting, 2.

Ayes—Benson, Berg, Bowman, Carey, Church, Ettestad, Hamerly, Hunt, Hyland, Kendall, King, Levang, Liederbach, McBride, Mees, Mortenson, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Storstad, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Cahill, Drown, Fleckten, Fraser, Gibbens, Hagan, Hemmingsen, Ingerson, McCarten, McNair, Mostad, Murphy, Stenmo, Ward, Whitman.

Absent and not voting: Haggart, Jacobsen.

So the motion prevailed.

Mr. Mees explained his vote and asked to have it entered in the journal.

"It has been intimated that every Senator has been approached by a lobbyist on this particular bill. I wish to state emphatically I have never been approached by anyone, nor have I expressed any opinion on this bill nor pledged myself to vote either way, therefore I vote aye.

Mr. Levang moved that the Senate do now concur in House amendments to Senate Bill No. 130, which motion prevailed.

Mr. Levang moved a call of the Senate, which motion prevailed.

All Senators present.

Mr. McCarten moved that further action under the call of the Senate be dispensed with, which motion prevailed.

Senate Bill No. 130.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this act; and declaring this act to be an emergency measure.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 42; nays, 7; absent and not voting, 0.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Carey, Hyland, Murphy, Nelson, Porter, Whitman.

So the bill passed and the title was agreed to.

Mr. Levang moved that the vote by which Senate Bill No. 130 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 130, the roll was called and there were ayes, 34; nays, 12; absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl,

Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Gibbens, Haggart, Hyland, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Jacobsen, Kendall, Mostad.

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.

Mr. McCarten moved that Senate Bill No. 200 be re-referred to the committee on Appropriations, which motion prevailed and the bill was so re-referred.

MESSAGE FROM THE HOUSE

House Chamber BISMARCK, NORTH DAKOTA. February 24, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 129.

A bill for an Act to require the listing of motor vehicles by tax assessors within the State, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Senate Bill No. 124.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit for the construction of the reinforced concrete chimney; boiler breeching, including breeching piers; and a concrete well, at the State Hospital for the Insane at Jamestown, North Dakota.

Senate Bill No. 123.

A bill for an Act, entitled, "An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State Institutions."

Senate Bill No. 92.

A bill for an Act to appropriate the sum of \$8,221.79 for the arrest and return of fugitives from justice.

Senate Bill No. 82.

A bill for an Act appropriating the sum of \$200.00 for the purpose of printing the biennial report of the Boundary Drainage Commission.

Senate Bill No. 154.

A bill for an Act to authorize fraternal benefit societies to establish and maintain classified membership .

Senate Bill No. 190.

A Concurrent Resolution for an Act amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

Senate Bill No. 199.

A bill for an Act authorizing cities to employ city managers.

Senate Bill No. 206.

A bill for an Act to amend Section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceedings.

Which the House has passed unchanged: Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 24, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Senate Bill No. 150.

A bill for an Act to prescribe rules and regulations for the shipping of live poultry and giving the Railroad Commissioners authority to provide uniform and standard coops therefor, and providing a penalty for failure to comply with the provisions thereof.

Which the House has indefinitely postponed.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 24, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 69.

A bill for an Act to appropriate \$363.00 to provide funds for the burial of honorably discharged sailors, soldiers, and marines of the United States War of the Rebellion and erection of headstones therefor, as authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

House Bill No. 72

A bill for an Act to appropriate out of any money in the State Treasury not otherwise appropriated the sum of \$3000.00 for the purpose of paying the expenses of delegates to the Presidential Nominative National Convention according to the provisions of Section 916 of the Compiled Laws of North Dakota, 1913.

House Bill No. 128.

A bill for an Act levying a tax of one-half of one mill upon

each dollar of assessed valuation of all taxable property within the State for each year for the purpose of creating a fund to be known as the "Returned Soldiers Fund"; providing for the payment thereof to returned soldiers; defining the powers and duties of the Adjutant General and of the Industrial Commission with reference thereto; and making an appropriation therefor.

House Bill No. 145.

A bill for an Act to appropriate \$3,350 to aid in the educational work being carried on by the North Dakota Anti-Tuberculosis Association, and the prevention of the spread of tuberculosis more definitely prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses and providing that such work be done in connection with the Tuberculosis Sanitorium and that the appropriation be made available to that institution for that purpose.

House Bill No. 152.

A bill for an Act to amend and re-enact Section 2530 of the Compiled Laws of North Dakota for the year 1913, relating to the duties of Superintendents of County Asylums and Poor Farms, and to provide for the payment of hospital fees by patients received at County Asylums and Poor Farms maintaining hospitals, in 'certain cases.

House Bill No. 166.

A bill for an Act appropriating the sum of nine hundred twenty-five dollars and twenty-five cents for services and expenses incurred in connection with the inventory and appraisal of public utility corporations in North Dakota by Hagenah & Erickson, under the direction of the governor, Attorney General and the State Tax Commission.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 24, 1919.

Mr. President: I have the honor to return Senate Bill No. 142.

A bill for an Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Which the House has amended as follows:

In line 8 of the second page of the engrossed bill, strike out the word "fifty" and substitute in lieu thereof the word "twenty", also strike out in the same line the words "one dollar" and substitute in lieu thereof the words "one dollar and twenty-five cents."

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 24, 1919.

Mr. President: I have the honor to return Senate Bill No.

A bill for an Act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Which the House has amended as follows:

In paragraph 1, page one of the engrossed bill, after the word "enjoyment" in line 4, strike out the words, "not to exceed forty acres in area."

After the word "consistories" in line two, paragraph 9, page two of the engressed bill, add the words "Farmers Clubs, Commercial Clubs."

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

REPORTS OF STANDING COMMITTEES

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 211.

A bill for an Act imposing a tax on each automatic vending machine or device operated in the State of North Dakota, that any violation of this act be deemed a misdemeanor and providing for a penalty therefor.

Have had the same under consideration and recommendthat same be indefinitely postponed.

THOMAS A. PENDRAY, Chairman.

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this act; and repealing all acts and parts of acts in conflict herewith.

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

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

An Act to raise revenue for defraying the expenses of the State government, by imposing a tax upon petroleum products or by-products, stored, shipped, distributed or sold within the State.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. DEFINITIONS. The term "oil company" when used in this Act shall mean any person, corporation, company or association engaged as a jobber or wholesaler in

the business of storing, shipping, distributing or selling within the State any of the petroleum products or by-products enumerated in this Act.

The terms "wholesaler" or "jobber" shall mean and include any person, corporation, company or association making any original sale of any petroleum products or by-products enumerated in this Act within the State.

The term "original sale" shall mean the first sale, distribution, transfer, consignment or bailment of such products within the State.

The term "substitute" shall mean any product substituted and offered for sale or use in the place of straight-run gasoline or kerosene, and any product derived by cracking the molecules of any petroleum product or by-product by the application of any mechanical or chemical process to any petroleum product or by-product or to any residue of such product or by-product after straight-run gasoline has been taken therefrom by the ordinary refining processes of evaporation and condensation.

The term "distillate" shall mean any substance or product other than straight-run gasoline or a substitute therefor as herein defined, distilled or otherwise derived from petroleum or kerosene.

The term "mixture" shall include any mechanical or chemical combination, blend or mixture of straight-run gasoline with kerosene or any other substance or product.

The term "straight-run gasoline" shall mean and include any substance derived from petroleum by the ordinary refining process of evaporation and condensation, but shall not include any substitute for streight-run gasoline as defined in this section.

The term "oil inspector" shall mean and include any person employed by the State for the inspection of any petroleum products within the State.

SECTION 2. From and after the date when this Act goes into effect, every oil company doing business within the State and engaged in storing, shipping, consigning, distributing or selling any petroleum products or by-products used for the generation of light, heat or power shall pay to the State a tax upon the same in accordance with the following schedule:

- 1. Upon every gallon of straight-run gasoline one-fourth of one cent;
- 2. Upon every gallon of any mixture of or substitute for straight-run gasoline, one cent;
- 3. Upon every gallon of kerosene conforming to North Dakota tests for illuminating purposes and upon every gallon of distillate, one-fourth of one cent;
- 4 Upon every gallon of kerosene not conforming to North Dakota tests for illuminating purposes, and upon every gallon of any other petroleum product or by-product not enumearted in paragraphs one, two and three of this section except lubricating oils, one-half of one cent.

SECTION 3. The taxes herein imposed shall be assessed monthly by the State Tax Commissioner, on the returns required by the oil inspection laws of the State, and as hereinelsewhere provided, to be made by the State Oil Inspector to

the State Auditor, which returns shall at all times be open to the inspection of the State Tax Commissioner, or his authorized agent.

SECTION 4. At the time of making inspection of oils as prescribed by the oil inspection laws of the State, each oil inspector shall require every oil company for whom such inspection is made to furnish to him all data and information necessary to determine the number of gallons of each class of oil enumerated in this Act and subject to a tax hereunder; and such oil inspector shall include such data and information in his monthly report to the State Oil Inspector who shall include such information in his monthly report to the State Auditor. If any oil company shall refuse to furnish such data or information, or if in any case the oil inspector shall have reasonable ground for the belief that such data or information is false or inadequate, he shall secure all the data and information necessary for making the report required herein by further inspection of such oil for the purpose of determining the quantity of each class of oil subject to a tax hereunder, or from any other source available to him.

SECTION 5. The State Tax Commissioner shall make all assessments of taxes upon such returns on or before the fifteenth day of each month, for the calendar month next preceding, and shall certify the amount of the taxes assessed against each and every oil company to the State Auditor. Within ten days after such certification, the State Auditor shall make his draft upon each such oil company for the amount of taxes due, and shall place the same in the hands of the State Treasurer for collection. Within ten days after receiving such draft, the Treasurer shall make demand upon such oil company for the payment of the same, and if such draft remains unpaid for thirty days after such demand, such tax shall be delinquent, and a penalty of ten per cent of the amount thereof shall immediately accrue, together with one per cent for each month during which such tax continues to be delinquent and remains unpaid, which penalty shall be added to the tax, demanded and paid in the manner herein provided for the tax itself.

SECTION 6. Such delinquent and unpaid taxes and penalties, assessed, certified and demanded as provided in this Act, shall be a lien upon all and singular the property, estates and effects of each such oil company against which the taxes are assessed, and such lien shall have precedence over all demands and judgments against the same; and the certificate of the Tax Commission that said tax and penalties are due and unpaid, together with the unpaid draft of the State Auditor issued in pursuance thereof, shall be sufficient warrant for the Attorney General to institute proceedings for the collection of said tax and penalties by a sale of such property or otherwise; and the Attorney General, not later than thirty days after such taxes have become delinquent ,shall institute such proceedings for the collection of said taxes and penalties as herein provided.

SECTION 7. If any oil company subject to any tax hereunder fails to furnish upon demand of any Oid Inspector the data or information herein required to be furnished, and if, because of such failure, any Oil Inspector shall in any case be unable to make the return herein required to be made,

such Oil Inspector shall immediately notify the State Tax Commissioner of such refusal or neglect, whereupon the Tax Commissioner shall make demand upon such Oil Company for such information, and if such default continue for thirty days after service of such notice, the Tax Commissioner, in person or by his authorized agent, shall examine the books, accounts or records of such company, and according to his findings in such examination, or from any other sources available to him, shall assess the taxes upon such oils, and shall add thereto a penalty of ten per cent of the amount of such taxes for the failure of such oil company to furnish such in-formation. The Tax Commissioner shall make entry of such assessment and penalty and shall certify the aggregate amount thereof to the State Auditor, who shall proceed as herein elsewhere provided. Such entry shall stand in place of the report required by law to be made bu such oil company and the same, or a certified copy thereof, in all the courts of the State and for all purposes, shall be prima facie evidence of the correctness and validity of such assessment, taxes and penalties, and the liability of such oil company therefor.

SECTION 8. Any oil company required to make any return or furnish any information under the provisions of this Act which shall neglect or fail to make such return or furnish such information, at the time and in the manner specified, shall be deemed guilty of a misdemeanor and shall be punishable by a fine of not less than One Hundred Dollars; and each day's continuance of the failure or refusal to make such return or furnish such information shall constitute a new offense. Any oil company making any false or fraudulent return or statement for the purpose of evading the payment of any taxes imposed by this Act shall be deemed guilty of a misdemeanor and shall be punishable by a fine of not less than Five Hundred Dollars; and any person responsible for making such false or fraudulent return shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than One Hundred Dollars nor more than Five Hundred Dollars, or by imprisonment for not less than six months nor more than one year, or by both such fine and

imprisonment.

SECTION 9. It is hereby declared to be the intent and purpose of this Act to impose a tax upon every gallon of oil coming within the schedule provided in Section two hereof, and at the rate therein specified, where such oil is stored, shipped or offered for original sale by any oil company, as in this Act defined, to any selling agent, retailer or consumer; but nothing in this Act contained shall be construed so as to impose a tax upon any oil more than once, nor upon any oil re-shipped and sold without the State, or used by any such oil company in the course of its business within the State. Any oil company which has been assessed and has paid any tax upon oil afterwards used by it in the course of its busibe allowed ness. shipped out of the state, shall a rebate of the amount of the same proval of an application therefor to the on Tax Commissioner, said rebate to be paid out of the State Treasury on the warrant of the State Auditor drawn in accordance with the certificate of the Tax Commissioner that such rebate has been approved, or the amount of such rebate may be credited to such oil company, and deducted from its next assessment, at the option of such company, as expressed in its application for such rebate.

SECTION 10. If any retail dealer or distributor of any of the products enumerated herein and subject to a tax hereunder shall at any time mix or blend any such products, and offer such mixture for sale, such dealer or distributor shall pay to the State, in the manner herein elsewhere provided for the payment of taxes upon such products, the taxes due as provided in Section two hereof; and any such dealer or distributor shall keep conspicuously displayed upon any tank wagon or other vehicle used for such distribution, or in his place of business, a sign, printed in black letters not less than three inches high on a white surface, which shall designate the kind or kinds of mixture or substitute offered for Any such dealer or distributor who fails to conform with the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than One Hundred Dollars for each of-fense, and in addition thereto shall pay to the State the tax required by the provisions of this Act, together with a penalty of fifty percent thereof for the violation of the provisions of this section, said tax and penalty to be ascertained, assessed, certified and collected in the manner provided in Section seven hereof.

SECTION 11. Any oil company, directly or through any agent selling or offering for sale any mixture of or substitute for straight-run gasoline, as defined in this Act, without clearly designating the kind and quality of such mixture or substitute, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not less than Five Hundred Dollars; and in addition thereto shall pay to the State a penalty of fifty percent of the taxes due upon such mixture or substitute under the provisions of this Act, said tax and penalty to be ascertained, assessed, certified and collected as provided in Section seven hereof.

SECTION 12. For the purpose of this Act and the taxes herein imposed all cars, transmission lines, tanks, tank wagons, distributing stations, filling stations and oil in storage or in transit, owned or operated by any oil company and situated within the State, or partly within and partly without the State, are hereby declared to have a situs in the State.

SECTION 13. All administrative, special and general provisions of law including the oil inspection laws and the general tax laws of the State, and not inconsistent with the provisions of this Act, are hereby extended and made applicable to all the provisions of this Act and the taxes herein imposed.

SECTION 14. All taxes imposed under the provisions of this Act upon petroleum products shall be in lieu of all other State or local taxes upon such products.

SECTION 15. All moneys collected under the provisions of this Act shall be paid into the State Treasury, to be used for the defraying of the general expenses of the State government.

SECTION 16. If any section, paragraph, clause, sentence, or part of this Act shall by any court of competent jurisdiction be declared unconstitutional, such decision shall not affect or impair the validity of any other section, paragraph, clause, sentence or part thereof, but shall be confined to the particular section, paragraph, clause, sentence or part involved in the case in which such decision was rendered.

SECTION 17. All Acts and parts of Acts insofar as inconsistent with the provisions of this Act, are hereby repealed.

SECTION 18. This Act is hereby declarey to be an emergency measure, and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the incomes of persons, corporations, joint-stock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 75.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Five Million Dollars, to be known as "Bonds of North Dakota Mill and Elevator Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Senate Bill No. 111.

A bill for an Act to amend Section 3969 Compiled Laws of 1913, relating to excluding farm lands from the limits of cities, towns or villages.

Senate Bill No. 112.

A bill for an Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. King moved that the Senate do now take a recess for ten minutes, which motion prevailed, and the Senate took a recess.

AFTER RECESS

The Senate convened pursuant to recess taken.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 37.

A bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the incomes of persons, corporations, joint-stock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 75.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Five Million Dollars, to be known as "Bonds of North Dakota Mill and Elevator Series"; prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal of said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Senate Bill No. 111.

A bill for an Act to amend Section 3969 Compiled Laws of 1913, relating to excluding farm lands from the limits of cities, towns or villages.

Senate Bill No. 112.

A bill for an Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

And the President signed the same in the presence of the

Senate.

The Senate returned to the Eighth order of business.

MOTIONS AND RESOLUTIONS

Mr. Bowman offered the following resolution:

WHEREAS, the Sixteenth Legislative Assembly of the State of North Dakota has passed bills creating an Industrial Commission, a Terminal Elevator and Flour Mill Association, a Bank of North Dakota, a State Home Building Association, a State Hail Insurance Department, and provided bonds for the efficient conduct of these enterprises; and WHEREAS, these measures make it possible for the people

of North Dakota to exercise the sovereign power of the state to break the grip of outside monopolists who have systematically exploited its producers and consumers; and

WHEREAS, the freeing of our markets from the control

of alien interests and the establishment of a state financial system to be operated for public benefit instead of private profit extend the time-tested principles of democracy into industry and is certain to bring about economic emancipation that will increase the prosperity, contentment and general welfare of the people of this state, therefore

BE IT RESOLVED by the Senate, the House of Representatives concurring:

THAT the signing of these bills by the Governor, which enacts them into law, should be made a memorable public occasion befitting the supreme importance of the issues involved; and

THAT Governor Lynn J. Frazier be requested to appear before the Sixteenth Legislative Assembly, in joint session in the House Chamber at 3 p. m., Tuesday, Feb. 25, 1919, A. D., and sign the above mentioned measures, at which time it shall be in order for any member of the House or Senate to arise and make such remarks as he may see fit and that such remarks be embodied in the House and Senate Journals of that day, therefore

BE IT RESOLVED, that we do request Governor Frazier to sign these bills at the place and time above mentioned and the speaker of the House and lieutenant-governor be instructed to appoint a committee to wait upon the Governor and escort him to the chamber that the public signing of these momentous measures may be properly celebrated by the duly elected representatives who in the passage of these bills have faithfully endeavored to carry out the sovereign will of the people.

Mr. Bowman moved that the resolution be adopted, which motion prevailed and the resolution was adopted.

Mr. Church moved that the report of the committee indefinitely postponing Senate Bill No. 152 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Stenmo moved that the Senate do now concur in House amendments to Senate Bill No. 142, which motion prevailed.

Senate Bill No. 142.

A bill for an Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Was read the third time.

The question being on the final passage of the bill as amended by the House. The roll was called and there were ayes, 35; nays, none; absent and not voting, 14.

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckter, Hamerly, Hemmingsen, Hyland, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Noltimier, Oksendall, Olson, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Berg, Carey, Fraser, Gibbens, Hagan, Haggart, Hunt, Ingerson, Mees, Morkrid, Nelson, Pendray, Storstad, Welford.

So the bill passed and the title was agreed to.

THIRD READING OF SENATE BILLS

Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 43; nays, none; absent and not voting, 6.

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Hagan, Haggart, Hamerly, Hemmingsen, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Berg, Carey, Fraser, Gibbens, Hunt, Mees.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 62. The roll was called and there were ayes, 41; nays, none; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting—Carey, Church, Gibbens, McBride, McCarten, Mees, Ployhar, Zieman.

, So the emergency clause passed.

Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this Act.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 42; nays, none; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Church, Gibbens, Haggart, Hyland, Ingerson, McCarten, Ward.

So the bill passed and the title was agreed to.

Senate Bill No. 106.

A bill for an Act making an appropriation for the current and contingent expenses, maintenance, improvements and repairs, new buildings and equipment, and miscellaneous expenses of 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, 42; nays, none; absent and not voting, 7.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ayes—Beck, Benson, Berg, Bowman, Camil, Carey, Brown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Whitman, Zieman.

Absent and not voting-Church, Gibbens, Hyland, Ingerson, Mostad, Ward, Wenstrom.

So the bill passed and the title was agreed to.

Senate Bill No. 103.

A bill for an Act to appropriate \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 of the Session Laws of North Dakota, 1917.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 46; nays, none; absent and not voting, 3.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Hyland, Mostad, Ward. So the bill passed and the title was agreed to.

Senate Bill No. 93.

A bill for an Act making appropriations for the maintenance, improvements and repairs of the State Capitol.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 43; nays, none; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Hunt, Hyland, Mostad, Porter, Ward, Ziaman

Ward, Zieman.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 93. The roll was called and there were ayes, 43; nays, none; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamer-

ly, Hemmingsen, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Ettestad, Hunt, Hyland, Mostad.

Stenmo, Ward.

So the emergency clause passed.

THIRD READING OF HOUSE BILLS

House Bill No. 64.

A bill for an Act making an appropriation for the purpose of reimbursing the County of LaMoure, North Dakota, for moneys expended in maintaining a tachoma hospital.

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, none; absent and not voting, 2.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Hyland, Porter.

So the bill passed and the title was agreed to.

House Bill No. 65.

A bill for an Act to appropriate the sum of \$1900.00 for the maintenance of a trachoma hospital in the County of La-Moure, State of North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Gibbens, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostal, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Fleckten, Fraser, Hagan, Hyland, Ployhar, Porter.

So the bill passed and the title was agreed to.

House Bill No. 94.

A bill for an Act providing for an appropriation and levy by the county commissioners of each county in the state for the purpose of furnishing aid to night schools.

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, 45, nays, 0; absent and not voting, 4.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Wenstrom, Zieman,

Absent and not voting: Fleckten, Fraser, Morkrid, Welford.

So the bill passed and the title was agreed to.

House Bill No. 93.

A bill for an Act authorizing and regulating the exchange of reciprocal or inter-insurance contracts among individuals, partnerships and corporations; empowering corporations to enter into such contracts; regulating process in suits on such contracts; fixing certain taxes and fees and providing penalties for violation of this act.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes-Beck, Benson, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Morkrid, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Berg, Hyland, McBride, Mortenson, Mostad, Noltimier, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Ingerson moved that House Bill No. 22 be amended by striking out the word "therewith" in line 6 of Section 9, engrossed bill, and inserting in lieu thereof the word "herewith", which motion prevailed and the bill was so amended.

House Bill No. 22.

A bill for an Act providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, prescribing his duties, providing for the printing, publishing and distributing of Supreme Court reports and grantng power to the Supreme Court concerning the same and repealing all acts inconsistent therewith.

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, 41; nays,

3; absent and not voting, 5.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McCarten, Mees Mor,tenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman,

Nays-Church, Jacobsen, McBride. Absent and not voting: Drown, Gibbens, Haggart, McNair, Morkrid.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 22, the roll was called and there were ayes, 38; nays, 4; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingson, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mess, Mortenson, Mostad, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Vard, Weber, Wenstrom, Whitman, Zieman

Nays-Nelson, Porter, Storstad, Welford.

Absent and not voting: Church, Drown, Gibbens, Haggart, ...cobsen, McBride, Morkrid.

So the Emergency Clause passed.

Mr. Stenmo moved that further action on House Bill No. 161, be deferred until the next legislative day, which motion prevailed.

Mr. Hyland moved that further action on House Bill No. 124 be deferred until the next legislative day, which motion prevailed.

Mr. Cahill moved that House Bills Nos. 158, 156, 110, 182 and 85 be put on third reading and final passage, which motion prevailed.

House Bill No. 158.

A bill for an Act to provide for the establishment of flood irrigation projects, the establishment, construction and maintenance of dams, gates and necessary ditches for the purpose of controlling, regulating and forcing the overflow of waters in non-gavigable rivers and streams, and the appointment of Boards of Flood Irrigation, and defining their powers and duties.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Carey, Haggart, Hyland, King, McBride, Nelson, Ployhar, Ward.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 158, the roll was called and there were ayes, 37; nays, 0; absent and not voting, 12.

Ayes—Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Beck, Carey, Drown, Hagan, Hag-

gart, Hamerly, Hyland, King, McBride, Nelson, Ployhar. Ward.

So the Emergency Clause passed.

Mr. Jacobsen moved that the title to House Bill No. 156 be amended by inserting the words "and re-enact" after the word "amend" in line 1, and the words "North Dakota for the year" after the words "Laws of" in line 1, and striking out the words "to read as follows", and the words "permitting civil townships to build drains. An act entitled, An Act to", and the word "permit" and inserting the word "permitting". Also in Section 1, line 1, after the figure 1, insert the word "amendment", which motion prevailed and the bill was so amended.

House Bill No. 156.

A bill for an Act entitled "An Act to permit townships through their board of supervisors to build drains within the township and outlets therefor without the township, and to provide the manner of assessing the cost thereof and provide for its payment.

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, 41; nays, none; absent and not voting, 8.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Drown, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Church, Fraser, Haggart, Hyland, Nelson, Ployhar, Ward.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 156, the roll was called and there were ayes, 38; nays none; absent and not voting, 11.

Ayes—Beck, Benson, Berg, Cahill, Fleckten, Frasen, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nol-Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Carey, Church, Drown, Ettestad, Haggart, Hyland, McBride, Nelson, Ployhar, Ward.

So the Emergency Clause passed.

House Bill No. 110.

A bill for an Act regulating the construction, reconstruction, operation and maintenance of electrical supply and signal lines upon the highways and public places of the State of North Dakota and vesting in the Board of Railroad Commissioners certain powers and duties, and giving to said Commission power to adopt rules and regulations for the purpose of avoiding or mitigating intereference with the service of signal lines, by reason of the close association or proximity of signal lines to or with electrical supply lines.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, none; absent and

not voting, 9.

Ayes—Back, Benson, Berg, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, McNalr, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Carey, Haggart, Hyland, Jacobsen, Mees, Nelson, Ployhar, Ward.

So the bill passed and the title was agreed to.
The Senate returned to the 6th order of business.

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. 68.

A bill for an Act defining the crime of gambling; fixing the punishment therefore; and providing certain rules of evidence in prosecutions thereunder.

Have had the same under consideration and recommend

that the same be amended as follows:

After the word "whatever" in line 2 of Section 1, of the engrossed Bill insert the following "or to solicit, persuade or entice any person to participate in any manner whatever."

And when so amended recommend the same do pass.

R. L. FRASER, Chairman.

Mr. Fraser moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Election made the following report:

Mr. President: Your committee on Election to whom was referred House Bill No. 33.

A bill for an Act to amend and re-enact Section 983 of the Compiled Laws of North Dakota for the year 1913.

Have had the same under consideration and recommend

that the same be amended as follows:

In Section 869 in line 5 after the word "the' strike out the word "votes" and insert in lieu thereof the word "Ballots." And when so amended recommend the same do pass.

A. M. HAGAN, Chairman.

Mr. Olson moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 69.

A bill for an Act to Appropriate \$363.00 to provide funds for the Burial of Honorably Discharged Sailors, Soldiers, and Marines of the United State war of the Rebellion and Erection of Headstones therefor, as Authorized by Sections 3181, 3182, 3183, and 3184 of the Compiled Laws of North Dakota for 1913.

Was read the first and second time and referred to the committee on appropriations.

House Bill No. 72.

A bill for an Act to appropriate out of any money in the

State Treasury not otherwise appropriated, the sum of \$3,000.00 for the purpose of paying the expenses of delegates of the Presidential Nominative National Convention according to the provisions of Section 916 of the Compiled Laws of North Dakota, 1913.

Was read the first and second time and referred to the

committee on appropriations.

House Bill No. 128.

A bill for an Act levying a tax of one-half of one mill upon each dollar of assessed valuation of all taxable property within the State for such year for the purpose of creating a fund to be known as the "Returning Soldiers' Fund"; providing for the payment thereof to returned soldiers; defining the powers and duties of the Adjutant General and of the Industrial Commission with reference thereto; and making an appropriation therefor.

Was read the first and second time and referred to the

committee on Taxes and Tax Laws.

House Bill No. 145.

A bill for an Act to appropriate \$3,350 to aid in the educational work being carried on by the North Dakota Anti-Tuberculosis Association, and the prevention of the spread of tuberculosis more definitely prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses and providing that such work be done in connection with the Tuberculosis Sanitorium and that the appropriation be made available to that institution for that purpose.

Was read the first and second time and referred to the

committee on appropriations.

House Bill No. 152.

A bill for an Act to amend and re-enact Section 2530 of the Compiled Laws of North Dakota for the year 1913, relating to the duties of Superintendents of County Asylums and Poor Farms, and to provide for the payment of hospital fees by patients received at County Asylums and Poor Farms maintaining hospitals, in certain cases.

Was read the first and second time and referred to the

committee on Ways and Means.

House Bill No. 166.

A bill for an Act appropriating the sum of nine hundred twenty-five dollars and twenty-five cents for services and expenses incurred in connection with the inventory and appraisal of public utility corporations in North Dakota by Hagenah & Erickson, under the direction of the Governor, Attorney General and the State Tax Commission. Was read the first and second time and referred to the

committee on appropriations.

Courtesies of the floor were extended to Mr. and Mrs. Ed. Lawler, Linton; Spurgeon O'Dell, St. Paul, Minn; Charles Verrett, St. John; Peter A. Winter, McCluskey; F. A. Pike, St. Paul, Minn.; Judge C. W. Buttz, Devils Lake, N. D.; L. J. Moe, Rev. Moultree, N. A. Johnson, Valley City; Rev. Brayfield, Jamestown; Chas Rehak of Sargent county.

Mr. Gibbens moved that the Senate do now take a recess to 18, 20 c'dekt n. m. Ecol. 25, 1910. cribit parties.

to 12:30 o'clock p. m., Feb. 25, 1919, which motion prevail-

ed, and the Senate took a recess.

W. J. PEATER, Secretary.

SENATE CALENDAR FOR FEBRUARY 25, 1919 THIRD READING OF SENATE BILLS

Senate Bill No. 138.

A bill for an Act to amend and re-enact Section 1147 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the formation of new common school districts.

Senate Bill No. 41

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

Senate Bill No. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Senate Bill No. 149.

A concurrent resolution for an Act amending the constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build, maintain and repair highways.

Senate Bill No. 16.

A bill for an Act appropriating moneys for student soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said building to be further utilized as herein set out.

Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard, or state militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the Federal Statutes.

Senate Bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School.

Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from a misappropriation of such funds occurring previous to January 1, 1917.

Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school districts.

Senate Bill No. 53.

A bill for an Act providing for the extension of the state street car line from the McKenzie hotel to Tenth Street, hence North and West to the capitol, and making an appropriation therefor.

THIRD READING OF HOUSE BILLS

House Bill No. 124.

A bill for an Act providing for judicial districts, judges thereof, terms of court to be held therein and the powers and duties of such courts and the procedure therein, and repealing all Acts and parts of Acts in conflict therewith.

House Bill 161.

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, relating to Deputy County Superintendents of Schools, and compensation therefor.

House Bill No. 85.

A bill for an Act to Amend and re-enact Section 3896 of the Compiled Laws of North Dakota for 1913; Providing for the improvement on petition of public streets of villages and for the levy and collection of tax therefor.

House Bill No. 182.

A bill for an Act to amend and re-enact Section 6749, Compiled Laws of 1913, relating to the satisfaction of mortgages and liens.

House Bill No. 68.

A Bill for anAct defining the crime of gambling; fixing the punishment therefor; and providing certain rules of evidence in prosecutions there under.

House Bill No. 33.

A bill for an Act to amend and re-enact Section 983 of the Compiled Laws of North Dakota for the year 1913.

FORTY-NINTH DAY AFTER RECESS AND FIFTIETH DAY

SENATE CHAMBER, BISMARCK NORTH DAKOTA, February 25, 1919.

The Senate convened at 12:30 o'clock p. m., pursuant to recess taken, the president presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 82.

A bill for an Act appropriating the sum of \$200.00 for the purpose of printing the biennial report of the Boundary Drainage Commission.

Senate Bill No. 92.

A bill for an Act to appropriate the sum of \$8,221.79 for the arrest and return of fugitives from justice.

Senate Bill No. 123.

A bill for an Act, entitled, "An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State Institutions."

Senate Bill No. 124.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit for the construction of the reinforced concrete chimney; boiler breeching, including breeching piers; and a concrete well, at the State Hospital for the Insame at Jamestown, North Dakota.

Senate Bill No. 129.

A bill for an Act to require the listing of motor vehicles by tax assessors within the State, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Senate Bill No. 130.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Senate Bill No. 154.

A bill for an Act to authorize fraternal benefit societies to establish and maintain classified membership.

Senate Bill No. 190.

A Concurrent Resolution for an Act amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

Senate Bill No. 199.

A bill for an Act authorizing cities to employ city managers.

Senate Bill No. 206.

A bill for an Act to amend Section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceed-

And the President signed the same in the presence of the

Senate.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 25, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Concurrent Resolution relating to the holding of a joint session in the House Chamber at 3 o'clock p. m., February, 25, 1919.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

The Senate returned to the sixth order of business.

REPORTS OF STANDING COMMITTEES

The committee on Insurance made the following report:

Mr. President: Your committee on Insurance to whom was referred Senate Bill No. 191.

A bill for an Act relating to the licensing of agents to solicit insurance.

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

WALTER WELFORD, Chairman.

The committee on Education made the following report: Mr. President: Your committee on Education to whom was referred House Bill No. 179.

A bill for an Act to amend Section 1147, Compiled Laws of North Dakota for the year 1913 as amended by Chapter 135 of the Session Laws for the year 1915.

Have had the same under consideration and recommend

that the same be amended as follows:

Add the following to the title: "relating to the formation

of new school districts."

Strike out everything after the following words in printed bill: "Section 1147. New Common School District. How Organized" and insert in lieu thereof the following:

"The Board of County Commissioners and County Superintendent may organize a new school district from another district or from portions of districts already organized, if in their judgment the organization of a new district is desirable and necessary, upon being petitioned so to do by at least two-thirds of the school voters residing in the proposed district. When two or more adjoining counties are affected, such pro-

posed new district shall be organized by the concurrent action of the boards of county commissioners and county superintendents of such counties. Action on such organizations shall be taken only at the July meeting of the county commissioners. Provided that all assests and liabilities shall be equalized according to Section 1327 of the Compiled Laws of North Dakota for the year 1913."

And when so amended recommend the same do pass.

ALBERT STENMO, Chairman.

Mr. Stenmo moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Irrigation and Drainage made the follow-

ing report:

Mr. President: Your committee on Irrigation and Drainage

to whom was referred House Bill No. 111.

A bill for an Act defining Mutual Telephone Companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

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

That House Bill Number 111 be amended by striking out the whole and every portion thereof after "A Bill" and in-

serting in lieu thereof the following:

"For an Act authorizing the Board of Railroad Commissioners to require physical connections between mutual telephone companies and any other telephone companies and authorizing the board to fix rates and charges for joint service and repealing Section 10 of Chapter 209 of the Session Laws of 1915 and all other Acts and parts of Acts in conflict with this Act.
BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY

OF THE STATE OF NORTH DAKOTA:

SECTION 1.-MUTUAL TELEPHONE COMPANIES DE-The words "mutual telephone company" as used in this act shall mean any number of persons, numbering fifteen or more, associated in a company or corporation engaged in the business of furnishing communication by telephone within the State of North Dakota, primarily for their own convenience and not for profit, the expenses of such company or corporation being met by assessments on the individual members.

SECTION 2.—RAILROAD COMMISSION MAY REQUIRE The Board of Railroad Commis-PHYSICAL CONNECTION. sioners may require any telephone company operating in this state after hearing and notice to make a physical connection or connections and furnish telephone service between its telephone system or toll lines and the telephone system or toll lines operated by any mutual telephone company as herein definied, or any other telephone company or system whatsomers. The Board of Railroad Commissioners shall have the power to establish joint rates or charges for service by or over any such connected lines and to declare the portion thereof to which said companies affected thereby shall be entitled and the manner in which the same shall be secured and paid. cost of making such connection or connections shall be shared by the companies making such connection and such portion as they shall agree upon, or in case of disagreement the Com-mission shall enter an order directing one of the companies, which is to be joined by physical connection with another to perform the actual work of connecting up the two lines and file with the Commission a statement of the cost of performing the work ordered, and after such statement has been filed

the Commission shall order such company so joined to pay such share of the expenses of making such connection as the

Commission may deem just and reasonable.

The term "physical connection" as used in this section shall mean such number of trunk lines or complete wire circuits and connections as may be required to furnish reasonably adequate telephone service between such different telephone companies or different telephone systems.

SECTION 3.—REPEAL. That Section 10 of Chapter 209, of the Session Laws of North Dakota for the year 1915 and all other Acts or parts of Acts in conflict herewith are hereby

repealed.

And when so amended recommend the same do pass.

W. J. CHURCH, Chairman.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 64, a bill for an Act to appropriate money for the expenses of the executive, legislative and judicial departments of the state government, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other Acts and parts of Acts in so far as the same relate to appropriations conflicting herewith or the appropriations for the same matters or purposes provided for herein.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 3 of Section 1, strike out the figures "\$3,029,517.97" and insert in lieu thereof the figures "\$3,973,727.50." SUB-DIVISION 1.

In line 12, strike out the figures "\$2,500" and "\$5,000" and

insert in lieu thereof the figures "\$2,800" and "\$5,600."

In line 15, strike out the figures \$250" where it appears the second time and insert in lieu thereof the figures "\$500." In line 23, strike out the figures "\$20,800," and insert in lieu thereof the figures "\$21,400." SUB-DIVISION 3.

In line 33, strike out the figures "\$2,000" and "4,000" and

insert in lieu thereof the figures "\$2,500" and \$5,000."

After line 33 insert line "33\(\frac{1}{2}\)" and add the following: "Salary deficit to July 1st, 1919, \$250.00."

In line 39, strike out the figures "\$125.00" and insert in lieu thereof "\$100.00."

In line 40, after the words "four stenographers" add the following: "for judges of supreme court 4,800 9,600."

Strike out lines 41, 42, 43, 44 and 45.

In line 56, strike out the figures "\$71,500.00" and insert in lieu thereof the figures "\$75,150.00." SUB-DIVISION 5.

In line 63, strike out the word "Librarian" and the figures "\$1,800" and "\$3,600" and insert in lieu thereof the follow-"Supreme court reporter, law librarian and reference librarian \$2,500 and \$5,000."

In line 93, strike out the figures "\$8,550.00" and insert in lieu thereof the figures "\$9,950.00." SUB-DIVISION 6.

After line 102 add line 1021/2" and the following: "One recording clerk \$1,200.00 and \$2,400.00."

In line 103, strike out the word "two" and insert in lieu thereof the word "three." In the same line strike out the figures "\$2,400.00" and "\$4,800.00" and insert in lieu thereof the figures \$3,600.00" and "\$7,200.00."

After line 103, add line "1031/2" and the following: "One

stenographer half time \$600.00 and \$1,200.00."

In line 124 strike out the figures "\$43,500.00" and insert in lieu thereof the figures "\$49,500.00." SUB-DIVISION 7.

In line 128 strike out the figures "\$2,500" and "\$5,000" and insert in lieu thereof the figures "\$2,800.00" and "\$5,-

600.00."

In line 208 insert the following: "Contingent fund, to be used only in complying with the new tax laws, other than the classification act, \$35,000.00."

In line 209 strike out the figures "\$36,300.00" and insert

in lieu thereof the figures "\$71,900.00."

SUB-DIVISION 8.

In line 214, strike out the figures "\$2,500.00" and "\$5,000.-00" and insert in lieu thereof the figures "\$2,800.00" and "\$5,600."

In line 227, add the following: "Contingency fund, to be used only in complying with the new tax laws, other than the classification act, \$40,000.00."

In line 228 strike out the figures "\$23,000.00" and insert in

lieu thereof the figures "\$64,200.00." SUB-DIVISION 11.

Strike out everything in line 281 and insert in lieu thereof the following: "Salary five assistant attorney generals, \$13,-000.00, \$25,000.00."

Strike out all of line 281½. In line 282, after the word "clerk-hire" strike out the colon and insert in lieu thereof the following: "and stenographers, \$8,100.00, \$16, 200.00." Strike out lines 283, 284, 285 and 286.

After line 290 add line "2901/2" and the following: "Emergency appropriation to defray the expenses of the railroad tax cases, \$2,000, to become effective immediately upon the passage and approval of this act."
After line 294 add line "294½" and the following: "Bal-

ance on one typewriter, \$35.53."

In line 298, strike out the figures "\$3,650.00" and "\$7,300.-00" and insert in lieu thereof the figures "\$15,000.00" and \$30,000.00."

In line 299, insert the following: "Legal Fund, \$10,000.00 to become available upon the passage and approval of this

act."

In line 300, strike out the figures "\$51,400.00" and insert in lieu thereof the figures "\$99,935.53."

Strike out lines 283, 284, 285 and 286.

SUB-DIVISION 12.

In line 310, strike out the figures "\$2,000.00" and "\$4,-000.00" and insert in lieu thereof the figures "\$2,400.00" and "\$4,800.00."

In line 311, strike out ",000" and insert in lieu thereof "1,-

Strike out all of lines 316 and 317 and 318 and in line 315 after the word "etc." add the figures "\$5,500.00" and \$11,-

000.00." In line 322, add the following: "Postage to July 1st, 1919,

\$400.00."

In line 323, strike out the figures "\$38,700.00" and insert in lieu thereof the figures "\$39,400.00." SUB-DIVISION 13.

After line 330 add line "3301/2" and the following: "Office deputy, \$2,000.00, \$4,000.00."

In line 332, strike out the figures "\$1,200.00" and "\$2.-400.00" and insert in lieu thereof the figures, "\$1,500.00" and "\$3,000.00."

In line 345, strike out the figures "\$27,000.00" and insert in lieu thereof the figures "\$31,600.00."

SUB-DIVISION 14.

In line 373, strike out the figures "\$26,000.00" and insert in lieu thereof the figures "\$26,600.00." SUB-DIVISION 16.

In line 408, strike out the word "lease" and insert in lieu thereof the words "bond and mortgage."

Strike out all of line 409.

In line 410, before the word "clerk" insert the word "lease." In line 413, strike out the word "one" and insert in lieu thereof the word "two," and change the word "stenographer" to read "stenographers," and in the same line strike out the figures "\$1,200" and "\$2,400," and insert in lieu thereof the figures "\$2,400" and "\$4,800."

In line 429, after the word "deficit" add the following words: "Appraisal and sale" and in the same line strike out the figures "\$750.00" and "\$1,500" and insert in lieu thereof

the figures "\$8,500.00."

In line 431 strike out the figures "\$41,725.00" and insert in lieu thereof the figures "51,125.00."

SUB-DIVISION 17.

In line 436, strike out the figures "\$2,500.00" and "\$5,000,-00" and insert in lieu thereof the figures "\$2,800.00" and "\$5,-600.00."

In line 462, strike out the figures "\$108,600.00" and insert

in lieu thereof the figures "\$110,000.00."

SUB-DIVISION 18.

In line 465, strike out the figure "3" and insert in lieu thereof the figure "1."

In line 466, strike out the figures and word "(\$3,000 each)" and in the same line strike out the figures "\$9,000.00" and "\$18,000.00" and insert in lieu thereof the figures "\$4,000.00" and "\$8,000.00."

In line 479 add the following: "Emergency Fund, to be used only in complying with the new tax laws, other than the classification act," and the figures "\$35,000.00."

In line 480, strike out the figures "\$36,600.00" and insert

in lieu thereof the figures "\$61,600.00."

SUB-DIVISION 20.

In line 514 and line 515, strike out the word "legislative."

Strike out all of line 518.

In line 528, strike out the figures "\$450" and insert in lieu

thereof the figures "\$700."

In line 527, where it appears the second time, strike out the figures "\$22,170.00" and insert in lieu thereof "\$19,-660.00."

SUB-DIVISION 23.

In line 577, strike out the figures "\$1,300.00" and "2,-600.00" and insert in lieu thereof the figures "\$1,500.00" and "\$3,000.00."

In line 580, strike out the figures \$1,000.00" and "\$2 .-000.00" and insert in lieu thereof "\$1,200.00" and "\$2,400.00." In line 613, strike out the figures "\$15,938.00" and insert in lieu thereof the figures "\$16,738.00."

SUB-DIVISION 26.

In line 668, after the word "deficit," insert the following: "to become available upon the passage and approval of this act."

SUB-DIVISION 27.

Strike out all of Sub-Division 27 and insert in lieu thereof the following:

DEPARTMENT OF OIL INSPECTION Per Per Bien-Annum nium Salary, chief deputy oil inspector\$2200 \$4400 Three (3) Deputy Inspectors at \$125.00 4500 9000 Two (2) Oil Inspectors at \$100.00 2400 4800 1 Clerk and stenographer 1200 2400 I Auditor (one-fourth time) 375 750 Chemist 3000 6000 Postage and stationery 300 600 Office supplies 300 600 Printing bulletins and circulars 550 1100 Miscellaneous: Apparatus, Telephone, toll charges, telegrams, freight, drayage, express 500 1000 Traveling Expenses: Field inspectors' expenses, collecting samples, travel, hotel, etc. 4000 Office rent at Agricultural College: 8000 Office Chief Deputy Inspector, heat, light and janitor service 300 600 Chemical apparatus and chemicals 1200 2400 Court expenses 300 600 Contingent Fund: Incidental and miscellaneous expense..... 250 500

Total-SUB-DIVISION 28.

In line 725, strike out the figures "\$109,792" and "\$219,-584" and insert in lieu thereof the figures "\$211,000" and

In line 727, strike out the figures "\$2,000" and "\$4,000" and insert in lieu thereof "\$4,000" and "\$8,000."

In line 729, strike out the figures "\$5,000" and "\$10,000" and insert in lieu thereof the figures "\$7,500" and \$15,000." In line 749, strike out the figures "\$7,500" and "\$15,000" and insert in lieu thereof the figures "\$7,500" and "\$15,000" and insert in lieu thereof the figures "\$7,500" and "\$1,500" and insert in lieu thereof the figures "\$7,500" and "\$1,500" and insert in lieu thereof the figures "\$7,500" and "\$1,500" and insert in lieu thereof the figures "\$7,500" and "\$1,500" and insert in lieu thereof the figures "\$7,500" and "\$1,500" and "\$1,500"

insert in lieu thereof the figures "\$1,000" and "\$2,000."

In line 766, strike out the figures "\$2,500" and "\$5,000" and insert in lieu thereof the figures "\$4,641.60" and "\$9,-283.00."

After line 771 add line "7711/2" and add the following:

"Equipment for Commons Building, \$4,000.00."

In line 775, strike out everything and insert in lieu fiereof the following: "General Fund Deficit, \$18,500.00, this amount to become available upon the passage and approval if this act."

In line 776, strike out the word "five" and insert in lieu thereof the word "two." In the same line, before the word "contents" insert the words "Insurance on buildings anl." In

the same line strike out the figures "\$8,988" and "\$17,976" and insert in lieu thereof the figures "\$8,693."

In line 778, strike out the words "off the campus."

In line 779, after the word "mines" insert the words "at the university."

In line 780, after the word "mining" insert the word "Sub." After line 781, add line "78112" and add the following: "Biological Station, \$6,000."

In line 782, insert the following: "Public Healh Labora-

tories, \$24,000.00."

After line 782, add line "7821/2" and add the following:

"Geological Survey, \$6,000."

In line 783, strike out the figures "\$401,860" and insert in lieu thereof the figures, "\$670,776." SUB-DIVISION 30

In line 816, strike out the figures "\$12,648.48" and insert in lieu thereof the figures "\$12,548.48."

SUB-DIVISION 31.

Strike out all of subdivision 31. SUB-DIVISION 33.

After line 847, add line "8471/2" and the following: "Main-

tenance for teaching staff, \$25,000.00."

Strike out everything in line 848 and insert in lieu thereof the following: "Maintenance due to increased cost of coal; freight and all supplies, \$50,000."

Strike out everything in line 849 and insert the following:

"Improvements and repairs:"

In line 857, after the word "for," add the words "Science

Hall' and the figures "\$2,500" and "\$5,000."

Strike out everything in line 858 and insert in lieu thereof the following: "New Agricultural Building, one unit; to be made available in 1920, \$150,000."

Strike out everything in line 881 and insert the following: "Pure Seed Laboratory, Maintenance, Salaries based on present

pay-roll \$8,500."

After line 881 add line "8811/2" and the following: "Special Emergency Stenographer for one-half time, Student labor and special aid in Seed Analysis and seed testing in spring months \$1,000."

Strike out everything in line 882 and insert the words "Im-

provements and Repairs."

Strike out everything in line 910 and insert in lieu thereof the following: "To provide funds for the continuation of the work of the Agricultural College Experiment Station, (Sections 1619, 2911, Session Laws 1913 C. L.) \$50,000."

Strike out everything in line 911, and insert in lieu thereof the following: "For repairs and improvements on Farm."

In line 913, add to the word "build" the syllable "ings" and insert the figures "\$500" and "\$1,000."

Strike out everything in line 914 and insert in lieu thereof the following: "To provide funds for the Agricultural College to conduct a department in marketing, rural finances and organization and for the publication of information derived from research along the above mentioned line, \$4,500 and \$9,000."

In line 937 correct the spelling of the word "demonstration." In line 989, strike out the figures "\$302,504" and insert in lieu thereof the figures "\$596,004."

SUB-DIVISION 34.

In line 992, strike out the word "salary" and insert in lieu thereof the words "per diem and expense." SUB-DIVISION 38.

In line 1132, strike out the figures "\$85,000" and "\$170,000" and insert in lieu thereof the figures "\$91,200" and "\$182,400."

In line 1156, strike out the figures "\$200,245.99" and insert in lieu thereof the figures "\$212,645.99."

SUB-DIVISION 39.

In line 1163, strike out the figures "\$375" and "\$750" and insert in lieu thereof the figures "\$300" and "\$600."

After line 1166 add line "1166½" and the follows: and power electric, \$1,050, \$2,100."

In line 1168, strike out the figures "\$730" and "\$1,460" and insert in lieu thereof the figures "\$600" and "\$1200." In line 1170, strike out the figures "\$1,500" and "\$2,300" and

insert in lieu thereof the figures "\$750" and "\$1500."

After line 1174 add line "11741/2" and the following: "Water, \$500, \$1000."

In line 1197 insert the following: "Deficit in Dormitory

Maintenance \$1,600."

In line 1198 strike out the figures "\$185,794" and insert in lieu thereof the figures "\$189.284." SUB-DIVISION 40.

In line 1235, strike out the figures "\$6000" and insert in lieu thereof the figures "\$8000."

In line 1240, strike ou the figures "\$84,280" and insert in lieu thereof the figures '\$86,280."

SUB-DIVISION 41.

In line 1261, strike out the figures "\$61,550" and insert in lieu thereof the figures "\$61,350." SUB-DIVISION 43.

In line 1279, strike out the figures "\$16,000" and "\$32,000" and insert in lieu thereof the figures "\$18,555" and "\$37,110."

In line 1294, strike out the figures "\$150" and "\$300" and

insert in lieu thereof the figures "\$200" and "\$400." In line 1322, strike out the figures "\$8000" and insert in lieu

thereof the figures "\$10,000."

After line 1322 add line "13221/2" and the following: "Typewriter \$75."

In line 1330, strike out the figures "\$54,270" and insert in lieu thereof the figures "\$61,555."

SUB-DIVISION 44.

In line 1335, strike out the figures "\$15,000" and "\$30,000" and insert in lieu thereof the figures "\$20,000" and "\$40,000." In line 1346, strike out the figures "\$150" and "\$300" and insert in lieu thereof the figures "\$250" and "\$500."

In line 1349, strike out the figures "\$350" and "\$700" and insert in lieu thereof the figures "\$1,500" and "\$3,000."

In line 1350, strike out the figures "\$450" and "\$900" and insert in lieu thereof the figures "\$600" and "\$1,200."

After line 1350 add line "13501/2" and the following:

mitory \$55,000, this amount to become available 1920." In line 1351 insert the following: "Heating Plant \$35,000,

this amount to become available 1920." In line 1352, strike out the figures "\$45,750" and insert in lieu thereof the figures "\$148,550."

SUB-DIVISION 47.

In line 1373, correct the spelling of the word "Budget."

SUB-DIVISION 49.

In line 1400, strike out the figures "\$162,500" and "\$325,000" and insert in lieu thereof the figures "\$212,500" and "\$425,000." SUB-DIVISION 50.

In line 1406, strike out the following: "schools; (one" and insert in lieu thereof the following: "and consolidated schools." Strike out all of lines 1407, 1408 and 1409.

In line 1410, strike out the words "one only" and insert in lieu thereof the word "three." In the same line strike out the figures "\$2,400" and "\$4,800" and insert in lieu thereof the figures "\$6,600" and "\$13,200."

In line 1411, strike out the words "one only" and insert in lieu thereof the word "three." In the same line strike out the figures "\$1,100" and \$2,200" and insert in lieu thereof the figures "\$3,000" and "\$6,000."

In line 1413, strike out the figures "\$7,000" and insert in lieu thereof the figures "\$19,200."

SUB-DIVISION 51.

In line 1419, strike out the figures "\$2,000" and "\$4,000" and insert in lieu thereof the figures "\$2,200" and "\$4,400."

In line 1422, strike out the figures "\$6,000" and insert in lieu

thereof the figures "\$6,400."

In line 1436, strike out the figures "\$3,029,517.97" and insert in lieu thereof the figures "\$3,973,727.50."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

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

The committee on Public Printing made the following re-

port:

Mr. President: Your committee on Public Printing to whom

was referred Senate Bill No. 157.

A Bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and re-pealing all Acts and parts of Acts in conflict herewith.

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

Strike out everything after and including Section 1 of the

printed bill and insert in lieu thereof the following: SECTION 1. In lieu of the Commissioners of public print-

ing, there is hereby created a Commission to be known as the

State Publication and Printing Commission.

SECTION 2. The said commission shall be composed of the Secretary of State, the Commissioner of Agriculture and Labor and the Commissioner of University and School Lands. It shall hold its first meeting in the office of the Secretary of State within twenty days after the passage and approval of this Act.

SECTION 3. The said Commission is authorized to appoint a State Printer, who shall also be Secretary to the Commission, and such appointee, may, by the Commission, be removed with or without cause. The person so appointed must at the time of his appointment have been a resident of the State of North Dakota for at least one year last past, and must be a practical expert printer. He shall receive an annual salary of Twenty-four Hundred (\$2400.00) Dollars; he shall perform all the duties now required of the expert printer, and such other duties as may be assigned to him by the Commission hereby established, and shall maintain his office in the State Capitol.

SECTION 4. In addition to the duties and powers now vested by law in the board heretofore known as the Commissioners of Public Printing, the Commission shall have the power to make all printing contracts in all matters of state printing, and the power to designate a newspaper in every county in the state, and a newspaper or newspapers in the state, in which publications required by law to be published by state officials, must be made. It shall be the duty of said Commission to designate in every county of this state a newspaper, which shall be the official newspaper, which shall be the official newspaper in each county in which it is designated, until its successor shall be chosen as provided by law; and in said newspapers in each county so designated, shall be published official proceedings of the Board of County Commissioners in each county respectively, and all other notices and publications that are now required by law to be published by county officers in the several counties; all summons, citations, notices, orders and other processes in all actions or proceedings in the Supreme, District or County or Justice Courts, which are or may be hereafter required by law to be published in the respective counties of the State; all publications of every nature that are now or may hereafter be required to be published by state officers; all notices of foreclosure by advertisement or real estate or chattel mortgages or of other liens on real or personal property; all notices of whatsoever kind and character now . or hereafter required by law to be published, in said county; provided, however, that in organized cities, towns or villages, where no official newspaper is published, said city, town or village, council, commission or board, may designate an official newspaper for the publication of such notices and legal publications, as are now or may hereafter be required by law for said cities, towns or villages; but in cities, towns or villages where the commission designates an official newspaper, such notices and legal publications as are now required by law to be published by cities, towns or villages, shall be published in the official newspaper designated by the Commission. The Commission shall have the power and it shall be its duty to select one or more legal newspapers in this state for the publication of all state legal notices, including notices for the publication of any reports of corporations doing business in this state, now required by law to be published, either from the office of the Insurance Commissioner, or Secretary of State or other state officers, and it shall have the power, in addition to the provisions of law now existing to make contracts with any printer, newspaper publisher, person or corporation, for the publication of any state legal notice, for the printing of any state documents, laws, journals or other state matters, or for the making or providing of state stationery, of blanks and other documents whatsoever in their judgment they may determine so to do. It shall be the duty of every newspaper in this state thus designated by the commission to send to the Secretary of such Commission, at Bismarck, weekly, two copies of every issue published by it, and the Secretary shall keep on file in his office in the State Capitol a complete file of every such newspaper, and shall furnish to any person certified copies of matter contained in any of such papers, upon the payment by such person of the sum of ten cents per folio for each copy so furnished by him; the fee for such certified copies shall be turned over to the State Treasurer on the first business day of each month. SECTION 5. The intent of this Act is to co-ordinate pub-

lication of all state legal notices, publications, reports and laws of every kind and nature under one supervising head to have definite and certain legal newspapers in this state, so that information can be readily secured concerning any legal publication, and to economize in the matter of state

printing and to keep a complete system of files where legal publications of every kind in this state can be readily found. This Act shall receive a liberal construction in order to effectuate the purposes and intent thereof.

SECTION 6. All Acts and parts of Acts in conflict with

this Act are hereby repealed.

SECTION 7. An Emergency is hereby declared to exist: 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.

G. F. HUNT, Chairman.

Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Printing made the following re-

port:

Mr. President: Your committee on Public Printing to whom

was referred Senate Bill No. 158.

A Bill for an Act providing for the Selection and Designation of one State, County and Municipal Official Newspaper in each County in the State; Prescribing the Manner of its Selection and Duties.

Have had the same under consideration and recommend

that the same do pass.

G. F. HUNT, Chairman.

Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Printing made the following re-

Mr. President: Your committee on Public Printing whom was refered Senate Bill No. 160.

A Bill for an Act to amend and re-enact Section 3308 of the Compiled Laws of North Dakota for the year 1913.

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

G. F. HUNT, Chairman.

Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Printing made the following report:

Mr. President: Your committee on Public Printing whom was referred Senate Bill No. 161.

A bill for an Act to Repeal Sections 3307 and 3598 of the compiled Laws of North Dakota for the year 1913.

Have had the same under consideration and recommend

that the same do pass.

G. F. HUNT, Chairman.

Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Printing made the following re-

port:

Mr. President: Your committee on Public Printing

whom was referred Senate Bill No. 162.

A bill for an Act to amend and re-enact Section 3310 of the Compiled Laws of North Dakota for the year 1913.

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

G. F. HUNT, Chairman. Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Printing made the following re-

port:

Mr. President: Your committee on Public Printing to

whom was referred Senate Bill No. 163.

A bill for an Act, to amend and re-enact Sections 2658 of the Compiled Laws of North Dakota for the year 1913, relating to Estrays.

Have had the same under consideration and recommend

that the same do pass.

G. F. Hunt, Chairman. Mr. Hunt moved that the report be adopted, which motion

prevailed and the report was adopted.

The committee on Public Printing made the following re-

port:

Mr. President: Your committee on Public Printing to

whom was referred Senate Bill No. 164.

A bill for an Act to repeal Section 2659 of the Compiled Laws of North Dakota for the year 1913, relating to Official Estray Paper.

Have had the same under consideration and recommend

that the same do pass.

G. F. HUNT, Chairman.

Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Public Printing made the following re-

port:

Mr. President: Your committee on Public Printing to

whom was referred Senate Bill No. 165.

A Bill for an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to Newspapers qualified to do legal printing.

Have had the same under consideration and recommend

that the same do pass.

G. F. HUNT, Chairman.

Mr. Hunt moved that the report be adopted, which motion prevailed and the report was adopted. The Committee on Ways & Means made the following re-

port:

Mr. President: Your committee on Ways & Means to

whom was referred House Bill No. 152.

A bill for an Act to amend and re-enact Section 2530 of the Compiled Laws of North Dakota for the year 1913, relating to the duties of Superintendents of County Asylums and poor farms, and to provide for the payment of Hospital fees by patients received at county Asylums and Poor Farms maintaining hospitals, in certain cases.

Have had the same under consideration and recommend

that the same do pass.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to

sign

House Bill No. 103.

A bill for an Act to amend and re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compile1 Laws of North Dakota for the year 1913 relating to the creation of a State Bar Board, its members, their term of office, qualifications, compensation and duties and providing for the admission of attorneys to practice. Issuance of Licenses.

And the President signed the same in the presence of the

Senate.

Mr. Wenstrom moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

FIFTIETH DAY

SENATE CHAMBER, BISMARCK NORTH DAKOTA, February 25, 1919.

The Senate convened at 2 o'clock, p. m., the president presiding.

Prayer was offered by the Chaplain Rev. Hiltner.

Roll Call.

All members present.

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 48th day after recess and 49th day and recommend that the same be corrected as follows:

On page 24, line 16 correct the spelling of the word "such"; page 25, line 2, change the word "thereunder" to "hereunder"; page 26, line 7 take out the initial "A"; page 21 line 4, strike out the figures "144" and insert "44" and in line 5 strike out the figures "2087" and insert the figures "2078."

And when so corrected recommend that the same be ap-

proved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

To Members of the Legislature from Pembina County, Bismarck, N. D.

Subject: The County Newspaper.

Is the Sixteenth Legislature going to kill one of the best friends the common people ever had—their Country Newspaper? Is not the Weekly Newspaper in North Dakota a County Official, the only official equipped to inform the public as to what public officials are doing, where and how their money paid in taxes goes to, Do you want to abolish said office? It's true that much money is spent in publishing public affairs that is only a waste of money. It is no fault of the newspapers that such is a waste, it's the fault of officer or person preparing public statistics, notices, and other matters for publication, caused by having to follow some prescribed rules laid down in our laws. Much good can come from revamping our Publicity Laws. The writer does not have the time to enter into this feature of the matter at this time. It is a subject in itself and one which I have already discussed before public conference in North Dakota.

Have you ever been a hundred miles from home without a person near of your acquaintance back home, or are establishing for yourself possibly in a new home? What are your feelings when the country newspaper, even though it be but a two sheet, comes? What a comfort our country newspapers have been to our brave boys in cantone camps, on the battle lines in France or in the hospitals while recovering from wounds. Just to illustrate, I received a letter from a soldier boy now in Germany with our army, who said among other things there were times "over there" when in battle that he thought that all that would be left of him when he recovered from the advance on the enemy, would be a little wooden

cross "Somewhere in France". In the conclusion of this letter he said "Please, Billy, send me a few copies of the Pembina Pioneer Express". Is North Dakota going to cripple her country press? Good wholesome publicity dished up in a county newspaper is the greatest cure for corrupt public af-

fairs that men ever invented.

Shall we have but one official newspaper in each county? Later but one newspaper of any kind? Later but one newspaper, with one editor, thus placing the pulsation of the publics' pulse in hands of one doctor to prescribe as he sees fit? Put all the small towns off the map as far as a local newspaper is concerned? Have but one or two places in a county where people locally know what has happened each week in their town without joining a gossip society? When I read in the press that all publication fees were to be paid to one newspaper in the county, it naturally occurred to me what would be the final result. All that we can possibly do is surmise. Here is my guess what will happen in Pembina coun-

The first year there would be a grand rush for votes as between Pembina county's seven papers, a small minority of the population can control and name official paper. No paper can expect to get a majority vote. The winner would forthwith get a large majority, yes, probably seventy-five per cent of the subscribers of the county. All business men and outside advertisers would advertise in said paper. People outside the county desiring county news would become subscribers. The winner would have a big advantage at the end of his term for re-election, before the start for another election he would have at least some out of the way. If he won again, in five years where would the other six papers be?

Believe me, it keeps some guessing now to get out their weekly sheet and make a living. Instead of discouraging weekly newspapers in several places throughout the county, we should boost. It is the only means the busy farmer, business man, or bum (they all read) have of finding out the general news of his immediate vicinity.

It has sometimes come to the writer's mind the idea, Would it be possible to make every newspaper in the county an Official Newspaper. Have the newspaper publishers organize into a society or corporation, publish a supplement to their newspaper containing only public notices, proceedings, etc., now required to be published, all supplements alike, each publisher to send out with his newspaper copies of supplement, supplement to be included only with papers going to voters of county, copies going otherwise to be paid for. Voter to select the newspaper in county in which his supplement Allow the same publication fees as is now is to be sent. paid, for instance where publication is in one newspaper only the single rate, if in three, the rate for the three to be charged. Publication fees placed in one jack pot and divided pro rata according to number of voter selections each paper has. This sounds like a dream, take it for what it is worth, but I think it has the one official newspaper plan skinned a mile.

Yours for a Greater North Dakota, W. W. FELSON.

REPORTS OF STANDING COMMITTEES The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and En-

grossment have examined the following bills:

Senate Bill No. 149.

A concurrent resolution for an Act amending the constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build, maintain and repair highways.

Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school districts.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 82.

A bill for an Act appropriating the sum of \$200.00 for the purpose of printing the biennial report of the Boundary Drainage Commission.

Senate Bill No. 92.

A bill for an Act to appropriate the sum of \$8,221.79 for the arrest and return of fugitives from justice.

Senate Bill No. 123.

A bill for an Act, entitled, "An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State Institutions."

Senate Bill No. 124.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit for the construction of the reinforced concrete chimney; boiler breeching, including breeching piers; and a concrete well, at the State Hospital for the Insane at Jamestown, North Dakota.

Senate Bill No. 129.

A bill for an Act to require the listing of motor vehicles by tax assessors within the State, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Senate Bill No. 130.

A bill for an Act providing for the issuing of bonds of the State of North Dakota in the sum of Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations for the payment of interest and principal on said bonds and to carry into effect the provisions of this act; and declaring this act to be an emergency measure.

Senate Bill No. 154.

A bill for an Act to authorize fraternal benefit societies to establish and maintain classified membership.

Senate Bill No. 190.

A Concurrent Resolution for an Act amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

Senate Bill No. 199.

A bill for an Act authorizing cities to employ city managers.

Senate Bill No. 206.

A bill for an Act to amend Section 1, Chapter 124, Session Laws, 1917, relating to witness fees in garnishment proceedings.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 16.

A bill for an Act appropriating moneys for student soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said building to be further utilized as herein set out.

Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 53.

A bill for an Act providing for the extension of the State street car line from the McKenzie hotel to Tenth Street, thence North and West to the capitol, and making an appropriation therefor.

Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from a misappropriation of such funds occurring previous to January 1, 1917.

Senate Bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments

and miscellaneous expenses of the North Dakota Reform School.

Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard, or state militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the Federal Statutes.

Senate Bill No. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Senate Bill No. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

Mr. Mortenson moved that the report of the committee indefinitely postponing House Bill No. 27 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Mortenson moved that the report of the committee in-definitely postponing House Bill No. 26 be adopted, which mo-tion prevailed and the report of the committee was adopted.

Mr. Wenstrom moved that the report of the committee in-definitely postponing House Bill No. 168 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Bowman moved that the Senate do not adopt the report of the committee indefinitely postponing Senate Bill No. 172, which motion prevailed.

Mr. Bowman moved that Senate Bill No. 172 be placed on

the calendar for final passage, which motion prevailed.

Mr. Benson moved that the report of the committee indefinitely postponing Senate Bill No. 184 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Pendray moved that the report of the committee inde-finitely postponing Senate Bill No. 211 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Welford moved that the report of the committee indefinitely postponing Senate Bill No. 76 be adopted, which motion prevailed and the report of the committee was adopted

Mr. Fraser moved that the report of the committee indefinitely postponing Senate Bill No. 95 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 5 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 135 he adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 121 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. McCarten moved that the report of the committee indefinitely postponing Senate Bill No. 202 be adopted, which motion prevailed and the report of the committee was adopted.

The committee on Appropriations made the following repo + .

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all acts and parts of acts in conflict herewith.

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

Strike out lines 10, 11 and 12.

And when so amended recommend the same do pass. R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 56.

A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the fairs to be held in 1920 and 1921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 104.

A bill for an Act to make appropriation for the clerk, clerk hire, postage, office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses, maintenance of game farm, salary and expenses of fish commissioner and deputy fish commissioner and expense and maintenance of the fish hatchery.

Have had the same under consideration and recommend

that the same be amended as follows:

In line 1 of the printed bill after the word "appropriation" strike out everything down to and including line 9 and insert in lieu thereof the following: "There is hereby appropriated out of any moneys in the State Treasury credited to the Game and Fish fund not otherwise appropriated the sums herein specified or so much thereof as may be necessary for salaries, per diem, clerk hire, office rent, printing, traveling expenses and maintenance of game farm, fish hatchery, and Game and Fish Board for the biennial period from June 30th, 1919 to July 1st, 1921, as follows:"

Also in line 10 of the printed bill, strike out "salary" and add "salaries of secretary, wardens, game farm keepers and

per diem of members."

Also strike out line 15; strike out in line 16 and 17 the following words: "Average each month 3 rents at \$60 for 12 months" and insert in lieu thereof "Office rent of secretary and chief game wardens." In line 19 correct the spelling of the word "farm"; also in the same line strike out "1,000.00"

and "2,000.00" and insert "1.500.00" and "3,000.00", also strike out line 28, also in line 14 strike out "3,500.00" and "7.000.00" and insert in lieu thereof "3,000.00" and "6,000.00." Also strike out line 27 and insert in lieu thereof "Should any of the above amounts, as itemized above, not be necessary for that specific purpose, any sum remaining unexpended shall be subject to disposal for game farms and under the provisions of Chapter 161 of the session laws of North Dakota for the year 1915."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to whom

was referred Senate Bill No. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have made special investigations of lignite deposits and lignite within the State and providing funds

therefor.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 101.

A bill for an Act making appropriation for the salary of the secretary and members of the State Highway Commission. for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

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

In Section 1, at the beginning of line three of the printed bill, insert the following: As provided in Section 11, Sub-division of Senate Bill 97.

In Section 1, line 3, after the figures "190,880" insert in lieu the reof "190,000". Between lines 15 and 16 insert "15½", and the following: "Assistant engineer" and "2100" and "4200". Also between lines 16 and 17 insert "16½" and add the following: "Road engineer" and "2400" and "4800". Between lines 18 and 19 insert "18½" and add the following: "Office Assistants, Two, 2,000 and 4,000". Between lines 20 and 21 insert the following: "Four Assistant Engineers 7,200 and insert the following: "Four Assistant Engineers 7,200 and 14,400". Between lines 23 and 24 insert "Assistant Book-keeper 1200 and 2400." Also in line 24, strike out "2400, 4800" and insert in lieu thereof "4800, 9600". Between lines 24 and 25 insert line "24½", and add the following: "Two Stenographers 2000, 4000". In line 34 correct the spelling of the word "engineering". Strike out "250" and "500" and insert in lieu thereof "1,010" and "2,020". Strike out all of lines 35 and 36. In line 37 insert "190,000".

And when so amended recommend the same do pass. R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK NORTH DAKOTA, February 25, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 137.

A bill for an Act to amend and re-enact Section 1008 of the Compiled Laws of North Dakota for the year 1913, relating to the election returns.

House Bill No. 40.

A bill for an Act governing the opening and closing hours of pool rooms, and similar places, making a violation thereof a misdemeanor and providing a penalty therefor.

House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of state parks at Abercrombie, Walhalla, Pembina, and Fort Rice, including old Fort Lincoln.

House Bill No. 184.

A bill for an Act relating to the wages and conditions of labor of females; authorizing and empowering the Public Welfare Commission to fix minimum wages for females engaged in different occupations; providing penalty for the violation thereof; and making an appropriation.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK NORTH DAKOTA, February 25, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 54.

A bill for an Act authorizing the board of control to erect, construct and complete a four story building north of the present capitol building and making an appropriation therefor.

Which the House has indefinitely postponed. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK NORTH DAKOTA, February 25, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 50.

A bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Attorney Genera!, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Senate Bill No. 57.

A bill for an Act entitled an act to appropriate money for

the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919 and specifying the purposes for which the appropriation is made.

Senate Bill No. 87.

A bill for an Act appropriating Fifteen Hundred Fifty-three and 11-100 Dollars (\$1553.11) to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde, in the months of October, November and December, 1916.

Senate Bill No. 107.

A bill for an Act making an appropriation for the Florence Crittendon Home at Fargo, N. Dak.

Senate Bill No. 109.

A bill for an Act appropriating the sum of \$339.90 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson and T. Twichell for services and expenses during the month of February 1917 on the budget board.

Senate Bill No 182.

A bill for an Act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

Which the House has passed unchanged. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Pendray moved that the Senate do now concur in House amendments to Senate Bill No. 44, which motion prevailed.

Senate Bill No. 44.

A bill for an Act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were

ayes, 43; nays, 0; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hyland, King, Levang, Murphy,

Ployhar, Porter.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 44, the roll was called and there were ayes, 41; nays, 0;

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, Hyland, King, Levang, Murphy, Ployhar, Porter, Sikes.

So the Emergency Clause passed.

Mr. Stenmo moved that Senate Bill No. 138 be re-referred,

which motion prevailed.

Mr. Cahill moved that House Bill No. 124 be made a special order of business after the Senate returns from joint session with the House, which motion prevailed.

Mr. Welford moved that Senate Bill No. 149 be re-referred to the committee on State Affairs, which motion prevailed

and the bill was so re-referred.

The committee on Appropriations made the following report:

Mr. President: Your committee on to Appropriations

whom was referred House Bill No 147.

A bill for an Act making an appropriation for the county agricultural and training schools at Park River, and Maddock, North Dakota.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations

whom was referred House Bill No. 105.

A bill for an Act to appropriate out of any moneys in the State Treasury not otherwise appropriated, the sum of \$6,500.00 for the Glanders and Dourine Horse Fund-in order to pay claims on file and which may be allowed prior to July 1st, 1919, for animals destroyed for being infected with glanders or dourine, according to law.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to

whom was referred House Bill No. 76.

A bill for an Act to appropriate \$1200.00 for the purpose of paying the expenses of appraisers of inheritances, devises, bequests and legacies under the provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations whom was referred House Bill No. 70.

A bill for an Act appropriating money for the use of the War History Commission between the following dates, June 30th, 1919, to July 1st, 1921.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 78.

A bill for an Act to appropriate the sum of \$500.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying the expenses of presidential electors according to the provisions of Section 1038 of the Compiled Laws of North Dakota, 1913.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 71.

A bill for an Act to appropriate \$4,000.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying premiums on State Officials' Bonds as provided by Chapter 175 of the Session Laws of North Dakota. 1917.

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

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 73.

A bill for an Act to appropriate \$1,000.00 out of any money in the State Treasury not otherwise appropriated for the Apprehension of Criminals.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 74.

A bill for an Act to appropriate \$400.00 out of any money in the state treasury not otherwise appropriated for the purpose of defraying the burial expenses of inmates of the penitentiary and reform school according to the provisions of Section 11302 of the Compiled Laws of North Dakota 1913.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to

whom was referred House Bill No. 75.

A bill for an Act to appropriate the sum of \$300.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying expenses incurred in actions brought for the release of insane persons under the provision of Section 2562 of the Compiled Laws of North Dakota, 1913

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

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to

whom was referred House Bill No. 60.

A bill for an Act to appropriate money for the care of Insane Patients at the Hospital for the Insane, charged to the State at large, as provided under Sections 261 and 2576 of the Compiled Laws of 1913 for North Dakota.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations to

whom was referred House Bill No. 149.

A bill for an Act making an appropriation to enable the State of North Dakota to pay its pro-rata share to cover the expenses of the governor's conference, for the years 1919 and 1920.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following

report:

Mr. President: Your committee on Taxes and Tax Laws to

whom was referred House Bill No. 180.

A bill for an Act to amend and re-enact Section 2223 of the Compiled Laws of North Dakota for the year 1913, relating to the redemption of land sold for taxes.

Have had the same under consideration and recommend

that the same be amended as follows:

After the word "shall" in line 12 of the printed bill, strike out the remainder of said line and also lines 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and in line 29, to and including the word "issues", and insert in lieu thereof the following: "send by registered mail to the last known address of the record owner of said land. If the address of the record owner is unknown the auditor shall make and file his certificate stating such fact. If the notice has been served by registered mail the registered receipt shall be filed in the office of the county auditor. Either the auditor's

certificate or the registered receipt as provided herein, must be filed before any deed shall be issued."

And when so amended recommend the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

House Bill No. 40.

A bill for an Act governing the opening and closing hours of pool rooms, and similar places, making a violation thereof a misdemeanor and providing a penalty therefor.

Was read the first and second time and referred to the

committee on Ways and Means.

House Bill No. 137.

A bill for an Act to amend and re-enact Section 1008 of the Compiled Laws of North Dakota for the year 1913, relating to the election returns.

Was read the first and second time and referred to the

committee on Elections.

House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of state parks at Abercrombie, Walhalla, Pembina and Fort Rice, including Old Fort Lincoln.

Was read the first and second time and referred to the

committee on Appropriations.

House Bill No. 184.

A bill for an Act relating to the wages and conditions of labor of females, authorizing and empowering the Public Welfare commission to fix minimum wages for females engaged in different occupations; providing penalty for the violation thereof; and making an appropriation.

Was read the first and second time and referred to the

committee on State Affairs.

Mr. McCarten asked the unanimous consent of the Senate to introduce a bill, and the unanimous consent of the Senate was given.

Mr. McCarten moved that the rules be suspended and that the bill be given first and second reading, which motion pre-

vailed.

The Appropriation Committee introduced Senate Bill No.

A bill for an Act entitled, "An Act Making an Appropriation for Improvements at the Executive Mansion."

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

The committee on Taxes and Tax Laws made the following

report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred Senate Bill No. 220.

A bill for an Act to amend and re-enact Section 1224 of the Compiled Laws of North Dakota for the year 1913 relating to the tax of two mills on the dollar on taxable property for the school districts of the county.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

THOMAS PENDRAY, Chairman.

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred House Bill No. 83.

A bill for an Act providing for the listing of certain personal property for purposes of assessment and defining duties of attorney general in connection herewith; and, providing for subpoenaing witnesses and penalty for failing to list such property.

Have had the same under consideration and recommend that

the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following

report:

Mr. President: Your committee on Taxes and Tax Laws to to whom was referred House Bill No. 84.

A bill for an Act to amend and re-enact Chapter 231, Laws of North Dakota, 1917, relating to the taxation of transfers of property by will or by intestate law.

Have had the same under consideration and recommend

that the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

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 convened pursuant to recess taken. A committee from the House announced that the House was waiting to receive the Senate in joint session.

AFTER JOINT SESSION

The Senate re-assembled.

Mr. Church moved that House Bill No. 124 be amended by striking out all of Section 8, which motion was lost.

House Bill No. 124.

A bill for an Act providing for judicial districts, judges thereof, terms of court to be held therein and the powers and duties of such courts and the procedure therein, and repealing all acts and parts of acts in conflict therewith.

Was read the third time. The question being on the final passage of the bill. roll was called and there were ayes, 36; nays, 13; absent and

not voting, none.

Ayes-Benson, Berg, Bowman, Cahill, Church, Drown, Et-Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Ward, Weber, Wenstrom, Whitman, Zieman.

Nays—Beck, Carey, Gibbens, Hyland, Kendall, McCarten, Mees, Murphy, Nelson, Porter, Stenmo, Storstad, Welford.

So the bill passed and the fitle was agreed to

So the bill passed and the title was agreed to.

Mr. Cahill moved that the vote by which House Bill No. 124 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Mr. Church explained his vote and asked to have it entered in the Journal. This is one of the cases where a man has to judge between the good and evil in the bill. I like the idea of redistricting the judges, but if I cannot have it the way I would like to have it, I believe the preponderance of good in the bill is greater than the evil in it, therefore, I vote "aye."

Mr. Cahill moved that the Senate do now take a recess to 10 o'clock a. m., February 26, 1919, which motion prevailed

and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEB. 26, 1919

THIRD READING OF SENATE BILLS

Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

Senate Bill No. 16.

A bill for an Act appropriating moneys for students soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said building to be further utilized as herein set out.

Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard, or state militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the Federal Statutes.

Senate bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School.

Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from a misappropriation of such funds occurring previous to January 1, 1917.

Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year

1915 providing for the annual tax levy in general school districts.

Senate Bill No. 53.

A bill for an Act providing for the extension of the state street car line from the McKenzie hotel to Tenth Street, hence North and West to the capitol, and making an appropriation therefor.

Senate Bill No. 64.

A bill for an Act to appropriate money for the expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other Acts and parts of Act in so far as the same relate to appropriations conflicting herewith or the appropriations for the same matters or purposes provided for herein.

Senate Bill No. 157.

A bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 158.

A bill for an Act providing for the selection and designation of the State, County and Municipal Official Newspaper in each County in the State, prescribing the manner of its selection and duties.

Senate Bill No. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Senate Bill No. 160.

A bill for an Act to amend and re-enact Section 3308 of the Compiled Laws, State of North Dakota, for the year 1913.

Senate Bill No. 161.

A bill for an Act to repeal Sections 3307 and 3598 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 162.

A bill for an Act to amend and re-enact Section 3310 of the Compiled Laws of the State of North Dakota for the year 1913.

Senate Bill No. 163.

A bill for an Act to amend and re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, relating to estrays.

Senate Bill No. 164.

A bill for an Act to repeal Section 2659 of the Compiled Laws of North Dakota for the year 1913, relating to Official Estray Paper.

Senate Bill No. 165.

A bill for an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to newspapers qualified to do legal printing.

Senate Bill No. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 56.

A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the fairs to be held in 1920 and 1921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 104.

A bill for an Act to make appropriation for the clerk, clerk hire, postage, office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses, maintenance of game farm, salary and expenses of fish commissioner and deputy fish commissioner and expense and maintenance of the fish hatchery.

Senate Bill No. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have made special investigations of lignite deposits and lignite within the state and providing funds therefor.

Senate Bill No. 101.

A bill for an Act making appropriation for the salary of the secretary and members of the state highway commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

THIRD READING OF HOUSE BILLS

House Bill No. 161.

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, relating to Deputy County Superintendents of Schools, and compensation therefor.

House Bill No. 85.

A bill for an Act to amend and re-enact Section 3896 of the Compiled Laws of North Dakota for 1913; providing for the improvement on petition of public streets of villages and for the levy and collection of tax therefor.

House Bill No. 182.

A bill for an Act to amend and re-enact Section 6749, Compiled Laws of 1913, relating to the satisfaction of mortgages and liens.

House Bill No. 68.

A bill for an Act defining the crime of gambling; fixing the punishment therefor; and providing certain rules of evidence in prosecutions thereunder.

House Bill No. 33.

A bill for an Act to amend and re-enact Section 983 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 179.

A bill for an Act to amend Section 1147, Compiled Laws of North Dakota for the year 1913 as amended by Chapter 135 of the Session Laws for the year 1915.

House Bill No. 111.

A bill for an Act defining Mutual Telephone Companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

House Bill No. 152.

A bill for an Act to amend and re-enact Section 2530 of the Compiled Laws of North Dakota for the year 1913, relating to the duties of Superintendents of County Asylums and Poor Farms, and to provide for the payment of hospital fees by patients received at County Asylums and Poor Farms maintaining hospitals, in certain cases.

House Bill No. 147.

A bill for an Act making an appropriation for the county agricultural and training schools at Park River and Maddock, North Dakota.

House Bill No. 105.

A bill for an Act to appropriate out of any monies in the State Treasury not otherwise appropriated, the sum of \$6500,00 for the Glanders and Dourine Horse Fund—in order to pay claims on file and which may be allowed prior to July 1st, 1919, for animals destroyed for being infected with glanders or dourine, according to law.

House Bill No. 76.

A bill for an Act to appropriate \$1200.00 for the purpose of paying the expenses of appraisers of inheritances, devises, bequests and legacies under the provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

House Bill No. 70.

A bill for an Act appropriating money for the use of the War History Commission between the following dates, June 30th, 1919, to July 1st, 1921.

House Bill No. 78.

A bill for an Act to appropriate the sum of \$500.00 out of any money in the State Treasury not otherwise appropriated for the purposes of paying the expenses of presidential electors according to the provisions of Section 1038 of the Compiled Laws of North Dakota, 1913.

House Bill No. 71.

A bill for an Act to appropriate \$4,000.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying premiums on State Officials' Bonds as provided by Chapter 175 of the Session Laws of North Dakota, 1917.

House Bill No. 73.

A bill for an Act to appropriate \$1,000.00 out of any money in the State Treasury not otherwise appropriated for the apprehension of Criminals.

House Bill No. 74.

A bill for an Act to appropriate the sum of \$400.00 out of any money in the state treasury not otherwise appropriated for the purpose of defraying the burial expenses of immates of the penitentiary and reform school according to the provisions of Section 11302 of the Compiled Laws of North Dakota, 1913.

House Bill No. 75.

A bill for an Act to appropriate the sum of \$300.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying expenses incurred in actions brought for the release of insane persons under the provisions of Section 2562 of the Compiled Laws of North Dakota, 1913.

House Bill No. 60.

A bill for an Act to appropriate money for the care of Insane Patients at the Hospital for the Insane, charged to the State at large, as provided under Section 261 and 2576 of the Compiled Laws of 1913 for North Dakota.

House Bill No. 149.

A bill for an Act making an appropriation to enable the State of North Dakota to pay its pro-rata share to cover the expenses of the governor's conference, for the years 1919 and 1920.

House Bill No. 180.

A bill for an Act to amend and re-enact Section 2223 of the Compiled Laws of North Dakota for the year 1913, relating to the redemption of land sold for taxes:

House Bill No. 83.

A bill for an Act providing for the listing of certain personal property for purposes of assessment and defining duties of Attorney General in connection therewith, and providing for subpoening witnesses and penalty for failing to list such property.

House Bill No. 84.

A bill for an Act to amend and re-enact Chapter 231, Laws of North Dakota, 1917, relating to the taxation of transfers of property by will or by intestate law.

FIFTIETH DAY AFTER RECESS AND FIFTY-FIRST DAY

SENATE CHAMBER

BISMARCK NORTH DAKOTA, February 26, 1919.

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

Mr. McCarten moved that the Senate do now go into executive session, which motion prevailed and the Senate went into executive session.

OPEN SESSION

The president announced that the matter under consideration was referred to the committee on State Affairs.

REPORTS OF STANDING COMMITTEES

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred House Bill No. 66.

A bill for an Act to prohibit the liquor traffic and provide

exceptions, regulations, for enforcement and penalty.

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

J. I. CAHILL, Chairman.

The committee on State Affairs made the following report: Mr. President: Your committee on State Affairs to whom was referred House Bill No. 184.

A bill for an Act to protect the lives and health and morals of women and minor workers, and to establish maximum hours and minimum wages therefor; authorizing and empowering the Workmen's Compensation Bureau to fix such maximum hours and minimum wages and standard conditions of labor for such workers; providing penalties for violation of this act; making an appropriation therefor and repealing Chapter 181 of the Session Laws of North Dakota for the year 1917, and all acts or parts of acts in conflict with the provisions of this act.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and

collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act; and repealing all acts and parts of acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 39; nays, 0; absent and not

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Haggart, Hemmingsen, Hyland, Kendall, McBride, Mees, Morkrid, Olson.

So the bill passed and the title was agreed to.

Mr. Mostad moved that the vote by which Senate Bill No. 41 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 41, the roll was called and there were ayes, 38; nays, 0;

absent and not voting, 11.

Ayes-Beck, Benson, Berg, Bowman, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimir, Oksendahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, Carey, Drown, Haggart,

Hemmingsen, Hyland, Kendall, McBride, Mees, Morkrid, Ol-

So the Emergency Clause passed.

Mr. Mostad 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. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and not

voting, 9.

Ayes-Beck, Benson, Berg, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, Cahill, Carey, Drown, Haggart, Hyland, Kendall, McBride, Welford.

So the bill passed and the title was agreed to.

Senate Bill No. 16.

A bill for an Act appropriating moneys for student soldiers

barracks and quarters at the North Dakota Agricultural College, and for transforming the said building to be further utilized as herein set out.

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, 7.

Ayes—Beck, Benson, Berg, Bowman, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, Carey, Drown, Haggart, Hyland, Kendall, McBride.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 16, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettesiad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McCarnen, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Haggart, Hyland, Kendall, McBride, Welford.

So the Emergency Clause passed.

Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard, or state militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the Federal Statutes.

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, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Haggart, Hyland, Kendall, Levang, McBride.

So the bill passed and the title was agreed to.

Senate Bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Jacobsen, King, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Fraser, Haggart, Hyland, Ingerson, Kendall, Levang, Liederbach, McBride, McNair.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 88, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Jacobsen, King, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Fraser, Haggart, Hyland, Ingerson, Kendall, Levang, Liederbach, McBride.

So the Emergency Clause passed.

Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Haggart, Hyland, Kendall, Liederbach, McBride.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 90, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Haggart, Hyland, Kendall, Liederbach, McBride.

So the Emergency Clause passed.

Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from a misappropriation of such funds occurring previous to January 1, 1917.

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, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Carey, Drown, Haggart, Hyland,

Kendall, Liederbach, McBride.

So the bill passed and the title was agreed to.

Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915, providing for the annual tax levy in general school districts.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 5; absent and not

voting, 10.

Ayes—Beck, Benson, Berg, Bowman, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Jacobsen, King, Levang, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Nays—Ettestad, Gibbens, Ingerson, Kendall, Welford. Absent and not voting: Cahill, Carey, Church, Drown, Haggart, Hamerly, Hyland, Liederbach, McBride, Mostad.

So the bill passed and the title was agreed to.

Senate Bill No. 53.

A bill for an Act providing for the extension of the state street car line from the McKenzie hotel to Tenth Street, thence North and West to the capitol, and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 2; absent and not

voting, 11.

Ayes—Beck, Benson, Berg, Cahill, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Nelson, Porter.

Absent and not voting: Bowman, Carey, Church, Drown, Gibbens, Haggart, Hyland, Jacobsen, Liederbach, McBride, Murphy.

So the bill passed and the title was agreed to.

Mr. McCarten moved that Senate Bill No. 64 be amended by striking out the figures "275" in line 637, subdivision 25, of the printed bill, and inserting in lieu thereof the figures "225", which motion prevailed and the bill was so amended.

Mr. Ployhar moved that Senate Bill No. 64 be amended in subdivision 38 after the word "deficit" by inserting the following: "Lease of Platou hospital for use as additional dormitory 1200.00, 2400.00", which motion prevailed and the bill was so amended.

Mr. Ployhar moved that Senate Bill No. 64 be amended by striking out the figures "3,973,727.50" in Section 1, line 3, and striking out the figures "212,645.99" at the foot of subdivision 38, and inserting in lieu thereof the figures "215,045.99", and at the end of subdivision striking out the figures "3,973,727.00", and inserting in lieu thereof the figures "3,976,127.50" of the engrossed bill, which motion prevailed and the bill was so amended.

Senate Bill No. 64.

A bill for an Act to appropriate money for the Expenses of the Executive Legislative and Judicial Departments of the State Government, and Public Schools, Specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other Acts and parts of Acts in so far as the same relate to appropriations conflicting herewith or the appropriations for the same matters or purposes provided for herein.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there ayes, 46; nays, 0; absent and not voting, 3.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad. Fleckten, Fraser, Gibbens, Hagan, Hamerly Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Ziemen man.

Absent and not voting-Haggart, Hyland, McBride.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 64 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the emergency clause to Senate Bill No. 64, the roll was called and there were ayes, 43;

nays, 0; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Carey, Church Drown, Ettestad, Fleckten, Fraser, Gibbens, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, Mees, Mortenson, Mostad, Morkrid, Mikle-

thun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Cahill, Hagan, Haggart, Hyland, McBride, McNair.

So the bill passed and the title was agreed to. Mr. Hunt moved that the vote by which Senate Bill No. 64 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Mr. Cahill moved that the Senate do now take a recess to 1:30 o'clock p. m. which motion prevailed and the Senate took a recess.

AFTER RECESS

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

The Senate returned to the Sixth order of business.

REPORTS OF STANDING COMMITTEES

The committee on Ways & Means made the following report:

Mr. President: Your committee on Ways & Means to whom was referred House Bill No. 40.

A bill for an Act governing the opening and closing hours of pool rooms and similar places, making a violation thereof a misdemeanor and providing a penalty therefor.

Have had the same under consideration and recommend

the same be indefinitely postponed.

JAMES A. WENSTROM, Chairman.

The committee on Highways made the following report: Mr. President: Your committee on Highways to whom was referred Senate Bill No. 144.

A bill for an Act to provide for the disposal of the balance of the 1918 motor vehicle license money.

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

C. D. KING, Chairman.

The committee on Military Affairs made the following report.

Mr. President: Your Committee on Military Affairs to whom was referred House Bill No. 98.

A bill for an Act Amending Section 2373, Compiled Laws of North Dakota for 1913, relating to the qualifications of the Adjutant General; providing for his appointment by the Commander-in-Chief, and providing for the appointment of Colonels, and Majors of battalions and the election of commissioned officers of lower rank.

Have had the commander consideration and recommendations are consideration.

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

In line 12 of the engrossed bill, strike out the words "as the Commander-in-Chief shall direct" and insert in lieu thereof "according to seniority."

In line 13 of the engrossed bill, strike out the word "bat-talions" and insert in lieu thereof the word "batteries."

And when so amended recommend the same do pass.

P. A. BERG, Chairman.

Mr. Berg moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Military Affairs made the following re-

port:

Mr. President: Your committee on Military Affairs to whom was referred Senate Bill No. 212.

A bill for an Act to give county commissioners authority to erect memorials or other suitable recognition in commemoration of those of the county who rendered service or who lost their lives in the service of their country in the great world war. Create a memorial fund and make a levy therefor.

Have had the same under consideration and recommend

that the same be amended as foilows:

Strike out all of Section Three.

And when so amended recommend the same do pass.

P. A. BERG, Chairman.

Mr. Berg moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 64.

A bill for an Act to appropriate money for the expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other Acts and parts of Acts in so far as the same relate to appropriations conflicting herewith or the appropriations for the same matters or purposes provided for herein.

Senate Bill No 56.

A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the fairs to be held in 1920 and 1921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have made special investigation of lignite deposits and lignite within the state and providing funds therefor.

Senate Bill No. 101.

A bill for an Act making appropriation for the salary of the

secretary and members of the state highway commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

Senate Bill No. 104.

A bill for an Act to make appropriation for the clerk, clerk hire, postage, office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses, maintenance of game farm, salary and expenses of fish commissioner and deputy fish commissioner and expense and maintenance of the fish hatchery.

Senate Bill No., 157.

A bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 158.

A bill for an Act providing for the selection and designation of the State, County and Municipal Official Newspaper in each County in the State, prescribing the manner of its selection and duties.

Senate Bill No. 160.

A bill for an Act to amend and re-enact Section 3308 of the Compiled Laws, State of North Dakota, for the year 1913.

Senate Bill No. 161.

A bill for an Act to repeal Sections 3307 and 3598 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 162.

A bill for an Act to amend and re-enact Section 3310 of the Compiled Laws of the State of North Dakota for the year 1913.

Senate Bill No. 163.

. A bill for an Act to amend ad re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, relating to estrays.

Senate Bill No. 164.

A bill for an Act to repeal Section 2659 of the Compiled Laws of North Dakota for the year 1913, relating to Official Estray Paper.

Senate Bill No. 165.

A bill for an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to newspapers qualified to do legal printing.

Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report 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. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all acts and parts of acts in conflict herewith.

Have had the same under consideration and recommend that the same be amended as follows: Strike out all after the words "A Bill" and insert the following:

FOR AN ACT creating the "Board of Administration" for the general supervision and administration of all state penal, charitable and educational institutions, and the general supervision of the public schools of the state, defining its powers and duties, making an appropriation, and repealing all acts and parts of acts in conflict herewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. There is hereby created the "Board of Administration" for the general supervision and administration of all state penal, charitable and educational institutions of the state, and the general supervision of the public and common schools of the state. For the exercise of these duties of general supervision the presidents or heads of the several state institutions and superintendent of public instruction shall be responsible to the board. Said board shall consist of five members, the state superintendent of public instruction, and the commissioner of agriculture and labor who shall be ex-officio members of said board, and three other members who shall be appointed by the governor within ten days after this act takes effect. The members so appointed shall hold their office as follows: One until July 1, 1921, one until July 1, 1923, and one until July 1, 1925, as designated by the governor; and thereafter the appointment of the members of said board shall be for a term of six years and until their successors are appointed and qualified; provided, however, that the governor may remove any appointive member of said board for cause.

SECTION 2. The appointive members of said board shall give all their time to the duties of said office, and shall furnish bond in the sum of ten thousand dollars in the manner required by law, and each of them shall take the oath of office and qualify in the same manner as other state officials, and shall receive a salary of three thousand dollars per annum and all traveling and necessary expenses while in the discharge of their official duties.

SECTION 3. The members of said board shall meet at Bismarck within twenty days after this act takes effect and organize by electing one of the members thereof chairman of said board. A majority of said board shall constitute a quorum for the transaction of business. Said board shall be provided with suitable offices at the state capitol.

SECTION 4. The board of administration may employ a secretary, whose salary shall not exceed three thousand dollars per annum; and it may employ such other administrative assistants, officers, directors of vocational training

and such school inspectors, business managers, accountants and employees as may be necessary, and fix the compensation of the same within the appropriation made for such purpose. The Board of Administration shall be the judge of the qualifications and may remove any such employee when, in its judgment, the public service demands it.

SECTION 5. The board of administration shall assume all the powers and perform all the duties of the state board of education, state board of regents, state board of control and board of trustees of the county agricultural and training schools, as are now exercised by any and all of said boards, and it shall succeed to the possession on behalf of the state, or any public subdivision thereof, of all records, documents, reports and appurtenances of all kinds now held by any and all of said boards.

SECTION 6. Said Board shall make all necessary rules and regulations for its own official procedure and for the general administration, supervision and management of the various penal, charitable and educational institutions and for the general supervision of the public schools of the state, and may require the performance of additional duties by the officials of the several institutions so as to fully enforce all the requirements, intents and purposes of this Act; and it shall make a special study of the particular needs and requirements of all such institutions. It shall have power to appoint a temporary school commission to consist of the superintendent of public instruction, one county superintendent, one city superintendent, the high school inspector and one other member, to investigate the kinds and cost of library books, and text books for use in public schools of this state, and the question of uniformity of text books, and the printing and distribution of same by the state, with such recommendations as the commission may deem proper. Said commission shall report to the board on or before July 1st, 1920, its findings and recommendations, and thereafter shall cease to exist. The members of such commission shall be paid such compensation for their services as the board may determine and their actual and necessary expenses.

SECTION 7. In order to carry out in detail the work of administration and supervision, the board of administration shall appoint an educational commission, to consist of the state superintendent of public instruction, who shall be exofficio chairman of the commission, and four other members appointed by the board for a period of two years as follows: One county superintendent, one city superintendent, one representative of the normal schools, and one representative of the university and agricultural college altrnating, subject to the direction and general approval of the board, to have charge and supervision of the certification of teachers, standardization of schools, examinations for eighth grade and high school pupils, preparation of courses of study for the several classes of public schools, and such other work as may be assigned to it by the board. Such commission shall meet at Bismarck on the first Tuesday in January, April, July and October of each year, and at such other times and places as may be found necessary, and the members shall receive such compensation for their services as the board may determine and their actual and necessary expenses.

SECTION 8. The board of administration shall devise and

install a system of accounting and auditing of all moneys appropriated, received and expended adapted to the several institutions herein named, and make the system as nearly uni-

form as the necessities of the case may permit.

SECTION 9. The powers and duties of the state super-intendent of public instruction as heretofore provided by law shall be subject to the supervision and control of the board of administration, only insofar as such powers and duties were by law subject to the supervision and control of any or all of the boards mentioned in Section 5 of this act.

SECTION 10. The board of administratoin shall file a report on or before the 1st day of November in each year

with the governor of the state.

SECTION 11. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated, the sum of forty thousand dollars annually, or as much thereof as may be necessary to carry out the provisions of this act. All salaries and expenditures shall remain within the appropriation herein, and shall be paid by the state treasurer upon warrant of the state auditor in the manner provided by law.

SECTION 12. All acts and parts of acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations

whom was referred Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the board of railroad commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power company.

Have had the same under consideration and report the

same without recommendation.

R. McCarten, Chairman.

Mr. Gibbens moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the follow-

ing report:

Mr. President: Your committee on Taxes and Tax Laws to

whom was referred House Bill No. 47.

A bill for an Act to provide for defraying the general expenses of the state government, by imposing a tax on the shares of stock and the bond issues of corporations organized or doing business in the state, and repealing all acts and parts of acts in conflict herewith.

Have had the same under consideration and recommend

that the same do pass.

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Taxes and Tax Laws made the following report:

Mr. President: Your committee on Taxes and Tax Laws to whom was referred House Bill No. 128.

A bill for an Act levying a tax of one-half of one mill upon each dollar of assessed valuation of all taxable property within the state for such year for the purpose of creating a fund to be known as the "Returned Soldiers' Fund"; providing for the payment thereof to returned soldiers; defining the powers and duties of the adjutant general and of the industrial commission with reference thereto; and making an appropriation therefor.

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

THOMAS PENDRAY, Chairman.

Mr. Pendray moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Military Affairs made the following report:

Mr. President: Your committee on Military Affairs to whom was referred House Bill No. 104.

A bill for an Act to amend and re-enact Sections 2360 and 2360A of the Compiled Laws of North Dakota for the year 1913, relating to the salary and expenses of the Adjutant General.

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

P. A. BERG, Chairman.

Mr. Berg moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 44.

A bill for an Act to amend and re-enact Section 2087, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

Senate Bill No. 50.

A bill for an Act providing for the appointment by the attorney general of an assistant attorney general to act as attorney for the board of university and school lands, and prescribing the duties of such attorney general, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Senate Bill No. 57.

A bill for an Act entitled, "An Act to appropriate money for the use of the board of railroad commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, and specifying the purposes for which the appropriation is made.

Senate Bill No. 86.

A bill for an Act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large.

Senate Bill No. 87.

A bill for an Act appropriating Fifteen Hundred Fifty-three and 11-100 Dollars (\$1553.11) to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde, in the months of October, November and December, 1916.

Senate Bill No. 107.

A bill for an Act making an appropriation for the Florence Crittendon Home at Fargo, N. Dak.

Senate Bill No. 109.

A bill for an Act appropriating the sum of \$339.90 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson and T. Twichell for services and expenses during the month of February 1917 on the budget board.

Senate Bill No. 142.

A bill for an Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Senate Bill No. 145.

A bill for an Act amending and re-enacting Section 225 of the Compiled Laws of North Dakota for the year 1913, providing for the duties of the state examiner.

Senate Bill No. 182.

A bill for an Act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Indian Affairs made the following report:

Mr. President: Your committee on Indian Affairs to whom was referred Senate Bill No. 141.

A bill for an Act to create a state board of electricians and prescribing the duties thereof. Providing for the classifica-tion, examination and licensing of electricians and electrical workers. Prescribing fees for such examination and license, and providing for inspection of electrical work through the state fire marshal under the direction of the state board, and to repeal Chapter 118 of the Laws of North Dakota for 1917.

Have had the same under consideration and recommend

that the same be indefinitely pastpond.

H. P. JACOBSEN, Chairman.

MESSAGE FROM THE GOVERNOR

February 26, 1919.

To the Honorable Members of the Senate:

Gentlemen: You are hereby informed that I have approved and filed with the secretary of state, Senate Bill No. 29, an act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, and as amended by Chapter 204, Session Laws of the State of North Dakota for the year 1917, relating to the investment of university and school land funds. Also Senate Bill No. 43, an act to amend and re-enact

Chapter 59, Laws of North Dakota, 1917, relating to the

classification of property for assessment.

Also Senate Bill No. 20, an act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management; and making an appropriation therefor.

Also Senate Bill No. 140, an act designating venereal diseases; prohibiting infected persons from exposing others; requiring reports to health officers; empowering health boards to regulate, make rules to regulate and control such diseases

and providing penalty and repeal.

Also Senate Bill No. 19, an act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end to establish a business system operated by the state under the name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its manage-

ment; and making an appropriation therefor.

Also Senate Bill No. 75, an act providing for the issuing of bonds of the State of North Dakota in a sum not exceeding Five Million Dollars to be known as "Bonds of North Dakota, Mill and Elevator Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations and other provisions for the payment of interest and principal of said bonds and to carry into effect the provisions of this act; and declaring this Act to be an emergency

Also Senate Bill No. 130, an act providing for the issuing of bonds of the State of North Dakota in a sum not exceeding Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations and other provisions for the payment of interest and principal on said bonds, and to carry into effect the provisions of this Act; and declaring this act to be an emergency measure.

Also Senate Bill No. 177, a concurrent resolution relating

to the discharge of North Dakota soldiers.

Respectfully,

LYNN J. FRAZIER, Governor.

MESSAGE FROM THE HOUSE

BISMARCK NORTH DAKOTA, February, 26, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 195.

A bill for an Act to provide for the uniformity of warranty deeds, quit-claim deeds, real estate mortgages, satisfactions and assignments of real estate mortgages, and to enact forms of such instruments to be recorded within the state, authorizing registers of deeds to charge and collect double fees.

Senate Bill No. 216.

A bill for an Act creating a board of arbitration to hear petitions of teachers for release from contracts; prescribing duties; to make it the duty of teachers to submit to such board the question of release from contracts to teach; and providing for the filing of findings with the board of education to be acted upon; and providing penalties for breach of teachers' contracts.

Which the House has indefinitely postponed.

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 26, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 186.

A bill for an Act regulating and fixing the hours of labor for females, and providing penalties for the violation thereof.

House Bill No. 132.

A bill for an Act to prevent the spreading of all prohibited or proscribed weeds and crop pests, noxious weeds, fungus and other crop disease-producing pests; creating the office and designating state seed commissioner, state commissioner of seeds and weeds; providing for the appointment of county inspectors by county commissioners; defining the powers and duties of the state commissioner of seeds and weeds, county inspectors, county auditors, and the duties of the owners, lessees, mortgagees, occupants and agents of lands; requiring seed to be labeled, and prohibiting the sale of materials containing any prohibited or prescribed weeds or crop disease-producing pests; making an appropriation, and providing a penalty therefor; regulating the sale of seed for sowing purposes; and repealing Chapter 252, Laws of North Dakota for the year 1917.

House Bill No. 139.

A bill for an Act to appropriate the sum of Fourteen Hundred Sixty Two Dollars (\$1462.00) out of any monies in the state treasury not otherwise appropriated to reimburse Alphonso Boley of Mandan, North Dakota.

House Bill No. 121.

A bill for an Act authorizing the board of control of the state of North Dakota to erect and equip upon the capitol grounds a building to be known as the Liberty Memorial Building of North Dakota in memoriam of the soldiers, sailors and marines of North Dakota who served the nation in Great World War; and prescribing the object, purpose and use of such building; for locating and improving a site for the same to be known as Memorial Park; and to authorize the employment of a landscape architect to advise concerning the

selection and planning of the grounds for such park and building; and to make appropriations therefor.

House Bill No. 58.

A bill for an Act designating the legal holidays in the State of North Dakota and to amend and re-enact Section 7297 of the Compiled Laws of North Dakota for 1913.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

Which the House has passed and your favorable con-

sideration is respectfully requested.

Very respectfully,

GEO, A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 26, 1919.

Mr. President: I have the honor to inform you that the House has reconsidered the vote by which it adopted the Senate amendments to H. B. 97, and the Speaker has appointed Messrs Patterson, Walker and Bratsberg as a conference committee to meet with a like committee from the Senate.

> Very respectfully, GEO. A. TOTTEN, JR., Chief Clerk.

MOTIONS AND RESOLUTIONS

Mr. Ployhar moved that a conference committee of three be appointed on House Bill No. 97, which motion prevailed and the president appointed as such committee Messrs. Welford, Mees, and Pendray.

Mr. Stenmo moved that House Bill No. 59 be re-referred to the committee on Insurance, which motion prevailed, and

the bill was so re-referred.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

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

House Bill No. 186.

A bill for an Act regulating and fixing the hours of labor for females, and providing penalties for the violation thereof.

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

House Bill No. 132.

A bill for an Act to prevent the spreading of all prohibited or proscribed weeds and crop pests, noxious weeds, fungus and other crop disease-producing pests; creating the office and designating State Seed Commissioner, State Commissioner of Seeds and Weeds; providing for the appointment of county inspectors by county commissioners; defining the powers and duties of the State Commissioner of Seeds and Weeds, county inspectors, county auditors, and the duties of the owners, lessees, mortgagees, occupants and agents of lands; requiring seed to be labeled, and prohibiting the sale of materials containing any prohibited or prescribed weeds or crop disease-producing pests; making an appropriation, and providing a penalty therefor; regulating the sale of seed for sowing purposes; and repealing Chapter 252, Laws of North Dakota for the year 1917.

Was read the first and second time and referred to the

Committee on Agriculture.

House Bill No. 139.

A bill for an Act to appropriate the sum of Fourteen Hundred Sixty Two Dollars (\$1462.00) out of any monies in the State Treasury not otherwise appropriated to reimburse Alphonso Boley of Mandan, North Dakota.

Was read the first and second time and referred to the

Committee on Appropriations.

House Bill No. 121.

A bill for an Act authorizing the board of control of the State of North Dakota to erect and equip upon the capitol grounds a building to be known as the Liberty Memorial building of North Dakota in memoriam of the soldiers, sailors and marines of North Dakota who served the nation in the Great World War; and prescribing the object, purpose and use of such building; for locating and improving a site for the same to be known as Memorial Park; and to authorize the employment of a landscape architect to advise concerning the selection and planning of the grounds for such park and building; and to make appropriations therefor.

Was read the first and second time and referred to the

Committee on State Affairs.

House Bill No. 58.

A bill for an Act designating the legal holidays in the State of North Dakota and to amend and re-enact Section 7297 of the Compiled Laws of North Dakota for 1913.

Was read the first and second time and referred to the

Committee on State Affairs.

Mr. Welford moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

FIFTY-FIRST DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 26, 1919.

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

Prayer was offered by the chaplain, Rev. Hiltner.

Roll Call.

All members present.

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 Forty-ninth day after recess and Fiftieth day and recommend that the same be corrected as follows: change the word "charge" to "charges." On page 3, line 27

On page 4, line 42, correct the spelling of the word "line."

On page 5, line 28, leave a space between the words "lieu" and "thereof."

On page 12, line 7, correct the spelling of the word "declared."

On page 19, line 54, add "s" to the word "keeper."

On page 20, line 27, change the word "assistance" to "assistants."

On page 26, line 4, strike out the Initial "A."

On page 10, line 7, correct the spelling of the word "thereof."

And when so corrected recommend that the same be approved.

H. H. McNAIR, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

To the Senate and House of Representatives.

Bismarck, N. Dak.

Honorable Sirs:-

The Grand Forks Woman's Christian Temperance Union, representing ninety-eight women, wish to express their thanks and appreciation to the legislature, now in session, for passing a Suffrage bill, allowing same to come before the people at the next election.

Yours truly,

MRS. G. R. DAVIES. Corresponding Secretary, W. C. T. U.,

Grand Forks, N. D.

New Rockford, N. D., February 11, 1919.

Friend Olson:-

I am very anxious about that official newspaper deal. I understand there is a bill introduced along this line spoken of. I hope you will make it your business to urge its passage above all yet to be passed. Just think of it. It costs Eddy county approximately \$2200.00 for advertisement of election

notice ballots, etc., primary and general election.

The most contemptible law in force now is Section 975 that requires the daily newspapers to publish notices in daily papers, daily for 10 days. Under such laws as we have, The New Rockford State Center obtained over eleven hundred dollars. Again we have the Sheyenne Star whose publications run up to six or seven hundred dollars election years and half of its subscribers in Benson county. Do you see how the taxpayers are robbed in this county-three official papers with less than 5000 inhabitants. It is newspaper robbery pure and simple. I certainly know as I have published a paper here for 20 years.

Time is gone past for me to urge any passage of proper measures if none are pending now. I would have said something before but you know a fellow don't want to butt in when they have so much to look after, but I could give them a lot more to show why the present law should be wiped from off the statute book of our State by all means before

they adjourn.

Respectfully. P. M. MATTSON, County Judge. Bismarck, North Dakota, Feb. 20, 1919.

George Hunt, Chairman,

Senate Printing Committee, Bismarck, N. Dak.

As a county commissioner of twelve years experience in Burleigh county, I want to urge your committee to act favorably upon, and recommend the passage of Senate Bill No. 158, providing for one official paper instead of three and providing for its selection by the voters. The legislature should pass this bill with the emergency clause and stop the useless duplication in public printing at once.

Burleigh county, as shown by the attached statement prepared by our county auditor, paid out last year for commissioners proceedings and election notices alone, not counting other public notices of lesser importance, about \$5,000.00 This means that if the proposed law had been in force last year, Burleigh county would have saved \$3,300.00 alone, and, figuring other notices, it will mean an average saving of \$3000.00

per year.

There are 53 counties in North Dakota and taking \$2,500.00 as the average, the new law will save the taxpayers directly \$265,000.00 every two years, and at the same time give the people the same publicity in all matters as we have been doing, except that we would give it to them in the paper they themselves selected.

Aside from the saving, by taking the public printing out of the hands of the commissioners, it will eliminate the fight that always takes place between newspapers for this patronage every year which in turn causes ill feeling and strife in

every county of the state.

Respectfully submitted,

EDW. G. PATTERSON. Chairman Board of County Commissioners, Burleigh County, N. D.

Carrington, N. D., Feb. 19, 1919.

Hon. Jas. A. Wenstrom, Bismarck, N. Dak.

Dear Mr. Wenstrom:-

I have talked with Mr. Franz Zink, chairman of our county commissioners, and he very emphatically endorsed the proposed printing bill to make but one official paper in each county. Mr. Pewe, another member of our board of county commissioners, is also very strongly in favor of the bill. The third member of the board is Jas. R. Rusk, and while I have never heard him express himself on this bill, I presume he would be against it, as he is on general principles opposed to everything that the League might propose. But he may be for this-I may be misjudging him-but he belongs to the opposition, and I don't get the chance to talk freely with him. But a big majority of our county officers and two members of our board I have heard express themselves as for the bill.

The opposition to the bill comes from the same source that opposition to all League measures come—and should be given about as much consideration. Put the bill in operation, and in a few years no one would suggest going back to the old graft—for that is just what the present system is.

We here at home are with you to the last ditch-stick, and

don't give an inch. I know from talking with the farmers that the lies of the Forum, etc., have only made the farmers madder, and they are expecting you legislators to put the program through in its entirety.

Stick!-we are all with you.

Yours for real democracy,

H. C. DARLAND.

Cathay, N. Dak., Feb. 20, 1919.

Senator Committee

Bismarck, N. D. Am in favor of one official paper in the county. G. A. REDDING.

County Commission, Wells County, N. Dak.

Fessenden, N. D., Feb. 19, 1919.

Chairman Senate Printing Committee.

Bismarck, N. Dak.

I am pleased to endorse printing bill which provides for one official paper in each county instead of three at present publishing the official news of the county in one paper will accomplish every necessary and useful purpose and will effect a saving to the taxpayers of almost two-thirds of the printing bills.

HARRY HARDING.

Auditor, Wells Co., N. Dak.

Fessenden, N. Dak., Feb. 19, 1919.

Chairman Senate Printing Committee,

Bismarck, N. Dak.

With knowledge gained as county commissioner for eight years I must heartily endorse bill to designate one official paper for each county and urge your committee to report same favorably. It will save the county much money and give taxpayers better service.

A. R. JOSUND,

County Commissioner, Cathay, N. Dak.

Finley, N. D., Feb. 21, 1919.

Senator John L. Mickelson, Bismarck, N. Dak.

This paper endorses bill giving right to people to select by popular vote county official paper. We also believe it just to the taxpayers that one paper print all official notices instead of three as at present. It would save about one thousand dollars per year in Steele county.

T. M. AGNEW,

Editor Steele County Tribune.

Crosby, N. Dak., Feb. 19th, 1919.

Ralph Ingerson, Care Senate, Bismarck, N. Dak.

The most needed measure at present is the passage of the printing bill providing for one official paper in each county instead of three. Don't fail us on the telephone bill. R. W. FRAZIER.

McClusky, N. Dak., Feb. 19th, 1919.

Chairman Senate Committee,

Bismarck, N. Dak.

County commissioners of Sheridan county endorse bill pro-

viding for one official county paper instead of three. JOHN F. WAHL,

Chairman Board of County Commissioners, McClusky, N. D.

Towner, N. Dak., Feb. 19th, 1919.

Chairman Senate Printing Committee,

Bismarck, N. Dak.

The board of county commissioners are in favor of reducing the number of official papers to one in each county. retaining the selection of such paper to a vote of the people.

County Auditor, McHenry County.

Bowman, N. Dak., Feb. 19th, 1919.

Chairman of Senate Printing Committee,

Bismarck, N. Dak.

Recognizing the desirability of all legal publications being made in one newspaper a county instead of three by reason of the great saving which would result to the tax payers we heartily recommend a change in the present state.

C. E. BERQUIST,
P. A. SPHERN,

S. H. ENLOE,

Commissioners of Bowman County

Forbes, N. Dak., Feb. 19th, 1919.

Chairman Senate Committee of Printing, Walter Maddock,

Bismarck, N. Dak.

The printing law to establish one legal paper in each county instead of three and to choose the official paper by vote of the people instead of by choice of the commissioners has my hearty approval. It will mean saving of thousands to the county.

> County Commissioners. JOHN SKOGLAND, MATT WHELA.

Jamestown, N. D., Feb. 19th, 1919.

Chairman Senate Printing Committee,

Bismarck, N. Dak.

Estimated saving to county averaged last two years twentythree hundred dollars per year if only one official paper. ANDREW BLEWETT,

County Auditor

Dickinson, N. Dak., Feb. 21, 1919.

Chairman Senate Printing Committee,

Bismarck, N. Dak.

We urge the passage of bill reducing official papers to one instead of three giving selection of paper to voters. This will save thousands of dollars to taxpayers in every county. Bill should carry emergency and save enormous printing expense in coming presidential, primary and general elections next year.

Stark County Commissioners, GEORGE D. PERRY, Chairman JOHH LOH

Crosby, N. Dak., Feb. 19th, 1919.

J. J. Alberts, Care House of Representatives,

Bismarck, N. Dak.

Please urge passage of bill providing for one official newspaper instead of three. This is urgent for the reason that it will save Divide county thirty-one hundred dollars per annum.

W. D. DICKINSON

Stanley, N. D., Feb. 20, 1919.

Senate Printing Committee,

Bismarck, N. Dak.

Use every effort to secure passage of bill providing for one official county paper instead of three.

STANLEY SUN

Medora, N. D., Feb. 19th, 1919.

Chairman Senate Printing Committee,

Bismarck, N. Dak.

This county would have saved approximately eighteen hundred dollars last year had there been one official newspaper instead of three.

> J. A. BEERY, County Auditor

Ft. Yates, N. D., Feb. 19, 1919.

Chairman Senate Printing Committee,
Bismarck, N. Dak.
The county auditor and chairman county commissioners of
Sioux county endorse and urge passage of bill providing for one official paper instead of three and have same selected by popular vote.

> C. CHRISTENSON, County Auditor J. A. STILES, Chairman County Board

> > Mandan, N. D., Feb. 20, 1919.

Chairman of Senate Printing Committee,

Bismarck, N. Dak.

County auditor of Morton endorses proposed single county official paper bill. If enacted would save Morton county nearly fifteen hundred dollars annually. Press of Mandan, now official paper of Morton highly endorses bill. County commissioners also favor bill.

MORTON COUNTY FARMERS PRESS, Bob Mackin, Mgr.

Park River, N. D., Feb. 20th, 1919.

Chairman Senate Printing Committee,

Bismarck, N. Dak.

We urge adoption of bill providing for one official county newspaper in interest of economy to taxpayers and better service to public.

GAZETTE NEWS

Raleigh, N. Dak., Feb. 20th, 1919.

Senator J. I. Cahill.

Bismarck, N. Dak.

We, the officers of the Grant County Publishing Company and the citizens of Raleigh hereby petition the Representa-

and the chizens of Rafeigh hereby petition the Representa-tives and Senator of our county to endorse bill giving the people the right to select official paper and sign to that effect. Wm. Noyes, Pres.; Ted Christensen, Sec'y-Treas.; S. E. Rolfe, Mgr. Editor; E. N. Bosworth, Director; Robt. Franen, Director; Henry F. Faubel, C. Leonard, I. Parkans, Geo. Bird, W. A. Marshall, H. H. Kindschi, Sam J. Pack.

Fryburg, N. D., Feb. 19th, 1919.

Senator Geo. F. Hunt, Senate Chamber.

Bismarck, N. Dak.

Want you to know that the great majority of farmers of Billings county want to see law enacted creating one instead of three official newspapers in each county. Such a law will

be one of the greatest savings to counties that the legislature could enact. We want to see you support the bill. FRYBURG PIONEER,

By G. P. NYES.

Edgerly, N. D., Feb. 19th, 1919.

Senate Printing Committee,

Bismarck, N. Dak.

Heartily endorse printing bill and urge enactment into law. EDGERLY MAIL

Stanton, N. D., Feb. 18, 1919.

Chairman Senate Printing Committee,

Bismarck, N. Dak.

Give people right to select official county paper. No need of more than one official paper in any county. C. F. SCHWEIGERT, Publisher

Steele, N. D., Feb. 19th, 1919. Chairman of Senate Printing Committee, State Capitol:

Bismarck, N. Dak.

We, the undersigned tax payers of Kidder county believe it to be for the best interest of the tax payers in general that bill for one official newspaper instead of three will effect the two-thirds savings over present plan of three and for those reasons ask you to support same.

JOHN W. JACOBS, County Auditor

ELECT ROSS HEIBECK,

County Commissioner Second Dist. S. H. J. HANSON, County Treasurer

Crosby, N.D., Feb. 19th, 1919.

Chairman Printing Committee of Senate,

Bismarck, N. Dak.

Please urge passage of bill providing for one official newspaper instead of three. This is urgent for the reason that it will save Divide county thirty-one hundred dollars per annum. D. W. DICKINSON

Stanley, N. D., Feb. 20, 1919.

Senate Printing Committee,

Bismarck, N. Dak.

The passage of bill providing for one official county paper instead of three will meet with general favor with our constituents.

STANLEY SUN

Bentley, N. Dak., Feb. 22nd, 1919.

Senate Printing Committee,

Bismarck, N. Dak. Believing that one official paper in each county will effect great saving to tax payers, that such paper be named by voters of county, I respectfully ask your committee to report favorably on bill to that effect.

BENTLEY BULLETIN

Williston, N. Dak., Feb. 19th, 1919.

Chairman Senate Printing Committee, Capitol Bldg.,

Bismarck, N. Dak.

Believe one official paper elected by people good plan. Would mean an average saving of about six thousand dollars a year to tax payers of this county.

M. H. AAEN, County Auditor Fessenden, N. D., Feb. 19, 1919.

Senator James A. Wenstrom, Bismarck, N. Dak.

The proposed law to make one official newspaper for each county is a reform long wanted by every one except the very few who profit by the present extravagant method of duplication now used. It will make for better service to the public and lessen by almost a third the county's bill for official printing. The selection of the official newspaper by the people themselves is a democratic way of designation which ought to meet the approval of every citizen who believes in popular government. The Free Press and its stockholders heartily endorse the proposed measures.

C. M. BRINTON, J. M. LLOYD, President

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 145.

A bill for an Act amending and re-enacting Section 225 of the compiled Laws of North Dakota for the year 1913, providing for the duties of the State Examiner.

Senate Bill No. 57.

A bill for an Act entitled an act to appropriate money for the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919 to June 30th, 1919, and specifying the purposes for which the appropriation is made.

Senate Bill No. 142.

A bill for an Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Senate Bill No. 50.

A Bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Senate Bill No. 109.

A bill for an Act appropriating the sum of \$399.90 to pay the per diem, travel hotel and other expenses of Carl O. Jorgenson, and T. Twichell for services and expenses during the month of February, 1917, on the Budget Board.

Senate Bill No. 87.

A bill for an Act appropriating Fifteen Hundred Fifty-three and 11-100 Dollars (\$1553.11) to pay a claim against the state in favor of the William J. Burns International Detective Agency, incurred by former Attorney General Henry J. Linde, in the months of October, November and December, 1916.

Senate Bill No. 86.

A bill for an Act to repeal Sections 2619, 2620 and 2621 of the Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622 of the Compiled Laws of North Dakota for the year 1913, relating to running of stock at large. Senate Bill No. 182.

A bill for an Act to amend and re-enact Sections 72 and 80 of Chapter 161 of the Session Laws of North Dakota for the year 1915, relating to the use of nets and seines and the manner of taking fish.

Senate Bill No. 107.

A bill for an Act making an appropriation for the Florence Crittendon Home at Fargo, N. Dak.

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

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. 145.

A bill for an Act to appropriate \$3,350 to aid in the educational work being carried on by the North Dakota Anti-Tuberculosis Association, and the prevention of the spread of tuberculosis more definitely prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses and providing that such work be done in connection with the Tuberculosis Sanitorium and that the appropriation be made available to that institution for that purpose.

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

In Section 1, Item 1, of the engrossed bill strike out the figures "\$1600" and "\$3200" and insert in lieu thereof the figures "\$2500" and "\$3200."

In Section 1, Item 2, of the engrossed bill, strike out the figures "900" and "1800" and insert in lieu thereof the figures "1500" and "3000."

In Section 1 in the last line of the engrossed bill, strike out the figures "\$5000" and insert in lieu thereof the figures "\$8000."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of State Parks at Abercrombie, Walhalla, Pembina and Fort Rice, including Old Fort Lincoln.

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

In line 3 of Section 1 of the Bill strike out the figures "\$500.00" and insert in lieu thereof the figures "\$1,250.00"

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 72.

A bill for an Act to appropriate out of any money in the state treasury not otherwise appropriated the sum of \$3,000.00 for the purpose of paying the expenses of deligates to the Presidential Nominative National Convention according to the provisions of Section 916 of the Compiled Laws of North Dakota, 1913.

Have had the same under consideration and recommend

that the same do pass.

R. McCabten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 69.

A bill for an Act to appropriate \$363.00 to provide funds for the burial of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and erection of headstones therefor, as authorized by Sections 3181, 3182, 3183 and 3184 of the Compiled Laws of North Dakota for 1913,

183 and 3184 of the Compiled Laws of North Dakota for 1913, Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port :

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 166.

A bill for an Act appropriating the sum of nine hundred twenty-five dollars and twenty-five cents for services and expenses incurred in connection with the inventory and appraisal of public utility corporations in North Dakota by Hagenah & Erickson, under the direction of the Governor, Attorney General and the State Tax Commission.

Have had the same under consideration and recommend

that the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations to whom was referred Senate Bill No. 221.

A bill for an Act entitled "An Act making an appropriation for improvements at the Executive Mansion.

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

R. McCabten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Game and Fish made the following re-

port:

Mr. President: Your committee on Game and Fish to whom was referred House Bill No. 107.

A bill for an Act to amend and re-enact Sections 22, 27, 28, 36, 48, and 51 of Chapter 161 of the Laws of North Dakota for the year 1915 and to amend and re-enact Sections 33 and 52 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 122 of the Laws of North Dakota for the year 1917 and to amend and re-enact Section 46 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 63 of the Laws of North Dakota for the year 1917.

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

WM. ZIEMAN, Chairman.

Mr. Zieman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred Senate Bill No. 70.

A bill for an Act to provide for the organization of common school districts into special districts, exclusive or inclusive of cities, incorporated or platted towns and villages.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

ALBERT STENMO, Chairman.

The committee on Education made the following report:

Mr. President: Your committee on Education to whom was referred Senate Bill No. 138.

A bill for an Act to amend and re-enact Section 1147 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the formation of new common school districts.

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

ALBERT STENMO, Chairman.

Mr. Welford moved that the report of the committee indefinitely postponing Senate Bill No. 191 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Wenstrom moved that the report of the committee indefinitely postponing Senate Bill No. 220 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. King moved that the report of the committee indefinitely postponing Senate Bill No. 144 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Cahill moved that the report of the committee indefinitely postponing House Bill No. 66 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Kendall moved that the report of the committee indefinitely postponing House Bill No. 40 be not adopted, which motion was lost.

Mr. Wenstrom moved that the report of the committee indefinitely postponing House Bill No. 40 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Hyland moved that the vote by which the report of the Committee indefinitely postponing House Bill No. 66.

be reconsidered which motion was lost.

Mr. Jacobsen moved that the report of the committee indefinitely postponing Senate Bill No. 141 be adopted, which motion was duly seconded.

Mr. King moved as an amendment that the Senate do not adopt the report of the committee, which motion prevailed

Mr. Bowman moved that the rules be suspended in so far as necessary and that Senate Bill No. 141, be placed on third reading and final passage, which motion prevailed.

Mr. King moved that Senate Bill 141 be amended by inserting in the engrossed bill "as a profession" after the word "engage" in line 1, Section7, which motion prevailed and the bill was so amended.

Mr. Pendray moved that Senate bill No. 141 be amended by striking out the words "both fines to be doubled in case of a second offense" in line 7, Section 7 of the engrossed bill which motion prevailed and the bill was so amended.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7, and 8, Laws of North Dakota of 1917.

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, 31; nays, 16; absent and not voting, 2.

Ayes—Beck, Berg, Bowman, Cahill, Fraser, Haggart, Hemmingsen, Hunt, Hyland, Jacobsen, Kendall, King, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Noltimier, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Welford, Wenstrom, Whitman, Zieman.

Nays—Benson, Carey, Church, Drown, Ettestad, Fleckten, Hagan, Hamerly, Ingerson, Levang, Morkrid, Murphy, Nelson, Oksendahl, Porter, Weber.

Absent and not voting-Gibbens, Mortenson.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which Senate Bill No. 141 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill 44.

A bill for an Act to amend and re-enact Section 2078, Compiled Laws of North Dakota, 1913, relating to the exemption of property from taxation.

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

MOTIONS AND RESOLUTIONS

A Concurrent Resolution Introduced by Mr. Welford.

WHEREAS. The State of North Dakota has, in common with the province of Manitoba, grave and extensive problems in the Red River Valley relating to the control of floods and drainage, and

and drainage, and
WHEREAS, The average annual loss in the last ten years
is estimated at six millions of dollars in the states of North
Dakota and Minnesota, and a proportionate amount in the

province of Manitoba, and

WHEREAS, The loss through late seeding and actual inundation in the states was in excess of twenty millions dollars in the year 1916 alone, and

WHEREAS, The conditions are such as to warrant the conviction that the conditions will become worse through repeated floodings, and

WHEREAS, The federal government of the United States has manifested a determination to assist in relieving the conditions through its Departments of War, Agriculture and Interior, and

WHEREAS, The State of North Dakota has established a State Commission and made appropriations to prosecute flood control work in co-operation with the above departments and the Dominion of Canada;

THEREFORE, BE IT RESULVED, By the Senate of the State of North Dakota, the House Concurring:

That we earnestly solicit and urge the parliament of Manitoba to immediately pass like measures.

BE IT FURTHER RESOLVED, That said parliament be memorialized to authorize their existing Commissions and Engineers to arrange a joint conference with like officials in North Dakota, and clothe them with authority to coperate in a mutual effort to relieve the disastrous conditions in the Red River Valley.

BE IT FURTHTR RESOLVED, That the Secretary of State be instructed to send copy of these resolutions to the corresponding provincial officials and to the provincial parliament, and to the provincial engineer.

Mr. Welford moved that the Resolution be adopted. Which motion prevailed and the Resolution was adopted.

Mr. McCarten moved that Senate Bill No. 157 be amended by inserting the following words: "including legal notices and official statements of the schools within such cities, towns and villages, and the statements of banks and other corporations therein" in line 30, after the word "villages", Section 4, which motion prevailed and the bill was so amended.

Mr. Jacobsen moved that Senate Bill No. 157 be amended by striking out the words: "Commission of University and School Lands," in line 3, Section 2, of the engrossed bill and insert in lieu thereof "Attorney General" which motion was lost.

Mr. Welford moved that Senate Bill No. 157 be amended by inserting the words "to be approved by the Board of County Commissioners" in line 5, Section 4 of the engrossed bill. After the word "newspaper" which motion was duly seconded.

Roll Call was demanded.

The roll was called and there were ayes, 21; nays, 27; absent and not voting, 1.

Ayes—Beck, Carey, Ettestad, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, McCarten McNair, Mees, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Welford. Whitman, Zieman.

Nays—Benson, Berg, Bowman, Cahill, Church, Drown, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Wenstrom.

Absent and not voting-Hamerly.

So the motion was lost.

Senate Bill No. 157.

A bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repealing all Acts and parts of Acts in conflict herewith.

Was read the third time.

The question beingon the final passage of the bill as amended, the roll was called and there were ayes 30; nays, 18; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, McCarten, Mees, Murphy, Nelson, Noltimier, Ployhar, Porter, Stenmo, Storstad, Whitman.

Absent and not voting Hamerly.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 157 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the emergency clause to Senate Bill No. 157, the roll was called and there were ayes, 31; nays, 17; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Noltimier, Ployhar, Porter, Stenmo, Storstad, Whitman.

Absent and not voting Hamerly.

So the Emergency Clause is lost,

Mr. Welford explained his vote and asked to have it entered in the journal.

Generally I am not in favor of an emergency attached to a bill, yet I believe in this case it is a question which the people will desire to have a referendum petition upon, and I believe it is a question that should be settled as soon as possible, therefor I vote "Aye."

Mr. McCarten moved that Senate Bill No. 158 be amended by inserting: "including legal notices and official statements of the schools within such cities, towns and villages, and the statements of banks and other corporations therein" in line 21, Section 5 of the engrossed bill, which motion prevailed and the bill was so amended.

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Senate Bill No. 158.

A bill for an Act providing for the selection and designation of the State, County and Municipal Official Newspaper in each County in the State, prescribing the manner of its selection and duties. 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, 34; nays, 14; absent and not voting, 1.

Ayes-Benson, Berg, Bowman, Cahill, Church, Drown, Esttestad, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Hamerly.

So the Bill passed.

Mr. Liederbach moved that the vote by which Senate Bill No. 158 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the emergency clause to Senate Bill No. 158, the roll was called and there were ayes, 33; nays, 15, absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Milkethun, Noltimier, Oksendahl, Ol son, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Hamerly.

So the Emergency Clause passed.

Mr. Liederbach 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. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 15, absent and

not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman, Nays—Back, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman

Storstad, Whitman.

Absent and not voting—Church, Noltimier, Oksendahl.
So the bill passed and the title was agreed to.
Mr. Liederbach moved that the vote by which Senate
Bill No. 159 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 159, the roll was called and there were ayes, 32; nays, 14, absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Drown, Ettestad, Fleckten, Fraser, Hagen, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Oksendahi, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Church, Kendall, Noltimier.

So the Emergency Clause passed.

Mr. Liederbach, 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. 160.

A bill for an Act to amend and re-enact Section 3308 of the Compiled Laws, State of North Dakota, for the year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 14; absent and not voting, 2.

Ayes—Eenson, Berg, Bowman, Cahill, Drown, Ettestad, Fleckten, Fraser, Hagen, Hamerly, Hemmingsen, Hunt, Ingerson, King. Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Church, Kendall.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 160 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the emergency clause to Senate Bill No. 160, the roll was called and there were ayes, 32; nays, 15; absent and not voting, 2.

Ayes—Benson, Berg, Bowman, Cahill, Drown, Ettestad, Fleckten Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, McNair, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Church, Kendall.

So the Emergency passed.

Mr. Liederbach 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. 161.

A bill for an Act to repeal Sections 3307 and 3598 of the Compiled Laws of North Dakota for the year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays,14; absent and not voting, 2.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt Ingerson, King, Levang, Eiederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber. Wenstrom, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, Mees, Murphy, Neison, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Kendall, Welford.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill 161 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed,

The question being on the Emergency Clause to Senate Bill No. 161, the roll was called and there were ayes, 33; nays, 14; absent and not voting, 2.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Kendall, Welford.

So the Emergency Clause passed.

Mr. Liederbach 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. 162.

A bill for an Act to amend and re-enact Section 3310 of the Compiled Laws of the State of North Dakota for the year 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Haggart, Hyland, Jacobsen, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Kendall.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 162 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 162, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Kendall.

So the Emergency Clause passed.

Mr. Liederbach 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. 163.

A bill for an Act to amend and re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, relating to estrays.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman,

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Kendall, Mc-Bride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Jacobsen.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 163 passed, he reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 163, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Kendall, Mc-Bride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Jacobsen, Pendray.

So the Emergency Clause passed.

Mr. Liederbach 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. 164.

A bill for an Act to repeal Section 2659 of the Compiled Laws of North Dakota for the year 1913, relating to Official Estray Paper,

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 11; absent and not

Aves-Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Mikle-thun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Beck, Carey, Haggart, Hyland, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 164 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 164, the roll was called and there were ayes, 36; nays, 12; absent and not voting, 1.

Ayes-Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mc-Carten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welfard, Wenstrom, Zieman.

Nays-Beck, Carey, Gibbens, Haggart, Hyland, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Mees.

So the Emergency Clause passed.

Mr. Liederbach 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. 165.

A bill for an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to newspapers qualified to do legal printing.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 34; nays, 15; absent and not

Ayes-Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt. Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, strom, Zieman. Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen,

Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 165 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 165, the roll was called and there were ayes, 35; nays, 13; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Weiford, Wenstrom, Zieman.

Nays-Beck, Carey, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting: Haggart.

So the Emergency Clause passed.

Mr. Liederbach 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. Noltimier moved that the vote by which the Emergency Clause to Senate Bill No. 157 was lost be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Cahill moved that the roll be called on the Emergency Clause to Senate Bill No. 157, which motion prevailed.

The question being on the Emergency Clause to Senate Bill No. 157, the roll was called and there were ayes, 33; nays, 15; absent and not voting, 1.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

Absent and not voting: Haggart.

So the Emergency Clause passed.

Mr. Liederbach 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. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all Acts and parts of Acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall,

Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Bowman, King, Murphy, Ployhar, Porter.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 79 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Mortenson moved that the Senate do now take a recess for ten minutes, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

Senate Bill No. 56.

A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the fairs to be held in 1920 and 1921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 17.

Ayes—Beck, Berg, Carey, Church, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen, Kendall, Levang, McBride, McCarten, Morkrid, Murphy, Nelson, Noltimier, Pendray, Ployhar, Porter, Stenmo, Storstad, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting: Benson, Bowman, Cahill, Fleckten, Hamerly, Hunt, King, Liederbach, McNair, Mees, Mortenson, Mostad, Miklethun, Oksendahl, Olson, Sikes, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 56 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Senate Bill No. 104.

A bill for an Act to make appropriation for the clerk, clerk hire, postage, office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses, maintenance of game farm, salary and expenses of fish commissioner and deputy fish commissioner and expense and maintenance of the fish hatchery.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Cahill, King, Liederbach, Oksendahl.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 104 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Hyland moved that Senate Bill No. 96 be amended by striking out the words "industrial commission" and inserting in lieu thereof the word "governor" in line 1, Section 1, which motion was lost.

Senate Bill No. 96.

A bill for an Act authorizing the industrial commission of North Dakota to have made special investigations of lignite deposits and lignite within the state and providing funds therefor.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stemmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Haggart, Hyland, Murphy, Nelson, Porter.

Absent and not voting-King.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 96 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. McNair moved that Senate Bill No. 101, be amended by striking out the figure "3" and inserting in lieu thereof the figure "2" in line 22, Section 1, of the engrossed bill, which motion prevailed and the bill was so amended.

Senate Bill No. 101.

A bill for an Act making an appropriation for the salary of the secretary and members of the state highway commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

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, 48;

nays, none; absent and not voting, 1.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.
Absent and not voting—King.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 101 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Bowman moved that Senate Bill No. 172 be amended as follows: After the word "manner" in line 3, of Section 1, strike out the balance of that section and insert in lieu thereof the following: "All foundations, floors, roofs, walls, stairways, stairs, elevator shafts, and dumb waiter shafts, shall be constructed of concrete, brick, terra cotta blocks, steel or other fire-proof material, which motion prevailed and the bill was so amended.

Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

Was read the third time.

The question being on the final passage of the bill as amended. The roll was called and there were ayes, 43; nays, 5; absent and not voting, 1.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Welford, Wenstrom, Whitman, Zieman.

Nays-McCarten, McNair, Nelson, Pendray, Weber.

Absent and not voting-McBride.

So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which Senate Bill No. 172 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

MESSAGE FROM THE GOVERNOR

To the Honorable Members of the Senate:

Gentlemen: You are hereby informed that I have approved and filed with the secretary of state, Senate Bill No. 2, an act providing for hearing petitions for letters of administration and probating of wills.

Also Senate Bill No. 15, an act providing for the inspection of refined petroleum, petroleum products, illuminating oils, gasolines and other low flash test petroleum products; providing for the establishments of ports of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriations for carrying out the provisions of this act; and to repeal Chapter 188 of Session Laws of North Dakota for 1915 and Chapters 161 and 162 for the year 1917.

Also Senate Bill No. 120, an act providing for the purchase by the county of land for county fairs, relating to the management thereof and providing a tax therefor.

Also Senate Bill No. 78, an act to amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913, relating to revocation or suspension of an attorney's right to practice.

Also Senate Bill No. 127, an act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

Also Senate Bill No. 170, a concurrent resolution amending the constitution of the State of North Dakota, changing the name of the State Reform School, located at Mandan, in the

County of Morton, to that of the State Training School.

Also Senate Bill No. 136, an act to amend and re-enact Section 2844 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 105 of the Session Laws of 1917 relating to license covering dairy products.

Also Senate Bill No. 198, an act legalizing certain acts of

city, village and school district officials.

Respectfully,

LYNN J. FRAZIER, Governor.

THIRD READING OF HOUSE BILLS

Mr. Stenmo moved that House Bill No. 161 be amended by striking out the words "or major fraction thereof" in line 11, Section 1136, and insert the word "additional" between the words "each" and "one" at the end of line 10, Section 1136, of the engrossed bill, which motion prevailed and the bill was so amended.

House Bill No. 161.

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, re-lating to Deputy County Superintendents of Schools, and compensation 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, 49; nays,

none; absent and not voting, none.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wender, State of the March 1988 of the State of th strom, Whitman, Zieman.

So the bill passed and the title was agreed to.

House Bill No. 85.

A bill for an Act to amend and re-enact Section 3896 of the Compiled Laws of North Dakota for 1913; providing for the improvement on petition of public streets of villages and for the levy and collection of tax therefor.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 47; nays, none, absent

and not voting, 2.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Moskaid, Mislathur, Marshar, Nelson, Nolti-Mees, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-King and Mortenson. So the bill passed and the title was agreed to.

Mr. Cahill moved that further action on House Bill No. 182 be indefinitely postponed, which motion prevailed.

House Bill No. 68.

A bill for an Act defining the crime of gambling; fixing the punishment therefor; and providing certain rules of evidence in prosecutions there under.

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, 48; nays, 6: absent and not voting 1.

0; absent and not voting, 1.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mc Nair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson. Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Mostad.

So the bill passed and the title was agreed to.

House Bill No. 33.

A bill for an Act to amend and reenact Section 983 of the Compiled Laws of North Dakota for the year 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, 45; nays,

1; absent and not voting, 3.

Bowman, Carey, Church, Ayes-Beck, Benson, Berg, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hyland, Ingerson, Jacobsen, Kendall, King. Levang, Liederbach, McBride, McCarten, Mc-Nair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nolti-mier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Nelson.

Absent and not voting-Cahill, Hunt, Mostad.

So the bill passed and the title was agreed to. The question being on the Emergency Clause to House Bill No. 33, the roll was called and there were ayes, 44;

nays, 1; absent and not voting, 4.

Ayes-Beck, Eenson, Berg, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Haggart, Hamerly, Hemmingsen, Hyland, Ingerson, Jacobsen, Kendail, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Nelson.

Absent and not voting—Cahill, Hagan, Hunt, Mostad. So the Emergency Clause passed.

House Bill No. 179.

A bill for an Act to amend Section 1147, Compiled Laws of North Dakota for the year 1913 as amended by Chapter 135 of the Session Laws for the year 1915.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Ayes-Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman. Nays—Jacobsen.

Absent and not voting-Bowman, Pendray, Porter. So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK NORTH DAKOTA. February 26, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 91.

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties.

House Bill No. 163.

A bill for an Act requiring the label of the International Typographical Union to be placed upon all public printing of the State of North Dakota and providing penalties for the violation thereof.

Which the House has passed and your favorable considera-

tion is respectfully requested.

Very respectfully. GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK NORTH DAKOTA, February 26, 1919.

Mr. President: I have the honor to return Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of motor vehicles, regulating their use on the highways of the state; providing for the apportionment and expenditure of the proceeds from motor vehicle fees and taxes, establishing State Highway fund, and repealing Chapter 156, Laws of North Dakota, 1917, and all acts and parts of acts in conflict herewith.

Which the House has amended as follows: Amend the title of the engrossed bill on line three after the word "compensation" add the following words: "Creating a State highway fund." Also on line six of the title of the engrossed bill after the word therefrom add the word "fixing".

In Section two subdivision two line eight after the word "require" strike out everything beginning with the "during" down to and including the word "Act".

In Section five line eight after the word "destruction" strike

out the words "of a certificate of registration or".

In Section six line twenty-one strike out the word "of" and insert the word "from" in lieu thereof. In the same section line thirty-four strike out the word "to" and insert the word "by" in lieu thereof.

In Section seven line seven strike out the following words: "provided, that license issued previous to the taking effect of this Act shall be valid for the unexpired term thereof".

In Section ten line two strike out the word "quarterly" and insert the word "monthly". In line three same section strike out the word "quarter" and insert the word "month" in lieu thereof. In line four after the word "act" add the following: "showing by such report the amount of moneys so received from each county during such month".

Strike out all of Section 11 of the engrossed bill and insert in lieu thereof the following:

"SECTION 11. (1) A sum not to exceed \$50,000 per annum or so much thereof as may be necessary shall be set apart from the moneys derived from such motor vehicle license fees to defray the expenses of the State Highway Commission in carrying out the provisions of this Act.

- (2) One-half of the balance so received by the State Treasury shall be by him credited to a fund to be known as the State Highway Fund, such fund to be expended by the State Highway Commission in the various counties of the State in the improvement, maintenance and construction of highways and preparatory work therefor. Ten percent of this fund shall be expended at the discretion of the State Highway Commission for the purpose specified above without regard to the amount of motor vehicle fees collected from any county and ninety percent thereof shall be spent by the Commission for the purpose specified above, in the several counties in proportion to the amounts collected therein.
- The balance of all funds so received by the State Treasury from the licensing of motor vehicles shall be by him on the fifteenth day of each calendar month apportioned and on warrant of the State Auditor paid to the treasurers of the several counties of the State. The same to be prorated among such counties in the same proportion as that in which the moneys are received. The money so paid to each of the said counties by the State shall constitute a special County Highway Fund which shall be expended under the direction of the Board of County Commissioners of such county in the construction, repair and maintenance of highways within such county. Provided, however, that no part of such fund shall be expended within the limits of any incorporated city, provided further, that it shall be and it is hereby made the duty of the county commissioners of any county within the State to pay from such fund one-half of the expense of maintaining any highway within such county heretofore or hereafter constructed by the State Highway Commission."

In Section thirteen line twelve of the engrossed bill strike out the word "his".

In Section eighteen line four strike out the words "One Hundred Fifty Thousand" and insert the words "One Hundred Thousand". In line five same section strike out the figures "150,000", and insert the figures "100,000" in lieu thereof.

In Section twenty-two line three after the word "vehicles" add the following words "and moneys in the State Highway Fund".

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February, 26, 1919.

Mr. President: I have the honor to return Senate Bill No.

A bill for an Act amending and re-enacting Sections 176, 178, 179, 189, 181, 182, 183, 184, 185, 186, 187, 189 and 189A Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation

therefor; and providing for an acreage tax.
Which the House has amended as follows:
That said Bill be amended by inserting in the title, line
15, page 1, after the words "tillable land", the words "in crops.

By inserting after the Enacting Clause, the following:

"That Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189 and 189A, Compiled Laws of North Dakota for 1913, as amended by Chapter 166 of the Session Laws of North Dakota for the year 1915, be amended and re-enacted to read as follows:"

By inclosing in parenthesis; the words in Section 7, lines

10 and 11 "except hay and meadow land."

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

FIRST AND SECOND READING OF HOUSE BILLS House Bill No. 91.

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties.

Was read the first and second time and referred to the

committee on Ways and Means.

House Bill No. 163.

A bill for an act requiring the label of the International Typographical Union to be placed upon all public printing of the State of North Dakota and providing penalties for the violation thereof.

Was read the first and second time and referred to the

committee on Ways and Means.

Courtesies of the floor were extended to Christ Heer, Martin; R. J. Hughes, Wahpeton; O. E. Blonding, Harrey; E. N. Tullar, Beach; C. S. Wooledge, C. D. Aaker, W. F. Sibbold, Minot; A. O. Nelson, Dunn Center.

Mr. Cahill moved that the Senate do now take a recess to 10 o'clock a. m., February 27, 1919, which motion prevailed

and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEB. 27, 1919. THIRD READING OF SENATE BILLS

Senate Bill No. 212.

A bill for an Act to give county commissioners authority to erect memorials or other suitable recognition in commemoration of those of the county who rendered service or who lost their lives in the service of their country in the great world war; create a menorial fund and make a levy therefor.

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appoint-ment and prescribing their powers and duties; making an ap-propriation; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co.

Senate Bill No. 221.

A bill for an Act entitled "An Act making appropriation for improvements at the Executive Mansion.

THIRD READING OF HOUSE BILLS

House Bill No. 111.

A bill for an Act defining Mutual Telephone Companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

House Bill No. 152.

A bill for an Act to amend and re-enact Section 2530 of the Compiled Laws of North Dakota for the year 1913, relating to the duties of Superintendents of County Asylums and Poor Farms, and to provide for the payment of hospital fees by patients received at County Asylums and Poor Farms maintaining hospitals, in certain cases. House Bill No. 147.

A bill for an Act making an appropriation for the county agricultural and training schools at Park River, and Maddock, North Dakota.

House Bill No. 105.

A bill for an Act to appropriate out of any moneys in the State Treasury not otherwise appropriated, the sum of \$6500.00 for the Glanders and Dourine Horse Fund-in order to pay claims on file and which may be allowed prior to July 1st, 1919. for animals destroyed for being infected with glanders or dourine, according to law.

House Bill No. 76.

A bill for an Act to appropriate \$1200.00 for the purpose of paying the expenses of appraisers of inheritances, devises, bequests and legacies under the provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

House Bill No. 70.

A bill for an Act appropriating money for the use of the War History Commission between the following dates, June 30th, 1919, to July 1st, 1921.

House Bill No. 78.

A bill for an Act to appropriate the sum of \$500.00 out of any money in the State Treasury not otherwise appropriated for the purposes of paying the expenses of presidential electors according to the provisions of Section 1038 of the Compiled Laws of North Dakota, 1913.

House Bill No. 71.

A bill for an Act to appropriate \$4,000.00 out any money in the State Treasury not otherwise appropriated for the purpose of paying premiums on State Officials' Bonds as provided by Chapter 175 of the Session Laws of North Dakota, 1917.

House Bill No. 73.

A bill for an Act to appropriate \$1,000.00 out of any money in the State Treasury not otherwise appropriated for the apprehension of criminals.

House Bill No. 74.

A bill for an Act to appropriate the sum of \$400.00 out of any money in the state treasury not otherwise appropriated for the purpose of defraying the burial expenses of inmates of the penitentiary and reform school according to the provisions of Section 11302 of the Compiled Laws of North Dakota, 1913.

House Bill No. 75.

A bill for an Act to appropriate the sum of \$300.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying expenses incurred in actions brought for the release of insane persons under the provisions of Section 2562 of the Compiled Laws of North Dakota, 1913.

House Bill No. 60.

A bill for an Act to appropriate money for the care of Insane Patients at the Hospital for the Insane, charged to the State at large, as provided under Sections 261 and 2576 of the Compiled Laws of 1913 for North Dakota.

House Bill No. 149.

A bill for an Act making an appropriation to enable the State of North Dakota to pay its pro-rata share to cover the expenses of the governor's conference, for the years 1919 and 1920.

House Bill No. 180.

A bill for an Act to amend and re-enact Section 2223 of the Compiled Laws of North Dakota for the year 1913, relating to the redemption of land sold for taxes.

House Bill No. 83.

A bill for an Act providing for the listing of certain personal property for purposes of assessment and defining duties of Attorney General in connection therewith, and providing for subpoening witnesses and penalty for failing to list such property.

House Bill No. 84.

A bill for an Act to amend and re-enact Chapter 231, Laws of North Dakota, 1917, relating to the taxation of transfers of property by will or by intestate law. House Bill No. 184.

A bill for an Act relating to the wages and conditions of labor of females; authorizing and empowering the Public Welfare Commission to fix minimum wages for females engaged in different occupations; providing penalty for the violation thereof; and making an appropriation.

House Bill No. 98.

A bill for an Act amending Section 2373, Compiled Laws of North Dakota for 1913, relating to the qualifications of the Adjutant General; providing for his appointment by the Commander in Chief; and providing for the appointment of colonels, and majors of battalions and the election of commissioned officers of lower rank.

House Bill No. 47.

A bill for an Act to provide for defraying the general expenses of the State government, by imposing a tax on the shares of stock and the bond issues of corporations organized or doing business in the State, and repealing all Acts and parts of Acts in conflict herewith.

House Bill No. 128.

A bill for an Act levying a tax of one-half of one mill upon each dollar of assessed valuation of all taxable property within the State for each year for the purpose of creating a fund to be known as the "Returned Soldiers Fund;" providing for the payment thereof to returned soldiers; defining the powers and duties of the Adjutant General and of the Industrial Commission with reference thereto; and making an appropriation therefor.

House Bill No. 104.

A bill for an Act to amend and re-enact Sections 2360 and 2360a of the Compiled Laws of North Dakota for the year 1913, relating to the salary and expenses of the Adjutant General.

House Bill No. 145.

A bill for an Act to appropriate \$3,350 to aid in the educational work being carried on by the North Dakota Anti-Tuber-culosis Association, and the prevention of the spread of tuberculosis more definitely prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses and providing that such work be done in connection with the Tuberculosis Sanitorium and that the appropriation be made available to that institution for that purpose.

House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of state parks at Abercrombie, Walhalla, Pembina, and Fort Rice, including old Fort Lincoln.

House Bill No. 72.

A bill for an Act to appropriate out of any money in the State Treasury not otherwise appropriated the sum of \$3000.00 for the purpose of paying the expenses of delegates to the Presidential Nominative National Convention according to the provisions of Section 916 of the Compiled Laws of North Dakota, 1913.

House Bill No. 69.

A bill for an Act to Appropriate \$363.00 to provide funds for the Burial of Honorably Discharged Sailors, Soldiers, and Marines of the United States war of the Rebellion and Erection of Headstones therefor, as Authorized by Sections 3181, 3182, 3183 and 3184 of the Compiled Laws of North Dakota for 1913.

House Bill No. 166.

A bill for an Act appropriating the sum of nine hundred twenty-five dollars and twenty-five cents for services and expenses incurred in connection with the inventory and appraisal of public utility corporations in North Dakota by Hagenah & Erickson, under the direction of the Governor, Attorney General and the State Tax Commission.

House Bill No. 107.

A bill for an Act to amend and re-enact Sections 22, 27, 28, 36, 48, and 51 of Chapter 161 of the laws of North Dakota for the year 1915 and to amend and re-enact Sections 33 and 52 of Chapter 161 of the laws of North Dakota for the year 1915 as amended by Chapter 122 of the laws of North Dakota for the year 1917 and to amend and re-enact Section 46 of Chapter 161 of the laws of North Dakota for the year 1915 as amended by Chapter 63 of the laws of North Dakota for the year 1917.

FIFTY-FIRST DAY AFTER RECESS AND FIFTY-SECOND DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February, 27, 1919.

The Senate convened pursuant to recess taken, the pres-

ident presiding.

Mr. Church moved that the Senate do not concur in House amendments to Senate Bill No. 97, and that the president appoint a conference committee of three, which motion prevailed and the president appointed as such committee Messrs. King, Church and Liederbach.
Mr. Welford moved that the Senate do now concur in House

amendments to Senate Bill No. 47, which motion prevailed.

Senate Bill No. 47.

A bill for an Act amending and re-enacting Sections 176, A bill for an Act amending and re-enacting sections 119, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1913; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

Was read the third time.

The question being on the final passage of the bill as amended by the House. The roll was called and there were ayes, 31; nays, none; absent and not voting, 18.

ayes, 31; nays, none; absent and not voting, 18.

Ayes—Beck, Benson, Berg, Church, Ettestad, Fleckten, Hagan, Hamerly, Ingerson, Jacobsen, King, Levang, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Absent and not voting—Bowman, Cahill, Carey, Drown, Fraser, Gibbens, Haggart, Hemmingsen, Hunt, Hyland, Kendall, Liederbach, McBride, Mees, Morkrid, Oksendahl, Ployhar, Whitman

Whitman.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 47. The roll was called and there were ayes, 31;

nays, none; absent and not voting, 18.

Ayes—Beck, Benson, Berg, Church, Ettestad, Fleckten, Hagan, Hamerly, Ingerson, Jacobsen, King, Levang, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Absent and not voting—Bowman, Cahill, Carey, Drown, Fraser, Gibbens, Haggart, Hemmingsen, Hunt, Hyland, Kendell, Liedarhach, McRivide, Mostaria, Oksandehl, Play

dall, Liederbach, McBride, Mees, Morkrid, Oksendahl, Ploy-har, Whitman.

So the emergency clause passed.

REPORTS OF STANDING COMMITTEES

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the

Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

THIRD READING OF HOUSE BILLS

Mr. Ployhar moved that House Bill No. 111 be placed at the foot of the calendar, which motion prevailed.

Mr. Bowman moved that a committee of three be appointed to call on the attorney general and secure his construction of House Bill No. 111, which motion prevailed and the president appointed as such committee Messrs. Jacobsen, Church and Ingerson.

House Bill No. 152.

A bill for an Act to amend and re-enact Section 2530 of the Compiled Laws of North Dakota for the year 1913, relating to the duties of Superintendents of County Asylums and Poor Farms, and to provide for the payment of hospital fees by patients received at County Asylums and Poor Farms maintaining hospitals, in certain cases.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 38; nays, none; absent and not voting, 11.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hunt, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Carey, Church, Drown, Fraser, Haggart, Hemmingsen, Hyland, Ingerson, Liederbach, Mc-Bride, Oksendahl.

So the bill passed and the title was agreed to.

House Bill No 147.

A bill for an Act making an appropriation for the county agricultural and training schools at Park River, and Maddock, North Dakota.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 36; nays, none; absent

and not voting, 13.

Ayes—Beck, Benson, Berg, Cahill, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hunt, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Carey, Church, Drown, Fraser, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen,

Liederbach, McBride, Oksendahl.

So the bill passed and the title was agreed to.

House Bill No. 105.

A bill for an Act to appropriate out of any moneys in the State Treasury not otherwise appropriated, the sum of \$6,-500.00 for the Glanders and Dourine Horse Fund-in order to pay claims on file and which may be allowed to July 1st, 1919, for animals destroyed for being infected with glanders or dourine, according to law.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 36; nays, none; absent

and not voting, 13.

Ayes—Beck, Benson, Berg, Cahill, Ettestad, Fleckten, Gibhens, Hagan, Hamerly, Hunt, Kendall, King, Levang. McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar,
Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wnitman, Zieman.

Absent and not voting—Bowman, Carey, Church, Drown, Fraser, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen,

Liederbach, McBride, Oksendahl, Wenstrom.
So the bill passed and the title was agreed to.

The question being on the emergency clause to House Bill No. 105. The roll was called and there were ayes, 35;

Ayes—Back, Benson, Berg, Cahill, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hunt, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Whitman.

Absent and not voting—Bowman, Carey, Church, Orown, Fraser, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen, Liederbach, McBride, Oksendahl, Wenstrom.

So the emergency clause passed.

House Bill No. 76.

A bill for an Act to appropriate \$1,200.00 for the purpose of paying the expenses of appraisers of inheritances, devises bequests and legacies under the provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

Was read the third time.
The question being on the final passage of the bill. The roll was called and there were ayes, 35; nays, none; absent

and not voting, 14.

Ayes—Beck, Benson, Berg, Cahill, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hunt, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting—Bowman, Carey, Church, Drown, Fraser, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen, Liederbach, McBride, Oksendahl, Wenstrom.

So the bill passed and the title was agreed to.

House Bill No. 70.

A bill for an Act appropriating money for the use of the War History Commission between the following dates, June 30th, 1919, to July 1st, 1921.

Was read the third time.

The question being on the final passage of the bill. roll was called and there were ayes, 36; nays, none; absent

Ayes—Beck, Benson, Berg, Cahill, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hunt, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Carey, Church, Drown, Fraser, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen, Liederbach, McBride, Oksendahl.

So the bill passed and the title was agreed to.

House Bill No. 78.

A bill for an Act to appropriate the sum of \$500.00 out of any money in the State Treasury not otherwise appropriated for the purposes of paying the expenses of presidential electors according to the provisions of Section 103% of the Compiled Laws of North Dakota, 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 35; nays, 0; absent and not

voting, 14.

Ayes—Beck, Benson, Berg, Cahill, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hunt, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson Noltimier, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Carey, Church, Drown, Fraser, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen, Liederbach, McMride, Oksendahl, Pendray.

So the bill passed and the title was agreed to.

House Bill No. 71.

A bill for an Act to appropriate \$4,000.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying premiums on State Officials' Bonds as provided by Chapter 175 of the Session Laws of North Dakota,

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 0; absent and not

Ayes—Beck, Benson, Berg, Cahill, Carey, Ettestad, Fleckten, Gibbens, Hamerly, Hunt, Hyland, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and nct voting—Bowman, Church, Drown, Fraser, Hagan, Haggart, Hemmingsen, Ingerson, Jacobsen, Lieder-

bach, McBride.

So the bill passed and the title was agreed to.
Mr. McCarten moved that further action on House Bill No. 73 be indefinitely postponed, which motion prevailed.

House Bill No. 74.

A bill for an Act to appropriate the sum of \$400.00 out of any money in the state treasury not otherwise appropriated for the purpose of defraying the burial expenses of inmates of the penitentiary and reform school according to the provisions of Section 11302 of the Compiled Laws of North Dakota, 1913.

The question being on the final passage of the bill, the roll

Was read the third time.

was called and there were aves, 37; navs, 0; absent and not

voting, 12.

Ayes-Eeck, Benson, Berg, Cahill, Carey, Ettestad, Fleckten, Gibbens, Hamerly, Hunt, Hyland, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman,

Absent and not voting—Bowman, Church, Drown, Fraser, Hagan, Haggart, Hemmingsen, Ingerson, Jacobsen, Lieder-

bach, McBride, Pendray.

So the bill passed and the title was agreed to.

House Bill No. 75

A bill for an Act to appropriate the sum of \$300.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying expenses incurred in actions brought for the release of insane persons under the provisions of Section 2562 of the Compiled Laws of North Dakota, 1913.

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, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McCarten McNair. Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Por-ter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Drown, Fraser, Haggart,

Liederbach, McBride, Pendray.

So the bill passed and the title was agreed to.

House Bill No. 60.

A bill for an Act to appropriate money for the care of Insane Patients at the Hospital for the Insane. charged to the State at large, as provided under Sections 261 and 2576 of the Compied Laws of 1913 for North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and

not voting, 9.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Ettestad, Fleckten, Gibbens, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zie-

Absent and not voting-Bowman, Drown, Fraser, Hagan, Haggart, Liederbach, McBride, Mostad, Pendray.

So the bill passed and the title was agreed to.

The question being on the emergency clause to House Bill

No. 60, the roll was called and there were ayes, 39: nays,

0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Ettestad, Fleckten, Gibbens, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Shitman, Zieman.

Absent and not voting—Bowman, Drown, Fraser, Hagan, Haggart, Hemmingsen, Liederbach, McBride, Mostad, Pendray

So the Emergency Clause passed.

House Bill No. 149.

A bill for an Act making an appropriation to enable the State of North Dakota to pay its pro-rata share to cover the expenses of the governor's conference, for the years 1919 and 1920.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there ayes, 41; nays, 0; absent and not

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Ettestad. Fleckten, Gibbens, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Bowman, Drown, Fraser, Hagan,

Haggart, Liederbach, McBride, Pendray. So the bill passed and the title was agreed to.

Mr. Pendray moved that the vote by which the Senate amendment to House Bill No. 180 was adopted be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Jacobsen moved that the Senate do not accept the committee report amending House Bill No. 180, which motion prevailed.

House Bill No. 180.

A bill for an Act to amend and re-enact Section 2223 of the Compiled Laws of North Dakota for the year 1913, relating to the redemption of land sold for taxes.

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, 7.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten Gibbens, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Kendall, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Carey, Drown, Fraser, Hagan, Hag-

gart, King. McPride. Nelson.

So the bill passed and the title was agreed to.

House Bill No. 83.

A bill for an Act providing for the listing of certain personal property for purposes of assessment and defining duties of Attorney General in connection therewith, and providing for subpoenaing witnesses and penalty for failing to list such property.

Was read the third time. The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, 0; absent and

not voting, 9.

Ayes-Beck, Benson, Berg, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Waitman, Zieman.

Absent and not voting—Bowman, Carey, Drown, Gibbens, Haggart, Hyland, McBride, Murphy, Nelson.

So the bill passed and the title was agreed to.

House Bill No. 84.

A bill for an Act to amend and re-enact Chapter 231, Laws of North Dakota, 1917, relating to the taxation of transfers of property by will or by intestate law.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 4; absent and

not voting, 9.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Gibbens, Murphy, Nelson, Ployhar.

Absent and not voting—Carey, Drown, Haggart, Hyland, Jacobsen, Liederbach, McBride, Porter, Ward.

So the bill passed and the title was agreed to.

The question being on emergency clause to House Bill No. 84, the roll was called and there were ayes, 31; nays, 7;

absent and not voting, 11.

Ayes—Benson Berg, Bowman, Cahill, Church, Ettestad. Fleckten, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, McCarten, McNair, Mees, Mortenson, Mostad. Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Weber, Welford, Wenstrom, Zieman. Nays—Beck, Murphy, Nelson, Ployhar, Stenmo, Storstad,

Whitman.

Absent and not voting—Carey, Drown, Fraser, Gibbens, Haggart, Hyland, Jacobsen, Liederbach, McBride, Porter, Ward.

So the Emergency Clause passed.

Mr. King moved that the Senate do now take a recess to 1 o'clock p. m., which motion prevailed and the Senate recessed.

AFTER RECESS

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

The Senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES The committee on Elections and Election Privileges made the following report:

Mr. President: Your committee on Elections and Election Privileges to whom was referred House Bill No. 137.

A bill for an Act to amend and re-enact Section 1007 and 1008 of the Compiled Laws of North for the year 1913 relating to election returns.

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

A. M. HAGAN, Chairman.

Mr. Hagan moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Agriculture made the following report: Mr. President: Your committee on Agriculture to whom was referred House Bill No. 132.

A bill for an Act to control weeds and crop disease producing pests; creating the office of state commissioner of seeds and weeds and designating the state seed commissioner to be state commissioner of seeds and weeds; providing for the appointment of state and county inspectors; defining the powers and duties of the state commissioner of seeds and weeds, county commissioners, county auditors, state and county inspectors and other weed control officials; specifying the duties of owners and of occupants of lands; regulating the sale and distribution of seeds, hay feed-stuffs and other material containing weed seeds or infection parts of crop disease producing pests; providing penalty; and, making an appropriation.

Have had the same under consideration and recommend that

the same be indefinitely postponed.

OLE ETTESTAD, Chairman.

The committee on Agriculture made the following report: Mr. President: Your committee on Agriculture to whom

was referred House Bill No. 127.

A bill for an Act to promote the development of the dairy industry of the state, especially through the manufacturing and marketing of dairy products and authorizing the commissioners of agriculture and labor to contract for and operate and manage a creamery for experimental purposes and to engage in the activities connected with or incident to the manufacturing and marketing of dairy products and by products; defining his powers and duties; making an appropriation and providing for the raising and expenditure of funds for carrying into effect the provisions of this act.

Have had the same under consideration and recommend

that the same do pass.

OLE ETTESTAD, Chairman.

Mr. Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Highways made the following report: Mr. President: Your committee on Highways to whom was

referred Senate Bill No. 201.

A bill for an Act providing for State Aid in the construction of bridges accross State lines of inter-state highways or roads. Have had the same under consideration and recommend

that the same be amended as follows:

Amend the title as follows; by inserting after the word "roads" or "accross navigable streams within the State."

In Section 1, line two strike out the word "quarter" and insert in lieu therefo the word "third," add the following in line four after the "highways;" "or across navigable streams within State of North Dakota, on state highways or roads."

In Section 2, after the word "bridges" insert "or bridges accross navigable streams within the state." In line two strike out the words "state engineer" and insert in lieu thereof the out the words state engineer of the State Highway Commission," words "the Chief Engineer of the State Highway Commission,"

In Section 2, one seven strike out the words "state engineer," and insert in lieu thereof the words "chief engineer of the

State Highway Commission."

In Section 2, line Line strike out the word "quarter" and insert in lieu thereof the word "third," and in line twelve after the word "Treasurer" ad' the words "from any moneys in the general fund."

And when so amended recommend the same do pass.

C. D. KING, Chairman.

Mr. King moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report: Mr. President: Your committee on Highways to whom was

referred House Bill No. 118.

A bill for an Act to amend and re-enact Section 1990p of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 168 of the Session Laws for the Year 1915, and by Chapter 130 of the Session Laws of 1917, relat-ing to payment of Highway taxes and prescribing a penalty for failure of the county officials to comply with the provisions hereof.

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

C. D. KING, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 121.

A bill for an Act authorizing the Board of Control of the State of North Dakota to erect and equip upon the capitol grounds a building to be known as the Liberty Memorial Building of North Dakota in memoriam of the soldiers, sailors and marines of North Dakota who served the nation in the Great World War; and prescribing the object, purpose and use of such building; for locating and improving a site for the same to be known as Memorial Park; and to authorize the employment of a landscape architect to advise concerning the selection and planning of the grounds for such park and building; and to make appropriations therefor.

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

In the title of the bill where it says "said building to contain a suitable memorial to Theodore Roosevelt" strike out the first "to" and insert 'may" in lieu thereof and add the words "and to Gen. Geo. A. Custer" after the word "Roosevelt."

Strike out Section One of the bill as amended by the House

and insert in lieu thereof the following:

Section 1 .- The Liberty Memorial Building to be Erected. The state Board of Control shall proceed to erect, construct and complete a suitable and adequate building upon the capitol grounds for executive purposes to be known as the Liberty Memorial Building of North Dakota. Said building may con-

tain a suitable memorial to Theodore Roosevelt and to General George A. Custer. Such building is hereby forever dedicated to the memory of the soldiers, sailors and marines of North Dakota who served the nation in the Great World War. The building shall be fireproof and shall be built according to the plans and specifications furnished by the State Architect or other architects. Reputable sculptors shall be employed to design said memorial.

And when so amended recommend the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report 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. 186.

A bill for an Act regulating and fixing the hours of labor for females, and providing penalties for the violation thereof. Have had the same under consideration and recommend that the same do pass.

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee State Affairs made the following report: Mr. President: Your committee on State Affairs to whom

was referred House Bill No. 58,

A bill for an Act designating the Legal Holidays in the State of North Dakota and to amend and re-enact Section 7297 of the Compiled Laws of North Dakota for 1913.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Insurance made the following report: Mr. President: Your committee on Insurance to whom was

referred House Bill No. 59.

A bill for an Act amending and re-enacting Sections 1505, 1507, 1517, 1518, 1520, 1521, 1523, 1524 and 1528 of the Compiled Laws of the State of North Dakota for the year 1913 and amending and re-enacting Sections 1506 and 1513 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 140 of the Session Laws of the State of North Dakota for the year 1915, relating to and extending the provisions of the teachers insurance and retirement Fund.

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

WALTER WELFORD, Chairman.

Mr. Welford moved that the report be adopted, which motion prevailed and the report was adopted.

THIRD READING OF HOUSE BILLS

House Bill No. 184.

A bill for an Act relating to the wages and conditions of labor of females; authorizing and empowering the Public Welfare Commission to fix minimum wages for females en-

gaged in different occupations; providing penalty for the violation thereof; and making an appropriation.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 8; absent and not voting, 8.

Ayes—Benson, Bowman, Cahill, Church, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Oksendahl, Olson, Sikes, Stenmo, Weber, Welford, Wenstrom, Whitman.

Nays-Beck, Berg, Carey, Drown, Murphy, Porter, Storstad, Zieman.

Absent and not voting—Gibbens, Haggart, Hunt, Hyland, Noltimier, Pendray, Ployhar, Ward.

So the bill passed and the title was agreed to.

Mr. Church moved that the vote by which the committee report on House Bill No. 111 was adopted be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. Church moved that the Senate do not adopt the report of the committee amending House Bill No. 111, which motion prevailed.

House Bill No. 111.

A bill for an Act defining Mutual Telephone Companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

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, none; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Gibbens, Haggart, Hunt, Hyland, Pendray, Ward.

So the bill passed and the title was agreed to.

Mr. Church moved that the rules be suspended in so far as necessary and that the Senate do now proceed to the third reading of Senate Bills, which motion prevailed.

THIRD READING OF SENATE BILLS

Senate Bill No. 212.

A bill for an Act to give county commissioners authority to erect memorials or other suitable recognition in commemoration of those of the country who rendered service or who lost their lives in the service of their country in the great world war; create a memorial fund and make a levy 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, 2; absent and not voting, 5.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad. Fraser, Gibbens, Hagan, Hamerly Hemmingsen, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Ployhar, Porter Sikes, Stenmo, Storstad Weber, Welford, Wenstrom, Whitman, Zie-

Nays-Fleckten, Liederbach.

Absent and not voting-Haggart, Hunt, Hyland, Pendray. Ward.

So the bill passed and the title was agreed to.

Mr. Cahill moved that Senate Bill No. 134 be made a special

order of business for 2:30 p. m., which motion prevailed.

Mr. Mees moved that Senate Bill No. 200 be amended by inserting after the word "appropriated" line 1, Section 1, engrossed bill, to wards "out of the general funds of the state treasury not otherwise appropriated," which motion prevailed and the bill was so amended.

Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co.

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, 4; absent and not voting, 3.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Fraser, Gibbens, Hagan, Hamerly, Hemmingsent, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Ievang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl. Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Welford. Wenstrom, Whitman, Zieman.

Nays-Church, Ettestad, Fleckten, Weber. Absent and not voting-Haggart, Pendray, Ward. So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber BISMARCK, NORTH DAKOTA, February 27, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 28.

A bill for an Act providing for a bounty for wolves and coyotes, prescribing the method of payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter

253 of the Session Laws of North Dakota for the year 1917. Which the House has passed unchanged. Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK NORTH DAKOTA. February 27, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 218.

A bill for an Act to amend and re-enact Section 2012 of the Compiled Laws of North Dakota for 1913, relating to compensation for labor.

Which the House has indefinitely postponed. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

, HOUSE CHAMBER

BISMARCK NORTH DAKOTA. February 27, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 120.

A bill for an Act to make an appropriation of funds to pay witness fees, mileage, transportation of ballot boxes and other expenses in the election contest cases before the Committee on Education and Election Privileges of the House of Representatives of the Sixteenth Legislative Assembly of the State North Dakota.

House Bill No. 189.

A bill for an Act Creating the Flood Control Commission; prescribing its powers and duties: providing for the appointment and compensation of the Flood Control Engineer and such other employees as may be necessary and providing an appropriation to carry out the purposes of this Act.

Which the House passed and your favorable consideration

is respectfully requested.

Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

The Senate returned to the 6th order of business.

REPORTS OF STANDING COMMITTEES

The committee on Ways and Means made the following report:

Mr. Presidents Your committee on Ways and Means to whom

was referred House Bill No. 91.

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. Presidents Your committee on Ways and Means to whom was referred House Bill No. 163.

A bill for an Act requiring the label of the International Typographical Union to be placed upon all public printing of the State of North Dakota and providing penalties for the violation thereof.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report 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. 149.

A concurrent resolution for an Act amending the constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the state, and providing that bonds issued or guaranteed by the state in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the state may issue bonds to build maintain and repair highways.

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

J. I. CAHILL, Chairman.

Mr. Levang moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

FIFTY-SECOND DAY

SENATE CHAMBER

BISMARCK NORTH DAKOTA, February 27, 1919.

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

Prayer was offered by the Chaplain, Rev. Hake.

Roll Call.

All members present,

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 Fiftieth day after recess and Fifty-first day, and recommend that the same be corrected as follows:

On page 12 line 54 strike out the initial "A".

On page 13 line 15 strike out the initial "A".

On page 13 line 18 strike out the word "Appropriations" and insert in lieu thereof the words "Military Affairs."

On page 31 line 25 correct the spelling of the word "table".

And when so corrected recommend that the same be approved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

Lidgerwood, N. D., Jan. 15, 1919.

To the Honorable Senate and House of Representatives, Bismarck, N. Dak

We, the undersigned, freeholders of Lidgerwood and vicinity protest against the passage of Bill No. 107, prohibiting the use of hunting dogs.

F. W. MASHEK and 17 others.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appoint-ment and prescribing their powers and duties; making an ap-propriation; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 141.

A bill for an Act to create a state board of electricians and prescribing the duties thereof. Providing for the classification, examination and licensing of electricians and electrical workers. Prescribing fees for such examination and license, and providing for inspection of electrical work through the state fire marshal under the direction of the state board, and to repeal Chapter 118 of the Laws of North Dakota for 1917.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co.

Senate Bill No. 212.

A bill for an Act to give county commissioners authority to

erect memorials or other suitable recognition in commemoration of those of the county who rendered service or who lost their lives in the service of their country in the great world war; create a memorial fund and make a levy therefor.

Senate Bill No. 221.

A bill for an Act entitled "An Act making appropriation for improvements at the Executive Mansion.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Stenmo moved that the report of the committee indefinitely postponing Senate Bill No. 138 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Stenmo moved that the report of the committee indefinitely postponing Senate Bill No. 70 be adopted, which motion prevailed and the report of the committee was adopted.

Mr. Ettestad moved that the report of the committee indefinitely postponing House Bill No. 132 be adopted, which motion prevailed and the committee report was adopted.

Mr. Cahill moved that the report of the committee indefinitely postponing Senate Bill No. 149 be adopted, which motion was duly seconded.

Mr. Liederbach moved as an amendment that the Senate do not accept the committee report on Senate Bill No. 149, which motion was lost.

The question being on the motion to adopt the report of the committee, the motion prevailed and the report of the committee was adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 221.

A bill for an Act entitled "An Act making an appropriation for improvements at the Executive Mansion."

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 45; nays, 0; absent and not roting. 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, Kendall, King, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Drown, Hyland, Levang, Lieder-bach.

So the bill passed and the title was agreed to.

Mr. McNair moved that the vote by which Senate Bill No. 221 passed, be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

MOTIONS AND RESOLUTIONS

A CONCURRENT RESOLUTION Introduced by Mr. King

WHEREAS, in the Senate Chamber on the 10th day of February, 1919, the Senate being in session, it was moved by Mr. King that the president appoint a committee of three to act with a like committee of the House to arrange for a Lincoln day program, which motion prevailed, and the president of the Senate appointed as such committee Messrs. King, Gibbens and Mees; and

WHEREAS, such committee acting together with like committee of the House, did arrange for and put on a Lincoln day program, on the 12th day of February, 1919; and

WHEREAS, such arrangement and the putting on of said program necessitated the expenditure of money in the sum of approximately \$65.00; bills and vouchers for such expenses having been presented to said committee;

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the sum of \$65.00 or so much thereof as may be necessary, be and the same is hereby appropriated out of the moneys in the State Treasury not otherwise appropriated for the purpose of paying the expenses incurred by said committee in preparing and putting on the Lincoln day program aforesaid.

Mr. King moved that the Resolution be adopted.

The roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad, Morkid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Wenstrom, Whitman, Zieman.

Absent and not voting: Fleckten, Liederbach, Mortenson, Weber, Welford.

So the resolution was adopted.

Mr. Mees moved that the vote by which the Concurrent Resolution passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

Mr. Cahill moved that Senate Bill No. 134 be amended by inserting the words "and the" after the words "Regents" in line 3, Section 5, and cut out the words "and the Board of Trustees of the County Agricultural and Training Schools" in lines 3, 4 and 5, Section 5, of the engrossed bill, which motion prevailed and the bill was so amended.

Mr. Church read the following telegram, and asked that it be printed in the journal.

Maddock, No. Dak., February 26, 1919.

W. J. Church, Senator, Bismarck, N. Dak.

From the Courier News of February 23rd it appears that Senate Bill No. one hundred thirty-four abolishes the Board of Trustees of the County Agricultural and Training Schools. See Section five of the bill. To this the Board of Trustees of the Benson county school hereby enters its vigorous protest not because they want to continue in office, but because they believe it to be not to the best interests of the county and the school because, one, the school is not a state institution, but strictly a county institution. The county has built it with its own money, the State has not contributed one cent for buildings, land or equipment, two, Benson county has fully sixtyfive thousand dollars invested in the buildings, land and equipment, and should be permitted to control the use of its investment as heretofore. Three, Benson county contributes two-thirds of the operating expenses, the State only one-third and should continue to have direct control of this expenditure as heretofore. Four, we submit that a board of tax payers directly and financially interested in an institution is in a better position and more likely to promote the general interests of the school and the community than a board with no personal interest. Five, the State now controls the educa-tional policy of the school through its power to prescribe courses of instruction. Let the local county board of trustees control the business administration as heretofore. Six, the people of Benson county have rallied enthusiastically to the support of the school from the fact that they feel an ownership in the institution. Take away the control of the business administration heretofore held and you destroy the enthusiasm, interest and generous financial support. We therefore respectfully petition you to use your utmost efforts in having stricken from the Section five of said bill the following: "And the Board of Trustees of the County Agricultural and Training Schools." We respectfully request that this communication be made a part of the Journals of the House and the Senate.

Respectfully submitted,

A. H. HANSON, MAGNUS HOFSTRAND, N. P. PETERSON, G. O. HAUGEN, PETER ANDERSON.

Board of Trustees Benson County Agricultural and Training Schools, Maddock, No. Dak.

Mr. Mees moved the previous question, which motion prevailed.

Mr. Cahill moved that Senate Bill No. 134 be considered properly re-engrossed and put on third reading and final passage, which motion prevailed.

THIRD READING OF SENATE BILLS

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all Acts and parts of Acts in conflict herewith.

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, 29; nays, 20; absent and not voting, 0.

Ayes—Benson, Berg, Bowman, Cahill, Church, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom.

Nays—Beck, Carey, Drown, Ettestad, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Mostad, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman, Zieman.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which Senate Bill No. 134 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, February 27, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 123.

A bill for an Act creating the office of Commissioner of Immigration; prescribing his powers and duties and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

House Bill No. 192.

A bill for an Act to amend and re-enact Chapter 185 of the Session Laws of 1915, being an act to provide for the support of needy women, who are mothers of and who are compelled to support one or more children under the age of sixteen years of age.

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

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. King moved that the Senate do now take a recess for ten minutes, which motion prevailed.

AFTER RECESS

The Senate convened pursuant to recess taken.

The Senate returned to the Sixth Order of Business.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 201.

A bill for an Act providing for State aid in the construction of bridges across state lines of inter-state highways or roads across navigable streams within the state.

And find the same correctly engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bill:

Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co.

And find the same correctly re-engrossed.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriation made the following report:

Mr. President: Your committee on Appropriations to

whom was referred House Bill No. 139.

A bill for an Act to appropriate the sum of two hundred fifty dollars (\$250.00) out of any moneys in the State Treasury not otherwise appropriated to reimburse Alphonso Boley of Mandan, N. Dak.

Have had the same under consideration and recommend

that the same be amended as follows:

In the second and third lines of the engrossed bill, strike out the words and figures, "two hundred fifty dollars, (\$250.00)" and in lines eight and nine, of the engrossed bill, strike out the words and figures "two hundred fifty dollars, (\$250.00)", and insert in lieu thereof in each case the sum of

"two hundred eighty dollars, (\$280.00)".

Amend the title by striking out the words and figures "two hundred fifty dollars, (\$250.00)", and insert in lieu thereof the words and figures "two hundred eighty dollars, (\$280.00)".

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

port:

Mr. President: Your committee on Appropriations

whom was referred House Bill No. 151.

A bill for an Act making an appropriation for the purpose of paying insurance tax to the various fire departments of the State.

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

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following

report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

Have had the same under consideration and recommend

that the same do pass.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 120.

A bill for an Act to make an appropriatiin of funds to pay witness fees, mileage, transportation of ballot boxes and other expenses in the election contest cases before the Committee on Education and Election Privileges of the House of Representatives of the Sixteenth Legislative Assembly of the State of North Dakota.

Was read the first and second time and referred to the

committee on Appropriations.

House Bill No. 189.

A bill for an Act Creating the Flood Control Commission; prescribing its powers and duties; providing for the appointment and compensation of the Flood Control Engineer and such other employees as may be necessary and providing an appropriation to carry out the purposes of this Act.
Was read the first and second time and referred to the

committee on Appropriations.

House Bill No. 192.

A bill for an Act to amend and re-enact Chapter 185 of the Session Laws of 1915, being an act to provide for the support of needy women, who are mothers of and who are compelled to support one or more children under the age of sixteen years of age.

Was read the first and second time and referred to the

committee on Ways and Means.

House Bill No. 123.

A bill for an Act creating the office of Commissioner of Immigration; prescribing his powers and duties and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

Was read the first and second time and referred to the

committee on State Affairs.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 158.

A bill for an Act to provide for the establishment of flood irrigation projects, the establishment, construction and maintenance of dams, gates and necessary ditches for the purpose of controlling, regulating and forcing the overflow of waters in non-navigable rivers and streams, and the appointment of

Boards of Flood Irrigation, and defining their powers and duties.

House Bill No. 124.

A bill for an Act providing for judicial districts, judges, thereof, terms of court to be held therein and the powers and duties of such courts and the procedure therein, and repealing all Acts and parts of Acts in conflict therewith.

House Bill No. 156.

A bill for an Act entitled "An Act to Permit Townships Through Their Boards of Supervisors to Build Drains Within the Ttownship and Outlets Therefor Without the Township, and to Provide the Manner of Assessing the Cost Thereof and Provide for its Payment."

House Bill No. 102.

A bill for an Act to amend and re-enact Section 4544 of the Compiled Laws of North Dakota for the year 1913 relating to penalties for the violation of Section 4544 of the Laws of North Dakota for the year 1913.

House Bill No. 94.

A bill for an Act providing for an appropriation and levy by the county commissioners of each county in the state for the purpose of furnishing aid to night schools.

House Bill No. 93.

A bill for an Act authorizing and regulating the exchange of reciprocal or inter-insurance contracts among individuals partnerships and corporations; empowering corporations to enter into such contracts; regulating process in suits on such contracts; fixing certain taxes and fees and providing penalties for violation of this act.

House Bill No. 110.

A bill for an Act regulating the construction, reconstruction, operation and maintenance of electrical supply and signal lines upon the highways and public places of the State of North Dakota and vesting in the Board of Railroad Commissioners certain powers and duties, and giving to said Commissioners power to adopt rules and regulations for the purpose of avoiding or mitigating interference with the service of signal lines, by reason of the close association or proxmity of signal lines to or with electrical supply lines.

House Bill No. 88.

A bill for an Act to provide for the organization or admission and the regulation and taxation of Incorporated Mutual Insurance Companies other than life.

House Bill No. 64.

A bill for an Act making an appropriation for the purpose of reimbursing the County of LaMoure, North Dakota, for moneys expended in maintaining a trachoma hospital.

House Bill No. 103.

A bill for an Act to amend and re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the year 1913 relating to the creation of a State Bar Board, its members, their term of office, qualifications, compensation and duties and providing

for the admission of attorneys to practice. Issuance of Licenses.

House Bill No. 65.

A bill for an Act to appropriate the sum of \$1900.00 for the maintenance of a trachoma hospital in the County of La-Moure, State of North Dakota.

House Bill No. 22.

A bill for an Act providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, prescribing his duties, providing for the printing, publishing and distributing of Supreme Court reports and granting power to the Supreme Court concerning the same and repealing all Acts inconsistent therewith.

House Bill No. 56.

A bill for an Act creating the North Dakota Insurance Fund for the benefit of employees injured and the dependents of employees killed in hazardous employments, providing for the administration of such fund by a Workmen's Compensation Bureau in the Department of Agriculture and Labor and making an appropriation therefor.

House Bill No. 176.

A bill for an Act relating to the practice of Chiropractic in the State of North Dakota.

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

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 27, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of the property of corporations, joint-stock companies or associations for taxation.

Senate Bill No. 38.

A bill for an Act providing that reports required for the assessment of taxes heretofore made to the State Auditor or to any other officer or Department of the State, shall be made to the State Tax Commissioner.

Senate Bill No. 39.

A Bill for an Act to amend and to re-enact Section 2141, Compiled Laws of North Dakota, 1913, Creating a State Board of Equalization, and Prescribing its Powers and Duties.

Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Senate Bill No. 55.

A bill for an Act to provide a state contingency fund to be

placed at the disposal of the state emergency commission to be used as provided by Chapters 26 and 152 of the Session Laws of North Dakota for 1915; and making an appropriation of \$50,000, which shall be known as the state contingency fund.

Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

Senate Bill No. 67.

A bill for an Act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers, and duties; fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, a asmended by Chapter 232, Laws of North Dakota, 1917, and all other acts and parts of acts in conflict herewith.

Which the House has passed unchanged.

Yours respectfully.

GEO. A. TOTTEN, JB., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 27, 1919.

Mr. President: I have the honor to return Senate Bill No.

A bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15 and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all acts and parts of acts in conflict herewith.

Which the House has amended as follows: "This act is hereby declared to be an emergency measure and shall be in full force and effect after its passage and approval."

Very respectfully,

GEO. A. TOTTEN, JB., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 27, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 68.

A bill for an Act supplementing the general tax laws of the state by providing for annual reports to the state tax commissioner from corporations, joint-stock companies or associations doing business in the state.

Senate Bill No. 77.

A bill for an Act authorizing the extension division of the Agricultural College to co-operate with the Bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes and other noxious predatory

animals, providing appropriation therefor and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in Congress assembled, and approved February twenty-third, nineteen hundred seventeen; and to make an appropriation for providing vocational educational education within the state.

Senate Bill No. 32.

A bill for an Act creating and establishing a state fire insurance fund for state fire insurance on public buildings in the office of the commissioner of insurance, providing for the maintenance thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses authorizing the commissioner to purchase insurance for the state capitol and repealing all acts in conflict herewith.

Which the House has passed unchanged. Very respectfully.

GEO. A. TOTTEN, JR., Chief Clerk.

THIRD READING OF SENATE BILLS

Senate Bill No. 201.

A bill for an Act providing for state aid in the construction of bridges across state lines of inter-state highways or roads.

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, none; absent

and not voting, 7.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahlfi Olson, Pendray, Porter, Sikes, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman Wenstrom, Whitman, Zieman.

Absent and not voting-Bowman, Drown, Kendall, Lieder-

bach, Morkrid, Ployhar, Stenmo.
So the bill passed and the title was agreed to.

Mr. Whitman moved that the vote by which Senate Bill No. 201 passed be reconsidered and the motion to reconsider

be laid on the table, which motion prevailed.

Mr. Mees moved that the rules be suspended insofar as necessary and that House Bill No. 58 be considered properly engrossed and placed on third reading and final passage, which motion prevailed.

THIRD READING OF HOUSE BILLS

House Bill No. 58.

A bill for an Act designating the legal holidays in the State of North Dakota and to amend and re-enact Section 7297 of the Compiled Laws of North Dakota for 1913.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 28; nays, 12; absent and not voting, 9.

Ayes—Beck, Benson, Cahill, Carey, Church, Drown, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Jacobsen, King, McBride, McNair, Mees, Mortenson, Mostad, Murphy, Nelson, Noltimier, Olson, Welford, Whitman, Zieman.

Nays—Ettestad, Fleckten, Ingerson, McCarten, Miklethun, Oksendahl, Pendray, Porter, Sikes, Storstad, Ward, Weber.

Absent and not voting—Berg, Bowman, Kendall, Levang, Liederbach, Morkrid, Ployhar, Stenmo, Wenstrom.

So the bill passed and the title was agreed to.

Mr. Mees moved that the vote by which House Bill No. 58 passed be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

House Bill No. 98.

A bill for an Act amending Section 2373, Compiled Laws of North Dakota for 1913, relating to the qualifications of the Adjutant General; providing for his appointment by the Commander-in-Chief; and providing for the appointment of colonels, and majors of battalions and the election of commissioned officers of lower rank.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Nays-Porter, Storstad, Weber.

Absent and not voting—Bowman, Fleckten, Liederbach, Mc-Carten, Morkrid.

So the bill passed and the title was agreed to.

The question being on the emergency clause to House Bill No. 98. The roll was called and there wer ayes, 40; nays, 5; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fraser, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McNair, Mees, Mortenson, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Welford, Wenstrom, Whitman, Zieman.

Nays-Fleckten, Gibbens, Porter, Storstad, Weber.

Absent and not voting-Bowman, Liederbach, McCarten, Morkrid.

So the emergency clause passed.

House Bill No. 47.

A bill for an Act to provide for defraying the general expenses of the State government, by imposing a tax on the shares of stock and the bond issues of corporations organized or doing business in the State, and repealing all Acts and parts of Acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 34; nays, 7; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Jacobsen, King, Levang, Liederbach, McBride, McCarten, McNair, Mortenson, Mostad, Miklethun, Murphy, Noltimier, Oksendall, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Zieman.

Nays-Gibbens, Haggart, Kendall, Nelson, Ployhar, Porter, Whitman.

Absent and not voting—Carey, Church, Drown, Ettestad, Hyland, Mees, Morkrid, Welford.

So the bill passed and the title was agreed to.

House Bill No. 128.

A bill for an Act levying a tax of one-half of one mill upon each dollar of assessed valuation of all taxable property within the State for each year for the purpose of creating a fund to be known as the "Returned Soldiers' Fund"; providing for the payment thereof to returned soldiers; defining the powers and duties of the Adjutant General and of the Industrial Commission with reference thereto; and making an appropriation therefor.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 39; nays, 3; absent and not voting, 7.

Ayes—Berg, Cahill, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Beck, Liederbach, Stenmo.

Absent and not voting—Benson, Bowman, Carey, Church, Drown, Ettestad, Morkrid.

So the bill passed and the title was agreed to.

House Bill No. 104.

A bill for an Act to amend and re-enact Sections 2360 and 2360A of the Compiled Laws of North Dakota for the year 1913, relating to the salary and expenses of the Adjutant General.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 39; nays, none; absent and not voting, 10.

Ayes—Beck, Berg, Cahill, Ettestad, Fleckten, Fraser, Gibbens, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Sten-

mo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting—Benson, Bowman, Carey, Church, Drown, Hagan, McBride, Morkrid, Noltimier, Zieman.

So the bill passed and the title was agreed to.

Mr. McCarten moved that the vote by which the report of the committee on House Bill No. 145 was adopted, be reconsidered, which motion prevailed and the vote was reconsidered.

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. 145.

A bill for an Act to appropriate \$3,350 to aid in the educational work being carried on by the North Dakota Anti-Tuberculosis Association, and the prevention of the spread of tuberculosis more definitely prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses and providing that such work be done in connection with the Tuberculosis Sanitorium and that the appropriation be made available to that institution for that purpose.

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

In Section 1, Item 1, of the engrossed bill strike out the figures "\$1600" and "\$3200" and insert in lieu thereof the figures "\$2500" and "\$5000."

In Section 1, Item 2, of the engrossed bill, strike out the figures "900" and "1800" and insert in lieu thereof the figures "1500" and "3000."

In Section 1 in the last line of the engrossed, bill, strike out the figures "\$5,000" and insert in lieu thereof the figures "\$8000."

And when so amended recommend the same do pass.

R. McCarten, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

House Bill No. 145.

A bill for an Act to appropriate \$3,350 to aid in the educational work being carried on by the North Dakota Anti-Tuberculosis Association, and the prevention of the spread of tuberculosis more definitely prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses and providing that such work be done in connection with the Tuberculosis Sanitorium and that the appropriation be made available to that institution for that purpose.

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, none; absent and not voting, 7.

Ayes—Beck, Berg, Bowman, Carey, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mc-Bride, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Benson, Cahill, Church, Drown, Haggart, Mees, Ployhar.

So the bill passed and the title was agreed to.

Mr. Oksendahl moved that the vote by which the committee report on House Bill No. 148 was adopted, be reconsidered, which motion was lost.

House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of state parks at Abercrombie, Walhalla, Pembina, and Fort Rice, including old Fort Lincoln.

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, 39; nays, none; absent and not voting, 10.

Ayes—Beck, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Benson, Bowman, Church, Haggart, Hyland, Jacobsen, McBride, Mees, Oksendahl, Ployhar.

So the bill passed and the title was agreed to.

House Bill No. 72.

A bill for an Act to appropriate out of any money in the State Treasurer not otherwise appropriated the sum of \$3,000.00 for the purpose of paying the expenses of delegates to the Presidential Nominative National Convention according to the provisions of Section 916 of the Compiled Laws of North Dakota, 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, none; absent and not voting, 9.

Ayes—Beck, Benson, Berg, Cahill, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman,

Absent and not voting—Bowman, Carey, Church, Haggart, Hyland, Jacobsen, McBride, Mees, Ployhar,

So the bill passed and the title was agreed to.

House Bill No. 69.

A bill for an Act to Appropriate \$363.00 to provide funds for the Burial of Honorably Discharged Sailors, Soldiers, and Marines of the United States war of the Rebellion and Erection of Headstones therefor, as Authorized by Sections 3181, 3182, 3183 and 3184 of the Compiled Laws of North Dakota for 1913.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, none; absent and not voting, 9.

Ayes—Beck, Benson, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, Levang, Liederbach, McCartén, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier Oksendahl, Olson, Pendray, Porter, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Bowman, Church, Haggart, Hyland, Jacobsen, King, McBride, Mees, Ployhar.

So the bill passed and the title was agreed to.

House Bill No. 166.

A bill for an Act appropriating the sum of nine hundred twenty-five dollars and twenty-five cents for services and expenses incurred in connection with the inventory and appraisal of public utility corporations in North Dakota by Hagenah & Erickson, under the direction of the Governor, Attorney Ceneral and the State Tax Commission.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 40; nays, none; absent and not voting, 9.

Ayes—Beck, Benson, Berg, Cahill, Carey, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo-Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zie-

Absent and not voting—Bowman, Church, Drown, Haggart, Hyland, Jacobsen, McBride, Mees, Ployhar.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House Bill No. 166, the roll was called and there were ayes, 41; nays, none; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, King, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Bowman, Church, Haggart, Hyland, Jacobsen, McBride, Mees, Ployhar. So the bill passed and the title was agreed to.

Mr. Zieman moved that further action on House Bill No. 107 be deferred to the next legislative day, which motion was duly seconded.

Mr. Ingerson moved as an amendment that House Bill No. 107 be made a special order of business for 11:30 a. m., Feb. 28, 1919, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 74.

A bill for an Act to appropriate the sum of \$400.00 out of any money in the state treasury not otherwise appropriated for the purpose of defraying the burial expenses of immates of the penitentiary and reform school according to the provisions of Section 11302 of the Compiled Laws f North Dakota, 1913.

House Bill No. 75.

A bill for an Act to appropriate the sum of \$300.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying expenses incurred in actions brought for the release of insane persons under the provisions of Section 2562 of the Compiled Laws of North Dakota, 1913.

House Bill No. 85.

A bill for an Act to amend and re-enact Section 3896 of the Compiled Laws of North Dakota for 1913; providing for the improvement on petition of public streets of villages and for the levy and collection of tax therefor.

House Bill No. 105.

A bill for an Act to appropriate out of any moneys in the State Treasury not otherwise appropriated, the sum of \$6,000.00 for the Glanders and Dourine Horse Fund—in order to pay claims on file and which may be allowed to July 1st, 1919, for animals destroyed for being infected with glanders or dourine, according to law.

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

Mr. Levang moved that the Senate do now take a recess to 11 o'clock a.m. Feb. 28, 1919, which motion prevailed and the Senate took a recess.

W. J. PRATER, Secretary.

SENATE CALENDAR, FEB. 28, 1919

THIRD READING OF HOUSE BILLS

Special Order 11:30 a. m., House Bill No. 107.

House Bill No. 137.

A bill for an Act to amend and re-enact Section 1008 of the Cimpiled Laws of North Dakota for the year 1913, relating to the election returns.

House Bill No. 127.

A bill for an Act to promote the development of the Dairy Industry of the State, especially through the manufacturing and marketing of dairy products and authorizing the Commissioner of Agriculture and Labor to contract for and operate and manage a creamery for experimental purposes and to engage in the activities connected with or incident to the manufacturing and marketing of dairy products and by-products, defining his powers and duties; making an appropriation; and providing for the raising and expenditure of funds for carrying into effect the provisions of the Act.

House Bill No. 118.

A bill for an Act to amend and re-enact Section 1990p of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 168 of the Session Laws for the year 1915, and by Chapter 130 of the Session Laws of 1917, relating to payment of highway taxes and prescribing a penalty for failure of the county officials to company with the provisions hereof.

House Bill No. 121.

A bill for an Act authorizing the Board of Control of the State of North Dakota to erect and equip upon the capitol grounds a building to be known as the Liberty Memorial Building of North Dakota in memoriam of the soldiers, sailors and marines of North Dakota who served the nation in the Great World War; and prescribing the object, purpose and use of such building; for locating and improving a site for the same to be known as Memorial Park; and to authorize the employment of a landscape architect to advise concerning the selection and planning of the grounds for such park and building; and to make appropriations therefore.

House Bill No. 186.

A bill for an Act regulating and fixing the hours of labor for females, and providing penalties for the violation thereof.

House Bill No. 59.

A bill for an Act amending and re-enacting Sections 1505, 1507, 1517, 1518, 1520, 1521, 1523, 1524 and 1528 of the Compiled Laws of the State of North Dakota for the year 1913 and amending and re-enacting Section 1506 and 1513 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 140 of the Session Laws of the State of North Dakota for the year 1915, relating to and extending the provisions of the Teachers' Insurance and Retirement Fund.

House Bill No. 91.

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties.

House Bill No. 163.

A bill for an Act requiring the label of the International Typographical Union to be placed upon all public printing of the State of North Dakota and providing penalties for the violation thereof.

House Bill No. 139.

A bill for an Act to appropriate the sum of Fourteen Hundred Sixty Two Dollars (\$1462.00) out of any manies in the State Treasury not otherwise appropriated to reimburse Alphonso Boley of Mandan, North Dakota.

House Bill No. 151.

A bill for an Act making an appropriation for the purpose paying insurance tax to the various Fire Departments of the State.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

FIFTY-SECOND DAY AFTER RECESS AND FIFTY-THIRD DAY

SENATE CHAMBER,
BISMARCK, NORTH DAKOTA,
February 28, 1919.

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

MESSAGE FROM THE HOUSE House Chamber

BISMARCK, NORTH DAKOTA, February 27, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Sanate Concurrent Resolution appropriating \$65.00 to defray the expense of the Lincoln Birthday Program.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to return Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination and election of all county officers and members of the legislative assembly.

Which House has amended as follows:

By striking the whole thereof after the words "A Bill" on page 1 and inserting the following in lieu thereof:

FOR AN ACT to provide for nonpartisan nomination and election of all elective county officers, judges of the supreme and district court, state superintendent of public instruction and county superintendent of schools.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOA:

SECTION 1. NO PARTY PRIMARY PETITION. In all petitions and affidavits to be filed by or in behalf of candidates for nomination in the primary election to all elective county officers, the officers of the supreme court and district courts, and the offices of state superintendent of public instruction and county superintendent of schools, no refer-

ence shall be made to a party ballot, or to the party affiliation of such candidates.

SECTION 2. SEPARATE NONPARTISAN PRIMARY BALLOTS. At all primary elections there shall be separate ballots which ballots shall be entitled "NONPARTISAN PRIMARY BALLOTS," and the names of all candidates for any of the said offices shall be placed thereon without party designation and there shall be designated thereon the number of persons each elector is entitled to vote for on each office which shall be the number to be elected to such office at the next succeeding general election.

SECTION 3. The names of aspirants for nomiation to each office shall be arranged in separate groups in their order, leaving one or more blank lines or spaces below each group of names on which may be written or placed a name or a printed sticker to express the vote of the individual elector. Such ballot shall be delivered to each elector by the proper election officer and no declaration of the party affiliation or registration of such party affiliation shall be required.

SECTION 4. PERSONS NOMINATED. The candidate or candidates receiving the highest number of votes to the extent of double the number of those to be elected to any office, provided there are that many or more candidates running, shall be duly nominated thereto. No partisan nominations shall be made for any of the aforementioned offices.

SECTION 5. NONPARTISAN BALLOT AT GENERAL ELECTION. At the general election there shall likewise be a separate ballot upon which shall be placed the names of all candidates who have been nominated as hereinbefore provided, which ballot shall be entitled "Nonpartisan Ballot." Such ballot shall otherwise be in the same form as hereinbefore specified for the Nonpartisan Primary Ballot. This ballot shall be delivered to each elector. And the candidate, or candidates to the number to be elected, for each office receiving the highest number of votes shall be duly elected to such office.

SECTION 6. PRESENT LAWS CONTROLLING. Except as herein provided such ballot shall be prepared, printed, distributed, canvassed and returned in the manner now provided for primary election and general election ballots respectively.

SECTION 7. All other Acts or parts of Acts which are in conflict with the provisions hereof are hereby repealed.

Very respectfully,

GEO. A. TOTTEN, JB., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to return Senate Bill No. 89.

A bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

Which the House has amended as follows:

On page two (2) of the printed Bill, line 24, strike out the

figures \$1,000 and \$2,000 and insert in lieu thereof the figures \$750 and \$1,500; also between lines 24 and 25 insert line $24\frac{1}{2}$ and on this line insert the words "for painting" and the figures \$1,000 and \$2,000."

Very respectfully
GEO. A. TOTTEN, Jr., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to return Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Which the House has amended as follows:

In line six of the Engrossed Bill, after the figures 1921, strike out the comma and insert in lieu thereof a period and strike out the remainder of Bill.

Very respectfully

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 27, 1919.

Mr. President: I have the honor to inform you that the House has concurred in the Senate Concurrent Resolution in reference Government control of railroads.

Very respectfully

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Ingerson moved that House Bill No. 107 be made a special order of business for 2:30 p. m., which motion prevailed.

Mr. Welford moved that the Senate do now concur in House amendments to Senate Bill No. 48, which motion prevailed.

Senate Bill No. 48.

A bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15 and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all acts and parts of acts in conflict herwith.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 28; nays, none; absent and not voting, 21.

Ayes—Beck, Berg, Ettestad, Fleckten, Fraser, Gibbens, Hamerly, Hunt, Ingerson, Kendall, King, Levang, McCarten, Mostad, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Benson, Bowman, Cahill, Carey,

Church, Drown, Hagan, Haggart, Hemmingsen, Hyland, Jacobsen, Liederbach, McBride, McNair, Mees, Mortenson, Morkrid, Miklethun, Ployhar, Porter, Sikes.

So the bill passed and the title was agreed to.

Mr. Mostad moved that the Senate do now concur in House amendments to Senate Bill No. 73, which motion prevailed.

Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

Was read the third time.

The question being on the final passage of the bill as amended by the House, the roll was called and there were ayes, 23; nays, 7; absent and not voting, 19.

Ayes—Beck, Berg, Church, Ettestad, Fleckten, Fraser, Gibbens, Hamerly, Hunt, Ingerson, Levang, McCarten, Mostad, Noltimier, Oksendahl, Olson, Pendray, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Na√s—Hyland, Jacobsen, Kendall, Murphy, Nelson, Storstad, Whitman.

Absent and not voting—Benson, Bowman, Cahill, Carey, Drown, Hagan, Haggart, Hemmingsen, Liederbach, McBride, McNair, Mees, Mortenson, Morkrid, Miklethun, Ployhar, Porter, Sikes.

So the bill was lost.

Mr. Hyland moved that the Senate do now reconsider the vote by which the House amendments to Senate Bill No. 73 was lost, which motion prevailed and the vote was reconsidered.

Mr. Mostad moved that the Senate do now concur in House amendments to Senate Bill No. 73, which motion was duly seconded.

Mr. King moved as an amendment that Senate Bill No. 73 be made a special order of business for 4 o'clock, which motion prevailed.

Mr. Cahill moved that the Senate do now take a recess to 1 o'clock p. m., which motion prevailed and the Senate took a recess.

AFTER RECESS

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

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 60.

A bill for an Act appropriating Six Hundred and Eighty Dollars (\$680.00) for the immediate use of the office of the attorney general.

Senate Bill No. 65.

A bill for an Act making an appropriation to the Department of Tax Commission for specific purposes:

Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

Senate Bill No. 74.

A bill for an Act to license, regulate, and supervise the licensing and inspection of pool and billiard rooms, ball and pinn aleys, dance halls theaters, moving picture shows, public garages, places of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all Acts and parts of Acts inconsistent therewith.

Senate Bill No. 91.

A bill for an Act making an appropriation for the maintenance, improvements, repairs, new buildings, equipment and miscellaneous expenses of the school for the deaf and dumb at Devils Lake, North Dakota.

Senate Bill No. 93.

A bill for an Act making appropriations for the maintenance, improvements and repairs of the state capitol.

Senate Bill No. 175.

A bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913, relating to the state trolley line, the management, maintenance and operation of the same and prescribing the duties of the state industrial commission in respect thereto, and repealing all acts and parts of acts inconsistent therewith.

Senate Bill No. 100.

A bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

Senate Bill No. 103.

A bill for an Act to appropriate \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 of the Session Laws of North Dakota, 1917.

Senate Bill No. 114.

A bill for an Act to appropriate money to reimburse W. J. Curran, Valley City, N. D., for moneys paid for interest during construction of buildings at the state hospital for the insane.

Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the board of experts, and compensation. Senate Bill No. 168.

A concurrent resolution for an amendment to the constitution of the State of North Dakota, providing for the recall of state, county, judicial and legislative officers by the people.

Senate Bill No. 214.

A bill for an Act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3784, Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

Senate Bill No. 116.

A bill for an Act making an appropriation for public printing.

Senate Bill No. 125.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit at the Institution for Feeble Minded at Grafton, North Dakota.

Senate Bill No. 131.

A bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs, and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Senate Bill No. 183.

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session Laws of North Dakota, 1917, relating to farmers' institutes.

Which the House has passed unchanged.

Very respectfully, GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to return Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1911, 1912, 1913 and 1914.

Which the House has amended as follows:

Strike out the words five thousand in line 3 of Sec. 1 of the engrossed bill and insert in lieu thereof the words two thousand five hundred.

Very respectfully
GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 170.

A bill for an Act to amend and re-enect Chapter 131, Laws of North Dakota for the year 1917, being an Act authorizing State aid for the establishment, construction, maintenance and repair of public roads and bridges, making appropriation therefor; assenting to the Act of Congress (H. R. 7617) approved July 11, 1916 creating a State Highway Commission and prescribing its duties and powers; prescribing the duties and fixing the salary of the State Engineer in connection therewith; providing for the disposition of fines and penalties; amending and re-enacting Section 29766 of the Compiled Laws of North Dakota for the year 1913, Section 1946 Compiled Laws of North Dakota for the year 1913, as amended in Chapter 108 of the Session Laws of 1915 and Section 1, Chapter 22 of the Laws of North Dakota for the year 1917 repealing Sections 602 to 607 inclusive, Sections 2976n and 2976p of the Compiled Laws of North Dakota for the year 1913. Emergency.

House Bill No. 193.

A bill for an Act, entitled, an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

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

Very respectfully
GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to return Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 1918.

Which the House has amended as follows:

Amend the title of the bill by striking out the words after the figure "8" to-wit: "of the Special Session Laws for the years 1918" and in lieu thereof insert the following words: "of the laws passed at the special session of the Fifteenth Legislative Assembly in January 1918, relating to maintaining patients in the Hospital for the Insane."

Also amend Section 1 of the Engrossed bill by striking out the words after the figure "8" in line 3, to-wit: "of the Special session laws for the year 1918" and in lieu thereof insert the following words "of the laws passed at the special session of the Fifteenth Legislative Assembly in January 1918, relating to maintaining patients in the Hospital for the Insane."

Very respectfully
GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Fraser moved that the Senate do now concur in House amendment to Senate Bill No. 217, which motion prevailed.

Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1011, 1912, 1913 and 1914.

Was read the third time.

The question being on the final pasage of the bill, as amended by the House, the roll was called and there were ayes, 33; nays, 0; absent and not voting, 16.

Ayes—Beck, Benson, Berg, Cahill, Fraser, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen. Kendall, Levang, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting—Bowman, Carey, Church, Drown, Ettestad, Fleckten, Gibbens, Hemmingsen, King, Liederbach, McBride, Mees, Nelson, Pendray, Storstad, Wenstrom.

So the bill passed and the title was agreed to.

Mr. McCarten moved that the Senate do now concur in House amendments, to Senate Bill No. 105, which motion prevailed.

Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Was read the third time.

The question being on the final passage of the bill. as amended by the House the roll was called, and there were ayes, 34; nays, 0, absent and not voting, 15.

Ayes—Eeck, Benson, Berg, Cahill, Carey, Ettestad, Fraser, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Kendall, Levang, McCarten, McNair, Mees, Mortenson, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting—Bowman, Church, Drown, Fleckten, Gibbens, Hemmingsen. Jacobsen, King, Liederbach, McBride, Mostad, Nelson, Pendray, Storstad, Wenstrom.

So the bill passed and the title was agreed to.

Mr. McCarten moved that the Senate do not concur in House amendments to Senate Bill No. 89, which motion prevailed:

Senate Bill No. 89.

A bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

Was read the third time.

The question being on the final pasage of the bill, as amended by the House, the roll was called and there were ayes, 32; nays, 0; absent and not voting, 17.

Ayes—Beck, Benson, Berg, Cahill, Carey, Ettestad, Hagan, Haggart, Hamerly, Hyland, Ingerson, Kendall, Levang, McCarten, McNair, Mortenson, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Stenmo, Ward, Weber, Welford, Whitman, Zieman.

Absent and not voting—Bowman, Church, Drown, Fleckten, Fraser, Gibbens, Hemmingsen, Hunt, Jacobsen, King, Liederbach, McBride, Mees, Mostad, Sikes, Storstad, Wenstrom.

So the bill passed and the title was agreed to.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 32.

A bill for an Act creating and establishing a state fire insurance fund for state fire insurance on public buildings in the office of the commissioner of insurance, providing for the maintenance thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses authorizing the commissioner to purchase insurance for the state capitol and repealing all acts in conflict herewith.

Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of the property of corporations, joint-stock companies or associations for taxation.

Senate Bill No. 39.

A bill for an Act to amend and to re-enact Section 2141, Compiled Laws of North Dakota, 1913, Creating a State Board of Equalization, and Prescribing its Powers and Duties.

Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Senate Bill No. 47.

A bill for an Act amending and re-enacting Section 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189 and 189A, Compiled Laws of North Dakota 1913, as amended by Chapter 166 of the Session Laws for the year 1915; providing for the establishment and operation of a state hail insurance department for the purpose of furnishing indemnity against damage to all growing agricultural crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

Senate Bill No. 55.

A bill for an Act to provide a State contingency fund to be placed at the disposal of the state emergency commission to be used as provided by Chapters 26 and 152 of the Session Laws for North Dakota for 1915; and making an appropriation of \$50,000 which shall be known as the state Contingency fund.

Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United State of America, in Congress assembled, and approved February twenty-third, nineteen hundred seventeen; and to make an appropriation for providing vocational educational education within the state.

Senate Bill No. 67.

A bill for an Act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers, and duties; fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other acts and parts of acts in conflict herewith.

Senate Bill No. 68.

A bill for an Act supplementing the general tax laws of the state by providing for annual reports to the state tax commissioner from corporations, joint-stock companies or associations doing business in the state.

Senate Bill No. 77.

A bill for an Act authorizing the extension division of the Agricultural College to co-operate with the Bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes, and other noxious predatory animals, providing appropriation therefor and repealing all acts and parts of acts in conflict herewith.

House Bill No. 60.

A bill for an Act to appropriate money for the care of Insane Patients at the Hospital for the Insane charged to the State at large, as provided under Sections 261 and 2576 of the Compied Laws of 1913 for North Dakota.

House Bill No. 69.

A bill for an Act to Appropriate \$363.00 to provide funds for the Burial of Honorably Discharged Sailors, Soldiers, and Marines of the United States war of the Rebellion and Erection of Headstones therefor, as Authorized by Sections 3181, 3182, 3183 and 3184 of the Compiled Laws of North Dakota for 1913.

House Bill No. 70.

A bill for an Act appropriating money for the use of the War History Commission between the following dates, June 30th, 1919, to July 1st, 1921.

House Bill No. 71.

A bill for an Act to appropriate \$4,000.00 out of any money in the State Treasury not otherwise appropriated for the purpose of paying premiums on State Officials' Bonds as provided by Chapter 175 of the Session Laws of North Dakota, 1917.

House Bill No. 72.

A bill for an Act to appropriate out of any money in the State Treasury not otherwise appropriated the sum of \$3,-

000.00 for the purpose of paying the expenses of delegates to the Presidential Nominative National Convention according to the provisions of Section 916 of the Compiled Laws of North Dakota, 1913.

House Bill No. 76.

A bill for an Act to appropriate \$1,200.00 for the purpose of paying the expenses of appraisers of inheritances, devises, bequests and legacies under the provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

House Bill No. 78.

A bill for an Act to appropriate the sum of \$500.00 out of any money in the State Treasury not otherwise appropriated for the purposes of paying the expenses of presidential electors according to the provisions of Section 1038 of the Compiled Laws of North Dakota, 1913.

House Bill No. 83.

A bill for an Act providing for the listing of certain personal property for purposes of assessment and defining duties of Attorney General in connection therewith, and providing for subpoenaing witnesses and penalty for failing to list such property.

House Bill No. 111.

A bill for an Act defining Mutual Telephone Companies placing same under control of Railroad Commissioners and providing for certain rules and conditions governing same.

House Bill No. 128.

A bill for an Act levying a tax of one-half of one mill upon each dollar of assessed valuation of all taxable property within the State for each year for the purpose of creating a fund to be known as the "Returned Soldiers' Fund"; providing for the payment thereof to returned soldiers; defining the powers and duties of the Adjutant General and of the Industrial Commission with reference thereto; and making an appropriation therefor.

House Bill No 147.

A bill for an Act making an appropriation for the county agricultural and training schools at Park River, and Maddock, North Dakota.

House Bill No. 149.

A bill for an Act making an appropriation to enable the State of North Dakota to pay its pro-rata share to cover the expenses of the governor's conference, for the years 1919 and 1920.

House Bill No. 152.

A bill for an Act to amend and re-enact Section 2530 of the Compiled Laws of North Dakota for the year 1913, relating to the duties of Superintendents of County Asylums and Poor Farms, and to provide for the payment of hospital fees by patients received at County Asylums and Poor Farms maintaining hospitals, in certain cases.

House Bill No. 166.

A bill for an Act appropriating the sum of nine hundred

twenty-five dollars and twenty-five cents for services and expenses incurred in connection with the inventory and appraisal of public utility corporations in North Dakota by Hagenah & Erickson, under the direction of the Governor, Attorney General and the State Tax Commission.

House Bill No. 180.

A bill for an Act to amend and re-enact Section 2223 of the Compiled Laws of North Dakota for the year 1913, relating to the redemption of land sold for taxes.

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

FIRST AND SECOND READING OF HOUSE BILLS

House Bill No. 170.

A bill for an Act to amend and re-enact Chapter 131, Laws of North Dakota for the year 1917, being an Act authorizing State aid for the establishment, construction, maintenance and repair of public roads and bridges, making appropriation therefor; assenting to the Act of Congress (H. R. 7617) approved July 11, 1916 creating a State Highway Commission and prescribing its duties and powers; prescribing the duties and fixing the salary of the State Engineer in connection therewith; providing for the disposition of fines and penalties; amending and re-enacting Section 29760 of the Compiled Laws of North Dakota for the year 1913, section 1946 Compiled Laws of North Dakota for the year 1915 and Section 1, Chapter 22 of the Laws of North Dakota for the year 1917; repealing Sections 602 to 607 inclusive, Sections 2976n and 2976p of the Compiled Laws of North Dakota for the year 1913. Emergency.

Was read the first and second time and referred to the committee on highways.

House Bill No. 193.

A bill for an Act, entitled, an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

Was read the first and secand time and referred to the committee on Ways and Means.

Mr. Cahill moved that the Senate do now go into executive session, which motion prevailed, and the Senate went into executive session.

OPEN SESSION

In open session announcement was made of confirmation of the following appointments:

For state examiner for the two-year term beginning March 11th, 1919, Hon. J. R. Waters of Golden Valley County. For superintendent state board of health for two-year term beginning the first Tuesday in April, 1919, Hon. C. J. McGurren of Ramsey County.

For State Engineer for four-year term beginning April 1st,

1919, Hon. W. H. Robinson of Grand Forks county.

For members board of trustees of the Soldiers' Home at Lisbon, Hon. Robert Kee of Barnes county for term ending July 1st, 1922; Hon. Charles A. Ulmer of Ransom county for term ending July 1st, 1920.

Mr. Pendray moved that the Senate do now reconsider the vote by which the committee report on Senate Bill No. 220 was adopted be reconsidered, which motion prevailed and the vote was reconsidered.

Mr. McCarten moved that the provision in Senate Rule 41, requiring committee reports indefinitely postponing bills, to lay over one day, be suspended from operation for the balance of the session, which motion prevailed and the rule was so amended.

MESSAGE FROM THE HOUSE House Chamber

BISMARCK, NORTH DAKOTA, February 28, 1919.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of state parks at Abercrombie, Walhalla, Pembina and Fort Rice, including old Fort Lincoln.

And the speaker has appointed as a conference commit-

tee, Messrs. Patterson, Sherman and Strom.

Very respectfully, GEO. A. TOTTEN, Jr., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA,
February 28, 1919.

Mr. President: The House requests that the Senate kindly
return Senate Bill No. 137.

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Cahill moved that the Senate do now concur in House amendments to Senate Bill No. 169, which motion prevailed.

Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 1918.

Was read the third time.

The question being on the final passage of the bill, as amended by the House. The roll was called and there were

ayes, 46; nays, none; absent and not voting, 3.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes ,Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting-Church, King, Liederbach.

So the bill passed and the title was agreed to.

Mr. Pendray moved that Senate Bill No. 220 be considered properly engrossed and placed on third reading and final passage, which motion prevailed.

Senate Bill No. 220.

A bill for an Act to amend and re-enact Section 1224 of the Compiled Laws of North Dakota for the year 1913 relating to the tax of two mills on the dollar on taxable property for the school districts of the county.

Was read the third time.

The question being on the final passage of the bill. The roll was called and there were ayes, 47; nays, none; absent and not voting, 2.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting—Ettestad, McCarten. So the bill passed and the title was agreed to.

SIGNING OF BILLS

The secretary announced that the President was about to sign Senate Bill No. 38.

A bill for an Act providing that reports required for the assessment of taxes heretofore made to the State Auditor or to any other officer or Department of the State, shall be made to the State Tax Commissioner.

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

Mr. King moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary.

FIFTY-THIRD DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, February 28, 1919.

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the chaplain, Rev. Hiltner.

Roll call.

All members present.

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 fifty-first day after recess and fifty-second day, and recommend that the same be corrected as follows: On pags 29, line 10, after the word "there" add the letters "of," and when so corrected recommend that the same be approved.

H. H. McNAIB, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

REPORTS OF STANDING COMMITTEES

The committee on enrollment and engrossment made the following report:

Mr. President: Your committee on enrollment and engrossment have examined the following bills:

Senate Bill No. 28.

A bill for an Act providing for a bounty for welves and coyotes, prescribing the method of payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year 1917.

Senate Bill No. 33.

A bill for an Act to amend and re-enact Section 2110, Compiled Laws of North Dakota, 1913, relating to the listing of the property of corporations, joint-stock companies or associations for taxation.

Senate Bill No. 32.

A bill for an Act creating and establishing a state fire insurance fund for state fire insurance on public buildings in the office of the commissioner of insurance, providing for the maintenance thereof, prescribing the duties of the officers connected therewith, providing for the adjustment and payment of losses, authorizing the commissioner to employ and fix the compensation of necessary assistants and pay all other expenses authorizing the commissioner to purchase insurance for the state capital and repealing all acts in conflict herewith.

Senate Bill No. 38.

A bill for an Act providing that reports required for the assessment of taxes heretofore made to the state auditor or any other officer or department of the state, shall be made to the state tax commissioner.

Senate Bill No. 39.

A bill for an Act to amend and to re-enact Section 2141, Compiled Laws of North Dakota, 1913, Creating a State Board of Equalization, and Prescribing its Powers and Duties.

Senate Bill No. 40.

A bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 239, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Senate Bill No. 55.

A bill for an Act to provide a state contingency fund to be placed at the disposal of the state emergency commission to be used as provided by Chapters 26 and 152 of the Session Laws of North Dakota for 1915; and making an appropriation of \$50,000, which shall be known as the state contingency fund.

Senate Bill No. 62.

A bill for an Act providing for the limitation of tax levies in all counties or local districts of the State.

Senate Bill No. 67.

A bill for an Act providing for the appointment of a Tax Commissioner; prescribing his qualifications, powers, and du-ties; fixing his salary and term of office; and repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as amended by Chapter 232, Laws of North Dakota, 1917, and all other acts and parts of acts in conflict herewith.

Senate Bill No. 77.

A bill for an Act authorizing the extension division of the Agricultural College to co-operate with the Bureau of Biological Survey, United States Department of Agriculture in devising, demonstrating and putting in operation methods for the destruction of wolves, coyotes, and other noxious predatory animals, providing appropriation therefor and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 63.

A bill for an Act to provide for the acceptance of the benefits of an Act to promote vocational education passed by the Senate and House of Representatives of the United States of America, in Congress assembled, and approved February twenty-third, nineteen hundred seventeen; and to make an appropriation for providing vocational educational education within the state.

Senate Bill No. 68.

A bill for an Act supplementing the general tax laws of the state by providing for annual reports to the state tax com-missioner from corporations, joint-stock companies or asso-ciations doing business in the state.

Senate Bill No. 47.

A bill for an Act amending and re-enacting Section 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 189 and 189A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1913; providing for the establishment and operation of a state hail in-surance department for the purpose of furnishing indemnity against damage to all growing crops by hail; defining the duties of certain officers; making an appropriation therefor; and providing for an acreage tax.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following re-

Mr. President: Your committee on Appropriations whom was referred House Bill No. 120.

A bill for an Act to make an appropriation of funds to pay witness fees, mileage, transportation of ballot boxes and other expenses in the election contest cases before the committee on election and election privileges of the House of Representatives of the Sixteenth Legislative Assembly of the State of North Dakota.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

R. McCarten, Chairman.

Mr. Gibbens moved that the report be adopted, which motion prevailed and the report 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. 81.

A bill for an Act to Provide for the Examination and Certification of Teachers in the State of North Dakota and to Repeal Sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376 and 1377 of the Compiled Laws of 1913.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways & Means to whom was referred House Bill No. 30.

A bill for an Act to amend Section 3 of Chapter 216 of the Session Laws of North Dakota for 1917, relating to Soda Fountains.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report 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. 209.

A bill for an Act to amend and re-enact Section 27 of the Session Laws of North Dakota for the year 1915 relating to the use of dogs for hunting.

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

WM. ZIEMAN, Chairman.

Mr. Zieman moved that the report be adopted, which motion prevailed and the report 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. 123.

A bill for an Act creating the office of Commissioner of Immigration; prescribing his powers and duties and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

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

J. I. CAHILL, Chairman.

Mr. Cahill moved that the report be adopted, which motion prevailed and the report was adopted.

MOTIONS AND RESOLUTIONS

A Concurrent Resolution Introduced by Jacobsen.

WHEREAS, There is now in each House a number of bills originating in such House which has not been transmitted to the other House; and

WHEREAS, The Fiftieth legislative day has now passed, the 50th day of the Session; and

WHEREAS; No bill which shall have passed one House can be sent for concurring to the other House after such Fifteenth day according to the joint rule No. 10; and

WHEREAS, It is necessary that such rule shall be suspended for the remainder of this Legislative Session.

BE IT THEREFORE RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That joint rule No. 10 be, and the same is hereby suspended during the remainder of this Legislative Session.

Mr. Jacobsen moved that the Resolution be adopted. Which motion prevailed and the Resolution was adopted.

Mr. Cahill moved that the President appoint a committee of three as a conference committee on House Bill No. 148 which motion prevailed and the President appointed as such committe Messrs. Levang, Carey, and Hamerly.

Mr. Haggart moved that House Bill No. 107 be amended by striking out Section 2, of the bill, which motion was duly seconded.

Mr. Ingerson moved the previous question, which motion prevailed.

The question being on the motion to amend the bill, the motion was lost.

Mr. Liederbach moved that House bill No. 107, be amended by adding the following at the end of the bill:

SECTION 9. AMENDMENT.) That Section 10298 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 1.62 of the Laws of North Dakota for the year 1915 as hereby amended and re-enacted so as to read as follows.

10298 DEER. SEASON FOR KILLING. No person shall hunt, shoot, catch, kill, trap or in any way destroy any deer within the boundary limits of the State of North Dakota before November 10th, 1921, and after November 10th 1921, it shall be unlawful to kill any doe or female deer, and it shall be unlawful to hunt, shoot, catch, kill, trap or in any way destroy any male deer, except from November 10th, to November 30th, both inclusive. Any person violating the provisions of this Section shall be guilty of a misdemeanor, and upon conviction therefor shall be fined one hundred dollars for each deer, and costs of prosecution, or by imprisonment in the county jail for not less than thirty days nor more than sixty days, or by both such fine and inprisonment, in the discretion of the court, for each and every deer killed contrary to the provisions of this section.

Which motion prevailed and the bill was so amended.

House Bill No. 107.

A bill for an Act to amend and re-enact Sections 22, 27,

28, 36, 48, and 51 of Chapter 161 of the laws of North Dakota for the year 1915 and to amend and re-enact Sections 33 and 52 of Chapter 161 of the laws of North Dakota for the year 1915 as amended by Chapter 122 of the laws of North Dakota for the year 1917 and to amend and re-enact Sections 46 of Chapter 161 of the laws of North Dakota for the year 1915 as amended by Chapter 63 of the laws of North Dakota for the year 1916.

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, 33; nays, 13; absent and not voting, 3.

Ayes-Beck, Benson, Bowman, Cahill, Drown, Ettestad, Fleckten, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, Kendall, Levang, Liederbach, McCarten, McNair, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom.

Nays—Carey, Fraser, Haggart, Hyland, Jacobsen, McBride, Mees, Murphy, Noltimier, Ployhar, Porter, Whitman, Zieman

Absent and not voting-Berg, Church, King.

So the bill passed.

Mr. Fraser moved that the vote by which House bill No. 107 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

Mr. Jacobsen moved that the title to House Bill No. 107 be amended as follows:

At end of title strike out the period and insert a comma and add the following: "and to amend and re-enact section 10298 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 162 of the Laws of North Dakota for the year 1915.

Which motion prevailed and the title was so amended and the title agreed to.

Mr. Liederbach moved that the Senate accede to the request of the House to return Senate Bill No. 137, which motion prevailed and the bill was returned.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 28.

A bill for an Act providing for a bounty for wolves and coyotes, prescribing the method of payment, creating a fund and providing for a levy therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2652, 2647, 2648, 2649, 2650, 2651, 2653, 2654, 2655, 2626, Chapter 253 of the Session Laws of North Dakota for the year 1917.

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

The President called President pro tem McCarten to the Chair.

THIRD READING OF HOUSE BILLS

House Bill No. 137.

A bill for an Act to amend and re-enact Section 1008

of the Compiled Laws of North Dakota for the year 1913, relating to the election returns.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 31; nays, 10; absent and not voting, 8.

Ayes-Beck, Benson, Berg, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Ingerson, Kendall, Levang, McCarten, McNair, Mees, Mortenson, Mostad, Morkrid, Miklethun, Oksendahl, Olson, Pendray, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays-Haggart, Hyland, Jacobsen, McBride, Murphy, Nelson, Ployhar, Porter, Storstad, Whitman.

Absent and not voting-Bowman, Cahill, Church, Gibbens, Hunt, King, Liederbach, Noltimier.

So the bill passed and the title was agreed to.

House Bill No. 127.

A bill for an Act to promote the development of the Dairy Industry of the State, especially through the manufacturing and marketing of dairy products and authorizing the Com-missioner of Agriculture and Labor to contract for and operate and manage a creamery for experimental purposes and to engage in the activities connected with or incident to the manufacturing and marketing of dairy products and by-products, defining his powers and duties; making an appropriation; and providing for the raising and expenditure of funds for carrying into effect the provisions of the Act.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 27; nays, 0; absent and not voting, 22.

Ayes—Beck, Benson, Berg, Drown, Ettestad, Fleckten, Fraser, Hagan, Hemmingsen, Kendall, Levang, McCarten, McNair Mortenson, Mostad, Morkrid, Miklethun, Nelson, Oksendahl, Olson, Porter, Sikes, Storstad, Ward, Weber, Wenters strom, Whitman.

Absent and not voting—Bowman, Cahill, Carey, Church, Gibbens, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, King, Liederbach, McBride, Mees, Murphy, Noltimier, Pendray, Ployhar, Stenmo, Welford, Zieman. So the bill passed and the title was agreed to.

The question being on the emergency clause to House Bill No. 127, the roll was called and there were ayes, 27; nays, 0;

absent and not voting, 22; Ayes—Beck, Benson, Berg. Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hemmingsen, Kendall, Levang, McCarten McNair, Mortenson, Mostad, Morkrid, Miklethun, Nelson, Oksendahl, Olson, Sikes, Storstad, Ward, Weber, Wenstrom, Whitman.

Absent and not voting—Bowman, Cahill, Carey, Church, Gibbens, Hamerly, Hunt, Hyland. Ingerson, Jacobsen, King, Liederbach, McBride, Mees, Murphy, Noltimier, Pendray, Ployhar, Porter, Stenmo, Welford, Zieman.

So the emergency clause passed.

House Bill No. 118.

A bill for an Act to amend and re-enact Section 1990p of

the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 168 of the Session Laws for the year 1915, and by Chapter 130 of the Session Laws of 1917, relating to payment of highway taxes and prescribing a penalty for failure of the county officials to comply with the provisions hereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 22; nays, 4; absent and not voting, 23.

Ayes—Beck, Benson, Berg, Drown, Ettestad, Fleckten, Fraser, Hamerly, Hemmingsen, King, McCarten, McNair, Mostad, Miklethun, Olson, Pendray, Sikes, Storstad, Ward, Weber, Wenstrom, Zieman.

Nays-Hagan, McBride, Morkrid, Nelson.

Absent and not voting—Bowman, Cahill, Carey, Church, Gibbens, Haggart, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, Liederbach, Mees, Mortenson, Murphy, Noltimier, Oksendahl, Ployhar, Porter, Stenmo, Welford, Whitman.

So the bill was lost.

Mr. Storstad moved that the Senate do now take a reecss for ten minutes, which motion prevailed.

AFTER RECESS

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

REPORTS OF STANDING COMMITTEES

The committee on enrollment and engrossment made the following report:

Mr. President: Your committee on enrollment and engrossment have examined the following bills:

Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1911, 1912, 1913 and 1914.

Senate Bill No. 175.

A bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913, relating to the state trolley line, the management, maintenance and operation of the same and prescribing the duties of the state industrial commission in respect thereto, and repealing all acts and parts of acts inconsistent therewith.

Senate Bill No. 60.

A bill for an Act appropriating Six Hundred and Eighty Dollars (\$680.00) for the immediate use of the office of the attorney general.

Senate Bill No. 65.

A bill for an Act making an appropriation to the Department of Tax Commission for specific purposes.

Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of

Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

Senate Bill No. 91.

A bill for an Act making an appropriation for the maintenance, improvements, repairs, new buildings, equipment and miscellaneous expenses of the school for the deaf and dumb at Devils Lake, North Dakota.

Senate Bill No. 183.

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session Laws of North Dakota, 1917, relating to farmers' institutes.

Senate Bill No. 103.

A bill for an Act to appropriate \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 or the Session Laws of North Dakota, 1917.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report 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. 209.

A bill for an Act to amend and re-enact Section 27 of the Session Laws of North Dakota for the year 1915, relating to the use of dogs for hunting.

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

WM. ZIEMAN, Chairman.

Mr. Zieman moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following re-

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 193.

A bill for an Act, entitled, an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers for the State Hospital for the Insane.

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

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on enrollment and engrossment have examined the following bills:

Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session laws of the year 1918.

Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 116.

A bill for an Act making an appropriation for public printing.

Senate Bill No. 125.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit at the Institution for Feeble Minded at Grafton, North Dakota.

Senate Bill No. 168.

A concurrent resolution for an amendment to the constitution of the State of North Dakota, providing for the recall of state, county, judicial and legislative officers by the people.

Senate Bill No. 131.

A bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs, and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Senate Bill No. 93.

A bill for an Act making appropriations for the maintenance, improvements and repairs of the state capitol.

Senate Bill No. 48.

A bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15 and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all acts and parts of acts in conflict hertwith.

And find the same correctly enrolled.

W. J. CHURCH, Chairman pro tem.

Mr. Church moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Ways and Means made the following report:

Mr. President: Your committee on Ways and Means to whom was referred House Bill No. 192.

A bill for an Act to amend and re-enact Chapter 185 of the Session Laws of 1915, being an Act to provide for the support of needy women, who are mothers of and who are compelled to support one or more children under the age of sixteen years of age.

Have had the same under consideration and recommend

that the same be indefinitely postponed.

JAMES A. WENSTROM, Chairman.

Mr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Appropriations made the following report:

Mr. President: Your committee on Appropriations to whom was referred House Bill No. 189.

A bill for an Act Creating the Flood Control Commission; prescribing its powers and duties; providing for the appointment and compensation of Flood Control Engineer and such other employees as may be necessary and providing an appropriation to carry out the purposes of this Act.

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

In Section 5, in line 7, of the engrossed bill, strike out all after the word, "shall" and insert in lieu thereof the following: "Be paid by the State Auditor in the same manner as other claims against the state are now being paid upon the presentation of properly prepared vouchers approved by the State Flood Control Commission."

And when so amended recommend the same do pass.

R. MCCARTEN, Chairman.

Mr. McCarten moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Mostad moved that the Senate do now concur in House amendments to Senate Bill No. 73, which motion was duly seconded.

Call of the Senate demanded.

Mr. Mostad moved that the call of the Senate be dismissed with, which motion prevailed.

The question being on the adoption of the House amendments to Senate Bill No. 73, the motion prevailed.

Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Ayes—Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mortenson, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Storstad, Whitman.

Absent and not voting: Benson, Haggart. So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR

February 28, 1919.

To the Honorable Members of the Senate: Gentlemen:

You are hereby informed that I have approved and filed

with the Secretary of State, Senate Bill No. 112, An Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Also Senate Bill No. 111, An Act to amend and re-enact Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of cities, towns or villages.

Also Senate Bill No. 129, An Act to require the listing of motor vehicles by tax assessors within the state, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Also Senate Bill No. 206, An Act to amend Section 1, Chapter 124, Session Laws of 1917, relating to witness fees in garn-ishment proceedings.

Also Senate Bill No. 92, An Act to appropriate the sum of \$8221.79 for the arrest and return of fugitives from justice.

Also Senate Bill No. 124, An Act making an appropriation to meet an emergency maintenance deficit for the construction of the re-inforced concrete chimney, boiler breeching, including breeching piers; and a concrete wall, at the State hospital for the insane at Jamestown, North Dakjota.

Also Senate Bill No. 123, An Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the contingent fund of State institutions.

Also Senate Bill No. 154, An Act to authorize fraternal benefit societies to establish and maintain classified membership.

Also Senate Bill No. 190, A Concurrent Resolution amending the Constitution of the State of North Dakota by providing for the leasing of all state lands for pasturage and meadow purposes, and the leasing of coal lands for agricultural cultivation, and fixing the maximum time for which leases may be given on such lands.

Also Senate Bill No. 199, An Act authorizing cities to employ city managers.

Also Senate Bill No. 44, An Act to amend and re-enact Section 2078, Compiled Laws of North Dakota, for the year 1913, relating to the exemption of property from taxation

Also Senate Bill No. 50, An Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Assistant Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Also Senate Bill No. 86, An Act to repeal Sections 2619, 2620 and 2621, Compiled Laws of North Dakota for the year 1913, and to amend and re-enact Sections 2618 and 2622, Compiled Laws of North Dakota for the year 1913, relating to the

herd law, and prescribing the damages.

Also Senate Bill No. 142, An Act to amend and re-enact Section 1190 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 127 of the Session Laws of 1915, relating to the consolidation of schools.

Also Senate Bill No. 145, An Act amending and re-enacting

Governor

Section 225 Compiled Laws of North Dakota for the year 1913, relating to the duties of the State Examiner.

Respectfully, LYNN J. FRAZIER.

VETO

February 28, 1919.

TO THE MEMBERS OF THE SENATE:

I return herewith Senate Bill No. 82, An Act appropriating the sum of \$200 for the purpose of printing the biennial report of the Boundary Drainage Commission. This is returned without my approval for the reason that Chapter 44 of the Session Laws for 1917 provides an appropriation for the printing of miscellaneous reports and that the balance left in that fund will provide ample means to pay for the printing of the report of the Boundary Drainage Commission.

Respectfully,

LYNN J. FRAZIER,

Governor

THIRD READING OF HOUSE BILLS

Mr. McCarten moved to amend the title to House Bill No. 121, by striking out the words "to Gen. Geo. A. Custer" and inserting in lieu thereof the words "any other soldier or sailor whose life has been closely connected with the history of the state", which motion prevailed and the title was so amended.

Mr. McCarten moved that House Bill No. 121 be amended by striking out the words "to Gen. Geo. A. Custer" in Section 1, and inserting in lieu thereof the words "any other soldier or sallor whose life has been closely connected with the history of the state", which motion prevailed and the bill was so amended.

House Bill No. 121.

A bill for an Act authorizing the Board of Control of the State of North Dakota to erect and equip upon the capitol grounds a building to be known as the Liberty Memorial Building of North Dakota in memoriam of the soldiers, sailors and marines of North Dakota who served the nation in the Great World War; and prescribing the object, purpose and use of such building; for locating and improving a site for the same to be known as Memorial Park; and to authorize the employment of a landscape architect to advise concerning the selection and planning of the grounds for such park and building; and to make appropriations 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, 46; nays, 0; absent and not voting, 3.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hemmingsen, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mortenson, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Haggart, Morkrid, Sikes. So the bill passed and the title was agreed to.

House Bill No. 186.

A bill for an Act regulating and fixing the hours of labor for females, and providing penalties for the violation thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 26: nays, 18; absent and not voting, 5.

Ayes-Benson, Bowman, Cahill, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hemmingsen, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Oksendahl, Olson, Ward, Welfard, Wenstrom, Whitman.

Nays—Beck, Berg, Carey, Drown, Gibbens, Jacobsen, Kendall, McBride, McCarten, Murphy, Nelson, Pendray, Ployhar, Porter, Stenmo, Storstad, Weber, Zieman.

Absent and not voting: Church, Haggart, Hyland, Mees. Sikes.

So the bill passed and the title was agreed to.

Mr. Cahill moved that the vote by which House Bill No. 186 passed, be reconsidered and the motion to reconsider be laid on the table, which motion was lost.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA,

February 28, 1919.

Mr. President: I have the honor to inform you that the House has adopted the following Concurrent Resolution introduced by Mr. J. F. T. O'Connor:

Be it resolved by the House of Representatives of the State of North Dakota, the Senate concurring therein, that the Chief Clerk of the House and the Secretary of the Senate be, and they are hereby required to mail to each member of the House and Senate a copy of the journals for the last day of the present session.

And your favorable consideration is respectfully requested. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA,

February 28, 1919.

Mr. President: I have the honor to inform you that the the House has concurred in the Senate Concurrent Resolution relating to the suspension of Joint Rule No. 10.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA,

February 28, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this act; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have made special investigations of lignite deposits and lignite within the state and providing funds therefor.

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 113.

A bill for an Act providing for the use of public buildings for public meetings.

Which the House has passed unchanged.

Very respectfully,

GEO. A. TOITEN, JR., Chief Clerk.

THIRD READING OF HOUSE BILLS

House Bill No. 59.

A bill for an Act amending and re-enacting Sections 1505, 1507, 1517, 1518, 1520, 1521, 1523, 1524 and 1528 of the Compiled Laws of the State of North Dakota for the year 1913 and amending and re-enacting Sections 1506 and 1513 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 140 of the Session Laws of the State of North Dakota for the year 1915, relating to and extending the provisions of the Teachers' Insurance and Retirement Fund.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 25; nays, 22; absent and not voting, 2.

Ayes—Bowman, Cahill, Church, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, King, Levang, McCarten, Mees, Mortenson, Mostad, Morkrid, Miklethun, Noltimier, Olson, Ployhar, Sikes, Ward, Weber, Welford, Wenstrom.

Nays—Beck, Benson, Carey, Drown, Ettestad, Gibbens, Hemmingsen, Hyland, Jacobsen, Kendall, Liederbach, McBride, McNair, Murphy, Nelson, Oksendahl, Pendray, Porter, Stenmo, Storstad, Whitman, Zieman.

Absent and not voting: Berg, Haggart,

So the bill passed and the title was agreed to.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 89.

A bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the board of experts, and compensation.

Senate Bill No. 100.

A bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Gibbens moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 100.

A bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

Senate Bill No. 176.

A bill for an Act to repeal Sections 10948 and 10949 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 233 of the Session Laws of North Dakota for the year 1915, relating to the Board of Experts, and compensation.

Senate Bill No. 89.

A bill for an Act making appropriations for the maintenance, improvements, repairs, new buildings and equipment for the North Dakota tuberculosis sanitorium at Dunseith, North Dakota.

Senate Bill No. 103.

A bill for an Act to appropriate \$7,000.00 for the maintenance of evening public schools under the provisions of Chapter 209 of the Session Laws of North Dakota, 1917.

Senate Bill No. 183

A bill for an Act to make an appropriation for the purpose of carrying out the provisions of Chapter 119 of the Session Laws of North Dakota, 1917, relating to farmers' institutes.

House Bill No. 91.

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties. Senate Bill No. 69.

A bill for an Act to amend and re-enact Section 1137 of Article 2 of Chapter 12 of the Revised Laws of 1913 of the State of North Dakota.

Senate Bill No. 65.

A bill for an Act making an appropriation to the Department of Tax Commission for specific purposes:

Senate Bill No. 217.

A bill for an Act making an appropriation to pay F. C. Heffron for his services as assistant attorney general during the years 1909, 1910, 1911, 1912, 1913 and 1914.

Senate Bill No. 60.

A bill for an Act appropriating Six Hundred and Eighty Dollars (\$680.00) for the immediate use of the office of the Attorney General.

Senate Bill No. 175.

A bill for an Act amending and re-enacting Article 2 of Chapter 15 of the Compiled Laws of 1913, being Sections 1804 and 1806 of the Compiled Laws of 1913 relating to the State trolley line, the management, maintenance and operation of the same and prescribing the duties of the State Industrial Commission in respect thereto, and repealing all Acts and parts of Acts inconsistent therewith.

Senate Bill No. 169.

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 and as amended by Chapter 8 of the Special Session Laws for the year 1918.

Senate Bill No. 105.

A bill for an Act making an appropriation for the Glanders and Dourine Indemnity Fund.

Senate Bill No. 116.

A bill for an Act making an appropriation for public printing.

Senate Bill No. 125.

A bill for an Act, entitled, "An Act making an appropriation to meet an emergency maintenance deficit at the Institution for Feeble Minded at Grafton, North Dakota.

Senate Bill No. 168.

A concurrent resolution for an amendment to the constitution of the State of North Dakota, providing for the recall of state, county, judicial and legislative officers by the people.

Senate Bill No. 131.

A bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Senate Bill No. 93.

A bill for an Act making appropriations for the maintenance, improvements and repairs of the State Capitol.

Senate Bill No. 48.

A bill for an Act to amend and re-enact Sections 1, 2, 7, 14, 15 and 16 of Chapter 62 of the Session Laws of the State of North Dakota for the year 1915, relating to the establishment of a state bonding fund for the purpose of including therein the bonds of all state officials and officers and all deputies and assistants; providing for the form of such bonds; and for the disposition of the surplus of the bonding fund; and providing for clerical help and all other necessary expenses and the payment thereof; and repealing all Acts and parts of Acts in conflict herewith.

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

Courtesies of the floor were extended to Lieutenant Mack Trainor of Devils Lake.

Mr. Cahill moved that the Senate do now take a recess to 10 o'clock a. m. March 1, 1919, which motion prevailed and the Senate recessed.

W. J. PRATER, Secretary.

SENATE CALENDAR, MARCH 1, 1919 THIRD READING OF HOUSE BILLS

House Bill No. 91,

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties.

House Bill No. 163.

A bill for an Act requiring the label of the International Typographical Union to be placed upon all public printing of the State of North Dakota and providing penalties for the violation thereof.

House Bill No. 139.

A bill for an Act to appropriate the sum of Fourteen Hundred Sixty Two Dollars (\$1462.00) out of any monies in the State Treasury not otherwise appropriated to reimburse Alphonso Boley of Mandan, North Dakota.

House Bill No. 151.

A bill for an Act making an appropriation for the purpose of paying insurance tax to the various fire departments of the State.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

House Bill No. 123.

A bill for an Act creating the office of Commissioner of Immigration; prescribing his powers and duties and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

House Bill No. 193.

A bill for an Act, entitled, an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

House Bill No. 189.

A bill for an Act creating the Flood Control Commission; prescribing for the appointment and compensation of the Flood Control Engineer and such other employees as may be necessary and providing an appropriation to carry out the purposes of this Act.

FIFTY-THIRD DAY AFTER RECESS AND FIFTY-FOURTH DAY

SENATE CHAMBER. BISMARCK, NORTH DAKOTA. March 1, 1919

The Senate convened at 10 o'clock A. M. pursuant to recess taken, the president presiding.
Mr. Welford moved that the Senate take a recess to 11

o'clock, which motion prevailed.

AFTER RECESS

The Senate convened at 11 o'clock pursuant to recess taken.

MESSAGE FROM THE GOVERNOR

February 28, 1919.

To the Members of the Senate: Gentlemen:

You are hereby informed that I have today approved and filed with the Secretary of State, Senate Bill No. 37, An Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the income of persons, corporations, joint stock companies or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provision of this Act and repealing all Acts and parts of Acts in conflict herewith. Respectfully,

> LYNN J. FRAZIER. Governor.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 145.

A bill for an Act to appropriate \$3,350 to aid in the educational work being carried on by the North Dakota Anti-Tuber-culosis Association, and the prevention of the spread of tuberculosis more definitely prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the salary and traveling expenses and providing that such work be done in connection with the Tuberculosis Sanatorium and that the appropriation be made available to that institution for that purpose.

House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of state parks at Abercrombie, Walhalla, Pembina, and Fort Rice, including old Fort Lincoln.

House Bill No. 33.

A bill for an Act to amend and re-enact Section 983 of the Compiled Laws of North Dakota for the year 1913.

House Bill No. 84.

A bill for an Act to amend and re-enact Chapter 231, Laws of North Dakota, 1917, relating to the taxation of transfers of property by will or by interstate law.

House Bill No. 58.

A bill for an Act designating the legal holidays in the State of North Dakota and to amend and re-enact Section 7297 of the Compiled Laws of North Dakota for 1913.

House Bill No. 47.

A bill for an Act to provide for defraying the general expenses of the State government, by imposing of the State shares of stock and the bond issues of corporations organized or doing business in the State, and repealing all Acts and parts of Acts in conflict herewith.

House Bill No. 104.

A bill for an Act to amend and re-enact Sections 2360 and 2360A of the Compiled Laws of North Dakota for the year 1913, relating to the salary and expenses of the Adjutant General.

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

THIRD READING OF HOUSE BILLS

House Bill No. 91.

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 30; nays, 10; absent and not voting, 9.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hunt, Ingerson, King, Liederbach, McCarten, McNair, Mees, Mostad, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom.

Nays-Beck, Gibbens, Jacobsen, Kendall, Murphy, Nelson, Porter, Welford, Whitman, Zieman.

Absent and not voting: Carey, Haggart, Hamerly, Hemmingsen, Hyland, Levang, McBride, Mortenson, Morkrid.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to House

Bill No. 91, the roll was called and there were ayes, 30; nays, 10; absent and not voting, 9.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hunt, Ingerson, King, Liederbach, McCarten, McNair, Mees, Mostad, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom.

Nays-Beck, Gibbens, Jacobsen, Kendall, Murphy, Nelson, Porter, Welford, Whitman, Zieman.

Absent and not voting: Carey, Haggart, Hamerly, Hemmingsen, Hyland, Levang, McBride, Mortenson, Morkrid. So the Emergency Clause passed.

House Bill No. 163.

A bill for an Act requiring the label of the International Typographical Union to be placed upon all public printing of the State of North Dakota and providing penalties for the violation thereof.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 33; nays, 4; absent and not

voting, 12.

Ayes—Beck, Benson, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hunt, Ingerson, Kendall, King, Liederbach, McCarten, McNair, Mees, Mostad, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman. Nays—McBride, Nelson, Porter, Storstad.

Absent and not voting: Berg, Carey, Gibbens, Haggart, Hamerly, Hemmingsen, Hyland, Jacobsen, Levang, Mortensen,

Morkrid, Murphy.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 16.

A bill for an Act appropriating moneys for students soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said buildings to be further utilized as herein set out.

Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from a misappropriation of such funds occurring previous to January 1, 1917.

Senate Bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit,

Senate Bill No. 106.

A bill for an Act making an appropriation for the current and contingent expenses, maintenance, improvements and repairs, new buildings and equipment, and miscellaneous expenses of the hospital for the insane.

Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota, for the year 1913.

Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard or state militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the federal statutes.

Senate Bill No. 56.

A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair association at Mandan for the fairs to be held in 1920 and 1921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co.

Senate Bill No. 71.

A bill for an Act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special school districts.

Which the House has passed unchanged. Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

THIRD READING OF HOUSE BILLS

House Bill No. 139.

A bill for an Act to appropriate the sum of Two Hundred Eighty Dollars (\$280.00) out of any monies in the State Treasury not otherwise appropriated to reimburse Alphonso Boley of Mandan, North Dakota.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 41; nays, 1; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Nelson.

Absent and not voting: Gibbens, Haggart, Hemmingsen, Hyland, King, Mortenson, Morkrid.

So the bill passed and the title was agreed to.

House Bill No. 151.

A bill for an Act making an appropriation for the purpose paying insurance tax to the various Fire Departments of the State.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; Nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber Welford Wenstrom, Whitman, Zeiman.

Absent and not voting: Gibbens, Haggart, Hemmingsen, Hyland, King, Mortenson, Morkrid.

So the bill passed and the title was agreed to.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 42; Nays, 0; absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber Welford Wenstrom, Whitman, Zeiman.

Absent and not voting: Gibbens, Haggart, Hemmingsen, Hyland, King, Mortenson, Morkrid.

So the bill passed and the title was agreed to.

Mr. Weber moved that the vote by which House Bill No. 34 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

House Bill No. 123.

A bill for an Act creating the office of Commissioner of Immigration; prescribing his powers and duties and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 23; nays, 20; absent and not voting, 6.

Ayes—Benson, Berg, Bowman, Cahill, Church, Fraser, Hagan, Hunt, Ingerson, King, Levang, Liederbach, McNair, Mostad, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Welford, Wenstrom.

Nays—Beck, Carey, Drown, Ettestad, Fleckten, Hamerly, Jacobsen, Kendall, McBride, McCarten, Mees, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Weber, Whitman, Zieman.

Absent and not voting: Gibbens, Haggart, Hemmingsen, Hyland, Mortenson, Morkrid.

So the bill is lost.

House Bill No. 193.

A bill for an Act, entitled, An Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 38; nays, 3; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Oksendahl, Olson, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Pendray, Porter, Storstad.

Absent and not voting: Carey, Gibbens, Haggart, Hemmingsen, Hyland, Mortenson, Morkrid, Noltimier.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House Chamber BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President I have the honor to return Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plants for the manufacture and distribution of light and power for municipal and commercial purposes and to assess abuting property in accordance with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

Which the House has amended as follows:

"SECTION 2. EMERGENCY. This act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval."

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Drown moved that the Senate do now concur in House amendments to Senate Bill No. 193, which motion prevailed.

Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plants for the manufacture and distribution of light and power for municipal and commercial purposes and to assess abutting property in accordance with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were

amended by the House, the form was caned and there were ayes, 37; nays, 5; absent and not voting, 7.

Ayes—Beck, Bowman, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hyland, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Benson, Berg, Ingerson, Liederbach, Porter.

Absent and not voting: Cahill, Gibbens, Hunt, Hemmingsen, Jacobsen, Mortenson, Morkrid.

So the bill passed and the title was agreed to.

House Bill No. 189.

A bill for an Act creating the Flood Control Commission, prescribing its powers and duties; providing for the appointment and compensation of the Flood Control Engineer and such other employees as may be necessary and providing an appropriation to carry out the provisions of this act.

Was read the third time.

The question being on the final passage of the bill, as amended, the roll was called and there were ayes, 42; nays, 0: absent and not voting, 7.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, Mc-Bride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Gibbens, Hamerly, Hemmingsen, Hyland, Mortenson, Morkrid, Noltimier.

So the bill passed and the title was agreed to.

Mr. Wenstrom moved that the vote by which House Bill No. 189 passed, be reconsidered and the motion to reconsider be laid on the table, which motion prevailed.

The Senate returned to the Eighth Order of Business.

MOTIONS AND RESOLUTIONS

Mr. Jacobsen moved that the Senate do now concur in Concurrent Resolution relating to mailing journals of the last day of the session, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber
BISMARCK, NORTH DAKOTA,
March 1, 1919.

Mr. President I have the honor to inform you that the House has adopted the following Concurrent Resolution:

Introduced by Mr. J. F. T. O'Connor

A CONCURRENT RESOLUTION

WHEREAS it is important that the members of the House and Senate should be provided with a copy of the corrected bound journals of the House and Senate;

BE IT THEREFORE RESOLVED, by the House of Represenatives the Senate concurring therein, that the Secretary of State be and is hereby authorized and directed to send to each member of the House and Senate, President and Secretary of the Senate, and Chief Clerk of the House, and to each district judge in the state, a copy of the joint House and Senate journals and copy of the session laws.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

HOUSE CHAMBER

BISMARCK, NOBTH DAKOTA.
March 1, 1919.

Mr. President I have the honor to inform you that the House has adopted the following Concurrent Resolution:

Introduced by Mr. J. F. T. O'Connor

A CONCURRENT RESOLUTION

WHEREAS, the law imposed the duty upon the Secretary of the Senate and the Chief Clerk of the House at the close of the session to prepare for the press and to superintend the publication of the journals of the proceedings of the respective houses and to affix an index thereto and to transcribe into a book kept for that purpose the documents accompanying the messages of the Governor, or by him sent to either house other than those entered in the journal, or the documents reported to either branch of the legislative assembly by any public officer of the state in pursuance of law;

NOW THEREFORE BE IT RESOLVED by the House of Representatives the Senate concurring therein that the Secretary of the Senate and the Chief Clerk of the House for such services shall be allowed fourteen days each at a salary provided by law as set forth in Section 34, Compiled Laws of North Dakota for 1913; and the auditor is hereby instructed to draw his warrants on the State Treasurer in favor of each of said officers for said sum on proof being made that the record has been completed and the journals indexed as above required.

BE IT FURTHER RESOLVED that on account of the ex-

tra service rendered by the desk stenographer, Miss Lindberg, in the preparation of the journal of the House, which work has required her services during the greater part of the session until midnight, that she be allowed an additional one dollar per day during the session for her services.

Very respectfully,

GEO. A. TOTTEN, JR., Chief Clerk.

Mr. Bowman moved that the Senate do now recess to one o'clock, which motion prevailed and the Senate recessed.

AFTER RECESS

The Senate convened pursuant to recess taken.

REPORTS OF STANDING COMMITTEES

The committee on Highways made the following report: Mr. President Your committee on Highways to whom was referred House Bill No. 170.

A bill for an Act to amend and re-enact Chapter 131, Laws of North Dakota for the year 1917, being an act authorizing State aid for the establishment, construction, maintenance and repair of public roads and bridges, making appropriation therefor; assenting to the Act of Congress (H. R. 7617) approved July 11, 1916, creating a State Highway Commission and prescribing its duties and powers; prescribing the duties and fixing the salary of the State Engineer in connection therewith; providing for the disposition of fines and penalties; amending and re-enacting Section 29760 of the Compiled Laws of North Dakota for the year 1913, as amended in Chapter 108 of the Session Laws of 1915 and Section 1, Chapter 22, of the Laws of North Dakota for the year 1917; repealing Sections 602 to 607 inclusive, Section 2976n and 2976p of the Compiled Laws of North Dakota for the year 1913. Emergency.

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

C. D. KING, Chairman.

Wr. Wenstrom moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the following report:

Mr. President Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have made special investigations of lignite deposits and lignite within the state and providing funds therefor.

Senate Bill No. 113.

A bill for an Act providing for the use of public buildings for public meetings.

Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3874, Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

Senate Bill No. 114.

A bill for an Act to appropriate money to reimburse W. J. Curren, Valley City, N. D., for moneys paid for interest during construction of buildings at the State Hospital for the Insane.

Senate Bill No. 73.

A bill for an Act to provide for a Nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the state; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 74.

A bill for an Act to license, regulate, and supervies the licensing and inspection of pool and billiard rooms, ball and pinn alleys, dance halls, theatres, moving picture shows, public garages, places of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all acts and parts of acts inconsistent therewith.

Senate Mill No. 214.

A bill for an Act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, relating to recall of city officials in cities under commission form of government.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Conference made the following report:

Mr. President Your committee on Conference to whom was referred House Bill No. 148.

A bill for an Act making an appropriation for the maintenance of state parks at Abercrombie, Walhalla, Pembina and Fort Rice, including Old Fort Lincoln.

Have had the same under consideration and recommend that

the House do concur in the Senate amendment.

CHRIST LEVANG, ED HAMERLY, C. W. CAREY, G. PATTERSON, HENRY STROM, J. C. SHERMAN. Mr. Levang moved that the report be adopted and the conference committee discharged, which motion prevailed and the report was adopted.

The committee on Conference made the following report:

Mr. President: Your committee on Conference to whom was referred Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of motor vehicles, the appointment of a registration clerk, his duties and compensation, providing for the expenditures of the State Highway Commission in administering the same; establishing the method of distributing the fees received therefrom; penalties for the violation of this act and providing an appropriation for administering the same and for the use of the State Highway Commission; and repealing Chapter 156 of the Laws of North Dakota, 1917, and all acts and parts of acts in conflict therewith.

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

That the Senate do not concur in House amendments in line 3 of title, and the House receeds from their amendments.

Senate do concur in House Amendments in line 5 of title. Senate do not concur in House Amendments in Section 2 of sub-division 2, and the House receeds from their amendments.

Senate do concur in House Amendments in Section 5, line 8. Senate do concur in Amendment in Section 6, lines 21 and 34.

Senate do concur in Amendment in Section 7.

Senate do concur in House Amendment in Section 10, lines 2 and 3.

Senate do not concur in House Amendment in Section 10, line 4 and the House receeds from their amendment.

Senate do not concur in House Amendment to Section 11, and the House receeds from their amendment.

Senate do not concur in House Amendment in Section 22, and the House receeds from their amendment.

We offer the following Amendments.

Strike out all of Section 18 and re-number the sections following to suit.

In Section 6, line 20, strike out after the word "year" the following: "40 percent reduction for fourth year", and in line 21 change the figures "50" to "40".

And when so amended recommend the same do pass.

C. D. KING,
W. J. CHURCH,
A. A. LIEDERBACH,
Senate Committee.

J. C. MILLER, FRED ECKERT, E. E. BRYANS, House Committee.

Mr. King moved that the report be adopted and the committee be discharged which motion prevailed and the report was adopted.

Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of motor vehicles, the appointment of a registration clerk, his duties and compensation, providing for the expenditures of the State Highway Commission in administering the same; establishing the method of distributing the fees received therefrom; penalties for the violation of this act and providing an appropriation for administering the same and for the use of the State Highway Commission; and repealing Chapter 156 of the Laws of North Dakota, 1917, and all acts and parts of acts in conflict therewith.

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, 41; nays, 6; absent and not voting, 2.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Sikes, Stenmo, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Porter, Storstad.

Absent and not voting: Ettestad, Hemmingsen, McCarten, Mortenson, Morkrid, Oksendahl.

So the bill passed and the title was agreed to.

The question being on the Emergency Clause to Senate Bill No. 97, the roll was called and there were ayes, 43; nays, 0; absent and not voting, 6.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Ettestad, Hemmingsen, McCarten, Mortenson, Morkrid, Oksendahl.

So the Emergency Clause passed.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA.

March 1, 1919.

Mr. President I have the honor to return herewith the following bills:

Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Senate Bill No. 220.

A bill for an Act to amend and re-enact Section 1224 of the Compiled Laws of North Dakota for the year 1913 relating to the tax of two mills on the dollar on taxable property for the school districts of the county.

Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this Act.

Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

Senate Bill No. 201.

A bill for an Act providing for state aid in the construction of bridges across state lines of inter-state highways or roads.

Senate Bill No. 212.

A bill for an Act to give county commissioners authority to erect memorials or other suitable recognition in commemoration of those of the county who rendered service or who lost their lives in the service of their country in the great world war; create a memorial fund and make a levy therefor.

Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915, providing for the annual tax levy in general school districts. Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

Mr. Wenstrom moved that the Senate do now adjourn, which motion prevailed and the Senate adjourned.

W. J. PRATER, Secretary,

FIFTY-FOURTH DAY

SENATE CHAMBER, BISMARCK, NORTH DAKOTA, March 1, 1919.

The Senate convened at 2 o'clock p. m., the president presiding.

Prayer was offered by the chaplain, Rev. Hiltner.

Roll call.

All members present except Hemmingsen, Mortenson and Morkrid, who were excused.

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 Fifty-second day after recess and fifty-third day and recommend that the same be corrected as follows:

On page 21, strike out all of line 20 and insert in lieu thereof "So the bill was lost."

On page 18, lines 5 and 8, strike out the word "fifteenth" and insert in lieu thereof the word "Fiftieth".

On page 30, line 13, strike out "16" and insert "60" in lieu thereof, and the title to Senate Bill No. 60.

On page 26, line 24, after the word "whose" add the following: "life has been closely connected with the" and in line 29 after the word "whose" insert "life has been closely connected with the".

And when so corrected recommend that the same be approved.

H. H. McNair, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. Fleckten moved that the Senate do now reconsider the vote by which House Bill No. 123 was lost, which motion prevailed and the vote was reconsidered.

Mr. Bowman moved that House Bill No. 123 be placed on third reading and final passage, which motion prevailed.

Mr. Hyland moved that House Bill No. 123 be amended by striking out the words "two hundred" and inserting in lieu thereof the word "sixty" in section 4, line 3 engrossed bill, which motion was duly seconded.

Roll call demanded.

The roll was called and there were ayes, 16; nays, 29; absent and not voting, 4.

Ayes—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Whitman.

Nays—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mostad, Miklethun, Noltimier, Olson, Pendray, Sikes, Ward, Weber, Welford, Wenstrom, Zieman.

Absent and not voting: Hemmingsen, Mortenson, Morkrid, Oksendahl.

So the motion was lost.

Mr. Bowman moved a call of the Senate, which motion prevailed.

All members present except Messrs. Hemmingsen, Mortenson and Morkrid. Mr. Bowman moved that the call of the Senate be dispensed with, which motion prevailed.

House Bill No. 123.

A bill for an Act creating the office of Commissioner of Immigration; prescribing his powers and duties and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 29; nays, 17; absent and not voting, 3.

Ayes—Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, King, Levang, Liederbach, McCarten, McNair, Mostad, Miklethun, Noltimier, Oksendahl, Olson, Pendray, Sikes, Ward, Welford, Wenstrom, Zieman.

Nays—Beck, Carey, Gibbens, Haggart, Hyland, Jacobsen, Kendall, McBride, Mees, Murphy, Nelson, Ployhar, Porter, Stenmo, Storstad, Weber, Whitman.

Absent and not voting: Hemmingsen, Mortenson, Morkrid. So the bill passed and the title was agreed to.

Mr. Liederbach moved that the vote by which House Bill No. 123 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed,

House Bill No. 170.

A bill for an Act to amend and re-enact Chapter 131, Laws of North Dakota for the year 1917, being an act authorizing state aid for the establishment, construction, maintenance and repair of public roads and bridges, making appropriation therefor; assenting to the Act of Congress (H. R. 7617) approved July 11, 1916, creating a state highway commission and prescribing its duties and powers; prescribing the duties and fixing the salary of the state engineer in connection therewith; providing for the disposition of fines and penalties; amending and re-enacting Section 2676 of the Compiled Laws of North Dakota for the year 1913, as amended in Chapter 108 of the Session Laws of 1915 and Section 1, Chapter 22 of the Laws of North Dakota for the year 1917; repealing Sections 607 to 607 inclusive, Sections 2676n and 2676p of the Compiled Laws of North Dakota for the year 1913. Emergency.

Was read the third time.

The question being on the final passage of the bill, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Hamerly, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, Mees, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman.

Absent and not voting: Gibbens, Hagan, Haggart, Hemmingsen, Hunt, Hyland, Mostad, Mortenson, McNair, Morkrid, Ployhar, Welford, Zieman.

So the bill passed and the title was agreed to.

Mr. King moved that the vote by which House Bill No. 170 passed, be reconsidered and the motion to reconsider be laid on the table. Which motion prevailed.

The question being on the Emergency Clause to House Bill

No. 170, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Drown, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, King, Levang, Liederbach, McBride, McCarten, Mees, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman.

Absent and not voting: Carey, Ettestad, Haggart, Hemmingsen, Hyland, Ingerson, Jacobsen, Kendall, McNair, Mortenson, Mostad, Morkrid, Ployhar, Porter, Welford, Zieman.

So the Emergency Clause Passed.

Mr. King 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 Eighth Order of Business.

Mr. Fraser moved that Senator Richard McCarten be elected president pro tem of the Senate, which motion was duly seconded.

The roll was called and there were ayes, 45; nays, 0; absent and not voting, 4.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Absent and not voting: Hemmingsen, McCarten, Mortenson, Morkrid.

Mr. McCarten was declared elected president pro tem.

Your committee on Employment make the following motion: Correct the Journal of the Senate of Jan. 7, 1919, as follows: On pages 3 and 4 strike out the words "Assistant Secretary" and insert in lieu thereof the following words, "Reading Clerk"; on same pages strike out the words "Desk Stenographer" and insert in lieu thereof the following words, "Desk Recorder"; on same pages strike out the words "Enrolling and Engrossing Clerk" and insert in lieu thereof the following words, "Special Clerk" and the pay of such employees shall be \$6.00 per day from the first day of this session. Also that the pay of A. W. Luehrs, Bill Recording Clerk, shall be \$6.00 per day from the first day of this session.

Also that a copy of this motion shall be forwarded to the State Auditor. Which motion was duly seconded.

The roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Sikes, Stenmo, Storstad, Ward, Welford, Wenstrom, Whitman.

Absent and not voting: Carey, Hemmingsen, Hyland, Mortenson, Morkrid, Nelson, Ployhar, Porter, Weber, Zieman.

So the motion prevailed.

Mr. McCarten moved that Messrs. King, Ployhar and Cahill be named as a committee on revision and correction of the Journal for the last day of the session, which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 16.

A bill for an Act appropriating moneys for students soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said buildings to be further utilized as herein set out.

Senate Bill No. 41.

A bill for an Act providing for the levying, assessing and collecting of gross sales taxes on oil companies doing business in the State of North Dakota; defining oil companies for the purposes of this Act; prescribing the method of assessing and collecting said tax; prescribing penalties for non-conformance with the provisions of this Act; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from a misappropriation of such funds occurring previous to January 1, 1917.

Senate Bill No. 73.

A bill for an Act to provide for a nonpartisan nomination and election of all county officers and members of the Legislative Assembly.

Senate Bill No. 74.

A bill for an Act to license, regulate, and supervise the licensing and inspection of pool and billiard rooms, ball and pin alleys, dance halls, theaters, moving picture shows, public garages, places of public meetings and soft drink parlors; providing fees therefor, inspectors, office help and supplies thereof; defining powers and duties and repealing all Acts and parts of Acts inconsistent therewith.

Senate Bill No. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Senate Bill No. 96.

A bill for an Act authorizing the Industrial Commission of North Dakota to have made special investigations of lignite deposits and lignite within the state and providing funds therefor.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnify owners of animals condemned for tuberculosis and deficit.

Senate Bill No. 106.

A bill for an Act making an appropriation for the current and contingent expenses, maintenance, improvements and repairs, new buildings and equipment, and miscellaneous expenses of th hospital for th insane.

Senate Bill No. 113.

A bill for an Act providing for the use of public buildings for public meetings.

Senate Bill No. 114.

A bill for an Act to appropriate money to reimburse W. J. Curran, Valley City, N. D., for moneys paid for interest during construction of buildings at the state hospital for the insane.

Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard or state militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the federal statutes.

Senate Bill No. 134.

A bill for an Act providing for the administration of the penal and educational institutions and of the public schools of the State; providing for the management of such institutions by a Board of Administration; providing for their appointment and prescribing their powers and duties; making an appropriation; and repealing all Acts and parts of Acts in conflict herewith.

Senate Bill No. 187.

A bill for an Act to amend and re-enact Section 3784, Compiled Laws of North Dakota for the year 1913, relating to elections in cities.

Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co.

Senate Bill No. 214.

A bill for an Act to amend and re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913 relating to recall of city officials in cities under commission form of government.

And the President signed the same in the presence of the

Senate.

MESSAGE FROM THE HOUSE

House Chamber BISMARCK, NORTH DAKOTA, March 1, 1919

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 153.

A bill for an Act to amend Section 2306 C. L. 1913, being Section1, Chapter 161, laws of 1903, relating to property sold to the state or county for taxes.

Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridge purposes, and prescribing the manner in which all township taxes shall be levied.

Which the House has passed unchanged.

Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919

Mr. President: I have the honor to return Senate Bill No. 104.

Senate Bill No. 104.

A bill for an Act to make appropriation for the clerk, clerk hire, postage, office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses, maintenance of game farm, salary and expenses of fish commissioner and deputy fish commissioner and expense and maintenance of the fish hatchery.

Which the House has amended as follows:

On line three of Section 1 of the printed bill strike out the figures \$86,648.00 and insert in lieu thereof, the figures \$51,682.00.

On line 10, strike out the figures \$14,900.00 and the figures \$29,800.00, and insert in lieu thereof, the figures \$7,500, and \$15,000.

On line 11 strike out the figures \$2700.00 and \$5400.00 and insert in lieu thereof figures \$2000. and \$4000.

On line 14, strike out the figures \$3500. and \$7000. and insert in lieu thereof the figures \$1500. and \$3000.

On line 18, strike out the figures \$14,048.00 and \$28,096.00 and insert in lieu thereof the figures \$7,500.00 and \$15,000.00.

In line 19, strike out the figures \$1,000 and \$2000. and insert in lieu thereof the figures \$1500.00 and \$3000.

In line 24, strike out the figures \$1200. and \$2400. and insert in lieu thereof the figures \$600. and \$1200.

In line 25, strike out the figures \$1200 and \$2400, and insert in lieu thereof the figures \$600 and \$1200.

In line 28, strike out the figures \$86,648.00 and insert in lieu thereof the figures \$51,682.00.

Very respectfully,

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919

Mr. President: I have the honor to return Senate Bill No. 194.

A bill for an Act to amend and re-enct Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

Which the House has amended as follows:

Change the word "Mondays" as it appears in Section 3266 line 4 of the Engrossed Bill to the word "Tuesdays."

Very respectfully, GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to return Senate Bill No. 128.

A bill for an Act to amend and reenact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mail and to delegate as representative voting in Co-operative Associations.

Which the House has amended as follows:

That in line three, sub-division two of Section 1, of the engrossed bill, that the words "five thousand" stricken out and the words twenty-five hundred be inserted in lieu thereof, and that in Section 1, division 5, line 9, of the engrossed, bill, after the word "societies" insert "or units."

Very respectfully.

GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA.

March 1, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 156.

A bill for an Act to provide for conciliation of controversies and to repeal Sections 9187, 9188, 9189, 9190, 9191 and 9192 of the Compiled Laws of North Dakota, 1913.

Which the House has indefinitely postponed. Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919

Mr. President: I have the honor to return Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Which the House has amended as follows:

In Section 1, line 15, strike out the last three words "or manufacturer of", also all of lines 16, 17 and 18 and the first two words "per day" in line 19 and substitute in lieu thereof the words "of milk or cream or in the manufacture of ice cream."

In line 50 after the word "dollars" strike out everything down to the period.

Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK,

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA.

March 1, 1919.

Mr. President: I have the honor to return Senate Bill Bill No. 122.

A bill for an Act to appropriate seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk hire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Which the House has amended as follows:

In line 3, Section 1 of the engrossed bill after the word "fund" insert "as provided in Section 11, Sub-division 1 of Senate Bill No. 97.

In the title of the bill, strike out the words Seventy Thousand One Hundred Seventy-five Dollars, and insert in lieu thereof, Eighty Eight Thousand Six Hundred Eighty-four dollars, sixty cents.

SEC. 1. Line four (4) and line five (5- strike out the words and figures Seventy Thousand One Hundred and Seventy-five dollars, and insert in lieu thereof, Eighty-eight Thousand Six Hundred Eighty-four Dollars, and sixty cents.

In line 12, strike out the figures 1,500 and 3,000 and insert in lieu thereof, the figures 1,875 and 3,750.

In line 13, strike out the figures 1,500 and 3,000 and insert in lieu thereof the figures 1,875 and 3,750.

In line 14, strike out the figures 1,200 and 2,400 and insert in lieu thereof, the figures 1,500 and 3,000.

In line 15, strike out the figures 300 and 600 and insert in lieu thereof, the figures 450 and 900.

In line 16, strike out the figures 6000 and 12000 and insert in lieu thereof the figures 12,000 and 24,000.

In line 18, strike out the figures 750 and 1,500 and insert in lieu thereof the figures 900 and 1,800.

In line 19, strike out the figures 750 and 1,500, and insert in lieu thereof the figures 1,000 and 2,000.

In line 21, strike out the figures 100 and 200 and insert in lieu thereof the figures 125 and 250.

In line 22, strike out the figures 42.50 and 85.00 and insert in lieu thereof the figures 50 and 100.

In line 26, strike out the figures 14,750 and 29,500 and insert in lieu thereof the figures 20,500 and 41,000.

In line 27, add National Cash Register Company due on registering and accounting machine, \$850.00.

Insert Metal Products Company, St. Paul due on contract for 1918 tags \$894.60. (This is to be inserted between lines 27 and 28 and is to be numbered line 27½.)

In line 28, strike out the figures \$70,175 and insert in lieu thereof the figures \$88,684.60.

SEC. 2. EMERGENCY. This act is hereby declared to be an emergency measure, and shall be in force and effect immediately after its passage and approval by the Governor.

Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA.

March 1, 1919.

Mr. President: I have the honor to return Senate Bill No. 101.

A bill for an Act making appropriation for the salary of the secretary and members of the State Highway Commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

Which the House has amended as follows:

In line four of Section 1, strike out the figures "\$190,000.00"

and insert in lieu thereof the figures "181,000.00"

Also on last line of bill strike out the figures "\$190,000.00" and insert in lieu thereof the figures "181,000.00".

GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA.

March 1, 1919.

Mr. President: I have the honor to return Senate Bill No. 147.

A bill for an Act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshal, Chief Assistant or Deputies.

Which the House has amended as follows:

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

For an Act to provide for the enforcement or orders of the fire marshal made in pursuance to Sections Sections 206 and 207 of the Political Code, Compiled Laws 1913.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. Whenever the fire marshal or his chief assistant or any deputy shall, in pursuance of the provisions of Sections 206 or 207 of the Political Code, Compiled Laws 1913, make any order requiring any building or other structure to be repaired, torn down or demolished, or the material thereof removed, or dangerous conditions thereof removed and abated, such order shall be in writing and shall concisely state the grounds upon which it is based. The fire marshal may institute proceedings for the enforcement of any such order as hereinafter provided.

SECTION 2. The fire marshal may at any time after such order is made, file a copy thereof in the office of the Clerk of the District Court of the county in which the premises affected by the order are situated; and thereupon all proceeding with reference thereto shall be within the jurisdiction of said

court. Said proceeding shall be therein entitled "In the matter of the order of the fire marshal concerning the premises therein affected".

SECTION 3. Thereupon a copy of such order together with a written notice that it has been so filed and that the fire marshal will apply to said court for a judgment enforcing terms thereof, and requiring all parties interested in said matter to appear therein and to state their objections, if any there be, to said order, within twenty days from the time of the service thereof, shall be served upon the owner, mortgagee, lessee, tenant, occupant or other person known to have or claim any interest in said premises. Said notice shall contain the title of the proceeding and specify the court in which such proceeding is instituted and shall be subscribed by the Attorney General of the State, who shall appear for the fire marshal in each such proceeding. It shall be served, together with a copy of said order as above provided, in the same manner as that in which a summons in a civil action is required to be served; provided, however, that service of such order and notice may be made as to any and all parties having or claiming to have any interest in said premises, by publication thereof by order of the court having jurisdiction of the proceeding, which shall be granted when it shall be made to appear to said court that the sheriff of the county in which said premises are situated shall have made his return upon such order and notice that as to any parties or parties having or claiming to have an interest in said premises he has been unable to make the service required by Section 7426 of the Compiled Laws of 1913, and when it shall be made to appear further, by affidavit, that any such party is, or is believed to be, absent from the jurisdiction of said court so that service of such order and notice cannot be made upon such party in the manner provided by said Section 7426. Whenever it shall appear to the court that additional parties are proper or necessary parties in said proceeding, the court may order such parties to be brought in by proper service upon them of such notice and order.

SECTION 4. Any party having or claiming to have an interest in the said premises may appear and state in writing his objections to said order within twenty days after service thereof upon him, as hereinbefore provided. After such period has expired the court may permit parties to appear for the protection of their respective interests at any time before final determination of said proceeding as may be just and proper.

SECTION 5. Said proceeding may be brought on for hearing and determination by the fire marshal or by any other party thereto at any time after the lapse of thirty days from the completion of service upon all parties appearing to be interested therein. The time of such hearing shall, upon the application of any such party, be set by the court for any day in any general or special term; and in the order setting such time for hearing the court shall further order such notice to be given to all parties to such proceeding of such hearing as it shall deem proper; provided, however, that it shall not be necessary to give notice of such hearing to any person upon whom service of said order and the notice thereto attached shall have been made as above provided, and who shall not have appeared in said proceeding.

SECTION 6. At the time set for such hearing, or as soon thereafter as practicable, the court shall hear and determine the issues raised by said order and the objections thereto and shall make its findings of fact and conclusions of law therein as in other civil actions, and shall order judgment to be en-If the court finds that the order of the tered accordingly. fire marshal in the premises is just and proper, the judgment shall provide for the enforcement thereof within such time and in such manner as shall be therein designated by said judgment or by appropriate order based thereon, the court may direct the sheriff of said county or the fire marshal to proceed to cause said judgment to be enforced by such compliance with the terms of the order of the fire marshal, as shall be provided in said judgment. In the event that any building or other structure is so disposed of in pursuance of such order of the court that there shall be salvage therefrom, the court shall make appropriate order for the protection of the interests of the parties to such proceeding.

SECTION 7. Costs and disbursements may be taxed, allowed and entered in the judgment of the court in any such proceeding in the same manner as in other civil actions. As a part of such disbursements, in the event of proceeding taken by the sheriff or fire marshal in the enforcement of any order of the court, as above provided according to the terms of the order of the fire marshal, the necessary disbursements of such sheriff or fire marshal in the course of such proceeding shall be reported to the court and the court shall make such order in the premises as may be just and proper concerning the allowance thereof, and when so allowed, they shall be entered as a part of the judgment. The fire marshal shall reimburse the sheriff for his disbursements and fees in said proceeding.

SECTION 8. Any and all costs and disbursements allowed to the fire marshal in said proceeding and entered in the judgment therein, shall be a lien against the premises affected by said order and shall be enforceable in the same manner as other judgment liens.

SECTION 9. All acts and parts of acts are hereby repealed insofar as they may be inconsistent with the terms of this act.

Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to return Senate Bill No. 64.

A bill for an Act to appropriate money for the expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other acts and parts of acts in so far as the same relate to appropriations conflicting herewith or the appropriations for the same matters or purposes provided for herein.

Which the House has amended as follows:

In the last paragraph of sub-division 7, strike out the words, "tax" and "classification act," and insert in lieu of the words, "classification act" the words, "Regular Budget," making this paragraph read: Contingent fund, to be used only in complying with the new laws, other than the regular Budget.

In the last paragraph of sub-division 8, strike out the words, "tax" and "classification act," and insert in lieu of the words, "classification act" the words, "Regular Budget" making this paragraph read: "Contingent Fund, to be used only in complying with the new laws, other than the regular Budet."

In the last paragraph of sub-division 18, strike out the words "tax" and "classification act," and insert in lieu of the words, "classification act" the words, "Regular Budget" making this paragraph read: "Emergency Fund, to be used only in complying with the new laws, other than the regular Budget."

In sub-division 22, on the first line, strike out the figures, "\$1800.00 and \$3600.00" and insert in lieu thereof the figures. "\$2700.00 and \$5400.00" and in the last line of sub-division 22, strike out the figures "\$6600.00 and \$6600.00" and insert in lieu thereof the figures, "\$8400.00 and \$8400.00".

In line 988, insert in lieu of Mill Tax, \$123,600.00.

Strike out, on line 989, the figures \$596,004.00, and insert in lieu thereof \$719,604.00.

In line 1436, strike out the figures \$3,976,127.50 and insert in lieu thereof \$4,101,527.50.

On line 3, Section one, strike out the figures \$3,976,127.50, of the engrossed bill, and insert in lieu thereof \$4,101,527.50.

Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

Mr. Jacobsen moved that the Senate do not concur in House amendments to Senate Bill No. 104 and that a conference committee be appointed, which motion prevailed, and the president appointed as such committee Messrs. Zieman, Mostad and Jacobsen.

Mr. Liederbach moved that the Senate do now concur in House amendments to Senate Bill No. 137, which motion prevailed.

Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mostad, Morkrid, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Church, Gibbens, Hamerly, Hemmingsen, McCarten, Mees, Mortenson, Nelson, Sikes, Zieman.

So the bill passed and the title was agreed to.

Mr. Olson moved that the Senate do now concur in House

amendments to Senate Bill No. 128, which motion prevailed. Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mai land to delegate as representative voting in co-operative associations.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 39; nays, 0; absent and not voting, 10.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McNair, Mostad, Morkrid, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Church, Gibbens, Haggart, Hemmingsen, McCarten, Mees, Mortenson, Nelson, Sikes, Zieman.

So the bill passed and the title was agreed to.

Mr. King moved that the Senate do now concur in House amendments to Senate Bill No. 147, which motion prevailed.

Senate Bill No. 147.

A bill for an Act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshal, Chief Assistant or Deputies.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Hagan, Haggart, Hamerly, Hunt, Hyland, Jacobsen, King, Levang, McBride, McCarten, McNair, Miklethun, Murphy, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman

Absent and not voting: Church, Gibbens, Hemmingsen, Ingerson, Kendall, Liederbach, Mees, Mortenson, Mostad, Morkrid, Nelson, Porter, Zieman.

REPORTS OF STANDING COMMITTEES

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 200.

A bill for an Act to reimburse the city of Grand Forks for certain moneys heretofore paid by it to the State of North Dakota in connection with a hearing before the Board of Railroad Commissioners upon the question of the rates charged in said city for electricity and gas by the Red River Power Co.

Senate Bill No. 102.

A bill for an Act appropriating funds to indemnity owners of animals condemned for tuberculosis and deficit.

Senate Bill No. 106.

A bill for an Act making an appropriation for the current and contingent expenses, maintenance, improvements and repairs, new buildings and equipment, and miscellaneous expenses of the Hospital for the Insane.

Senate Bill No. 115.

A bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard, or Staate Militia, as provided for under Chapter 35 of the Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the Federal Statutes.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 16.

A bill for an Act appropriating moneys for student soldier barracks and quarters at the North Dakota Agricultural College, and for transforming the said building to be further utilized as herein set out.

Senate Bill No. 79.

A bill for an Act repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the year 1913 and providing appropriations for fair purposes and for the expenditure and disbursement of such appropriations, and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 88.

A bill for an Act to make appropriation for the current and contingent expenses of the state penitentiary, and for making of permanent improvements and repairs.

Senate Bill No. 59.

A bill for an Act appropriating money to reimburse the common school fund of the State of North Dakota for losses resulting from an misappropriation of such funds occurring previous to January 1, 1917.

And find the same correctly enrolled.

A. G. STOKSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which mo-

tion prevailed and the report was adopted.

Mr. Wenstrom moved that the Senate do now concur in House amendments to Senate Bill No. 194, which motion prevailed.

Senate Bill No. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

Was read the third time.

'The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Ayes—Benson, Berg, Bowman, Cahill, Carey, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hamerly, Hyland, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Miklethun, Murphy, Nelson, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman.

Absent and not voting: Beck, Church, Hagañ, Haggart, Hemmingsen, Hunt, Ingerson, Mortenson, Mostad, Morkrid, Noltimier, Oksendahl, Porter, Zieman.

So the bill passed and the title was agreed to.

Mr. McCarten moved that the Senate do now concur in House amendments to Senate Bill No. 101, which motion prevailed.

Senate Bill No. 101.

A bill for an Act making an appropriation for the salary of the secretary and members of the state highway commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

Was read the third time.

The question being on the final passage of the bill, as amended by the House the roll was called and there were ayes, 33; rays, 0; absent and not voting, 16.

Ayes—Benson, Berg, Cahill, Fleckten, Gibbens, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Pendray, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom.

Absent and not voting, Beck, Bowman, Carey, Church Drown, Ettestad, Fraser, Hagan, Haggart, Hemmingsen, Liederbach, Mortenson, Morkrid, Olson, Whitman, Zieman.

So the bill passed and the title was agreed to.

Mr. McCarten moved that the Senate do now concur in House Amendments to Senate Bill No. 64, which motion prevailed.

Senate Bill No. 64.

A bill for an Act to appropriate money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government and for Public Schools, Specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other Acts and parts of Acts in so far as the same relate to appropriations conflicting herewith or the appropriations for the same matters or purposes provided for herein.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Drown, Fraser, Gibbens, Hagan, Haggart, Hamerly, Hunt, Hyland,

Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Carey, Ettestad, Fleckten, Hemmingsen, Mortenson, Morkrid, Pendray, Welford.

So the bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 64, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Ayes—Beck, Benson, Berg, Cahill, Church, Drown, Fraser, Gibbens, Haggart, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, Levang, McBride, McCarten, McNair, Mostad, Miklethun, Murphy, Nelson Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Zieman.

Absent and not voting—Bowman, Carey, Ettestad, Fleckten, Hagan, Hemmingsen, King, Liederbach, Mees, Mortenson, Morkrid, Pendray, Whitman.

So the emergency clause passed.

Mr. Levang moved that the Senate do now go into executive session, which motion prevailed and the Senate went into executive session.

OPEN SESSION

In open session announcement was made of the conformation of the appointment for Tax Commissioner for the six-year term beginning July 1st, 1919—Geo. E. Wallace of Richland, County.

For mine Inspector for two-year term, John Hanwell of Mc-Lean County.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, March 1, 1919.

'Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 53.

A bill for an Act providing for the extension of the state street car line from the McKenzie hotel to Tenth Street, hence north and west to the capitol, and making an appropriation therefor.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7, and 8, Laws of North Dakota of 1917.

Senate Bill No. 61.

A bill for an Act defining the crime of immorality and providing punishment therefor.

Senate Bill No. 221.

A bill for an Act entitled "An Act making appropriation for improvements at the Executive Mansion.

Which the House has passed unchanged.

Very respectfully,

GEO, A. TOTTEN JR., CHIEF CLERK,

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 204.

A bill for an Act to amend Section 9238, Compiled Laws 1913, as amended by Chapter 223 of the Session Laws of 1917, relating to sports on the first day of the week.

Which the House has indefinitely postponed.

Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

The Senate returned to the eighth order of business.

MOTIONS AND RESOLUTIONS

Mr. Ingerson moved that a committee of three be appointed to draw resolution authorizing the investigation of methods of raising funds for teachers' Insurance and Retirement Fund and make report to the next legislative assembly, which motion was duly seconded.

My Hyland moved that as an amendment that the committee to be appointed consist of Senators Ingerson, Murphy and Stenmo, which motion prevailed.

The question being on the motion as amended, the motion prevailed.

Mr. Liederbach moved that House Bill No. 82 be recalled from the House, which motion was lost.

Mr. McCarten moved that the Senate do now concur in the House amendments to Senate Bill No. 122, which motion prevailed.

Senate Bill No. 122.

A bill for an Act to appropriate seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk hire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Was read the third time.

The question being on the final passage of the bill, as amended by the House the roll was called and there were ayes, 41, nays, 0; absent and not voting, 8.

Ayes—Beck, Benson, Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt. Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Storstad, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Haggart, Hemmingsen, Mees, Mortenson, Morkrid, Pendray Welford.

So the Bill passed and the title was agreed to.

The question being on the emergency clause to Senate Bill No. 122, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Nays—Beck, Benson Berg, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Hyland, Ingerson, Jacobsen, Kendall, King, Levang, Liederbach, McBride, McCarten, McNair, Mostad, Miklethun, Murphy, Nelson, Noltimier, Oksendahl, Olson, Ployhar, Porter, Sikes, Stenmo, Ward, Weber, Wenstrom, Whitman, Zieman.

Absent and not voting—Bowman, Haggart, Hemmingsen, Mees, Mortenson, Morkrid, Pendray, Welford.

So the emergency clause passed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign House Bill No. 148.

A bill for an Act making an appropriation or the maintenance of state parks at Abercrombie, Walhalla, Pembina, and Fort Rice, including Old Fort Lincoln.

House Bill No. 161.

A bill for an Act to amend and re-enact Section 1136 of the Compiled Laws of North Dakota for the year 1913, relating to Deputy County Superintendents of Schools, and compensation therefor.

House Bill No. 179.

A bill for an Act to amend Section 1147, Compiled Laws of North Dakota for the year 1913 as amended by Chapter 135 of the Session Laws for the year 1915.

House Bill No. 186.

A bill for an Act regulating and fixing the hours of labor for females, and providing penalties for the violation thereof.

House Bill No. 127.

A bill for an Act to promote the development of the Dairy Industry of the State, especially through the manufacturing and marketing of dairy products and authorizing the Commissioner of Agriculture and Labor to contract for and operate and manage a creamery for experimental purposes and to engage in the activities connected with or incident to the manufacturing and marketing of dairy products and by-products, defining his powers and duties; making an appropriation; and providing for the raising and expenditure of funds for carrying into effect the provisions of this Act.

House Bill No. 137.

A bill for an Act to amend and re-enact Section 1008 of the Compiled Laws of North Dakota for the year 1913, relating to the election returns.

Senate Bill No. 56.

A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair association at Mandan for the fairs to be held in 1920 and 1921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 71.

A bill for an Act amending and re-enacting Section 1240

of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special school districts.

Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School.

Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Senate Bill No. 153.

A bill for an Act t oamend Section 2306 C. L. 1913, being Section 1, Chapter 161, laws 1903, relating to property sold to the state or county for taxes.

Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota, for the year 1913.

Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charge and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridge purposes, and prescribing the manner in which all township taxes shall be levied.

Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plans for the manufacture and distribution of light and power for municipal and commercial purposes and to asses abutting property in according with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

A bill for an Act providing for state aid in the construction of bridges across state lines of inter-state highways or roads.

Senate Bill No. 201.

A bill for an Act providing for state aid in the construction of bridges across state lines of inter-state highways or roads.

Senate Bill No. 207.

A bill for an Act to amend and re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school districts. Senate Bill No. 220.

A bill for an Act to amend and re-enact Section 1224 of the Compiled Laws of North Dakota for the year 1913 relating to the tax of two mills on the dollar on taxable property for the school districts of the county.

Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

House Bill No. 59.

A bill for an Act amending and re-enacting Sections 1505, 1507, 1517, 1518, 1520, 1521, 1523, 1524 and 1528 of the Compiled Laws of the State of North Dakota for the year 1913 and amending and re-enacting Sections 1506 and 1513 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 140 of the Session Laws of the State of North Dakota for the year 1915, relating to and extending the provisions of the Teachers' Insurance and Retirement fund.

House Bill No. 91.

A bill for an Act creating the office of tax supervisor, providing for the appointment of tax supervisors, fixing their salaries and term of office, and defining their powers and duties.

House Bill No. 193.

A bill for an Act, entitled, an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

And the President signed the same in the presence of the

Senate.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 163.

A bill for an Act to amend and re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, relating to estrays.

Senate Bill No. 164.

A bill for an Act to repeal Section 2659 of the Compiled Laws of North Dakota for the year 1913, relating to official estray paper.

Senate Bill No. 165.

A bill for an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to newspapers qualified to do legal printing.

Senate Bill No. 162.

A bill for an Act to amend and re-enact Section 3310 of the

Compiled Laws of the State of North Dakota for the year 1913.

Senate Bill No. 161.

A bill for an Act to repeal Sections 3307 and 3598 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 158.

A bill for an Act providing for the selection and designa-tion of one State, County and Municipal official newspaper in each county in the State, prescribing the manner of its se-lection and duties.

Which the House has passed, but failed to pass the Emergency.

Very respectfully,

GEO, A. TOTTEN, JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Senate Bill No. 160

A bill for an Act to amend and re-enact Section 3308 of the Compiled Laws, State of North Dakota, for the year 1913. Which the House has passed unchanged. Very respectfully,

GEO. A. TOTTEN JR., CHIEF CLERK.

HOUSE CHAMBER

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to return Senate Bill No.

A bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repeal-ing all Acts and parts of Acts in conflict herewith.

Which the House has amended as follows:

In Section 2, line 3, of the engrossed bill after the word "the" strike out the words "Commissioner of University and School Lands" and insert in lieu thereof the following "Chairman of the Board of Railroad Commissioners."

Very respectfully,

GEO. A. TOTTEN, JR., CHIEF CLERK.

Mr. King moved that the Senate do now concur in concurrent resolution instructing the Secretary of State to mail bound volume of the Senate and House Journals to the mem-bers of the Sixteenth Legislative assembly, which motion prevailed and the rsolution was concurred in.

The committee on Enrollment and Engrossment made the following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 153.

A bill for an Act to amend Section 2306 C. L. 1913, being Section 1, Chapter 161, laws 1913, relating to property sold to the state or county for taxes.

Senate Bill No. 193.

A bill for an Act empowering cities to purchase or construct plans for the manufacture and distribution of light and power for municipal and commercial purposes and to asses abutting property in accordance with the benefits thereto by reason of such distribution, and providing for the method of such assessment and the collection thereof.

Senate Bill No. 174.

A bill for an Act to amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, providing for raising funds at the annual township meeting for all township charges and necessary expenses, for the support of the poor and for the construction and repair of roads and bridges, and providing the manner in which said taxes may be expended, and fixing the limit that may be levied for road and bridge purposes, and prescribing the manner in which all township taxes shall be levied.

Senate Bill No. 215.

A bill for an Act to prevent the obstruction of highways and section lines, to prevent the piling of stone within two rods of any section line, and to provide for the removal of stone and fences along section lines when such lines are opened as public highways.

Senate Bill No. 56.

A bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair association at Mandan for the fairs to be held in 1920 and 2921, as authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Senate Bill No. 172.

A bill for an Act defining the meaning and limiting the use of the term "Fire Proof Building or Hotel" and providing a penalty therefor.

Senate Bill No. 90.

A bill for an Act making appropriations for the maintenance, improvements and repairs, new buildings, equipments and miscellaneous expenses of the North Dakota Reform School. Senate Bill No. 143.

A bill for an Act providing for the levy of a tax by the county commissioners upon being petitioned for the purpose of creating a fund for the extermination of grasshoppers; and providing for the administration of such law by the county commissioners, designating their duties and the duties of owners, renters and lessees of land with respect thereto.

Senate Bill No. 220.

A bill for an Act to amend and re-enact Section 1224 of lating to the tax of two mills on the dollar on taxable property for the school districts of the county.

Senate Bill No. 201.

A bill for an Act providing for state aid in the construction of bridges across state lines of inter-state highways or roads.

Senate Bill No. 155.

A bill for an Act to amend Section 890 of the Compiled Laws of North Dakota, for the year 1913.

Senate Bill No. 71.

A bill for an Act amending and re-enacting Section 1240 of the Compiled Laws of North Dakota for 1913, relating to adjacent territory in special schools districts.

Senate Bill No. 207.

A bill for an Act to amend and re-enct Section 1222 of the Compiled Laws of the State of North Dakota for the year 1915 providing for the annual tax levy in general school districts.

Senate Bill No. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The question being on the adoption of the Concurrent Resolution relating to index of permanent journal, the roll was called and there were ayes, 35; nays, 0; absent and not voting, 14.

Ayes—Beck, Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hunt, Hyland, Ingerson, King, Levang, Liederbach, McBride, McCarten, McNair, Mees, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Porter, Siks, Storstad, Ward, Welford, Wenstrom, Whitman.

Absent and not voting—Carey— Gibbens, Haggart, Hamerly, Hemmingsen, Jacobsen, Kendall, Mortenson, Mostad, Morkrid, Murphy, Stenmo, Weber, Zieman.

So the resolution was adopted.

Mr. Fraser moved that the Senate do now present to Lieutenant Governor Wood the gavel used by him during the present legislative session, which motion prevailed.

REPORTS OF SPECIAL COMMITTEES

The committee on Conference made the following report:

Mr. President: Your conference committee to whom was referred House Bill No. 97.

A bill for an Act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate, control and fix rates, charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and all other Acts or parts of Acts in conflict with the provisions of this Act.

Have had the same under consideration and recommend that the House concur in the Senate Amendments to House Bill No. 97.

> WALTER WELFORD, THOMAS PENDRAY. F. W. MEES, Senate Committee.

G PATTERSON. R. H. WALKER, H. O. BRATSBERG, House Committee. WALTER WELFORD, Chairman.

Mr. Welford, moved that the report be adopted, which motion prevailed an the report was adopted.

Mr. Levang moved that the Senate do now concur in House Amendments to Senate Bill No. 157, which motion prevailed.

Senate Bill No. 157.

A bil lfor an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repealing all acts and parts of acts in conflict herewith.

Was read the third time.

The question being on the final passage of the bill, as amended by the House, the roll was called and there were ayes, 32; nays, 5; absent and not voting, 12.

Ayes-Benson, Berg, Bowman, Cahill, Church, Drown, Ettestad, Fleckten, Fraser, Hagan, Hamerly, Hunt, Ingerson, King, Levang, Liederbach, McBride, McCarten, McNair, Mees. Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Sikes, Storstad, Ward, Weber, Welford, Wenstrom.
Nays—Beck, Hyland, Ployhar, Porter, Whitman.

Absent and not voting: Carey, Gibbens, Haggart, Hemmingsen, Jacobsen, Kendall, Mortenson, Mostad, Morkrid, Murphy, Stenmo, Zieman.

So the bill passed and the title was agreed to.

PETITIONS AND COMMUNICATIONS

February 28, 1919.

To the President of the Senate and Members:

As I now notice in the newspapers and the journals of the Senate and the House that the demands of the majority of the people of our State have been enacted into law for the good of all of us, I wish at this time to extend unto you my hearty thanks for faithful services rendered; the next order is now for all loyal citizens to do "his bit" and make these laws a grand success.

Yours for real democracy,

J. T. BERDAHL.

MESSAGE FROM THE HOUSE

House Chamber

BISMARCK, NORTH DAKOTA, March 1, 1919.

Mr. President: I have the honor to transmit the following concurrent resolution which the House has adopted and your favorable consideration is respectfully requested

WHEREAS, there is great demand within and without the State for copies of the following bills, to-wit:

S. B. 134-Administration.

S. B. 47-Hail Insurance.

S. B. 75-Mill and Elevator Bonds.

S. B. 130-Rural Credits.

H. B. 18-Bank.

H. B. 49-\$2,000,000 Capital.

S. B. 48-Bonding.

S. B. 19—Home Owners. S. B. 199—City Manager. H. B. 55—Mine Inspector.

S. B. 168-Recall Amendment.

S. B. 168—Recall Amendment.
S. B. 20—Mill and Elevator.
H. B. 48—Railroad Rates.
S. B. 14—Grain Grading.
H. B. 186—Hours for Women.
H. B. 123—Immigration.
S. B. 37—Income Tax.
H. B. 84—Inheritance.
H. B. 17—Industrial Commission.

H. B. 17-Industrial Commission.

S. B. 32-Fire Insurance Fund.

H. B. 89—(License Insurance Revocation)

H. B. 184-Minimum Wage. H. B. 163-Union Label.

H. B. 56-Workmen's Compensation.

H. B. 128-Soldiers Aid.

H. B. 57-Anti Injunction.

S. B. 43-Classification for taxation. S. B. 44—Exemption from taxation.

Together with a copy of the decisions of the Supreme Court in the case of State ex rel Byerly vs .State Board of Canvassers. Decided Jan. 31st, 1919.

THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the Industrial Commission be, and it is hereby, authorized and empowered to cause twenty thousand copies of said bills to be printed and bound in a manner suitable for distribution of the same to persons interested therein.

BE IT FURTHER RESOLVED, that the Industrial Commission be, and it is hereby, authorized to expend for said purpose not to exceed Twenty-five Hundred (\$2500.00) Dollars.

Very respectfully,

GEO. A. TOTTEN, JR., CHIEF CLEEK

Mr. King moved that the concurrent resolution authorizing the printing of extra copies of bills be amended by including Senate Bill No. 97, which motion prevailed.

Mr. Hyland moved that the concurrent resolution be amended by inserting Senate Bill No. 189 at the head of the list,

and that there be printed at the head of the bill "introduced and indefinitely postponed in the Senate", which motion was

Mr. Ployhar moved as an amendment that each member of the legislature be furnished with twenty copies of the bills as printed, which motion prevailed.

Mr. Levang moved that the Senate do now concur in the

resolution as amended.

The roll was called and there were ayes, 39; nays, 4; ab-

sent and not voting, 6.

Ayes-Beck, Benson, Berg, Bowman, Cahill, Carey, Church, Drown, Ettestad, Fleckten, Fraser, Gibbens, Hagan, Hamerly, Hunt, Jacobsen, Kendall, King, Levang, Liederbach, McNair, Mees, Mostad, Miklethun, Nelson, Noltimier, Oksendahl, Olson, Pendray, Ployhar, Sikes, Stenmo, Storstad, Ward, Weber, Welford, Wenstrom, Whitman, Zieman.

Nays-Hyland, McBride, Murphy, Porter. Absent and not voting: Haggart, Hemmingsen, Ingerson, McCarten, Mortenson, Morkrid.

So the motion prevailed.

REPORTS OF STANDING COMMITTEES

Mr. President: Your Conference committee to whom was referred Senate Bill No. 104 beg leave to report that we have had the same under consideration and recommend that the House recede from its amendments.

> H. P. JACOBSEN, THORWALD MOSTAD, WM. ZIEMAN, On behalf of the Senate.

ROBERT WADESON, W. L. CADDELL, WALTER MADDOCK, On behalf of the House.

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

WHEREAS, the Sixteenth Legislative Assembly has passed House Bill No. 59, amending the law relating to the Teachers' Insurance and Retirement Fund so as to admit teachers in the Normal Schools and other of the higher educational institutions of the state to the requirements and benefits of that

BE IT RESOLVED, That a committee consisting of the Superintendent of Public Instruction, the Commissioner of Insurance and the members of the Board of Regents be instructed to investigate and ascertain the best means of increasing and maintaining said fund and the most equitable method of disbursing the same, and report their findings to the Senate

at the next Legislative Assembly.

BE IT FURTHER RESOLVED, That the Secretary of the Senate is hereby instructed to send copies of this resolution to the Superintendent of Public Instruction, the Commissioner of Insurance and the members of the Board of Regents.

> RALPH INGERSON, ALBERT STENMO, P. J. MURPHY,

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

MESSAGE FROM THE HOUSE

House Chamber
BISMARCK, NORTH DAKOTA,
March 1, 1919.

Mr. President: I have the honor to transmit the attached concurrent resolution:

CONCURRENT RESOLUTION

BE IT RESOLVED BY THE HOUSE OF REPRESENAT-TIVES OF NORTH DAKOTA, THE SENATE CONCURRING:

WHEREAS, there is now being distributed throughout the state on the official stationery of the House of Representatives a statement directed to the voters of North Dakota charging that it is the intent and purpose of this Legislative Assembly:

"To foist upon the State radical socialism in full bloom;"

"To plunge the State into a debt that will require the collection annually of more than twice as large a general tax as heretofore;"

"To Ruin the State's credit;"

"To pollute our public schools;"

"To appropriate \$200,000.00 for importing at the State's expense I. W. W.'s and their sympathizers in such numbers that they can vote away the property or our citizens;" or

"To take it by means of boycott or other mob rule;" and

WHEREAS these slanderous statements tend to impair the good name and reputation of every resident of this state and every member of this Legislative Assembly, and

WHEREAS, each and every one of said statements are false and apparently made for the purpose of poisoning the mind of the public and misinforming and misleading the people within and without the State with reference to the work and accomplishments of this Assembly, and

WHEREAS, this alleged statement purports to have been signed and endorsed by the following members of this Legislative Assembly:

L. L. Twichell, Fargo; J. W. Dugan, Cando; L. A. Larson, Tunbridge; Peter McLachlin, Hunter, John A. Beck, McClusky; Elling Severson, Kindred; E. M. Nelson, Fairmount; Jacob Bollinger, Flasher; P. J. Murphy, Grafton; A. S. Gibbens, Cando; A. G. Storstad, Horace; Geo. M. Robinson, Coal Harbor; F. R. Johnson, Casselton; Nels Olsgard, Kindred; Nils Petterson, Gwinner; C. W. Carey, Lidgerwood; O. B. Burtness, Grand Forks; E. H. Kendall, Norwich; Paul Johnson, Mountain, W. H. Porter, Calvin; Martin, Olsen, Devils Lake; Geo. A. Reishus, Minot; Burl Carr, Valley City; C. Ness, Wahpeton; H. B. Durkee, Fairmount; Adolph Mikkelson, Garske; Joseph McGauvran, Osnabrook; John Reid, Walhalla; C. B. Hammond, Clyde; Guy F. Humphreys, Minot; O. L. Engen, Fargo; P. G. Hanson, Northwood and

WHEREAS, the members of the Legislative Assembly whose names appear thereon have been associated with us during

this sission and know of their own knowledge that these statements are false, and

WHEREAS, we do not desire to do any member of this Legislative Assembly any injustice;

BE IT RESOLVED, that we condemn each and all of these statements as false, libelous, slanderous and having a tendency to destroy public confidence and trust in the duly authorized officials of this State, and also tending to disrupt and impair the good faith of the State among the other states of the nation:

BE IT FURTHER RESOLVED, that the members of this Legislative Assembly whose names appear upon said statement be afforded an opportunity at this time of disclaiming or affirming their approval and acceptance of the statements therein made; and be it also

FURTHER RESOLVED, that we condemn as unworthy of public trust and confidence any member of the Legislative Assembly who affirms or approves of said false, libelous and poisonous statement.

A copy of said statement being attached hereto and made a part hereof for reference.

TO THE VOTERS OF NORTH DAKOTA, GREETING:

Believing that the people of our State will appreciate truthful information as to what is going on here at the State Capitol, and then when so informed they will not approve of the effort that is being made by a handful of self-appointed political leaders who pay no taxes in our State and own no property anywhere, to firmly entreuch the most malignant type of commercial Sosialism in our midst, we respectfully submit:

- There is every indication that legislation will be enacted which will center in the Governor such powers over all penal, educational, charitable, military and industrial institutions of the State as to place in his hands, whosoever he may be, an indomitable political machine that will undo popular government and democracy. Laws are about to be foisted upon us which will, in the aggregate, establish radical Socialism in full bloom in our State within a few months after the adjournment of the Legislature, plunging the State into a debt that will require the collection annually of more than twice as large a general tax as heretofore, in addition to entangling and paralyzing industry, ruining the State's credit, polluting our public schools and paving the way, through an appropriation of \$200,000 for importing at the State's expense, I. W. W.'s and their sympathizers in such numbers that they can vote away the property of our citizens or take it by means of boycott or other mob rule and be both defended and encouraged by the authorities.
- 2. In order that there may be in our midst a self-sustaining organization by means of which to get reliable information on public matters as well as to take some of the most revolutionary measures to a Referendum Election as quickly as possible after the Legislature adjourns, also so as to have a means by which to prevent these self-seeking philosophers from again fastening themselves upon the State at the next General Election, we, members of the 16th Legislative Assembly, recommend to our constituents that they promtly

join the Independent Voters Association and give every aid and support possible to it in all campaigns that it undertakes and to do so at the very moment that the matter is brought to their attention in order that no time may be lost in getting action before it is too late.

L. L. Twichell, Fargo; J. W. Dugan, Cando; L. A. Larson, Tunbridge; Peter McLachlin, Hunter, John A. Beck, McClusky; Elling Severson, Kindred; E. M. Nelson, Fairmount; Jacob Bollinger, Flasher; P. J. Murphy, Grafton; A. S. Gibbens, Cando; A. G. Storstad, Horace; Geo. M. Robinson, Coal Harbor; F. R. Johnson, Casselton; Nels Olsgard, Kindred; Nils Petterson, Gwinner; C. W. Carey, Lidgerwood; O. B. Burtness, Grand Forks; E. H. Kendall, Norwich; Paul Johnson, Mountain, W. H. Porter, Calvin; Martin, Olsen, Devils Lake; Geo. A. Reishus, Minot; Burl Carr, Valley City; C. Ness, Wahpeton; H. B. Durkee, Fairmount; Adolph Mikkelson, Garske; Joseph McGauvran, Osnabrook; John Reid, Walhalla; C. B. Hammond, Clyde; Guy F. Humphreys, Minot; O. L. Engen, Fargo; P. G. Hanson, Northwood.

(The rest of the Anti-Socialist members are signing this appeal as fast as they can be reached. When all have signed the document will be photographed and reproduced in each one's handwriting.)

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

Very respectfully,

GEO, A. TOTTEN, JR., CHIEF CLERK,

Mr. Liederbach moved that the Senate do now concur in the resolution, which motion was duly seconded.

Mr. Mostad moved that as an amendment that the Senate do not concur in the resolution which motion was duly seconded.

Mr. Liederbach moved that the Senate do now go into executive session, which motion was lost.

The question being on the motion to not concur in the resolution, the motion prevailed.

Mr. Hyland moved that the vote by which the resolution was not adopted, be reconsidered and the motion be reconsider be laid on the table, which motion prevailed.

REPORTS OF STANDING COMMITEES

Mr. President: Your committee on enrollment and engrossment have examined the following bills.

Senate Bill No. 53.

A bill for an Act providing for the extension of the state street car line from the McKenzie hotel to Ttenth Street, thence North and West to the capitol, and making an appropriation therefor.

Senate Bill No. 122.

A bill for an Act to appropriate seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk hire, postage office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Senate Bill No. 61.

A bill for an Act defining the crime of immorality and providing punishment therefor.

Senate Bill No. 97.

A Bill "For an Act to provide for the taxing and lincensing of motor vehicles, the appointment of a registration clerk, his duties and compensation providing for the expenditures of the State Highway Commission in administering the same; establishing the method of distribution the fees received therefrom; penalties for the violation of this Act and providing an appropriation for administering the same and for the use of the State Highway Commission; and repealing Chapter 156 of the Laws of North Dakota, 1917, and all Acts and parts of Acts in conflict therewith."

Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Senate Bill No. 212.

A bill for an Act to give county commissioners authority to erect memorials or other suitable recognition in commemoration of those of the county who rendered service or who lost their lives in the service of their county in the great world war; create a memorial fund and make a levy therefor.

Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mail and to delegate as representative voting in Cooperative Associations.

Senate Bill No. 147.

A bill for an Act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshal, Chief Assistant or Deputies.

Senate Bill No. 163.

A bill for an Act to amend and re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, relating to estrays.

Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this act.

Senate Bill No. 162.

A bill for an Act to amend and re-enact Section 3310 of the Compiled Laws of the State of North Dakota for the year 1913.

Senate Bill No. 161.

A bill for an Act to repeal Sections 3307 and 3598 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 101.

A bill for an Act making appropriation for the salary of the secretary and members of the state highway commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

Senate Bill No. 164.

A bill for an Act to repeal Section 2569 of the Compiled Laws

of North Dakota for the year 1913, relating to official estray paper.

Senate Bill No. 221.

A bill for an Act entitled, "An Act making appropriation for improvements at the Executive Mansion.

Senate Bill No. 165.

A bill for an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to newspapers qualified to do legal printing.

Senate Bill No. 159.

A bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Senate Bill No. 157.

A bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 158.

A bill for an Act providing for the selection and designation of one State, County and Municipal Official Newspaper in each county in the State, prescribing the manner of its selection and duties.

Senate Bill No. 64.

A bill for an Act to appropriate money for the expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other acts and parts of acts in so far as the same relate to appropriations conflicting herewith or the appropriation for the same matters of purposes provided for herein.

And find the same correctly enrolled.

W. J. CHURCH, Chairman Pro Tem.

Mr. Storstad moved that the report be adopted, which motion prevailed and the report was adopted.

The committee on Enrollment and Engrossment made the

following report:

Mr. President: Your committee on Enrollment and Engrossment have examined the following bills:

Senate Bill No. 104.

A bill for an Act to make appropriation for the clerk, clerk hire, postage, office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses maintenance of game farm, salary and expenses of fish commissioner and deputy fish commissioner and expense and maintenance of the fish hatchery.

Senate Bill No. 141.

A bill for an Act to amend and re-enact Sections 1, 2, 3, 4, 6, 7, and 8,Laws of North Dakota of 1917.

And find the same correctly enrolled.

A. G. STORSTAD, Chairman.

Mr. McNair moved that the report be adopted, which motion prevailed and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign Senate Bill No. 194.

A bill for an Act to amend and re-enact Section 3266 Compiled Laws of the State of North Dakota for the year 1913, relating to meetings of board of county commissioners.

House Bill No. 163.

A bill for an Act requiring the label of the International Typographical Union to be placed upon all public printing of the State of North Dakota and providing penalties for the violation thereof.

House Bill No. 34.

A bill for an Act to amend and re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, prohibiting discrimination in commodities sold in the State of North Dakota.

House Bill No. 151.

A bill for an Act making an appropriation for the purpose Paying Insurance Tax to the various Fire Departments of the State.

House Bill No. 107. A bill for an Act to amend and re-enact Sections 22, 27, 28, 36, 48, and 51 of Chapter 161 of the laws of North Dakota for the year 1915 as amended by Chapter 122 of the laws of North Dakota for the year 1917 and to amend to re-enact Section 46 of Chapter 161 of the laws of North Dakota for the year 1915 as amended by Chapter 63 of the laws of North Dakota for the year 1917.

House Bill No. 104.

A bill for an Act to amend and re-enact Sections 2360 and 2360a of the Compiled Laws of North Dakota for the year 1913, relating to the salary and expenses of the Adjutant General.

House Bill No. 141.

A bill for an Act making an appropriation for the Stanton Home Guard for their reimbursement for uniforms and guns.

Senate Bill No. 53.

A bill for an Act providing for the extension of the State street car line from the McKenzie hotel to Tenth street, hence North and West to the Capitol; and making an appropriation therefor.

Senate Bill No. 61.

A bill for an Act defining the crime of immorality and providing punishment therefor.

Senate Bill No. 64

A bill for an Act to appropriate money for the expenses of the Executive, Legislative and Judicial Departments of the State Government, and for public schools, specifying the amount and time for which such appropriations shall be available, and repealing Sections 1416, 1418 and 1419 of the Compiled Laws of 1913, as amended by Chapter 34 of the Session Laws of 1915, and all other acts and parts of acts in so far as the same relate to appropriations conflicting herewith or the appropriations for the same matters or purposes provided for herein.

Senate Bill No. 97.

A bill for an Act to provide for the taxing and licensing of

motor vehicles, the appointment of a registration clerk, his duties and compensation providing for the expenditures of the State Highway Commission in administering the same; establishing the method of distributing the fees received therefrom; penalties for the violation of this act and providing an appropriation for administering the same and for the use of the State Highway Commission; and repealing Chapter 156 of the Laws of North Dakota, 1917, and all acts and parts of acts in conflict therewith.

Senate Bill No. 101.

A bill for an Act making appropriation for the salary of the secretary and members of the state highway commission, for the clerk hire, and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

Senate Bill No. 122.

A bill for an Act to appropriate seventy thousand one hundred seventy-five dollars for the motor vehicle registration, salary of registrar, clerk hire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items.

Senate Bill No. 128.

A bill for an Act to amend and re-enact Section 12 of Chapter 97 of the Laws of North Dakota for 1917, relating to voting by mail and to delegate as representative voting in Cooperative Associations.

Senate Bill No. 137.

A bill for an Act providing for the registration of brands on dairy product containers.

Senate Bill No. 139.

A bill for an Act to provide for the sampling and the care of samples of milk and cream, and for obtaining official tests of the percentage of butterfat contained therein and making appropriation for the enforcement of the provisions of this act.

Senate Bill No. 147.

A bill for an Act to provide for the disposition of any building ordered condemned or repaired by the Fire Marshal, Chief Assistant or Deputies.

Senate Bill No. 158.

A bill for an Act providing for the selection and designation of one State, County and Municipal Official Newspaper in each county in the State, prescribing the manner of its selection and duties.

Senate Bill No. 157.

A bill for an Act creating a State Publication and Printing Commission; prescribing its duties and powers; and repealing all acts and parts of acts in conflict herewith.

Senate Bill No. 159.

A Bill for an Act to amend and re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913, relating to annual statements of insurance companies and the publication thereof.

Senate Bill No. 160.

A bill for an Act to amend and re-enact Section 3308 of the Compiled Laws, State of North Dakota, for the year 1913.

Senate Bill No. 161.

A bill for an Act to repeal Sections 3307 and 3598 of the Compiled Laws of North Dakota for the year 1913.

Senate Bill No. 162.

A bill for an Act to amend and re-enact Section 3310 of the Compiled Laws of the State of North Dakota for the year 1913.

Senate Gill No. 163.

For an Act to amend and re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, Relating to Estrays.

Senate Bill No. 164.

For an Act to repeal Section 2659 of the Compiled Laws of North Dakota for the year 1913, relating to Official Esrtay Paper.

Senate Bill No. 165.

For an Act to repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, relating to newspapers qualified to do legal printing.

Senate Bill No. 212.

For an Act to give county commissioners authority to erect memorials or other suitable recognition in commemoration of those of the county who rendered service or who lost their lives in the service of their country in the great world war; create a memorial fund and make a levy therefor.

Senate Bill No. 221.

For an Act entitled "An Act Making an Appropriation for Improvements at the Executive Mansion."

House Bill No. 139

For an Act to appropriate the sum of Fourteen Hundred Sixty Two Dollars |1462.00) out of any monies in the State Treasury not otherwise appropriated to reimburse Alphonso Boley of Mandan, North Dakota.

House Bill No. 121.

For an Act authorizing the Board of Control of the State of North Dakota to erect and equip upon the capitol grounds a building to be known as the Liberty Memorial Building of North Dakota in memoriam of the soldiers, sailors and marines of North Dakota was served the nation in the Great World War; and prescribing the object, purpose and use of such building; for locating and improving a site for the same to be known as Memorial Park; and to authorize a site for the same to be known as Memorial Park; and to authorize the employment of a landscape architect to advise concerning the selection and planning of the grounds for such park and building; and to make appropriations therefor.

House Bill No. 68.

For an Act defining the crime of gambling; fixing the punishment therefore; and providing certain rules of evidence in prosecutions thereunder.

House Bill No. 189.

For an Act Creating the Flood Control Commission; prescribing its powers and duties; providing for the appointment and compensation of the Flood Control Engineer and such other employees as may be necessary and providing an appropriation to carry out the purposes of this Act. House Bill No. 123.

For an Act creating the office of Commissioner of Immigration; prescribing his powers and duties and making an appropriation therefor, and repealing all Acts and parts of Acts in conflict therewith.

House Bill No. 170.

A bill for an Act to amend and re-enact Chapter 131, Laws of North Dakota for the year 1917, being an act authorizing State aid for the establishment, construction, maintenance and repair of public roads and bridges, making appropriation therefor; assenting to the Act of Congress (H. R. 7617) approved July 11, 1916, creating a State Highway Commission and prescribing its duties and powers; prescribing the duties and fixing the salary of the State Engineer in connection therewith; providing for the disposition of fines and penalties; amending and re-enacting Section 29760 of the Compiled Laws of North Dakota for the year 1913, as amended in Chap-ter 108 of the Session Laws of 1915 and Section 1, Chapter 22, of the Laws of North Dakota for the year 1917; repealing Sections 602 to 607 inclusive, Section 2976n and 2976p of the Compiled Laws of North Dakota for the year 1913. Emergency.

House Bill No. 97.

For an Act authorizing the Board of Railroad Commissioners of the State of North Dakota to regulate, control and fix rates, charges and services of all public utilities; prescribing the powers and duties of public utilities; defining public utilities; providing an appropriation to carry out its provisions; and repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and all other Acts or parts of Acts in conflict with the provisions of this Act.

And the president signed the same in the presence of the

Courtesies of the floor were extended to W. E. Burgett, Flaxton, N. D.

Mr. King moved that the Senate do now adjourn sine die, which motion prevailed and the senate adjourned sine die.

W. J. PRATER, Secretary.

The committee appointed by the Senate to compare and correct the journal of the 53rd day after recess and 54th day have carefully examined the Journal of the 53rd day after recess and 54 day and recommend that the same be corrected as follows:

Page 2, strike out lines 14, 15, 16, 17, 18, and 19 and insert in lieu thereof the correct title of House Bill No. 58.

Page 11, line 6, Strike out "Senate" and insert "President." Page 11, line 25, strike out "We" and insert "Senate" Page 11, line next to bottom after "adopted" insert "and the committee be discharged."

Page 14, line 10 add "and the title to Senate Bill No. 60.

Page 14, strike out lines 11, 12, 13, 14 and 15.

Page 19, line 43, strike out "\$15,00." and insert "\$15,000.00"

Page 26 strike out line 12.

Page 38 after line 36, insert two lines as follows:

S. B. 43-Classification for taxation. S. B. 44.—Exemption from taxation.

Page 44, in line 37, after Chairman, add "Pro Tem."

J. I. CAHILL. C. D. KING.

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Senate Bill No. 4—(Murphy)

A Bill for an Act providing for the service in a uniform manner and publication for a uniform number of times of all notices, citations, process and orders, when the same are required by the probate code to be served or published, and to amend Sections 8557, 8734, 8770, 8772, 8774 and 8834, Compiled Laws of 1913.

Introduction, first and second reading, 12.

Reported back, 234.

Other action, 116.

Indefinitely postponed, 249.

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Senate Bill No. 5 .- (Whitman)

A Bill for an Act to provide suitable monuments, memorials or tokens of appreciation of the men of North Dakota who entered the service of the United States in the war with Germany for Liberty, Justice, Humanity and Democracy.

Introduction, first and second reading, 14.

Reported back, 557.

Reference, 14.

Indefinitely postponed, 607.

Senate Bill No. 6 .- (Whitman)

A Bill for an Act to repeal Section 5743 of the Compiled Laws of 1913 and to enact a law for the descent and succession of real and personal property and to establish and protect the right of the widow therein. Introduction, first and second reading, 44.

Reference, 44, 94.

Indefinitely postponed, 90, 94.

Senate Bill No. 14.—(Drown)

A Bill for an Act creating a uniform state grade for grain, seeds or other agricultural products; creating and establishing the office of State Inspector of Grades, Weights and Measures; defining and prescribing the duties and powers thereof; providing for the licensing of public warehouses, grain buyers and persons engaged in soliciting or procuring consignments of grain, seeds or other agricultural products; providing for the establishing of central marketing places; providing for the appointment of Chief Deputy Inspector, State Deputy Inspectors and Deputy Inspectors, Chief Elevator Accountant and Warehouse Inspectors, defining their duties and powers; providing for bonds from public warehouses to secure all moneys due the holders of outstanding grain tickets; requiring public warehouses to keep records of their business; authorizing the fixing of a reasonable margin to be paid the producer of grain; providing for the inspection of public warehouses; providing for the hispection of public warehouses; providing for the payment of dockage having value; authorizing investigation of all matters bearing upon the marketing of grain; authorizing the employment of clerks, experts and all other employees necessary to carry out the provisions of this Act, and making an appropriation therefor, and providing penaltic the interest of the control ties for the violation of any of the provisions of this Act; and Repealing Sections 3101, 3102, 3103, 3105, 3109 and 3111 of the Compiled Laws of 1913 for the State of North Dakota, also Chapter 56 of the Laws of 1917, passed at the 15th Session of the Legislative Assembly of the State of North Dakota, and Chapter 14 of the Laws passed at the Special Session of the 15th Legislative Assembly of the State of North Dakota for the year 1918, and excluding sales by producers to one another by this Act.

Introduction, first and second reading, 51.

Reported back, 86. Reference, 51.

Passed, 91.

Third reading, 91, 186. Amendments adopted, 186. Amended by House, 177.

Enrollment and Engrossment, 89, 189.

INDEX XV

Senate Bill No. 15 .- (Haggart)

A Bill for an Act providing for the inspection of refined petroleum products, illuminating oils, gasolines and other low flash test petroleum products; providing for the establishment of posts of entry; appointment of deputies and inspectors; defining chemical tests, inspection fees; and providing appropriations for carrying out the provisions of this Act; and to repeal Chapter 188 of Session Laws of North Dakota for 1915 and Chapters 161 and 162 for the year 1917.

Introduction, first and second reading, 51.

Reference, 51. Passed 286.

Third reading, 286. Amended, 274, 286.

Received from the House, 463.

Other action, 97.

Enrollment and engrossment, 279, 305, 533.

Senate Bill No. 16.—(Haggart)

A Bill for an Act appropriating Moneys for Student Soldier Barracks and Quarters at the North Dakota Agricultural College, and for Transforming the said building to be further utilized as herein set out.

Introduction, first and second reading, 52. Reported back, 558.

Reference, 52. Passed, 623.

Received from the House, 736.

Enrollment and engrossment, 606, 760.

Senate Bill No. 17.—(Nelson)

A Bill for an Act to amend Sections 6072 and 6073 of the Revised Codes of North Dakota for 1913 as amended by Chapter 176 of the Session Laws of 1915 prescribing lawful rates of interest for any legal indebtedness, demang

Introduction, first and second reading, 52.

Reference, 52. Other action, 31.

Indefinitely postponed, 132, 143.

Senate Bill No. 18 .- (McNair)

A Bill for an Act to amend and re-enact Sections one and two of Chapter 236 of the Laws of North Dakota for the year 1915, relative to the Board of Nurse Examiners of the State of North Dakota.

Introduction, first and second reading, 54.

Reported back, 522.

Reference, 54, 89. Other action, 125, 307.

Enrollment and engrossment, 533. Indefinitely postponed, 85, 537, 567.

Senate Bill No. 19.—(Committee on State Affairs)

A Bill for an Act declaring the purpose of the State of North Dakota to engage in the enterprise of providing homes for residents of this state and to that end to establish a business system operated by the state under the XVI

name of The Home Building Association of North Dakota, and defining the scope and manner of its operation and the powers and duties of the persons charged with its management; and making appropriation therefor.

Introduction, first and sencond reading, 54.

Reference, 54. Passed, 361.

Third reading, 361. Amended, 334- 360.

Received from the House, 463.

Other action, 125.

Enrollment and engrossment, 358.

Senate Bill No. 20 .- (Committee on State Affairs)

A Bill for an Act declaring the purpose of the State of North Dakota to engage in the business of manufacturing and marketing of farm products, and for establishing a warehouse, elevator and flour mill system under the name of North Dakota Mill and Elevator Association operated by the state, and defining the scope and manner of its operation, and the powers and duties of the persons charged with its management; and making an appropriation therefor.

Introduction, first and second reading, 54.

Reference, 55.

Passed, 362.

Third reading, 362.

Amended, 339. Received from the House, 462.

Other action, 125.

Enrollment and engrossment, 360, 533.

Senate Bill No. 21.—(Miklethun)

A Bill for an Act to amend and re-enact Sections 7875 and 7877 of the Compiled Laws of North Dakota for the year 1913, and Relating to Service of Subpoenas.

Introduction, first and second reading, 55.

Reported back, 78.

Reference, 55. Passed, 92

Third reading, 92.

Amended, 92.

Received from the House, 116.

Other action, 81, 86.

Enrollment and engrossment, 86, 96, 123.

Senate Bill No. 22 .- (Drown)

A Bill for an Act relating to corporate powers of annuity, safe deposit and trust companies.

Introduction, first and second reading, 60.

Reported back, 116.

Reference, 60.

Indefinitely postponed, 125.

Senate Bill No. 23.—(Hagen)

A Bill for an Act providing for Notices before foreclosure. Introduction, first and second reading, 71.

Reference, 71, 158, 159. Passed, 92, 259.

Third reading, 92, 259.

INDEX XVII

Amended, 84, 219. Received from the House, 267. Amended by House, 152. Enrollment and engrossment, 89, 267.

Senate Bill No. 24 .- (Mees)

A Bill for an Act to amend and re-enact Sections 160 and 161 of the Compiled Laws of North Dakota for the year 1913, and providing for five Assistant Attorneys General, and for the oath of office and the salary therefor.

Introduction, first and second reading, 71.

Reference, 71. Passed, 117. Third reading, 117. Amended, 102. Other action, 141.

Enrollment and engrossment, 108.

Senate Bill No. 25 .- (Pendray)

A Bill for an Act prohibiting the sale of any new draft sleds or new sleighs within the state of which the runners measures less than four feet six inches from center to center and making the sale of same a misdemeanor.

Introduction, first and second reading, 78.

Reported back, 124. Reference, 78. Passed, 135, 236. Third reading, 135. Other action, 97. Amendments adopted, 235. Amended by House, 207, 130, 245.

Senate Bill No. 26 .- (Morkrid)

A Bill for an Act to regulate the sale of berries and small fruit and the containers in which they are sold and providing penalties for violation thereof.

Introduction, first and second reading, 78.

Reported back, 90. Reference, 78. Passed, 99. Third reading, 99. Other action, 130.

Enrollment and engrossment, 96, 142.

Senate Bill No. 27 .- (McNair)

A Bill for an Act establishing Legal Weights and Measures for commodities bought, sold, and exchanged within the State of North Dakota, repealing Section 3006 of the Compiled Laws of 1913 relating to and defining the term "bushel" and providing penalties for the violation thereof.

Introduction, first and second reading, 78.

Reported back, 90. Reference, 78, 97, 182. Passed, 161, 237. Third reading, 161, 237. Amended, 148, 210. Received from the House, 378.

Other action, 182.

Enrollment and engrossment, 96, 157, 228, 384.

XVIII INDEX

Senate Bill No. 28.—(Jacobsen)

A Bill for an Act providing for a Bounty for Wolves and Coyotes, prescribing the method for payment, making an appropriation therefor, prescribing the penalty for a violation thereof and to repeal Sections 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, Chapter 253 of the Session Laws of North Dakota for the year of 1917.

Introduction, first and second reading, 81.

Reported back, 446.

Reference, 31, 182.

Passed, 508.

Amended, 508. Received from the House, 681.

Other action, 87.

Enrollment, 504, 535.

Engrossment, 716.

Senate Bill No. 29 .- (Ingerson)

A Bill for an Act to amend and re-enact Section 685 of the Compiled Laws of North Dakota for the year 1913, relating to the removal of certain County, Township, Municipal and other Officers.

Introduction, first and second reading, 83.

Reference, 83.

Passed, 127.

Third reading, 127.

Amended, 115, 127.

Other action, 182.

Amendments adopted, 185.

Amended by House, 177.

Enrollment and engrossment, 123, 128, 189.

Senate Bill No. 30 .- (Church)

A Bill for an Act Amending and Re-enacting Sections 715 and 716 of the Compiled Laws of North Dakota for the Year 1913, Providing for the Terms of the Supreme Court and the Placing of Cases on the Calendar Thereof.

Introduction, first and second reading, 85.

Reported back, 102.

Reference, 85. Passed, 111.

Third reading, 111.

Other action, 130.

Enrollment and Engrossment, 108, 142.

Senate Bill No. 31 .- (Wenstrom)

A Bill for an Act making no form of vaccination or inoculation a condition precedent to admission to any public or private school or college, or the exercise and enjoyment of any right or privilege in the state; repealing Section 425 of the Compiled Laws of North Dakota 1913 and conflicting provisions to this Act. Emergency.

Introduction, first and second reading, 85.

Reported back, 124.

Reference, 85.

Passed, 136.

Third reading, 136.

Received from the House, 266.

Enrollment and engrossment, 130, 279.

INDEX XIX

Senate Bill No. 32.—(Cahill)

A Bill for an Act creating and establishing a State Fire and Tornado Fund for Insurance on public buildings of the State of North Dakota, and of cities, counties and other political subdivisions thereof; fixing the powers and duties of the Commissioner of Insurance in connection therewith; providing for the maintenance thereof; providing for the adjustment and payment of losses; authorizing the Commissioner to employ all necessary employes and incur and pay such other expenses as may be necessary; authorizing the Commissioner to purchase other insurance on large risks; limiting the amount of expense which may be incurred; and repealing all acts in conflict herewith.

Introduction, first and second reading, 86.

Reference, 86. Passed, 466.

Third reading, 466.

Amended, 385.

Received from the House, 694.

Other action, 125, 190, 431.

Enrollment and engrossment, 415, 716.

Senate Bill No. 33.—(McNair)

A Bill for an Act to Amend and Re-enact Section 2110, Compiled Laws of North Dakota 1913, relating to the listing of property of corporations, joint stock companies or associations for taxation.

Introduction, first and second reading, 90.

Reported back, 487.

Reference, 90.

Passed, 518.

Amended, 487.

Received from the House, 692.

Other action, 132.

Enrollment and engrossment, 504, 716.

Senate Bill No. 34 .- (Storstad)

A Bill for an Act to amend and re-enact Section 453 of the Compiled Laws of North Dakota for the year 1913, relating to the fees of local registrars for vital statistics, and certifying to county auditors a duplicate of the report to the State Registrar of the Board of Health. Also defining the manner of transcribing past records for county records.

Introduction, first and second reading, 90.

Reported back, 230.

Reference, 90.

Other action, 132.

Indefinitely postponed, 249.

Senate Bill No. 35 .- (Kendall)

A Bill for an Act to amend Chapter 181 of the Session Laws of North Dakota, 1915.

Introduction, first and second reading, 97.

Reported back, 181.

Reference, 97. Passed, 192.

Third reading, 192.

Enrollment and engrossment, 190.

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Senate Bill No. 36.—(Ingerson)

A Bill for an Act to amend and re-enact Section 4646 of the Compiled Laws of the State of North Dakota for the year of 1913, as amended by Chapter 202 of the Laws of North Dakota for the year 1915, requiring railroads to build and maintain fences, cattle guards, swinging gates, and providing penalties for failure to comply therewith .

Introduction, first and second reading, 97.

Reference, 97, 240. Passed, 273.

Third reading, 273. Amended, 214, 248.

Received from the House, 378.

Other action, 190.

Enrollment and engrossment, 229, 533, 268, 384.

Senate Bill No. 37.—(Committee on Taxes and Tax Laws)

A Bill for an Act for the purpose of raising revenue to defray the general expenses of the state government by providing for a tax on the income of persons, corporations, joint stock companies, or associations in the State of North Dakota; classifying and graduating incomes for the purpose of taxation; providing for exemptions and deductions in certain cases; prescribing a method of assessing and collecting said tax; prescribing penalties for non-conformance with the provision of this Act and re-pealing all Acts and parts of Acts in conflict herewith. Introduction, first and second reading, 97.

Reference, 97. Passed, 244, 548. Third reading, 244.

Amended, 222, 511. Received from the House, 511.

Other action, 132.

Amendments adopted, 548.

Enrollment and engrossment, 299, 577.

Senate Bill No. 38.—(Committee on Taxes and Tax Laws)

A Bill for an Act providing that reports required for the assessment of taxes heretofore made to the state auditor or to any other officer or department of the state, shall be made to the State Tax Commissioner.

Introduction, first and second reading, 98.

Reported back, 486. Reference, 98.

Passed, 516.

Received from the House, 692.

Other action, 132.

Enrollment and engrossment, 504, 716.

Senate Bill No. 39.—(Committee on Taxes and Tax Laws)

A Bill for an Act to amend and re-enact Section 2141, Compiled Laws of North Dakota, 1913, creating a State Board of Equalization, and prescribing its powers and duties. Introduction, first and second reading, 98.

Reference, 98. Passed, 434.

Third reading, 434.

Amended, 394.

Received from the House, 692.

Other action, 132.

Enrollment and engrossment, 415, 716.

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Senate Bill No. 40 .- (Committee on Taxes and Tax Laws)

A Bill for an Act to amend and re-enact Section 2095 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 229, Laws of North Dakota, 1917, relating to revenue and taxation and fixing the situs of personal property for tax purposes.

Introduction, first and second reading, 98.

Reference, 98. Passed, 472.

Third reading, 472.

Amended, 439.

Received from the House, 692.

Other action, 132.

Enrollment and engrossment, 458, 716.

Senate Bill No. 41.—(Committee on Taxes and Tax Laws)

A Bill for an Act to raise revenue for defraying the expenses of the State government, by imposing a tax upon petroleum products or by-products, stored, shipped, distributed or sold within the State.

Introduction, first and second reading, 98.

Reported back, 572.

Reference, 98.

Passed, 623. Amended, 572.

Received from the House, 728.

Other action, 132.

Enrollment and engrossment, 606, 743.

Senate Bill No. 42.—(Committee on Taxes and Tax Laws)

A Bill for an Act providing for the survey and platting of portions of railway right of way for the purpose of taxation when such property is used for any purpose other than the operation of a railroad thereon.

Introduction, first and second reading, 98.

Reference, 98.

Passed, 192. Third reading, 192.

Amended, 185.

Received from the House, 258.

Other action, 132.

Enrollment or engrossment, 189, 195, 267.

Senate Bill No. 45 .- (Committee on Taxes and Tax Laws)

A Bill for an act to amend and re-enact Chapter 59, Laws of North Dakota, 1917, relating to the classification of property for assessment.

Introduction, first and second reading, 98.

Reference, 98. Passed, 328.

Third reading, 328. Amended, 294, 327.

Received from the House, 462. Other action, 132, 310.

Enrollment and engrossment, 304, 357, 533.

Senate Bill No. 44.—(Committee on Taxes and Tax Laws)

A Bill for an Act to amend and re-enact Section 2078, Com-

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piled Laws of North Dakota for the year 1913, relating to the exemption of property from taxation. Introduction, first and second reading, 98.

Reference, 98.

Passed, 348, 611. Third reading, 348.

Amended, 295, 348.

Other action, 132, 310, 311. Amended by House, 572.

Enrollment and engrossment, 305, 634, 358.

Senate Bill No. 45.—(McCarton)

A Bill for an Act to amend and re-enact Section 2478 of the Compiled Laws of North Dakota for the year 1913, relative to extension of powers of Boards of Drain Com-

Introduction, first and second reading, 98.

Reference, 98.

Passed, 119.

Third reading, 119.

Amended, 108.

Other action, 227.

Enrollment and engrossment, 117, 245.

Senate Bill No. 46-(Appropriation Committee)

A Bill for an Act appropriating money for the use of the office of the Attorney General.

Introduction, first and second reading, 104.

Reported back, 423.

Reference, 104.

Indefinitely postponed, 460.

Senate Bill No. 47.—(Insurance Committee)

A Bill for an Act amending and re-enacting Sections 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 183, 187, 188, 189, 190A, Compiled Laws of North Dakota, 1913, as amended by Chapter 166 of the Session Laws for the year 1915, establishing a system of Hail Insurance and Hail Insurance Department in the office of the Commission sioner of Insurance; providing for the maintenance thereof and for the employment and compensation of a Manager, Chief Inspector, Deputy Inspectors, adjusters and all other help; levying a fiflat acreage tax on all tillable land and authorizing the Commissioner to levy an indemnity acreage tax on all tillable land in crop which shall be a lien upon such land, and for the collection therof; defining the duties and compensation of assessors, the duties of treasurers, auditors and other officers; for the withdrawal of tillable land in crops from the indemnity tax; for the creation of a Hail Insurance Fund; appropriating all taxes levied herein for the use of such Hail Insurance Fund; for the adjustment and payment of losses by hail from such fund and all other expenses of the department; for the insurance of warrants; and appropriation to carry this Act into effect; providing penalties and declaring an emergency; and repealing all Acts and parts of Acts in conflict herewith.

Introduction, first and second reading, 104.

Reference, 104.

Passed, 510, 670.

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Amended, 448, 509. Other action, 182. Enrollment and engrossment, 505, 535, 717. Amended by House, 666.

Senate Bill No. 48 .- (Church)

A Bill for an Act to amend and re-enact Chapter 62, Laws of North Dakota for the year 1915; to create a State Bonding Fund; providing for the maintenance and limiting the expense therefor; prescribing the duties of the officers connected therewith; providing for the payment of premiums and of indemnities; providing for presentation and allowance of claims and fixing limitations of actions thereon; and providing for adjustment of premiums; providing for transfer of funds and records and assuming liabilities under the previous Act.

Introduction, first and second reading, 104.

Reported back, 494. Reference, 104. Passed, 538.

Received from the House, 693.

Enrollment and engrossment, 534, 724.

Amended by House, 693.

Senate Bill No. 49 .- (Pendray)

A Bill for an Act to amend and re-enact Section 287 of the Compiled Laws of North Dakota for the year 1913 as amended by Chapter 241 of the Session Laws of the State of North Dakota for the year 1915, and as amended by Chapter 204, Session Laws of the State of North Dakota for the year 1917, relating to the Investment of University and School Land Fund.

Introduction, first and second reading, 104. Reference, 104.

Passed, 310.
Third reading, 310.
Amended, 283.
Amendments adopted, 460.
Amended by House, 430.

Enrollment and engrossment, 304, 533, 334.

Senate Bill No. 50 .- (Appropriation Committee)

A Bill for an Act providing for the appointment by the Attorney General of an Assistant Attorney General to act as attorney for the Board of University and School Lands, and prescribing the duties of such Assistant Attorney General, and requiring a bond to be given and fixing his salary and making an appropriation therefor.

Introduction, first and second reading, 104.

Reported back, 390. Reference, 104. Passed, 432. Third reading, 432. Amended, 432.

Received from the House, 610.

Enrollment and engrossment, 415, 634, 457.

Senate Bill No. 51-(State Affairs Committee)

A Bill for an Act providing for the appointment of Special Assistant Attorneys General, and designating the fund XXIV INDEX

out of which the compensation of such Assistant Attorneys General may be paid. Introduction, first and second reading, 105. Reported back, 123.

Reference, 105. Passed, 137.

Third reading, 137.

Other action, 177.

Enrollment and engrossment, 130, 189.

Senate Bill No. 52.—(State Affairs Committee)

A Bill for an Act providing for investigation and prosecuting violations of law by the Attorney General in the various counties and for the payment of expenses incurred therein.

Introduction, first and second reading, 105.

Reported back, 123.

Reference, 105.

Passed, 137.

Third reading, 137. Received from the House, 258.

Enrollment and engrossment, 130, 267.

Indefinitely postponed, 537.

Senate Bill No. 53.—(Appropriation Committee)

A Bill for an Act providing for the Extension of the State Street Car Line from the McKenzie Hotel to Tenth Street, thence North and West to the Capitol for the purpose of transferring materials for the erecting, constructing and completing buildings at the Capitol; and making an appropriation therefor.

Introduction, first and second reading, 105.

Reported back, 561.

Reference, 105.

Passed, 626.

Amended, 561. Received from the House, 762.

Enrollment and engrossment, 606, 775.

Senate Bill No. 54.—(Appropriation Committee)

A Bill for an Act authorizing the Board of Control to erect, construct and complete a four story building north of the present capitol building and making an appropriation therefor.

Introduction, first and second reading, 105.

Reported back, 425.

Reference, 105.

Passed, 469.

Third reading, 469.

Received from the House, 610.

Enrollment and engrossment, 458.

Indefinitely postponed, 610.

Senate Bill No. 55.—(Appropriation Committee)

A Bill for an Act to provide a State Contingency Fund to be placed at the disposal of the State Emergency Commission to be used as provided by Chapters 26 and 152 of the Session Laws of North Dakota for the year 1915; and making an appropriation of \$40,000, which shall be known as the State Contingency Fund.

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Introduction, first and second reading, 105. Reference, 105.
Passed, 511.
Amended, 462.
Received from the House, 692.
Enrollment and engrossment, 505, 716.

Senate Bill No. 56 .- (Appropriation Committee)

A Bill for an Act to appropriate \$5,000.00 to the Missouri Slope Agricultural and Fair Association at Mandan for the Fairs to be held in 1920 and 1921, as Authorized by Sections 1860 to 1866, both inclusive, of the Compiled Laws of 1913 for North Dakota.

Introduction, first and second reading, 105.

Reported back, 608. Reference, 105. Passed, 659.

Received from the House, 737.

Enrollment and engrossment, 629, 768.

Senate Bill No. 57 .- (Appropriation Committee)

A Bill for an Act entitled, "An Act to Appropriate Money for the use of the Board of Railroad Commissioners between the following dates, to-wit: January 1st, 1919, to June 30th, 1919, and specifying the purposes for which the appropriation is made.

Introduction, first and second reading, 105.

Reference, 105. Passed, 431. Third reading, 431. Amended 390

Amended, 390. Received from the House, 610.

Enrollment and engrossment, 415, 634.

Senate Bill No. 58 .- (Wenstrom)

A Bill for an Act to amend and re-enact Section 510 of the Compiled Laws of the State of North Dakota for 1913, as amended by Chapter 119, Laws of North Dakota for the year 1915, relating to the practice of dentistry.

Introduction, first and second reading, 105.

Reference, 105. Passed, 238, 239. Third reading, 238. Amended, 211, 238.

Received from the House, 306.

Other action, 132, 238.

Enrollment and engrossment, 229, 245, 333.

Senate Bill No. 59 .- (McCarten)

A Bill for an Act appropriating money to reimburse the permanent funds of the common schools, university, agricultural college, school for the deaf and dumb, normal schools, and other permanent funds derived from the sale of public lands or from any other source of the State of North Dakota for losses resulting from a misappropriation of funds occurring previous to January 1, 1917.

Introduction, first and second reading, 106.

Reported back, 560. Reference, 106.

Passed, 626.

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Amended, 560. Received from the House, 736. Enrollment and engrossment, 606, 760.

Senate Bill No. 60.—(Mees)

A Bill for an Act appropriating Six Hundred Eighty Dollars (\$680.00) for the immediate use of the office of the Attorney General.

Introduction, first and second reading, 106. Reported back, 425. Reference, 106. Passed, 470. Third reading, 470. Received from the House, 705. Enrollment and engrossment, 458, 722.

Senate Bill No. 61.—(Ward)

A Bill for an Act defining Prostitution, Lewdness and Assignation; prohibiting the same; and providing rules of evidence, Penalty and for repeal of laws in conflict therewith.

Introduction, first and second reading, 110.

Reference, 110, 116.

Passed, 433.

Third meeting, 433.

Amended, 392.

Received from the House, 762.

Other action, 220, 307.

Enrollment and engrossment, 416, 776.

Senate Bill No. 62 .- (Committee on Taxes and Tax Laws)

A Bill for an Act Providing for the Limitation of Tax Levies and Debt Limits in Counties and Political Subdivisions thereof, and Relating to the Salaries, Powers and Duties of Public Officials when Based upon the Assessed Valuation of Property in Such Counties or Political Subdivisions.

Introduced first and second reading, 110.

Reported back, 523. Reference, 110.

Passed.

Third reading.

Amended, 523, 580.

Received from the House, 693.

Other action.

Amendments adopted.

Enrollment and engrossment, 564, 716.

Indefinitely postponed.

Senate Bill No 63.—(Church)

A Bill for an Act to provide for the Acceptance of the Benefits of an Act to Promote Vocational Education Passed by the Senate and House of Representatives of the United States of America, in Congress Assembled, and Approved February Twenty-third, Nineteen Hundred Seventeen; and to Make an Appropriation for Providing Vocational Education Within the State.

Introduced first and second reading, 110.

Reported Back, 500.

Reference, 110.

Passed, 540.

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Third Reading.
Amended, 179.
Received from the House, 142, 694.
Other action.
Amendments adopted.
Enrollment and engrossment, 534, 717.
Indefinitely postponed.

Senate Bill No. 64 .- (Appropriation Committee)

A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public School, Specifying the Amount and Time for Which Such Appropriations Shall be Available, and Repealing Sections 1416-1418 and 1419 of the Compiled Laws of 1913, as Amended by Chapter 34 of the Session Laws of 1915, and All Other Acts or Parts of Acts in so Far as the Same Relate to Appropriations Conflicting Herewith or the Appropriations for the Same Matters or Purposes Provided Herein.

Introduced first and second reading, 112.

Reported back. Reference, 112. Passed, 627. Third reading. Amended, 593, 627. Received from the

Received from the House, 757.

Other Action.

Amendments adopted, 761. Enrollment and engrossment, 629, 777. Indefinitely postponed. Amended by House, 757.

Senate Bill No. 65.—(Ettestad)

A Bill for an Act Making an Appropriation to the Department of Tax Commission for Specific Purposes. Introduction, first and second reading, 118.

Reported back. Reference, 118.

Passed, 467.

Third reading, 467.

Amended, 423.

Received from the House, 706.

Other action.

Amendments adopted.

Enrollment and engrossment, 458, 722.

Indefinitely postponed.

Senate Bill No. 66 .- (Hunt)

A Bill for an Act to Provide for the Acceptance of the Benefits of an Act to Promote Vocational Education Passed by the Senate and House of Representatives of the United States of America, in Congress Assembled, and Approved February Twenty-third, Nineteen Hundred and Seventeen; and to Make an Appropriation for Providing Vocational Education Within the State.

Introduction, first and second reading, 118.

Reported back, 180. Reference, 118.

Passed.

Third reading.

Amended.

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Received from House. Other action. Amendments adopted. Indefinitely postponed, 190.

Senate Bill No. 67 .- (Committee on Taxes and Tax Laws)

A Bill for an Act Providing for the Appointment of a Tax Commissioner; Prescribing His Qualifications, Powers and Duties; Fixing His Salary and Term of Office; and Repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as Amended by Chapter 232, Laws of North Dakota, 1917, and All Other Acts and Parts of Acts in Conflict Herewith.

Introduction, first and second reading, 118.

Reported back. Reference, 118. Passed, 375.

Third reading, 375.

Amended, 322.

Received from the House, 693.

Other action, 307.

Amendments adopted, 329.

Enrollment and engrossment, 358, 717.

Indefinitely postponed.

Senate Bill No. 68 .- (Committee on Taxes and Tax Laws)

A Bill for an Act Supplementing the General Tax Laws of the State by Providing for Annual Reports to the State Tax Commissioner From Corporations, Joint-stock Companies or Associations Doing Business in the State.

Introduction, first and second reading, 118.

Reported back.

Reference, 118, Passed, 473,

Third reading, 473.

Third reading, 473 Amended, 439.

Received from the House, 693.

Other action.

Amendments adopted.

Enrollment and engrossment, 458, 717.

Indefinitely postponed.

Senate Bill No. 69 .- (Stenmo)

A Bill for an Act to Amend and Re-enact Section 1137 of the Compiled Laws of North Dakota for the Year 1913. Relating to the Salary and Expenses of County Superintendent of Schools.

Introduction, first and second reading, 118.

Reported back.

Reference, 118, 125.

Passed, 145.

Third reading, 145.

Amended, 131.

Received from the House, 706.

Other action, 513.

Amendments adopted.

Enrollment and engrossment 142, 722, 157.

Indefinitely postponed, 378.

Senate Bill No. 70 .- (Church)

A Bill for an Act to Provide for the Organization of Common School Districts into Special Districts, Exclusive or Inclusive of Cities, Incorporated or Platted Towns and Villages.

Introduction, first and second reading, 118.

Reported back, 649.

Reference 118.

Passed.

Third reading.

Amended.

Received from the House.

Other action, 190.

Amendments adopted.

Indefinitely postponed, 685.

Senate Bill No. 71.—(Church)

A Bill for an Act to Amend and Re-enact Section 1240 of the Compiled Laws of North Dakota for the Year 1913, Relating to Adjacent Territory in Special School Districts, Introduction, first and second reading, 118.

Reported back.

Reference, 118.

Passed, 402.

Third reading, 402.

Amended, 373, 402.

Received from the House, 737.

Other action, 190.

Amendments adopted.

Enrollment and engrossment, 384, 769, 415.

Indefinitely postponed.

Senate Bill No. 72 .- (Appropriation Committee)

Emergency Appropriation for the Office of Secretary of State, Motor Vehicle Registration Department.

A Bill for an Act Appropriating Money for the Use of the Office of the Secretary of State, Motor Vehicle Department, Between the Following Dates, to-wit: January 1st, 1919, to June 30th, 1919, Both Dates Inclusive.

Introduction, first and second reading, 125,

Reported back, 248,

Reference, 125.

Passed, 275.

Third reading, 275.

Amended.

Received from the House, 378.

Other action, 506.

Amendments adopted.

Enrollment and engrossment, 268, 384.

Indefinitely postponed.

Senate Bill No. 73 .- (Mostad)

A Bill for an Act to Provide for Nonpartisan Nomination and Election of All Elective County Officers, Judges of the Supreme and District Court, State Superintendent of Public Instruction and County Superintendent of Schools. Introduction, first and second reading, 125.

Theroduction, hist and

Reported back, 270.

Reference, 125. Passed, 285. XXX INDEX

Third reading, 285. Amended, 285. Received from the House. Other action. Amendments adopted, 705, 725. Amended by House, 702. Enrollment and engrossment, 279, 743. Indefinitely postponed.

Senate Bill No. 74.—(Miklethun)

A Bill for an Act to License, Regulate and Supervise the Li-censing and Inspection of Pool and Billiard Rooms, Ball and Pin Alleys, Dance Halls, Theaters, Moving Picture Shows, Taxicab Stands, and Places Where Soft Drinks are Sold; Providing Fees Therefor, Inspectors, Office Help and Supplies Thereof; Defining Powers and Duties and Repealing All Acts and Parts of Acts Inconsistent Therewith. Introduction, first and second reading, 125.

Reported back, 179.

Reference, 125, 159, 190.

Passed, 241.

Third reading, 241.

Amended, 143, 215.

Received from House, 706.

Other action.

Amendments adopted.

Enrollment and engrossment.

Indefinitely postponed.

Senate Bill No. 75 .- (Committee on State Affairs)

A Bill for and Act Providing for the Issuing of Bonds of the State of North Dakota in a Sum not Exceeding Five Milion Dollars to be Known as "Bonds of North Dakota, Mill and Elevator Series"; Prescribing the Terms and Stating the Purposes Thereof; Providing for Tax and Making Other Provisions for the Payment Thereof; Making Appropriations and Other Provisions for the Payment of Interest and Principal of Said Bonds and to Course into Proceedings of the Payment of Interest and Principal of Said Bonds and to Course into Proceedings of the Payment of Interest and Principal of Said Bonds and to Course into Proceedings of the Payment of Interest and Principal of Said Bonds and to Course into Proceedings of the Payment of Interest and Principal of Said Bonds and to Course into Proceedings of the Payment of Interest and Principal of Said Bonds and the Course into Proceedings of the Payment of Interest and Principal of Said Bonds and the Course into Proceedings of the Payment of Interest and Principal of Said Bonds and the Payment of Interest and Principal of Payment of Interest and Inte terest and Principal of Said Bonds and to Carry into Effect the Provisions of this Act; and Declaring this Act to be an Emergency Measure.

Introduction, first and second reading, 126,

Reported back.

Reference, 126.

Passed, 466.

Third reading, 466.

Amended, 417.

Received from the House, 542,

Other action.

Amendments adopted.

Enrollment and engrossment, 458, 577.

Indefinitely postponed.

Senate Bill No. 76.—(Olson)

A Bil for an Act Authorizing the Commissioner of Insurance to Examine Fire Rating Bureaus; Forbidding Discriminatory Rates and Requiring Written Variation to be Filed; Requiring Fire Insurance Companies to Maintain or to be Member of Rating Bureau; Providing that Risks be Inspected; Requiring Rating Agreements to be Submitted to Commissioner of Insurance; Also Providing for Review by Commissioner of Insurance of Rates Fixed by Bureau, and INDEX XXXI

Proceedings Under Appeal from Order of Commissioner, and Penalty for Violation Thereof, Exempting County Mutual Companies.

Introduction, first and second reading, 126.

Reported back, 554.

Reference, 126.

Passed.

Third reading.

Amended.

Received from the House.

Other action.

Amendments adopted.

Indefinitely postponed, 607.

Senate Bill No. 77-(Ward)

A Bill for an Act Authorizing the Extension Division of the Agricultural College to Co-operate with the Bureau of Biological Survey, United States Department of Agriculture in Devising, Demonstrating and Putting in Operation Methods for the Destruction of Wolves, Coyotes and Other Noxious Predatory Animals, Providing Appropriations Therefore and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first and second reading, 126.

Reported back, 46.

Reference, 126.

Passed 507

Passed, 507. Third reading.

Amended.

Received from the House, 693.

Other action.

Amendments adopted.

Enrollment and engrossment, 505, 535, 717.

Indefinitely postponed.

Senate Bill No. 78 .- (Bowman)

A Bill for an Act to Amend and Re-enact Section 800 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Revocation or Suspension of an Attorney's Right to Practice.

Introduction, first and second reading, 126.

Reported back.

Reference, 126.

Passed, 191.

Third reading, 191,

Amended, 158.

Received from the House, 258.

Other action, 184, 307.

Amendments adopted, 442.

Amended by House, 429.

Enrollment and Engrossment, 268, 533.

Indefinitely postponed.

Senate Bill No. 79 .- (Fleckten)

A Bill for an Act Repealing Sections 1857 and 1865 of the Compiled Laws of North Dakota for the Year 1913, and Providing Appropriations for Fair Purposes and for the Expenditure and Disbursement of such Appropriation, and Repealing All Acts and Parts of Acts in Conflict Herewith. Introduction, first and second reading, 126. XXXII INDEX

Reported back, 608.
Reference, 126.
Passed, 658.
Third reading.
Amended, 608.
Received from the House, 736.
Other action.
Amendments adopted.
Enrollment and engrossment, 629, 760.
Indefinitely postponed.

Senate Bill No. 80 .- (Hunt)

A Bill for an Act to Amend and Re-enact Section 1346 of the Compiled Laws of North Dakota for 1913, as Amended by Section1 of Chapter 133 of the Session Laws of 1915, and Section 1 of Chapter 210 of the Session Laws of 1917, Relating to Health Inspection of Pupils in Public Schools. Introduction, first and second reading, 126.

Reported back.

Reference, 126.

Reported back.
Reference, 126.
Passed, 191.
Third reading, 191.
Amended, 180.
Received from the House.
Other action.
Amendments adopted.
Enrollment and engrossment, 190, 279.
Indefinitely postponed.

Senate Bill No. 81 .- (McCarten)

Concurrent Resolution for an Amendment to the Constitution
Providing for the Elective Franchises,
Introduction, first and second reading, 126.
Reported back.
Reference, 126.
Passed, 161.
Third reading, 61.
Amended, 142.
Received from the House, 306.
Other action.
Amendments adopted.
Enrollment and engrossment, 157, 333.
Indefinitely postponed.

Senate Bill No. 82.—(Irrigation and Drainage Committee)

A Bill for an Act Appropriating the Sum of \$200.00 for the Purpose of Printing the Biennial Report of the Boundary Drainage Commission.

Introduction, first and second reading, 127.
Reported back, 343.
Reference, 127.
Passed, 364.

Third reading, 364.

Amended, Received from the House, 569. Other action.

Amendments adopted. Enrollment and engrossment, 358, 605. Veto, 727.

Indefinitely postponed.

SENATE BILL NO. 83 .- (Drown)

A Bill for an Act to Amend and Re-enact Section 2731 of the Compiled Laws of North Dakota, 1913, Relating to Animals Killed for Glanders.

Introduction, first and second reading 127.

Reported back, 148.

Reference, 127.

Passed.

Third reading.

Amended.

Received from the House, 282.

Other action.

Amendments adopted.

Enrollment and engrossment, 157, 179, 305.

Indefinitely postponed.

SENATE BILL NO. 84.—(Mees)

A Bill for An Act Requiring Employers to Provide Shelter and Protection for Employees While Engaged in the Repair or Construction of the Equipment of Common Carriers and Providing Penalties for the Violation Thereof.

Introduction, first and second reading, 134.

Reported back, 215.

Reference, 134.

Passed, 162, 241.

Third reading, 162, 241.

Amended, 162.

Received from the House, 378.

Other action.

Amendments adopted.

Enrollment and engrossment, 229, 384.

Indefinitely postponed.

SENATE BILL NO. 85 .- (Mostad)

A Bill for an Act to Promote the Safety of Employes and Travelers and the Expeditious Movement of Freight on Railroads by Compelling Common Carriers by Railroad to Properly Man Their Trains; Providing Penalties and Measuring Damages for Violation Thereof.

Introduction, first and second reading 134.

Reported back.

Reference, 134.

Passed, 259.

Third reading, 259.

Amended, 230, 259.

Received from the House, 377.

Other action, 220.

Amendments adopted.

Enrollment and engrossment, 246, 385,

Indefinitely postponed.

SENATE BILL NO. 86.—(Hagan)

A Bill for an Act to Repeal Section 2619, 2620 and 2621, Compiled Laws of North Dakota for the Year 1913, and to Amend and Re-enact Sections 2618 and 2622, Compiled Laws of North Dakota for the Year 1913, Relating to the Herd Law, and Prescribing to Damages.

Introduction, first and second reading 134.

Reported back, 564.

Reference, 134.

Passed, 259. Third reading, 259. Amended, 208, 258, 572. Received from the House, 266, 512. Other action, 514. Amendments adopted. Enrollment and engrossment, 229, 634, 268, Indefinitely postponed.

SENATE BILL NO. 87.—(McNair)

A Bill for an Act Appropriating Fifteen Hundred Fifty-three and 11-100 Dolars (\$1553.11) to pay a Claim Against the State in Favor of the William J. Burns International Detective Agency, Incurred by Former Attorney General Henry J. Linde, in the Months of October, November and December, 1916.

Introduction, first and second reading, 134.

Reported back, 390. Reference, 134.

Passed, 433.

Third reading, 433.

Amended.

Received from the House, 611.

Other action.

Amendments adopted.

Enrollment and engrossment, 179, 635, 416.

Indefinitely postponed.

SENATE BILL NO. 88.—(Appropriation Committee)

A Bill for an Act to Make Appropriation for the Current and Contingent Expenses of the State Penitentiary, and for Making Permanent Improvements and Repairs.

Introduction, first and second reading, 134,

Reported back, 558.

Reference, 134.

Passed, 624.

Third reading.

Amended, 558. Received from the House, 737.

Other action.

Amendments adopted.

Enrollment and engrossment, 606, 760.

Indefinitely postponed.

SENATE BILL NO. 89.—(Appropriation Committee)

A Bill for an Act Making Appropriations for the Maintenance, Improvements, Repairs, New Buildings and Equipment for the North Dakota Tuberculosis Sanitorium at Dunseith, North Dakota.

Introduction, first and second reading, 134.

Reported back, 274

Reference, 134.

Passed, 467, 709.

Third reading, 467.

Amended, 423. Received from the House.

Other action.

Amendments adopted.

Amended by House, 703.

Enrollment and engrossment, 458, 730.

Indefinitely postponed, 281.

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SENATE BILL NO. 90.—(Appropriation Committee)

A Bill for an Act Making Appropriations for the Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Expenses of the North Dakota Reform School.

Introduction, first and second reading, 135.

Reported back, 559.

Reference, 135.

Passed, 625.

Third reading.

Amended, 559.

Received from the House, 737.

Other action.

Amendments adopted.

Enrollment and engrossment, 606, 768.

Indefinitely postponed.

SENATE BILL NO. 91.—(Appropriation Committee)

A Bill for an Act Making an Appropriation for the Maintenance, Improvement, Repairs, New Buildings, Equipment and Miscellaneous Expenses of the School for the Deaf and Dumb at Devils Lake, North Dakota.

Introduction, first and second reading, 135.

Reported back.

Reference, 135.

Passed, 507.

Third reading.

Amended, 423, 507.

Received from the House, 706.

Other action.

Amendments adopted.

Enrollment and engrossment, 458, 723.

Indefinitely postponed.

SENATE BILL NO. 92.—(Appropriation Committee)

A Bill for an Act to Appropriate the Sum of \$8221.79 for the Arrest and Return of Fugitives from Justice.

Hantroduction, first and second reading, 135.

Reported back, 342.

Reference, 135.

Passed, 363.

Third reading, 363.

Amended.

Received from the House, 569.

Other action.

Amendment adopted.

Enrollment and engrossment, 358, 605,

Indefinitely postponed.

SENATE BILL NO. 93.—(Appropriation Committee)

A Bill for an Act Making Appropriation for the Maintenance, Improvements and Repairs of the State Capitol.

Introduction, first and second reading, 144.

Reference, 144. Reported back, 439.

Indefinitely postponed, 460.

Reported back, 526.

Reference, 135.

Passed, 581.

Third reading.

Amended, 526.
Received from the House, 706.
Other action.
Amendments adopted.
Enrollment and engrossment, 564, 724.
Indefinitely postponed.

SENATE BILL NO. 94.—(Hunt)

A Bill for an Act Providing for the Registering of the Titles of Real Property Upon Which Taxes are Delinquent; Fixing the Period of Such Delinquency; the Notice to be Given and the Method of Service; the Order to Show Cause and Service Thereof and the Decree of Title; the Recording Thereof and the Duties of the Public Officials in Connection Therewith.

SENATE BILL NO. 95 .- (McCarten)

A Bil for an Act Providing for the Registering of the Titles of All of the Land Within a County Under the Provisions of Chapter 235 of the Laws of North Dakota for the Year 1917.

Introduction, first and second reading, 144. Reported back, 190, 499, 559. Reference, 144, 190. Passed, 539.

Third reading.
Amended, 499.

Received from the House.

Other action.

Amendments adopted. .

Enrolment and engrossment, 196, 534.

Indefinitely postponed, 607.

SENATE BILL NO. 96.—(Hunt)

A Bill for an Act Authorizing the Industrial Commission of North Dakota to Have Made Special Investigation of Lignite Deposits and Lignite Within the State and Providing Funds Therefor.

Introduction, first and second reading, 144.

Reported back, 269, 609.

Reference, 144. Passed, 660. Third reading. Amended.

Received from the House, 729.

Other action.

Amendments adopted.

Enrollment and engrossment, 629, 742.

Indefinitely postponed.

Senate Bill No. 97 .- (King)

Bill for an Act to provide for the taxing and licensing of motor vehicles, the appointment of a registration clerk, his duties and compensation; providing for the expenditures of the State Highway Commission in administering the same; establishing the method of distributing the fees received therefrom; fixing penalties for the violation of this Act and providing an appropriation for administering the same and for the use of the State Highway Commission; and repealing Chapter 156 of the Laws of North Da-

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kota, 1917, and all acts and parts of acts in conflict therewith.

Introduction, first and second reading, 144.

Reported back, 744. Reference, 144, 271. Passed, 352, 745. Third reading, 352.

Amended, 249, 288, 350, 744.

Other action, 310, 670. Amended by House, 664.

Enrollment and engrossment, 268, 776, 305, 358.

Senate Bill No. 98 .- (Stenmo)

A Bill for an Act appropriating the sum of One Hundred Thousand Dollars for the biennial period beginning July 1, 1919, to be used as aid to consolidated rural school districts for transportation of school children therein; providing for the apportionment thereof among the counties of the state and the various consolidated school districts therein; designating the time of payment and the duties of the State Superintendent of Public Instruction, County Superintendent of Schools, County Treasurer and the State Auditor with respect thereto.

Introduction, first and second reading, 145.

Reported back, 524.

Reference, 145. Indefinitely postponed, 537.

Senate Bill No. 99 .- (Carey)

A Bill for an Act to amend and re-enact Section 225 of the Compiled Laws of North Dakota for 1913 relating to duties of the State Examiner.

Introduction, first and second reading, 145.

Reported back, 231.

Reference, 145.

Indefinitely postponed, 249.

Senate Bill No. 100.—(Appropriation Committee)

A Bill for an Act making an appropriation to provide for the payment of bounty on wolves and coyotes killed prior to July 1st, 1917.

Introduction, first and second reading, 149.

Reported back, 424.

Reference, 149. Passed, 468.

Third reading, 468.

Received from the House, 706.

Enrollment and engrossment, 459, 730.

Senate Bill No. 101 .- (Appropriation Committee)

A Bill for an Act making appropriation for the salary of the secretary and members of the state highway commission, for the clerk hire and other assistance of the commission, postage, office supplies, furniture and fixtures, printing, miscellaneous and traveling expenses of the commission.

Introduction, first and second reading, 149.

Reported back, 609.

Reference, 149. Passed, 660.

Amended, 609.

Received from the House, 755. Amendments adopted, 761. Enrollment and engrossment, 629, 776. Amended by House, 755.

Senate Bill No. 102.—(Appropriation Committee)

A Bill for an Act providing funds to indemnify owners of animals condemned for tuberculosis and providing for payment of deficit now existing in the bovine tuberculosis funds.

Introduction, first and second reading, 149.

Reference, 149. Passed, 431.

Third reading, 431. Amended, 389, 431.

Received from the House, 737.

Enrollment and engrossment, 416, 759, 457.

Senate Bill No. 103.—(Appropriation Committee)

A Bill for an Act to appropriate \$7,000.00 for the maintenance of evening schools under the provisions of Chapter 209 of the Session Laws of North Dakota for the year 1917.

Introduction, first and second reading, 149.

Reported back, 526.

Reference, 149.

Passed, 581.

Received from the House, 706.

Enrollment and engrossment, 564, 723.

Senate Bill No. 104.—(Appropriation Committee)

A Bill for an Act to make an appropriation for the clerk, clerkhire, postage, office supplies, printing, miscellaneous expenses of the game and fish board, traveling expenses, maintenance of game farm, salary expenses of fish commissioner and deputy fish commissioner and expense and maintenance of the fish hatchery. Introduction, first and second reading, 149. Reported back, 608.

Reference, 149.

Passed, 659.

Amended, 608. Received from the House, 752. Other action, 758, 772.

Enrollment and engrossment, 630, 777.

Amended by House, 752.

Senate Bill No. 105 .- (Appropriation Committee)

A Bill for an Act making an appropriation for the Glanders and Dourine Horse Fund.

Introduction, first and second reading, 149.

Reference, 149.

Passed, 472, 709.

Third reading, 472.

Amended, 438.

Amended by House, 704.

Enrollment and engrossment, 459, 724.

Senate Bill No. 106 .- (Appropriation Committee)

A Bill for an Act making an appropriation for the current and contingent expenses, maintenance, improvement and repairs, new buildings and equipment, miscellaneous expenses of the Hospital for the Insane.

Introduction, first and second reading, 149.

Reported back, 525.

Reference, 149. Passed, 580.

Amended, 525.

Received from the House, 737.

Enrollment and engrossment, 564, 760.

Senate Bill No. 107 .- (Appropriation Committee)

A Bill for an Act making an Appropriation for the Florence Crittenden Home at Fargo, North Dakota. Introduction, first and second reading, 150.

Reported back, 390.

Reference, 150. Passed, 432.

Third reading, 432.

Received from the House, 611.

Enrollment and engrossment, 416, 635.

Senate Bill No. 108 .- (Appropriation Committee)

Introduction, first and second reading, 150. Reference, 150. Withdrawn, 185.

Senate Bill No. 109 .- (Appropriation Committee)

A Bill for an Act appropriating the sum of \$399.90 to pay the per diem, travel, hotel and other expenses of Carl O. Jorgenson, and T. Twitchell for services and expenses during the month of February, 1917, on the Budget Board.

Introduction, first and second reading, 150.

Reported back, 391.

Reference, 150.

Passed, 433. Third reading, 433.

Received from the House, 611.

Enrollment and engrossment, 416, 635.

Senate Bill No. 110-(Appropriation Committee)

A Bill for an Act entitled 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 and as amended by Chapter 8, of the laws passed at the special session of the Fifteenth Legislative Assembly in January, 1918, relating to maintaining patients in the Hospital for the Insane.

Introduction, first and second reading, 150.

Reported back, 525.

Reference, 150.

Indefinitely postponed, 537.

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Senate Bill No. 111 .- (Bowman)

A Bill for an Act to amend and re-enact Section 3969, Compiled Laws of 1913, relating to excluding farm lands from the limits of Cities, Towns or Villages.

Introduction, first and second reading, 159.

Reported back, 233. Reference, 159. Passed, 261, 514. Third reading, 261. Amended, 511.

Received from the House, 511.

Amendments adopted, 514.

Enrollment and engrossment, 246, 577.

Senate Bill No. 112.—(Hunt)

A Bill for an Act to encourage and promote the teaching of grading, testing and classifying agricultural products in the public schools of the state; providing that the necessary equipment shall be furnished for such purposes in certain instances by the county commissioners and in others by school boards; and designating the duties of various officials with respect thereto.

Introduction, first and second reading, 159. Reported back, 233.

Reference, 159. Passed, 261, 514. Third reading, 260.

Amended, 512.

Received from the House, 512.

Enrollment and engrossment, 246, 577.

Senate Bill No. 113.—(Liederbach)

A Bill for an Act providing for the use of public buildings

and public parks for public meetings. Introduction, first and second reading, 160.

Reference, 160.

Passed, 240.

Third reading, 240. Amended, 215, 240. Received from the House, 729.

Enrollment and engrossment, 229, 742, 246.

Senate Bill No. 114.—(Ployhar)

A Bill for an Act to Appropriate Money to Reimburse W. J. Curran, Valley City, N. D., for Moneys Paid for Interest During Construction of Buildings at the State Hospital for the Insane.

Introduction, first and second reading, 160.

Reported back, 501. Reference, 160.

Passed, 541. Amended, 501.

Received from the House, 706.

Enrollment and engrossment, 534, 743.

Senate Bill No. 115.—(Appropriation Committee)

A Bill for an Act to appropriate \$60,000 to provide funds for the maintenance of the North Dakota National Guard, or State Militia, as provided for under Chapter 35 of the INDEX XLI

Compiled Laws of 1913 for North Dakota, and to meet other requirements prescribed by the federal statutes.

Introduction, first and second reading, 160.

Reported back, 558. Reference, 160.

Passed, 624.

Received from the House, 737.

Enrollment and engrossment, 607, 760.

Senate Bill No. 116 .- (Appropriation Committee)

A Bill for an Act making an appropriation for Public Printing.

Introduction, first and second reading, 160.

Reported back, 500.

Reference, 160. Passed, 540.

Amended, 539. Received from the House, 707.

Enrollment and engrossment, 534, 563, 724.

Senate Bill No. 117.—(Fraser)

A Bill for an Act to amend and re-enact Section 4380 of the Compiled Laws of North Dakota for the year 1913, as amended by Chapter 121 of the Session Laws of 1915, relating to causes for divorce.

Introduction, first and second reading, 160.

Reference, 160.

Passed, 220.

Third reading, 220. Amended, 196, 220.

Enrollment and engrossment, 208, 228.

Indefinitely postponed, 283.

Senate Bill No. 118.—(Appropriation Committee)

A Bill for an Act authorizing the appointment of an overseer to supervise the repairing and upkeep of each state owned building, and providing an appropriation therefor. Introduction, first and second reading, 160.

Reported back, 524.

Reference, 160.

Indefinitely postponed, 537.

Senate Bill No. 119 .- (Appropriation Committee)

A Bill for an Act authorizing the Board of Control to erect. construct and complete a two story executive mansion on the capitol grounds and making an appropriation there-

Introduction, first and second reading, 160.

Reported back, 500.

Reference, 160.

Lost, 541.

Enrollment and engrossment, 534.

Senate Bill No. 120 .- (Noltimier)

A Bill for an Act providing for the purchase of county lands for county fairs, relating to the management thereof and providing a tax therefor.

Introduction, first and second meeting, 160.

Reference, 160.

Passed, 237.

Third reading, 237.

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Amended, 208. Received from the House, 430. Enrollment and engrossment, 229, 457. Indefinitely postponed, 283.

Senate Bill No. 121.—(Mostad)

A Bill for an Act to incorporate and establish the Minot Agricultural and Fair Association, and making an appropriation therefor. Introduction, first and second reading, 173. Reference, 173.

Senate Bill No. 121 .- (Appropriation Committee)

Introduction, first and second reading, 173. Reported back, 557. Reference, 173. Indefinitely postponed, 607.

Senate Bill No. 122.—(Appropriation Committee)

A Bill for an Act to appropriate Eighty-eight thousand six hundred eighty-four dollars sixty cents for the motor vehicle registration, salary of registrar, clerk hire, postage, office supplies, furniture and fixtures, printing and stationery and miscellaneous expenses and refund items. Introduction, first and second reading, 173.

Reported back, 425.

Reported back, 425.
Reference, 173.
Passed, 471.
Third reading, 471.
Received from the House, 754.
Amendments adopted, 763.
Amended by House, 754.
Enrollment and engrossment, 459, 775.

Senate Bill No. 123.—(Appropriation Committee)

A Bill for an Act to amend and re-enact Section 276 of the Compiled Laws of the State of North Dakota for the year 1913, relating to the Contingent Fund of State Institutions.

Introduction, first and second reading, 173.

Reference, 173. Passed, 366. Third reading, 366.

Received from the House, 569.

Enrollment and engrossment, 358, 605.

Senate Bill No. 124.—(Appropriation Committee)

A Bill for an Act making an appropriation to meet an emergency maintenance deficit for the construction of the reinforced concrete chimney; boiler breeching including breeching piers; and a concrete well, at the state hospital for the insane at Jamestown, North Dakota.

Introduction, first and second reading, 173. Reported back, 343.

Reference, 173. Passed, 364.

Third reading, 364. Received from the House, 569.

Enrollment and engrossment, 358, 605.

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Senate Bill No. 125 .- (Appropriation Committee)

A Bill for an Act, entitled, "An Act making an appropriation to meet an emergency deficit at the Institution for Feeble Minded at Grafton, North Dakota.

Introduction, first and second reading, 173.

Reported back, 424.

Reference, 173. Passed, 468.

Third reading, 468.

Received from the House, 707.

Enrollment and engrossment, 459, 724.

Senate Bill No. 126 .- (Appropriation Committee.

A Bill for an Act, entitled, an Act amending and re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the year 1913, relating to salaries of residence officers of the State Hospital for the Insane.

Introduction, first and second reading, 174.

Reported back, 394.

Reference, 174, 367. Amended, 345.

Enrollment and engrossment, 359.

Indefinitely postponed, 429.

Senate Bill No. 127.—(Levang)

A Bill for an Act repealing Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913, relating to bankers' liens.

Introduction, first and second reading, 174.

Reported back, 231.

Reference, 174.

Passed, 260.

Third reading, 260.

Received from the House, 399.

Enrollment and engrossment, 246, 415.

Senate Bill No. 128 .- (Olson)

A Bill for an Act to amend and re-enact Sections 12 and 16 of Chapter 97 of the Laws of North Dakota for the year 1917, relating to voting by mail and to delegate voting in co-operative associations, and providing what corpora-tions may adopt the provisions of this act.

Introduction, first and second reading, 174.

Reference, 174.

Passed, 434.

Third reading, 434.

Amended, 395. Received from the House, 753.

Other action, 282.

Amendments adopted, 759.

Amended by House, 753.

Enrollment and engrossment, 416, 776.

Senate Bill No. 129 .- (Weber)

A Bill for an Act to require the listing of motor vehicles by tax assessors within the state, and prescribing the duties of county auditors and the State Highway Commission in connection therewith.

Introduction, first and second reading, 174.

Reference, 174.

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Passed, 312. Third reading, 312. Amended, 297. Received from the House, 569. Other action, 258. Enrollment and engrossment, 304, 605.

Senate Bill No. 130.—(State Affairs Committee)

A Bill for an Act providing for the issuing of bonds of the State of North Dakota in a sum not exceeding Ten Million Dollars, to be known as "Bonds of North Dakota, Real Estate Series;" prescribing the terms and stating the purposes thereof; providing for a tax and making other provisions for the payment thereof; making appropriations and other provisions for the payment of interest and principal on said bonds, and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Introduction, first and second reading, 174.

Reference, 174. Passed, 349, 568. Third reading, 349. Amended, 317, 349, 549. Received from the House, 549. Enrollment and engrossment, 333, 605.

Senate Bill No. 131.—(Appropriation Committee)

A Bill for an Act making an appropriation for maintenance, new buildings, improvements, repairs and equipment for the Institution for the Feeble Minded at Grafton, North Dakota.

Introduction, first and second reading, 174.

Reference, 174. Passed, 469. Third reading, 469. Amended, 424. Received from the House, 707. Enrollment and engrossment, 459, 724.

Senate Bill No. 132.—(Noltimier)

A Bill for an Act to amend and re-enact Section 1224 of the Compiled Laws of North Dakota for the year 1913 relating to the Tax of two mills on the dollar on taxable property for the School Districts of the County. Introduction, first and second reading, 174.

Reference, 174.

Indefinitely postponed, 347.

Senate Bill No. 133 .- (Committee on Highways)

A Bill for an Act for the issuing of bonds of the State of North Dakota in the sum of Four Million Dollars, to be known as "State Highway Bonds of North Dakota;" prescribing the terms and stating the purposes thereof; prescribing by whom the proceeds thereof shall be expended; making provision for the payment thereof and to carry into effect the provisions of this Act; and declaring this Act to be an emergency measure.

Introduction, first and second reading, 175.

Reference, 175.

Senate Bill No. 178.—(Liederbach)

A Bill for an Act to Regulate the Using of Gas Engines.

Introduction, first and second reading, 199.

Reported back, 234.

Reference, 199.

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Indefinitely postponed, 249.

Senate Bill No. 179 .- (Mostad)

A Bill for an Act Amending Section 3680 of the Compiled Laws of North Dakota for 1913, and Permitting Cities to Levy a Tax for General Purposes Sufficient to Meet the Expenses of the Fiscal Year of not Exceeding Thirtyfive Mills on the Dollar of the Assessed Value of Property in the City. Introduction, first and second reading, 199.

Reported back, 441.

Reference, 199.

Indefinitely postponed, 460.

Senate Bill No. 180 .- (King)

A Bill for an Act to Amend and Re-enact Sections 4296. 4297, 4298 and 4299, and to Repeal Section 4313 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to Partition Fences. Introduction, first and second reading, 200.

Reported back, 271, 334.

Reference, 200.

Enrollment and engrossment, 280.

Indefinitely postponed, 375.

Senate Bill No. 181 .- (Whitman)

A Bill for an Act Concerning Public Utilities Investing the Regulation and Control Thereof in the Commissioners of Railroads of the State of North Dakota. Introduction, first and second reading, 200.

Reported back, 416.

Reference, 200.

Indefinitely postponed, 460.

Senate Bill No. 182 .- (Ward)

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

Introduction, first and second reading, 200.

Reference, 200.

Passed, 363.

Third reading, 363.

Amended, 342.

Received from the House, 611.

Other action, 282.

Enrollment and engrossment, 359, 635.

Senate Bill No. 183 .- (Appropriation Committee)

A Bill for an Act to Make Appropriation for the Purpose of Carrying Out the Provisions of Chapter 119 of the Session Laws of North Dakota, 1917, Relating to Farmers'

Introduction, first and second reading, 200.

Reference, 200.

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Reported back, 649.

Reference, 175, 612. Amended, 536.

Enrollment and engrossment, 564,

Indefinitely postponed, 685.

SENATE BILL NO. 139,-(Cahill)

A Bill for an Act to Provide for the Sampling and the Care of Samples of Milk and Cream, for Obtaining Official Tests of the Percentage of Butter Fat Contained Therein and Making Appropriation for the Enforcement of the Provisions of this Act.

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Introduction, first and second reading, 175.

Reported back, 525.

Reference, 175.

Passed, 580.

Third reading.

Amended, 231.

Received from the House, 746,

Other action.

Amendments adopted.

Enrollment and engrossment, 564, 776.

Indefinitely postponed.

SENATE BILL NO. 140.—(Committee on Public Health)

A Bill for an Act Designating Venereal Diseases; Prohibiting Infected Persons from Exposing Others; Requiring Reports to Health Officers; Empowering Health Boards to Regulate, make Rules to Regulate and Control Such Diseases and Providing Penalty and Repeal.

Introduction, first and second reading, 175.

Reported back.

Reference, 175.

Passed, 272,

Third reading, 272.

Amended, 230, 272,

Received from the House, 430.

Other action.

Amendments adopted.

Enrollment and engrossment, 246, 457.

Indefinitely postponed.

SENATE BILL NO. 141.—(King)

Classification, Examination and Licensing of Electricians A Bill for an Act to Create a State Board of Electricians and Prescribing the Duties Thereof. Providing for the and Electrical Workers. Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work Through the State Fire Marshal Under the Direction of the State Board, and to Repeal Chapter 118 of the Laws of North Dakota for 1917.

Introduced, first and second reading, 176.

Reported back, 635.

Reference, 176, 435.

Passed, 238, 650,

Third reading, 238. Amended, 210, 398, 650.

Received from the House, 762.

Other action.

Amendments adopted.

Enrollment and engrossment, 229, 684, 777, 416.

Indefinitely postponed, 650.

SENATE BILL NO. 142.—(Mortenson)

A Bill for an Act to Amend and Re-enact Section 1190 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 127 of the Session Laws of 1915, Relating to the Consolidation of Schools.

Introduction, first and second reading, 176.

Reported back.

Reference, 176. Passed, 273.

Third reading, 273.

Amended, 248, 579.

Received from the House.

Other action.

Amendments adopted.

Amended by House, 571.

Enrollment and Engrossment, 268, 635.

Indefinitely postponed.

SENATE BILL NO. 143 .- (Mees)

A Bill for an Act Providing for the Levy of a Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers: and Providing for the Administration of Such Law by the County Commissioners, Designating Their Duties and the Duties of Owners, Renters and Lessees of Land with Respect Thereto and Prescribing a Penalty for the Violation Thereof.

Introduced, first and second reading, 176.

Reported back, 487.

Reference, 176.

Passed, 515, 516.

Third reading. Amended 487, 516.

Received from the House, 745.

Other action, 258, 515.

Amendments adopted, Enrollment and engrossment, 505, 535, 768.

Indefinitely postponed.

SENATE BILL NO. 144.—(King)

A Bill for an Act to Provide for the Disposal of the Balance of the 1918 Motor Vehicle License Moneys.

Introduction, first and second reading, 176.

Reported back, 628.

Reference, 176.

Passed.

Third reading.

Amended.

Received from the House.

Other action, 258.

Amendments adopted.

Indefinitely postponed, 649.

SENATE BILL NO. 145.—(Hagan)

A Bill for an Act Amending and Re-enacting Section 225, Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the State Examiner.

Introduced, first and second reading, 176.

Reported back.

Reference, 176.

Passed, 311, 566, Third reading 311. Amended, 296, 506. Received from the House, 506. Other action, 514. Amendments adopted. Enrollment and engrossment, 304, 633. Indefinitely postponed.

SENATE BILL NO. 146.—(King)

A Bill for an Act Giving the Keeper of Rooming and Dwelling Houses a Lien Upon the Baggage and Other Property of Their Roomers and Guests for Charges Due; Providing for the Enforcement of Such Lien, Introduction, first and second reading, 176.

Reported back. Reference, 176. Passed, 239. Third reading, 239. Amended, 213. Received from the House, Other action. Amendments adopted. Enrollment and engrossment, 229. Indefinitely postponed, 282.

Senate Bill No. 147.—(King)

A Bill for an Act to Provide for the Disposition of any Buildings Condemned or Repaired by the Fire Marshall, Chief Assistant or Deputies. Introduction, first and second reading, 184. Reference, 184. Passed, 260. Third reading, 266.

Amended, 231. Received from the House, 755. Amendments adoptel, 759. Amended by House, 755. Enrollment and engrossment, 776, 246.

Senate Bill No. 148.—(Mortenson)

A Bill for an Act to amend and re-enact Section 2062 of the Compiled Laws of North Dakota for the year 1913, Relating to Ferries.

Introduction, first and second reading, 190.

Reported back, 214. Reference, 190. Passed, 240. Third reading, 240.

Amended, 239. Received from the House, 306. Other action, 714.

Amendments adopted, 704.

Enrollment and engrossment, 229, 246, 333.

Senate Bill No. 149.—(King)

A Bill for an Act amending the constitution of the State of North Dakota, by changing the debt limit thereof, and providing for issuing and guaranteeing bonds by the State, and providing that bonds issued or guaranteed by INDEX XLIX

the State in excess of two million dollars shall be secured by first mortgages on certain classes of property, and providing that the State may issue bonds to build, maintain and repair highways.

Introduction, first and second reading, 190.

Reported back, 426, 556, 683.

Reference, 190, 471, 612.

Enrollment and engrossment, 459, 605,

Indefinitely postponed, 685.

Senate Bill No. 150 .- (King)

A Bill for an Act to Prescribe Rules and Regulations for the Shipping of Live Poultry and Giving the Railroad Com-missioners Authority to Provide Uniform and Standard Coops therefor, and Providing a Penalty for Failure to Comply with the Provisions thereof.

Introduction, first and second reading, 196.

Reference, 196.

Passed, 363. Third reading, 363.

Amended, 342.

Received from the House, 570. Enrollment and engrossment, 359.

Senate Bill No. 151 .- (King)

A Bill for an Act to Provide for the Guardianship of Dis-solute Women,

Introduction, first and second reading, 196.

Reported back, 523.

Reference, 196. Other action, 307.

Indefinitely postponed, 537.

Senate Bill No. 152.—(Whitman)

A Bill for an Act to Repeal Chapter 69 of the Laws of 1913, being Sections 10,184 and 10,185, Compiled Laws of 1913, Forbidding the Sale of Cigarettes. Introduction, first and second reading, 196.

Reference, 196, 235.

Other action, 307. Indefinitely postponed, 579.

Senate Bill No. 153 .- (Whitman)

A Bill for an Act to Amend and Re-enact Section 2306 of the Compiled Laws of North Dakota for the year 1913, Relating to Property Sold to the State or County for Taxes.

Introduction, first and second reading, 196.

Reported back, 486. Reference, 196, 284.

Passed, 517.

Received from the House, 752.

Enrollment and engrossment, 505, 768.

Senate Bill No. 154.—(Committee on Insurance)

A Bill for an Act to Authorize Fraternal Benefit Societies to Establish and Maintain Classified Membership. Introduction, first and second reading, 196.

Reference, 196, 272.

Passed, 311.

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Third reading, 311. Amended, 270, 297.

Received from the House, 569.

Enrollment and engrossment, 304, 606.

Senate Bill No. 155 .- (Drown)

A Bill for an Act to Amend and Re-enact Section 890 of the Compiled Laws of North Dakota for the year 1913.

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Introduction, first and second reading, 197.

Reference, 197.

Passed, 473.

Third reading, 473.

Amended, 440.

Received from the House, 737.

Other action, 307.

Enrollment and engrossment, 459, 769.

Senate Bill No. 156.—(Mostad)

A Bill for an Act to Provide for Conciliation of Controversies and to Repeal Sections 9187, 9188, 9189, 9190, 9191 and 9192 of the Compiled Laws of North Dakota, 1913. Introduction, first and second reading, 197. Reference, 197. Passed, 471.

Third reading, 471.

Amended, 426.

Enrollment and engrossment, 459.

Indefinitely postponed, 753.

Senate Bill No. 157.—(Committee on Public Printing)

A Bill for an Act Creating a State Publication and Printing Commission; Prescribing its Duties and Powers; and Repealing all Acts and Parts of Acts in Conflict Herewith.

Introduction, first and second reading, 197. Reported back, 599.

Reference, 197. Passed, 652.

Amended, 599, 651. Received from the House, 767.

Other action, 307, 658.

Amendments adopted, 770.

Enrollment and engrossment, 630, 777.

Amended by House, 767.

Senate Bill No. 158.—(Committee on Public Affairs)

A Bill for an Act Providing for the Selection and Designation of one State, County and Municipal Official Newspaper in Each County in the State, Prescribing the Manner of its Selection and Duties.

Introduction, first and second reading, 197.

Reported back, 601.

Reference, 197.

Passed, 652.

Received from the House, 767.

Other action, 307.

Enrollment and engrossment, 630, 777.

Senate Bill No. 159.—(Committee on Public Printing)

A Bill for an Act to Amend and Re-enact Section 4915 of the Compiled Laws of North Dakota for the year 1913,

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Relating to Annual Statements of Insurance Companies and the Publication Thereof.

Introduction, first and second reading, 197.

Reported back, 554. Reference, 197.

Passed, 653.

Received from the House, 767.

Enrollment and engrossment, 60, 777.

Senate Bill No. 160.—(Committee on Public Printing)

A Bill for an Act to Amend and Re-enact Section 3308 of the Compiled Laws of North Dakota for the year 1913.

Introduction, first and second reading, 197.

Reported back, 601. Reference, 197, 220.

Passed, 654.

Received from the House, 767.

Other action, 307.

Enrollment and engrossment, 630.

Senate Bill No. 161-(Committee on Public Printing)

A Bill for an Act to Repeal Sections 3307 and 3598 of the Compiled Laws for the year 1913.

Introduction, first and second reading, 197.

Reported back, 601.

Reference, 197.

Passed, 655.

Received from the House, 767.

Other action, 307.

Enrollment and engrossment, 630, 776.

Senate Bill No. 162.—(Committee on Public Printing)

A Bill for an Act to Amend and Re-enact Section 3310 of the Compiled Laws of the State of North Dakota for the year 1913.

Introduction, first and second reading, 197.

Reported back, 601.

Reference, 197.

Passed, 655.

Received from the House, 766.

Other action, 307.

Enrollment and engrossment, 630, 776.

Senate Bill No. 163 .- (Committee on Public Printing)

A Bill for an Act to Amend and Re-enact Section 2658 of the Compiled Laws of North Dakota for the year 1913, Relating to Estrays.

Introduction, first and second reading, 197.

Reported back, 601. Reference, 197.

Passed, 656.

Received from the House, 766.

Other action, 307.

Enrollment and engrossment, 630, 776.

Senate Bill No. 164.—(Committee on Public Printing)

A Bill for an Act to Repeal Section 2659 of the Compiled Laws of North Dakota for the year 1913, Relating to Estray Paper .

Introduction, first and second reading, 198.

Reported back, 602. Reference, 198. Passed, 657. Received from the House, 766. Other action, 307. Enrollment and engrossment, 630, 776.

Senate Bill No. 165 .- (Committee on Public Printing)

A Bill for an Act to Repeal Sections 3173 and 3174 of the Compiled Laws of North Dakota for the year 1913, Relating to Newspapers Qualified to do Legal Printing. Introduction, first and second reading, 198.
Reported back, 602.
Reference, 198.
Passed, 657.
Received from the House, 766.
Other action, 307.
Enrollment and engrossment, 630, 777.

Senate Bill No. 166-(Cahill)

A Bill for an Act to Amend and Re-enact Sections 1404 and 1405, of the Compiled Laws of North Dakota for the year 1913, Relating to the Employment of Minors. Introduction, first and second reading, 198. Reported back, 503. Reference, 198. Lost, 542. Amended, 503. Other action, 359.

Senate Bill No. 167 .- (Ingerson)

Enrollment and engrossment, 534.

A Bill for an Act to Amend and Re-enact Section 690 of the Compiled Laws of North Dakota for the year 1913, Relating to the Removal of certain County, Township, Municipal and Other Officers. Introduction, first and second reading, 198. Reported back, 270.

Reference, 198. Indefinitely postponed, 281.

Senate Bill No. 168 .- (Morkrid)

A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Providing for the Recall of Congressional, State, County, Judicial and Legislative Officers by the People.

Introduction, first and second reading, 198.

Reference, 198.
Passed, 401.
Third reading, 401.
Amended, 371.
Received from the House, 707.

Enrollment and engrossment, 384,24.

Senate Bill No. 169 .- (Committee on State Affairs)

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 and as Amended by Chapter 8 of INDEX LIII

the Laws Passed at the Special Session of the Fifteenth Legislative Assembly in January, 1918, Relating to Maintaining Patients in the Hospital for the Insane. Introduction, first and second reading, 198.

Reported back, 372. Reference, 198. Passed, 401.

Third reading, 401.

Received from the House, 708. Amendments adopted, 709, 714. Amended by House, 708.

Enrollment and engrossment, 384, 723, 415.

Senate Bill No. 170.—(Mees)

A Concurrent Resolution Amending the Constitution of the State of North Dakota, Changing the Name of the State Reform School, located at Mandan, in the County of Morton, to that of the State Training School.

Introduction, first and second reading, 198.

Reported back, 270.

Reference, 198. Passed, 309.

Third reading, 309. Received from the House, 430.

Other action, 285.

Enrollment and engrossment, 280, 334, 457.

Senate Bill No. 171.—(Fraser)

A Bill for an Act to Provide for the Punishment of any Person who shall take Undecent and Improper Liberties with the Person of a Child under the Age of Sixteen Years.

Introduction, first and second reading, 198.

Reported back, 234. Reference, 193.

Passed 262.

Third reading, 262.

Enrollment and engrossment, 246.

Indefinitely postponed, 346.

Senate Bill No. 172.—(Committee on Public Buildings)

A Bill for an Act Defining the Meaning and Limiting the Use of the term "Fire Proof Building or Hotel" and Providing a Penalty therefor.

Introduction, first and second reading, 199.

Reported back, 553. Reference, 199.

Passed, 661. Amended, 661.

Received from the House, 746.

Other action, 307, 607.

Enrolment and engrossment, 630, 768.

Senate Bill No. 173.—(McCarten)

A Bill for an Act to Amend and Re-enact Chapter 111 of the Laws of North Dakota for the year 1915; same being Section 2150 of the Compiled Laws of 1913 Relating to the Rate of Levy for State and County Roads and Bridges and Providing for Levy for Sinking Fund.

Introduction, first and second reading, 199.

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Reported back, 522. Reference, 199. Indefinitely postponed, 537.

Senate Bill No. 174 .- (McCarten)

A Bill for an Act to Amend Section 2151 of the Compiled Laws of North Dakota for the year 1913, Providing for Raising Funds at the Annual Township Meeting for all Township Charges and Necessary Expenses, for the Support of the Poor and for the Construction and Repair of Roads and Bridges, and Providing the Manner in which said Taxes may be Expended, and Fixing the Limit that may be Levied for Road and Bridge purposes, and Prescribing the Manner in which all Township Taxes shall be Levied.

Introduction, first and second reading, 199.

Reported back, 486. Reference, 199. Passed, 517. Amended, 517.

Received from the House, 752.

Enrollment and engrossment, 505, 535, 768.

Senate Bill No. 175 .- (Committee on State Affairs)

A Bill for an Act Amending and Re-enacting Section 1804 of the Compiled Laws of 1913, Relating to the State Trolley Line, the Management, Maintenance and Operation of the same and Prescribing the Duties of the State Industrial Commission in Respect Thereto, and Repealing all Acts and Parts of Acts Inconsistent Therewith.

Introduction, first and second reading, 199.

Reported back, 499. Reference, 199. Passed, 547. Amended, 547.

Received from the House, 706.

Enrollment and engrossment, 534, 563, 722.

Senate Bill No. 176 .- (Committee on State Affairs)

A Bill for an Act to Amend and Re-enact Section 10948 of the Compiled Laws of North Dakota for the year 1913, as Amended by Chapter 233 of the Session Laws of North Dakota for the year 1915.

Introduction, first and second reading, 199.

Reference, 199. Passed, 434. Third reading, 434.

Amended, 394.

Received from the House, 706. Enrollment and engrossment, 416, 730.

Senate Bill No. 177.—(Committee on Military Affairs)

A Concurrent Resolution.
Introduction, first and second reading, 199.
Reported back, 280.
Reference, 199.
Passed, 309.
Third reading, 309.
Amendments adopted, 461.
Amended by House, 430.
Enrollment and engrossment, 304, 533.

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Senate Bill No. 178.—(Liederbach)

A Bill for an Act to Regulate the Using of Gas Engines. Introduction, first and second reading, 199.

Reported back, 234.

Reference, 199.

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Indefinitely postponed, 249.

Senate Bill No. 179.—(Mostad)

A Bill for an Act Amending Section 3680 of the Compiled Laws of North Dakota for 1913, and Permitting Cities to Levy a Tax for General Purposes Sufficient to Meet the Expenses of the Fiscal Year of not Exceeding Thirtyfive Mills on the Dollar of the Assessed Value of Property in the City.

Introduction, first and second reading, 199.

Reported back, 441.

Reference, 199.

Indefinitely postponed, 460.

Senate Bill No. 180-(King)

A Bill for an Act to Amend and Re-enact Sections 4296, 4297, 4298 and 4299, and to Repeal Section 4313 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to Partition Fences. Introduction, first and second reading, 200.

Reported back, 271, 334.

Reference, 200.

Enrollment and engrossment, 280.

Indefinitely postponed, 375.

Senate Bill No. 181.—(Whitman)

A Bill for an Act Concerning Public Utilities Investing the Regulation and Control Thereof in the Commissioners of Railroads of the State of North Dakota.

Introduction, first and second reading, 200.

Reported back, 416.

Reference, 200.

Indefinitely postponed, 460.

Senate Bill No. 182.—(Ward)

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

Introduction, first and second reading, 200.

Reference, 200.

Passed, 363.

Third reading, 363.

Amended, 342.

Received from the House, 611.

Other action, 282.

Enrollment and engrossment, 359, 635.

Senate Bill No. 183 .- (Appropriation Committee)

A Bill for an Act to Make Appropriation for the Purpose of Carrying Out the Provisions of Chapter 119 of the Session Laws of North Dakota, 1917, Relating to Farmers' Institutes.

Introduction, first and second reading, 200.

Reference, 200.

Passed, 509.
Amended, 447.
Received from the House, 707.
Enrollment and engrossment, 183, 723.

Senate Bill No. 184 .- (Carey)

A Bill for an Act Providing for the Publication of Assessment Lists.

Introduction, first and second reading, 200.

Reported back, 553. Reference 200. Indefinitely postponed, 607.

Senate Bill No. 185 .- (Liederbach)

A Bill for an Act to Amend Section 1440 of the Compiled Laws of North Dakota for 1913, as Amended by Chapter 212 of the Session Laws of North Dakota, 1917, Relating to State Aid for Consolidated Graded and Rural Schools. Introduction, first and second reading, 200.

Reported back, 494.

Reference, 200. Indefinitely postponed, 537.

Senate Bill No. 186 .- (Liederbach)

A Bill for an Act to Amend Section 4799 of the Compiled Laws of North Dakota, 1913, Relating to Free Passes. Introduction, first and second reading, 200. Reference, 200.

Withdrawn, 220.

Senate Bill No. 187 .- (Weber)

A Bill for an Act to Amend and Re-enact Section 3784 of the Compiled Laws of North Dakota for the year 1913, Relating to Municipal Elections in Cities.

Introduction, first and second reading, 200.

Reference, 200. Passed, 473.

Third reading, 473. Received from the House, 707.

Other action, 307.

Enrollment and engrossment, 743, 459.

Senate Bill No. 188.—(McNair)

Introduction, first and second reading, 200. Reference, 200.

Senate Bill No. 189.—(Nelson and Carey)

A Bill for an Act Declaring the Purpose of the State of North Dakota to Engage in the Business of Manufacturing and Marketing Grain and its Products, and for Establishing State Owned Elevators and a State Owned Flour Mill under the Name of North Dakota Mill and Elevator Association, Operated by the State, and Defining the Scope and Manner of its Operation, and the Powers and Duties of the Persons Charged with its Management

Introduction, first and second reading, 201.

Reported back, 371. Reference, 201, 258.

Amended, 441. Other action, 282.

Indefinitely postponed, 399.

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Senate Bill No. 190 .- (Mees)

A Concurrent Resolution Amending the Constitution of the State of North Dakota by providing for the leasing of all State Lands for Pasturage and Meadow Purposes, and the Leasing of Coal Lands for Agricultural Cultivation, and Fixing the Maximum Time for which Leases may be Given on Such Lands.

Introduction, first and second reading, 201.

Reference, 201. Passed, 365.

Third reading, 365.

Amended, 344.

Received from the House, 569.

Enrollment and engrossment, 359, 606.

Senate Bill No. 191 .- (Gibbons)

A Bill for an Act Relating to the Licensing of Agents to Solicit Insurance.

Introduction, first and second reading, 201.

Reported back, 591.

Reference, 201.

Indefinitely postponed, 649.

Senate Bill No. 192 .- (Bowman)

A Bill for an Act to Amend Section 3188 of the Compiled Laws of North Dakota for the year 1913 and to Repeal Sections 3189 and 3190 of the Compiled Laws of North Dakota for 1913 and Conflicting Provisions, and Providing for the Publication and Mailing to Voters in Pamphlet Form of Proposed Amendments, Laws or Proposals. Introduction, first and second reading, 201.

Reference, 201.

Withdrawn, 235.

Senate Bill No. 193 .- (Drown)

A Bill for an Act Empowering Cities to Purchase or Construct Plants for the Manufacture and Distribution of Light, Heat and Power for Municipal and Commercial Purposes and to Assess Abutting Property in Accordance with the Benefits Thereto by Reason of Such System of Distribution, and Providing for the Method of such Assessment and the Collection Thereof.

Introduction, first and second reading, 201.

Reference, 201. Passed, 509. Amended, 447.

Other action, 307.

Amendments adopted, 749, 760.

Enrollment and engrossment, 506, 768.

Amended by House, 739.

Senate Bill No. 194 .- (Wenstrom)

A Bill for an Act to Amend and Re-enact Section 3266, Compiled Laws of the State of North Dakota for the year 1913, Relating to Meetings of the Board of County Commissioners.

Introduction, first and second reading, 201.

Reported back, 552. Reference, 201. LVIII INDEX

Amended, 552, 623. Received from the House, 753. Enrollment and engrossment, 607, 769. Amended by House, 753.

Senate Bill No. 195 .- (Wenstrom)

A Bill for an Act to Provide for the Uniformity of Warranty Deeds, Quit Claim Deeds, Real Estate Mortgages, Satisfactions and Assignments of Real Estate Mortgages, and to Enact Forms of Such Instruments to be Recorded Within this State, Authorizing Registers of Deeds to Charge and Collect Double Fees.

Introduction, first and second reading, 201.

Reference, 201.
Passed, 546.
Amended, 474, 546.
Received from the House, 637.
Enrollment and engrossment, 506.
Indefinitely postponed, 637.

Senate Bill No. 196 .- (Gibbens)

A Concurrent Resolution Constitutional Amendment Requiring that Legislative Acts Relative to Business or Industrial Undertakings by the State, a County, City, Village or Township be submitted to the People for Approved

proval

A Concurrent Resolution to Amend the Constitution of the State of North Dakota by Adding a Section Thereto Requiring that Legislative Acts Authorizing the State or a County, City, Village or Township to Engage in Business or Industrial Undertaking, be Submitted to the People for Their Approval.

Introduction, first and second reading, 201.

Reported back, 269, 529. Reference, 201, 281. Indefinitely postponed, 538.

Senate Bill No. 197 .- (Hagan)

A Bill for an Act to Amend and Re-enact Sections 951 and 952, Compiled Laws of the State of North Dakota for the year 1913, Relating to the Appointment, Qualifications and Duties of Inspectors and Judges of Election.

Introduction, first and second reading, 202.

Reference, 202.

Senate Bill No. 198.—(Benson)

A Bill for an Act Legalizing Certain Acts of City, Village and School District Officials.

Introduction, first and second reading, 202.

Reported back, 234. Reference, 202. Passed, 275.

Third reading, 275.

Received from the House, 430.

Other action, 262.

Enrollment and engrossment, 457.

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Senate Bill No. 199 .- (Whitman)

A Bill for an Act Authorizing Cities to Employ City Man-

Introduction, first and second reading, 202.

Reference, 202. Passed, 366.

Third reading, 366.

Amended, 344.

Received from the House, 570.

Other action, 307.

Enrollment and engrossment, 359, 606.

Senate Bill No. 200 .- (Whitman)

A Bill for an Act to Reimburse the City of Grand Forks for Certain Moneys Heretofore Paid by it to the State of North Dakota in Connection with a Hearing before the Board of Railroad Commissioners upon the Question of the Rates Charged in Said City for Electricity and Gas by the Red River Power Co.

Introduction, first and second reading, 202.

Reported back, 500, 633.

Reference, 202. Passed, 681.

Received from the House, 737.

Enrollment and engrossment, 684, 689, 759.

Indefinitely postponed, 537.

Senate Bill No. 201.—(Whitman)

A Bill for an Act Providing for State Aid in the Construction of Bridges Across State Lines of Inter-state High-ways or Roads Across Navigable Streams Within the State.

Introduction, first and second reading, 202.

Reported back, 677. Reference, 202.

Passed, 694.

Amended, 677.

Received from the House, 746.

Enrollment and engrossment, 688, 769.

Senate Bill No. 202 .- (Appropriations Committee)

Introduction, first and second reading, 202.

Reported back, 557.

Reference, 202.

Indefinitely postponed, 607.

Senate Bill No. 203-(Cahill)

A Bill for an Act to Amend and Re-enact Section 1334 of the Compiled Laws of North Dakota for the year 1913, Relating to Bonds, Denomination of Rate of Interest and Limit of Issue.

Introduction, first and second reading, 202.

Reported back, 494.

Reference, 202.

Indefinitely postponed, 537.

Senate Bill No. 204.—(Whitman)

A Bill for an Act to Amend Section 9238, Compiled Laws 1913 as amended by Chapter 223, of the Session Laws of 1917, Relating to Sports on the First Day of the Week. Introduction, first and second reading, 203. Reported back, 522. Reference, 203. Passed, 567. Other action, 537, 566. Indefinitely postponed, 763.

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Senate Bill No .205 .- (Whitman)

The Community Property Law in the State of North Dakota. Introduction, first and second reading, 203. Reported back, 280.

Senate Bill No. 206 .- (Whitman)

Reference, 203.

A Bill for an Act to Amend Section 1, Chapter 124, Session Laws, 1917, Relating to Witness Fees in Garnishment Proceedings.

Introduction, first and second reading, 203.
Reported back, 280.
Reference, 203.
Passed, 309.

rassed, 309.
Third reading, 309.
Received from the House, 570.
Enrollment and engrossment, 304, 606.

Senate Bill No. 207-(Carey)

A Bill for an Act to Amend and Re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the year 1913, as Amended by Chapter 139 of the Session Laws of 1915, Providing for the Annual Tax Levy in General School Districts.

Introduction, first and second reading, 203.

Reported back, 560.

Reference, 203, 310.
Passed, 626.
Amended, 284, 560.
Received from the House, 746.
Enrollment and engrossment, 304, 605, 769.

Senate Bill No. 208 .- (Hamerly)

A Bill for an Act to Amend and Re-enact Section 2837; Compiled Laws of 1913, Relating to the Salary of Dairy Commissioner and Assistant Dairy Commissioner. Introduction, first and second reading, 203. Reported back, 305.

Reference, 203. Indefinitely postponed, 347.

Senate Bill No. 209 .- (Zieman)

A Bill for an Act to Amend and Re-enact Section 27 of Chapter 161 of the Session Laws of North Dakota for the year 1915, Relating to the Use of Dogs for Hunting. Introduction, first and second reading, 203. Reference, 203. Indefinitely postponed, 718, 723.

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Senate Bill No. 210 .- (Mostad)

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, 205.

Reported back, 416. Reference, 205. Other action, 347. Indefinitely postponed, 460.

Senate Bill No. 211.—(Appropriations Committee)

A Bill for an Act Imposing a Tax on Each Automatic Vending Machine or Device Operated in the State of North Dakota, that any Violation of this Act be Deemed a Misdemeanor and Providing a Penalty Therefor.

Introduction, first and second reading, 205.

Reported back, 447, 572. Reference, 205, 461. Indefinitely postponed, 607.

Senate Bill No. 212 .- (Porter)

A Bill for an Act to Give County Commissioners Authority to Erect Memorial or Other Suitable Recognition in Commemoration of those of the County who Rendered Service or who Lost Their Lives in the Service of their county (Country) in the Great World War; Create a Memorial Fund and Make a Levy Therefor.

Introduction, first and second reading, 205.

Reported back, 629. Reference, 205. Passed, 680.

Received from the House, 746.

Enrollment and engrossment, 684, 776.

Senate Bill No. 213 .- (Fraser)

A Bill for an Act to Provide Punishment for Wife Desertion in Certain Cases.

Introduction, first and second reading, 205.

Reported back, 247. Reference, 205.

Indefinitely postponed, 271.

Senate Bill No. 214 .- (King)

A Bill for an Act to Amend and Re-enact Section 3835 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to Recall of City Officials in Cities Under Commission Form of Government.

Introduction, first and second reading, 205.

Reference, 205. Passed, 367.

Third reading, 367. Amended, 346, 367.

Received from the House, 707.

Enrollment and engrossment, 359, 743, 371.

Senate Bill No. 215 .- (Ward)

A Bill for an Act to Prevent the Obstruction of Highways and Section Lines, to Prevent the Placing of Stone or Rubbish within Twenty-seven Feet of any Section Line, LXII INDEX

and to Provide for the Removal of Stone, Rubbish and of Fences along Section Lines when Such Lines are Opened as Public Highways.

Introduction, first and second reading, 206.

Reference, 206, 403.

Passed, 469.

Third reading, 469. Amended, 379, 403, 426.

Received from the House, 746.

Enrollment and engrossment, 384, 768, 457.

Senate Bill No. 216 .- (Carey)

A Bill for an Act Creating a Board of Arbitration to Hear Petitions of Teachers for Release from Contracts; Prescribing Duties; to make it the Duty of Teachers to Submit to Such Board the Question of Release from Contracts to Teach; and Providing for the Filing of Findings with the Board of Education to be Acted upon; and Providing Penalties for Breech of Teachers' Contracts.

Introduction, first and second reading, 206.

Reference, 206.

Passed, 310. Third reading, 210.

Amended, 281.

Received from the House, 506, 637.

Other action, 513.

Enrollment and engrossment, 804.

Indefinitely postponed, 637.

Senate Bill No. 217 .- (Fraser)

A Bill for an Act Making an Appropriation to Pay F. C. Heffffron for his Services as Assistant Attorney General During the years 1909, 1910, 1911, 1912, 1913 and 1914.

Introduction, first and second reading, 206.

Reported back, 425.

Reference, 206.

Passed, 470.

Third reading, 470.

Amended by House, 707.

Enrollment and engrossment, 459, 722.

Senate Bill No. 218 .- (Church)

A Bill for an Act to Amend and Re-enact Section 2012 of the Compiled Laws of North Dakota for 1913, Relating to Compensation for Labor.

Introduction, first and second reading, 206.

Reported back, 379.

Reference, 206.

Passed, 402.

Third reading, 402.

Enrollment and engrossment, 384, 415.

Indefinitely postponed, 682.

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Senate Bill No. 219 .- (Cahill)

A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota, Relating to the Voting Privileges of Members of Co-operative Corporations. Introduction, first and second reading, 206. Reported back, 270.

Reference, 206.

Indefinitely postponed, 281.

Senate Bill No. 220.—(Church)

A Bill for an Act to Amend and Re-enact Section 1224 of the Compiled Laws of North Dakota for the year 1913, Relating to the Tax of Two Mills on the Dollar on Taxable Property for the School Districts of the County.

Introduction, first and second reading, 519.

Reported back, 615. Reference, 519. Passed, 715.

Received from the House, 745.

Other action, 714.

Enrollment and engrossment, 769.

Indefinitely postponed, 649.

Senate Bill No. 221 .- (Committee on Appropriations)

A Bill for an Act Entitled, "An Act Making an Appropriation for Improvements at the Executive Mansion." Introduction, first and second reading, 615. Reported back, 648.

Reference, 615.

Passed, 685.

Received from the House, 762. Enrollment and engrossment, 685, 777.

HOUSE BILLS

House Bill No. 1 .- (Hoare)

A Bill for an Act to Fix and Limit Attorney's Fees and All Costs on the Foreclosure of Liens and Mortgages by Advertisement.

Received from the House, 88. First and second reading, 92.

Reference, 92. Reported back, 122.

Passed, 120. Amended, 109.

House Bill No. 2 .- (Miller)

A Bill for an Act to Amend and Re-enact Section 6076 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Penalty for Usury.

Received from the House, 88. First and sceond reading, 92. Reference, 92. Passed, 146. Amended, 131, 146.

House Bill No. 6 .- (State Affairs Committee)

A Concurrent Resolution Agreeing to a Proposed Amendment to the Constitution of the State of North Dakota by Changing the Number of Electors Required to Propose any Measure by Initiative Petition; by Changing the Time in which the Initiative Petition may be Filed, and the Duties of the Secretary of State with Respect Thereto; by Reducing the Number of Signers Required for Referendum Petitions; by Providing for a Referendum on Emergency Measures and for Special Elections Thereon; by Providing for the Circulation of, and Designating the Force to be Given, Such Petitions and the Publicity to be Given Thereto and Providing for Repeal or Amendment of Such Measures by the Legislature; and Declaring that Said Amendment has Become a Part of the Constitution of the State.

Received from the House, 59. First and second reading, 60. Reference, 60. Reported back, 62. Passed, 72.

House Bill No. 7 .- (State Affairs Committee)

A Concurrent Resolution Agreeing to a Proposed Amendment to the Constitution of the State of North Dakota by Providing that no Act Granting a Franchise or Special Privilege, or Act Creating any Vested Right or Interest other thon in the State, shall be Declared an Emergency Measure; and providing that an Emergency Measure shall Take Effect and Be in Force from and after its Passage and Approval by the Governor; and Declaring that Said Amendment has Become a Part of the Constitution of the State.

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Received from the House, 59. First and second reading, 61. Reference, 61. Reported back, 63. Passed, 73.

House Bill No. 8.—(State Affairs Committee)

A Concurrent Resolution Agreeing to a Proposed Amendment to the Constitution of the State of North Dakota, Relative to the Purposes for which Taxes shall be Levied and Collected, and Providing for the Exemption of Certain Personal Property from Assessment and Taxation, and Granting Power to the Legislature to Raise Revenue and to Fix the Situs of Property for the Purpose of Taxation; and Declaring that Said Amendment Has Become a Part of the Constitution of the State.

Received from the House, 57. First and second reading, 57. Reference, 57. Reported back, 63. Passed, 73.

House Bill No. 9 .- (State Affairs Committee)

A Concurrent Resolution Agreeing to a Proposed Amendment to the Constitution of the State of North Dakota by Changing the Debt Limit Thereof, and Providing for Issuing and Guaranteeing Bonds by the State, and Providing that Bonds Issued or Guaranteed by the State in Excess of Two Million Dollars Shall be Secured by First Mortgages on Certain Classes of Property, and Declaring that Said Amendment Has Become a Part of the Constitution of the State.

Received from the House, 56. First and second reading, 57. Reported back, 63. Reference, 57. Passed, 73.

House Bill No. 10.—(State Affairs Committee)

A Concurrent Resolution Agreeing to a Proposed Amendment to the Constitution of the State of North Dakota by Providing for the Future Amendment thereof; and De-claring that Said Amendment Has Become a Part of the Constitution of the State.

Received from the House, 56. First and second reading, 57. Reference, 57. Reported back, 64. Passed, 74.

House Bill No. 11.—(State Affairs Committee)

A Concurrent Resolution Agreeing to a Proposed Amendment to the Constitution of the State of North Dakota, Relative to the Assessment of Improvements on Land and Authorizing a Tax on Lands for the Purpose of Indemnifying Owners of Growing Crops Against Damages by Hail; and Declaring that Said Amendment Has Become a Part of the Constitution of the State.

Received from the House, 56.

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First and second reading, 57. Reference, 57. Reported back, 64. Passed, 75.

House Bill No. 12.—(State Affairs Committee)

A Concurrent Resolution Agreeing to a Proposed Amendment to the Constitution of the State of North Dakota by Authorizing the State, any County or City, to Make Internal Improvements, and to Engage in any Industry, Enterprise, or Business not Prohibited by Article 20 of the Constitution of the State of North Dakota, and Declaring that Said Amendment Has Become a Part of the Constitution of the State.

Received from the House, 59. First and second reading, 64. Reference, 61. Reported back, 64.

Passed, 75.

House Bill No. 13.—(MacManus)

A Bill for an Act Regulating the Rate of Interest on Indebtedness after Maturity. Received from the House, 66. First and second reading, 66. Reported back, 77. Passed, 81.

House Bill No. 17.—(Committee on State Affairs)

A Bill for an Act Creating the Industrial Commission of North Dakota, Authorizing it to Conduct and Manage on Behalf of the State, Certain Utilities, Industries, Enter-prises and Business Projects, and Defining its Powers and Duties; and Making an Appropriation therefor. Received from the House, 360.

Reference, 368.

First and second reading, 368.

Reported back, 372.

Passed, 406.

House Bill No. 18-(Committee on State Affairs)

A Bill for an Act Declaring the Purpose of the State of North Dakota to Engage in the Banking Business and Establish a System of Banking Under the Name of the Bank of North Dakota, Operated by the State, and Defining the Scope and Manner of its Operation and the Powers and Duties of the Persons Charged with its Management; Making an Appropriation therefor; and Providing Penalties for the Violations of Certain Provisions thereof.

Received from the House, 360. First and second reading, 368.

Reference, 368. Reported back, 372.

Passed, 407.

House Bill No. 19.—(Maddock)

A Bill for an Act to Amend and Re-enact Sections 3481 and 3482 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Sections Nine and Ten of Chapter Thirteen of the Laws of North Dakota for the Year 1918,

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Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed.
Received from the House, 64.
First and second reading, 65.
Reported back, 65.
Passed, 71.

House Bill No. 22 .- (Martin)

A Bill for an Act Providing for a Supreme Court Reporter, A State Law Librarian, and a Legislative Librarian, Prescribing His Duties and Compensation, Providing for the Printing, Publishing and Distribution of Supreme Court Reports, and Granting Power to the Supreme Court Concerning the Same and Repealing all Acts Inconsistent Therewith, and Providing an Appropriation Therefor.

Received from the House, 88. First and second reading, 92.

Reference, 92. Reported back, 527. Passed, 583. Amended, 158. Other action, 125.

House Bill No. 23 .- (Hoare)

A Bill for an Act to Amend and Re-enact Section 7762 of the Compiled Laws of North Dakota for the year of 1913, Relating to the Rent, Use and Benefit of Property Sold Under Execution or Foreclosure Sale. Received from the House, 227.

Received from the House, 227. First and second reading, 263.

Reference, 263. Reported back, 280.

Passed, 315.

House Bill No. 24.—(Krueger)

A Bill for an Act Authorizing the Courts to Review and Levy any Apportionment of Special Assessments. Received from the House, 116.

First and second reading, 119. Reference, 119.

Reported back, 181. Passed, 192.

House Bill No. 25 .- (Johnson)

A Bill for an Act Relating to the Exemption of Personal Property from Attachment, Levy and Sale on Execution? and to Amend and Re-enact Sections 7731 of the Compiled Laws of North Dakota for the year 1913, and 7738 of the Compiled Laws of North Dakota for the year 1913, as Amended by Chapter 157 of the Session Laws of North Dakota for the year 1915; and 7739 of the Compiled Laws of North Dakota for the year 1913 as Amended by Chapter 155 of the Session Laws of North Dakota for the year 1915.

Received from the House, 129. First and second reading, 138. Reference, 138. Passed, 408. Other action, 258. Amended, 372.

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House Bill No. 26.—(....)

Received from the House, 95. First and second reading, 100. Reference, 100. Reported back, 553. Indefinitely postponed, 607. Other action, 132, 258, 359.

House Bill No. 27.—(Kellogg)

A Bill for an Act to Amend and Re-enact Section 477 of the Compiled Laws of North Dakota for the year 1913, Relative to the Board of Pharmacy.

Received from the House, 88. First and second reading, 92. Reference, 92. Reported back, 553. Indefinitely postponed, 607. Other action, 132, 258, 359.

House Bill No. 30 .- (Moen)

A Bill for an Act to Amend Section 3 of Chapter 216 of the Session Laws of North Dakota for 1917, Relating to Soda Fountains.

Received from the House, 129. First and second reading, 138. Reference, 138, 235. Indefinitely postponed, 718. Amended, 211.

House Bill No. 32 .- (Keitzman)

A Bill for an Act Making it Unlawful to Separate or Cause to be Separated any Child Under Six Months of Age, from its Mother for the Purpose of Committing Such Child to a Foster Home or Institution, or to Place, Receive or Retain Such Child in a Foster Home or Institution, and to Regulate the Manner and Circumstances Under Which it May be Done, and to Provide a Penalty for Violation of Said Act.

Received from the House, 282. First and second reading, 298. Reference, 298. Reported back, 391. Passed, 436. Other action, 307.

House Bill No. 33 .- (O'Brien)

A Bill for an Act to Amend and Re-enact Sections 869 and 983 of the Compiled Laws of North Dakota for the year 1913, Relating to the Opening and Closing of Polls in Primary and General Elections.

Received from the House, 463.

Reference, 488. Reported back, 586. Passed, 663.

House Bill No. 34.—(Ivers)

A Bill for an Act to Amend and Re-enact Section 3048 of the Compiled Laws of North Dakota for the year 1913, Prohibiting Discrimination in Commodities Sold in the State of North Dakota. INDEX LXIX

Received from the House, 95, 282, 638. First and second reading, 100, 298, 638. Reference, 100, 298, 638. Reported back, 391, 670, 690. Passed, 146, 436, 738. Other action, 436, 513, 515. Amended, 131.

House Bill No. 35 .- (O'Connor)

A Bill for an Act to Amend and Re-enact Section 7415 of the Compiled Laws of North Dakota for the year 1913, Providing the Place of Trial of Civil Actions.

Received from the House, 95. Reference, 100. Reported back, 102.

Passed, 111.

House Bill No. 36 .- (Bjerke)

A Bill for an Act to Amend and Re-enact Section 8445 of the Compiled Laws of North Dakota for the year of 1913, and Providing for the Issuance of the Writ of Certiorari. Received from the House, 106. First and second reading, 106. Reference, 106. Reported back, 109. Passed, 120.

House Bill No. 37 .- (Committee on Bridges and Highways)

A Bill for an Act to Repeal Section 4051 of the Compiled Laws of North Dakota for the year 1913, Relating to the Road and Bridge Taxes. Received from the House, 258. First and second reading, 263, 298.

Reference, 263, 298, 410. Reported back, 379, 426. Indefinitely postponed, 460.

House Bill No. 38.—(Hardt)

A Bill for an Act to Amend and Re-enact Section 7846 of the Compiled Laws of North Dakota for the year 1913, Providing that the Supreme Court may Secure Additional Evidence in Cases Tried Without a Jury.

Received from the House, 347. First and second reading, 353. Reference, 353. Reported back, 375. Passed, 409.

House Bill No. 39 .- (Wog)

A Bill for an Act to Amend and Re-enact Section 4863 of the Compiled Laws of North Dakota for the year 1913, Relating to Capital Stock Required by Domestic and Other Stock Insurance Companies.

Received from the House, 146. First and second reading, 146. Reference, 146. Reported back, 296.

Passed, 316.

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House Bill No. 64.—(Brady)

A Bill for an Act Making an Appropriation for the Purpose of Reimbursing the County of LaMoure, North Dakota, for Monies Expended in Maintaining a Trachoma Hospital.

Received from the House, 153. First and second reading, 162.

Reference, 162. Reported back, 501.

Passed, 582.

House Bill No. 65 .- (Kelder)

A Bill for an Act to Appropriate the Sum of \$1,900.00 for the Maintenance of a Trachoma Hospital in the County of La Moure, State of North Dakota.

Received from the House, 154. First and second reading, 163.

Reference. 163. Reported back, 502.

Passed, 582.

House Bill No. 66.—(Hoare)

A Bill for an Act to Prohibit the Liquor Traffic and Provide Exceptions, Regulations for Enforcement and Penalty.

Received from the House, 257. First and second reading 263.

Reference, 263, 567. Reported back, 524, 622. Indefinitely postponed, 649. Other action, 307, 649.

House Bill No. 68.—(Malone)

A Bill for an Act Defining the Crime of Gambling; Fixing the Punishment Therefor; and Providing Certain Rules of Evidence in Prosecutions Thereunder.

Received from the House, 257. First and second reading, 263.

Reference, 263.

Reported back, 524, 586.

Passed, 663.

Other action, 307.

House Bill No. 69 .- (Committee on Appropriations)

A Bill for an Act to Appropriate \$350.00 to Provide Funds for the Burial of Honorably Discharged Sailors, Soldiers and Marines of the United States War of the Rebellion and Erection of Headstones Therefor, as Authorized by Sections 3181, 3182, 3183 and 3184 of the Compiled Laws of North Dakota for 1913, and for Deficit \$13.00. Received from the House, 570.

First and second reading, 586.

Reference, 586. Reported back, 648.

Passed, 698.

House Bill No. 70.—(Committee on Appropriations)

A Bill for an Act Appropriating Money for the Use of the War History Commission Between the Following Dates, June 30th, 1919, to July 1st, 1921.

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Received from the House, 463. Reference, 488. Reported back, 612. Passed, 672.

House Bill No. 71.—(Appropriations Committee)

A Bill for an Act to Appropriate \$4,000.00 out of Any Money in the State Treasury not Otherwise Appropriated for the Purpose of Paying Premiums on State Officials' Bonds as Provided by Chapter 175 of the Session Laws of North Dakota, 1917.

Received from the House, 463.

Reference, 489. Reported back, 613. Passed, 673.

House Bill No. 72.—(Appropriations Committee)

A Bill for an Act to Appropriate out of Any Money in the State Treasury not Otherwise Appropriated the Sum of \$2,000.00 for the Purpose of Paying the expenses of Delegates to the Presidential Nominative National Convention According to the Provisions of Section 916 of the Compiled Laws of North Dakota, 1913.

Received from the House, 570. First and second reading, 586. Reference, 586. Reported back, 648.

Passed, 698.

House Bill No. 73.—(Committee on Appropriations)

A Bill for an Act to Appropriate \$1,000.00 out of Any Money in the State Treasury not Otherwise Appropriated for the Apprehension of Criminals.

Received from the House, 463.

Reference, 489.

Reported back, 613.

House Bill No. 74 .- (Kelder)

A Bill for an Act to Appropriate the Sum of \$400.00 out of Any Moneys in the State Treasury not Otherwise Appropriated for the Purpose of Defraying the Burial Expenses of Inmates of the Penitentiary and Reform School According to the Provisions of Section 11302 of the Compiled Laws of North Dakota, 1913.

Received from the House, 463.

Reference, 489.

Reported back, 613.

Passed, 673.

House Bill No. 75 .- (Committee on Appropriations)

An Act to Appropriate the Sum of \$300.00 out of Any Money in the State Treasury not Otherwise Appropriated for the Purpose of Paying Expenses Incurred in Actions Brought for the Release of Insane Persons Under the Provisions of Section 2562 of the Compiled Laws of North Dakota, 1913.

Received from the House, 464.

Reference, 489. Reported back, 614.

Passed, 674.

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House Bill No. 76 .- (Committee on Appropriations)

A Bill for an Act to Appropriate \$1200.00 for the Purpose of Paying the Expenses of Appraisers of Inheritance. Devices, Bequests and Legacies Under the Provisions of Chapter 231 of the Session Laws of North Dakota, 1917.

Received from the House, 464.

Reference, 489. Reported back, 612.

Passed, 672.

House Bill No. 78 .- (Committee on Appropriations)

A Bill for an Act to Appropriate the Sum of \$500.00 Out of Any Money in the State Treasury Not Otherwise Appropriated for the Purpose of Paying the Expenses of Presidential Electors According to the Provisions of Section 1038 of the Compiled Laws of North Dakota, 1913. Received from the House, 464.

Reference, 489.

Reported back, 613.

Passed, 673.

House Bill No. 80.—(McDonnell)

A Bill for an Act Providing that the Attorney General may Maintain an Action in the Name of the State for the Benefit of Persons Residing in This State.

Received from the House, 347.

First and second reading, 353. Reference, 353.

Reported back, 372.

Indefinitely postponed, 399.

House Bill No. 81 .- (Fay Harding)

A Bill for an Act to Provide for the Examination and Certification of Teachers in the State of North Dakota and to Repeal Sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, and 1377 of the Compiled Laws of

Received from the House, 257. First and second reading, 263. Reference, 263.

Indefinitely postponed, 718.

House Bill No. 82-(Alberts)

A Bill for an Act Relating to the Manner in Which Claims Against the State of Investigators Working Under the Direction and Control of the Attorney General Shall be Presented, Filed and Verified, and Providing a Penalty for Falsely Certifying Thereto, or Certifying to Any False Claim or Bill.

Received from the House, 154. First and second reading, 163. Reference, 163, 193. Reported back, 218.

Indefinitely postponed, 235.

Other Action, 763. Amended, 181.

House Bill No. 83.—(Committee on Taxes and Tax Laws)

A Bill for an Act Providing for the Listing of Certain Personal Property for Purposes of Assessment and Defining Duties of Attorney General in Connection Therewith, and Providing for Subpoenaing Witnesses and Penalty for Failing to List Such Property.

Received from the House, 464.

Reference, 489. Reported back, 616.

Passed, 675.

House Bill No. 84.—(Committee on Taxes and Tax Laws)

A Bill for an Act to Amend and Re-enact Chapter 231, Laws of North Dakota, 1917, Relating to the Taxation of Transfers of Property by Will, Gift or by Intestate Law. Received from the House, 543, 552.

Reference, 552. Reported back, 616.

Passed, 676.

House Bill No. 85.—(Wadeson)

A Bill for an Act to Amend and Re-enact Section 3896 of the Compiled Laws of North Dakota of 1913; Providing for the Improvement on Petition of Public Streets of Villages and for the Levy and Collection of Tax Therefor.

Received from the House, 257. First and second reading, 264.

Reference, 264. Reported back, 553.

Passed, 662.

House Bill No. 86.—(Nesvig)

A Bill for an Act to Amend and Re-enact Section 1951 of the Compiled Laws of North Dakota for the year 1913, Relating to the Construction of Bridges by County Commissioners.

Received from the House, 207.

First and second reading, 221.

Reference, 221.

Reported back, 379.

Passed, 410.

House Bill No. 87 .- (Nesvig)

A Bill for an Act Providing for the Keeping of Repairs Within the State for All Gas or Oil Burning Tractors, Steam or Gas Engines, Harvesting and Threshing Machinery, Automobiles and Auto Trucks, and Prescribing the Duties of the Manufacturers Thereof.

Received from the House, 154.

First and second reading, 163.

Reference, 163. Passed, 264.

Amended, 215.

House Bill No. 88.—(Magnuson)

A Bill for an Act to Provide for the Organization or Admission and the Regulation and Taxation of Incorporated Mutual Insurance Companies Other than Life.

Received from the House, 171.

First and second reading, 171. Reference, 171. Passed, 531. Other action, 307. Amended, 453.

House Bill No. 89.—(Whipple)

A Bill for an Act to Amend and Re-enact Section 7378 of the Compiled Laws of the State of North Dakota for the year 1913.

Received from the House, 171. First and second reading, 171. Reference, 171, 264. Reported back, 233.

House Bill No. 91.—(Committee on Taxes and Tax Laws)

A Bill for an Act Creating the Office of Tax Supervisor, Providing for the Appointment of Tax Supervisors, Fixing Their Salaries and Term of Office, and Defining their Powers and Duties.

Received from the House, 664. First and second reading, 666. Reference, 666. Reported back, 682. Passed, 735.

House Bill No. 92.—(Magnuson)

A Bill for an Act to Amend and Re-enact Section 8, Chapter 172 of the Session Laws of the year 1915, Relating to What Property may be Insured by County Farmers Mutual Insurance Company.

Received from the House, 193. First and second reading, 194. Reference, 194. Reported back, 296. Passed, 317. Amended, 316.

House Bill No. 93 .- (Strom)

A Bill for an Act Authorizing and Regulating the Exchange of Reciprocal or Inter-insurance Contracts Among Individuals, Partnershpis and Corporations; Empowering Corporations to Enter Into Such Contracts; Regulating Process in Suits on Such Contracts; Fixing Certain Taxes and Fees and Providing Penalties for Violation of this Act

Received from the House, 207. First and second reading, 221. Reference, 221, 271. Reported back, 502. Passed, 583. Other action, 307. Amended, 502.

House Bill No. 94 .- (Harris)

A Bill for an Act Providing for an Appropriation and Levy by the County Commissioners of Each County in the State for the Purpose of Furnishing Aid to Night Schools. Received from the House, 347. First and second reading, 354. INDEX LXXV

Reference, 354. Reported back, 502. Passed, 582. Amended, 502.

House Bill No. 97 .- (Labor Committee)

A Bill for an Act Authorizing the Board of Railroad Commissioners of the State of North Dakota to Regulate, Control and Fix Rates, Charges and Services of All Public Utilities; Prescribing the Powers and Duties of Public Utilities; Defining Public Utilities; Providing an Appropriation to Carry Out its Provisions; and Repealing Sections 584 and 4736 of the Compiled Laws of North Dakota for 1913 and Chapter 208 and Section 9 of Chapter 209, Laws of North Dakota for 1915, and All Other Acts or Parts of Acts in Conflict with the Provisions of this Act; Providing Penalties for the Violation Thereof.

Received from the House 347. First and second reading, 354.

Reference, 354. Reported back, 769. Passed, 547. Other action, 638. Amended, 484.

House Bill No. 98 .- (Committee on Military Affairs)

A Bill for an Act Amending Section 2373, Compiled Laws of North Dakota for 1913, Relating to the Qualifications of the Adjutant General; Providing for his Appointment by the Commander-in-Chief and providing for the appointment of Colonels, and Majors of Battalions and the Election of Commissioned Officers of Lower Rank.

Received from the House, 347. First and second reading, 354.

Reference, 354. Reported back, 628.

Passed, 695.

House Bill No. 99 .- (Frederickson)

A Bill for an Act Amending and Re-enacting Section 4922 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to the Revocation of the Certificate of Authority of Insurance Companies.

Received from the House, 193. First and second reading, 194.

Reference, 194. Passed, 377.

Other action, 307. Amended, 343.

House Bill No. 100 .- (Patterson)

A Bill for an Act to Amend and Re-enact Sections 3241 and 3244 of the Compiled Laws of the State of North Dakota for the year 1913, Relating to the Removal of County Seats.

Received from the House, 193. First and second reading, 194.

Reference, 194.

Reported back, 203.

Passed, 221. Amended, 221.

House Bill No. 102.-Martin)

A Bill for an Act to Amend and Re-enact Section 4544 of the Compiled Laws of North Dakota for the year 1913, Relating to Penalties for the Violation of Section 4543 of the Compiled Laws of North Dakota for the year 1913.

Received from the House, 257. First and second reading, 263. Reference, 263, 438.

Reported back, 398.

Passed, 530.

Other action, 359. Amended, 446.

House Bill No. 103 .- (Patterson)

A Bill for an Act to Amend and Re-enact Sections 782, 783, 784, 787, 799, 808, 809, 810, 811 and 812 of the Compiled Laws of North Dakota for the year 1913, Relating to the Creation of a State Bar Board, its Members, their Term of Office, Qualifications, Compensation and Duties and Providing for the Admission of Attorneys to Practice. Issuance of License.

Received from the House, 347. First and second reading, 354.

Reference, 354.

Reported back, 500.

Passed, 549.

House Bill No. 104 .- (Committee on Military Affairs)

A Bill for an Act to Amend and Re-enact Sections 2360 and 2360a of the Compiled Laws of North Dakota for the year 1913, Relating to the Salary and Expenses of the Adjutant-General.

Received from the House, 346. First and second reading, 354.

Reference, 354. Reported back, 634.

Passed, 696.

House Bill No. 105 .- (John R. Maddock)

A Bill for an Act to Appropriate Out of Any Monies in the State Treasury not Otherwise Appropriated, the Sum of \$6500.00 for the Glanders-Dourine Horse Fund—in Order to Pay Claims on File and Which may be Filed and Allowed Prior to July 1st, for Animals Destroyed for Being Infected with Glanders or Dourine, According to Law.

Received from the House, 464.

Reference, 489. Reported back, 612.

Passed, 672.

House Bill No. 107.—(Lazier)

A Bill for an Act to Amend and Re-enact Sections 22, 27, 28, 36, 48 and 51 of Chapter 161 of the Laws of North Dakota for the year 1915 and to Amend and Re-enact Sections 33 and 52 of Chapter 161 of the Laws of North Dakota for the year 1915 as amended by Chapter 122 of the Laws of North Dakota for the year 1917, and to Amend and Re-enact Section 46 of Chapter 161 of the Laws of North Dakota for the year 1915, as Amended by Chapter 63 of the Laws of North Dakota for the year

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1917, and to Amend and Re-enact Section 10298 of the Compiled Laws of North Dakota for the year 1913, as Amended by Chapter 162 of the Laws of North Dakota for the year 1915.

Received from the House, 346.

First and second reading, 353.

Reference, 353, 429. Reported back, 648.

Passed, 720. Amended, 719.

House Bill No. 108 -- (Patterson)

A Bill for an Act to Amend and Re-enact Section 7847 of the Compiled Laws of North Dakota for the year 1913, Relating to Abstracts and Briefs Upon Appeal to the Supreme Court, and Repealing Acts or Parts of Acts in Conflict Therewith.

Received from the House, 228. First and second reading, 262.

Reference, 262.

Reported back, 281.

Passed, 316.

House Bill No. 109 .- (Kamrath)

A Concurrent Resolution for an Amendment to the Constitution of the State of North Dakota and Relating to the Investment of School Funds.

Received from the House, 228. First and second reading, 262.

Reference, 262. Passed, 376. Amended, 306.

House Bill No. 110 .- (Robinson)

A Bill for an Act Regulating the Construction, Reconstruction, Operation and Maintenance of Electrical Supply and Signal Lines upon the Highways and Public Places of the State of North Dakota and Vesting in the Board of Railroad Commissioners Certain Powers and Duties, and Giving to Said Commission Power to Adopt Rules and Regulations for the Purpose of Avoiding or Minimizing the Hazard of Injury to Persons or Property and Avoiding or Mitigating Interference with the Service of Signal Lines, by Reason of the Close Association or Proximity of Signal Lines to or With Electrical Supply Lines.

Received from the House, 464.

Reference, 490. Reported back, 556.

Passed, 585.

House Bill No. 111 .- (L. H. Larson)

A Bill for an Act Defining Mutual Telephone Companies, Placing Same Under Control of Railroad Commissioners and Providing for Certain Rules and Conditions Governing Same.

Received from the House, 282. First and second reading, 298.

Reference, 298, 542.

Reported back, 460.

Passed, 680.

Other action, 671.

Amended, 592.

House Bill No. 113 .- (Judiciary Committee)

A Bill for an Act Fixing the Time and the Warranty, and Making Contracts Made in Violation thereof Void. Received from the House, 346. First and second reading, 353. Reference, 353. Reported back, 375.

Passed, 410. Amended, 409.

House Bill No. 115 .- (Miller)

A Bill for an Act to Amend Section 183 of Article 12 of the Constitution of North Dakota, Providing for the Debt Limit of Any County, Township, City, Town, School District and Any Other Political Subdivision.

Received from the House, 346. First and second reading, 353. Reference, 353. Reported back, 375.

Passed, 409.

House Bill No. 118.—(Krueger)

A Bill for an Act to Amend and Re-enact Section 1990p of the Compiled Laws of North Dakota for the year 1913, as Amended by Chapter 168 of the Session Laws for 1915, and by Chapter 130 of the Session Laws of 1917, Relating to Payment of Highway Taxes and Prescribing a Penalty for Failure of the County Officials to Comply with the Provisions Hereof.

Received from the House, 228. First and second reading, 262. Reference, 262. Reported back, 678. Lost, 722.

House Bill No. 120.—(Committee on Appropriations)

A Bill for an Act to Make an Appropriation of Funds to Pay Witness Fees, Mileage, Transportation of Ballot Boxes and Other Expenses in the Election Contest Cases Before the Committee on Education and Election Privileges of the House of Representatives of the Sixteenth Legislative Assembly of the State of North Dakota.

Received from the House, 682. First and second reading, 690. Reference, 690. Indefinitely postponed, 717.

House Bill No. 121 .- (McDonnell)

A Bill for an Act Authorizing the Board of Control of the State of North Dakota to Erect Upon the Capitol Grounds a Building to be Used for Executive Purposes and to be Known as the Liberty Memorial Building of North Dakota in Memoriam of the Soldiers, Sailors and Marines of North Dakota who Served the Nation in the Great World War; Said Building May Contain a Suitable Memorial to Theodore Roosevelt; and Any Other Soldier or Sailor Whose Life Has Been Closely Connected With the History of the State; and Prescribing the Object, Purpose and Use of Such Building; for Locating and Im-

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proving a Site for the Same to be Known as Memorial Park; and to Authorize the Employment of a Landscape Architect to Advise Concerning the Selection and Planning of the Grounds for Such Park and Building; and to Make Appropriations Therefor.

Received from the House, 637. First and second reading, 639. Reference, 639. Reported back, 678. Passed, 727.

Passed, 727. Amended, 678, 727.

House Bill No. 123 .- (S. W. Johnson)

A Bill for an Act Creating the Office of Commissioner of Immigration; Prescribing His Powers and Duties and Making an Appropriation Therefor, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Received from the House, 688. First and second reading, 690. Reference, 690. Reported back, 718.

Lost, 739. Passed, 748. Other action, 747.

House Bill No. 124 .- (Opland and Martin)

A Bill for an Act Providing for Judicial Districts, Judges Thereof, Their Compensation and Method of Payment, Terms of Court to Be Held, Powers and Duties of Such Courts and the Procedure Therein, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Received from the House, 529.

Reference, 530. Reported back, 554.

Passed, 616.

House Bill No. 127 .- (Herbert)

A Bill for an Act to Promote the Development of the Dairy Industry of the State, Especially Through the Manufacturing and Marketing of Dairy Products, and Authorizing the Commissioner of Agriculture and Labor to Contract for and Operate and Manage a Creamery for Experimental Purposes and to Engage in the Activities Connected with or Incident to the Manufacturing and Marketing of Dairy Products and By-products, Defining His Powers and Duties; Making an Appropriation; and Providing for the Raising and Expenditure of Funds for Carrying into Effect the Provisions of This Act.

Received from the House, 378. First and second reading, 380.

Reference, 380. Reported back, 677. Passed, 721.

House Bill No. 128 .- (Caddell)

A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for Each Year for the Purpose of Creating a Fund to be Known as the "Returned Soldiers' Fund;" Providing for the Payment Thereof to LXXX INDEX

> Returned Soldiers; Defining the Powers and Duties of the Adjutant General and of the Industrial Commission with Reference Thereto; and Making an Appropriation There-

Received from the House, 570. First and second reading, 587. Reference, 587. Reported back, 634. Passed, 696.

House Bill No. 129 .- (Eckert)

A Bill for an Act Amending and Re-enacting Section 2698 of the Compiled Laws of the State of North Dakota for the year 1913, Providing for the Inspection of Meat and All Animals to be Slaughtered.

Received from the House, 306. First and second reading, 315. Reference, 315. Passed, 438.

Amended, 398.

House Bill No. 132.—(Wadeson)

A Bill for an Act to Prevent the Spreading of All Prohibited or Proscribed Weeds and Crop Pests, Noxious Weeds, Fungus, and Other Crop Disease-producing Pests; Creating the Office and Designating State Seed Commissioner, State Commissioner of Seeds and Weeds; Providing for the Appointment of County Inspectors by County Commissioners; Defining the Powers and Duties of the State Commissioner of Seeds and Weeds, County Inspectors, County Auditors, and the Duties of the Owners, Lessees, Mortgagees, Occupants and Agents of Lands; Requiring Seed to be Labeled, and Prohibiting the Sale of Materials Containing any Prohibited or Prescribed Weeds or Crop Disease-producing Pests; Making an Appropriation, and Providing a Penalty Therefor; Regulating the Sale of Seed for Sowing Purposes; and Repealing Chapter 252, Laws of North Dakota for the year 1917.

Received from the House, 637. First and second reading, 638. Reference, 638. Reported back, 677. Indefinitely postponed, 685.

House Bill No. 133 .- (Judiciary Committee)

A Bill for an Act Making the Simulation of Organization Names a Crime.

Received from the House, 228. First and second reading, 263. Reference, 263. Reference, 263. Reported back, 269. Passed, 298.

House Bill No. 137.—(Haines)

A Bill for an Act to Amend and Re-enact Sections 1007 and 1008 of the Compiled Laws of North Dakota for the year 1913, Relating to Election Returns. Received from the House, 610.

First and second reading, 615.

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Reference, 615. Reported back, 677. Passed, 720.

House Bill No. 139 .- (Strain and Koller)

A Bill for an Act to Appropriate the Sum of Two Hundred Eighty Dollars (\$280.00) Out of Any Money in the State Treasury Not Otherwise Appropriated to Reimburse Alphonso Boley of Mandan, North Dakota.

Received from the House, 637. First and second reading, 639.

Reference, 639.

Reported back, 689.

Passed, 737.

Amended, 689.

House Bill No. 145.—(Committee on Appropriations)

A Bill for an Act to Appropriate \$8,000 to Aid in the Educational Work Being Carried On by the North Dakota Anti-Tuberculosis Association, and the Prevention of the Spread of Tuberculosis More Definitely Prescribed in Chapter 7 of the Session Laws of North Dakota for 1915 for the Salary and Traveling Expenses.

Received from the House, 571. First and second reading, 587.

Reference, 587. Reported back, 647.

Passed, 697.

Amended, 647, 697.

House Bill No. 147 .- (Committee on Appropriations)

A Bill for an Act Making an Appropriation for the County Agricultural and Training Schools at Park River, and Maddock, North Dakota.

Received from the House, 465.

Reference, 490.

Reported back, 612.

Passed, 671.

House Bill No. 148.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the Maintenance of State Parks at Abercrombie, Walhalla, Pembina and Fort Rice, including Old Fort Lincoln.

Received from the House, 610.

First and second reading, 615.

Reference, 615.

Reported back, 647, 743.

Passed, 698.

Other action, 698, 714, 719.

Amended, 647.

House Bill No. 149.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation to Enable the State of North Dakota to Pay its Pro-rata Share to Cover the Expenses of the Governor's Conference, for the years 1919 and 1920.

Received from the House, 465.

Reference, 491.

Reported back, 614.

Passed, 675.

House Bill No. 150.—(Committee on Appropriations)

A Bill for an Act Appropriating Money for the North Dakota Fair Association.

Received from the House, 465.

Reference, 491.

House Bill No. 151.—(Committee on Appropriations)

A Bill for an Act Making an Appropriation for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State.

Received from the House, 465.

Reference, 491. Reported back, 689.

Passed, 738.

House Bill No. 152-(Wadeson)

A Bill for an Act to Amend and Re-enact Section 2530 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the Superintendent of County Asylums and Poor Farms, and to Provide for the Payment of Hospital Fees by Patients Received at County Asylums and Poor Farms Maintaining Hospitals, in Certain Cases.

Received from the House, 571,

First and second reading, 587.

Reference, 587.

Reported back, 602.

Passed, 671.

House Bill No. 156-(C. Ness)

A Bill for an Act to Amend and Re-enact Chapter 124 of the Session Laws of North Dakota for the Year 1915, Permitting Townships Through Their Board of Supervisors to Build Drains Within the Township and Outlets Therefor Without the Township, and to Provide the Manner of Assessing the Cost Thereof and Provide for its Payment.

Received from the House, 465,

Reference, 491.

Reported back, 554,

Pased, 585.

Amended, 585.

House Bill No. 158.—(Lazier)

A Bill for an Act to Provide for the Establishment of Flood Irrigation Projects, the Establishment, Construction and Maintenance of Dams, Gates and Necessary Ditches for the Purposes of Controlling, Regulating and Forcing the Overflow of Waters in Non-navigable Rivers and Streams and the Appointment of Boards of Floods Irrigation, and Defining Their Powers and Duties.

Received from the House, 464.

Reference, 490.

Reported back, 554.

Passed, 584.

House Bill No. 160.—(Klein)

A Bill for an Act to Amend and Re-enact Paragraph 1 of Chapter 126 of the Laws of North Dakota for the Year 1917, Relating to the Guarantee of Bank Deposits.

Received from the House, 263.

Reference, 263.

Reported back, 422. Passed, 488. Other action, 348.

House Bill No. 161 .- (Arnold)

A Bill for an Act to Amend and Re-enact Section 1136 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 208 of the Session Laws for 1917, Relating to the Office of County Superintendent of Schools.

Received from the House, 464.

Reference, 490.

Passed, 662,

Amended, 536, 662.

House Bill No. 163 .- O'Brien)

A Bill for an Act Requiring the Label of the International Typographical Union to be Placed Upon all Public Printing of the State of North Dakota and Providing Penalties for the Violation Thereof,

Received from the House, 664.

First and second reading, 666.

Reported back, 683.

Passed, 736.

House Bill No. 165 .- (Yeater)

A Bill for an Act to Authorize Fraternal Beneficiary Societies to Provide Whole Family Protection.

Received from the House, 307.

First and second reading, 315.

Reference, 315.

Reported back, 391.

Passed, 437.

House Bill No. 166.—(Burkhart)

A Bill for an Act Appropriating the Sum of Nine Hundred Twenty-fifive Dollars and Twenty-five Cents for Services and Expenses Incurred in Connection with the Inventory and Appraisal of Public Utility Corporations in North Dakota by Hagenah & Erickson, Under the Direction of the Governor, Attorney General and the State Tax Commissioner.

Received from the House, 571.

First and second reading, 587.

Reference, 587.

Reported back, 648,

Passed, 699,

House Bill No. 167 .- (Arnold)

A Bill for an Act Providing that the County shall Furnish Wearing Apparel for Insane Patients,

House Bill No. 168,-(Hall)

A Bill for an Act to Amend and Re-enact Section 3630 of the Compiled Laws of 1313, Relating to the Duties of City Attorney.

Received from the House, 464.

Reference, 490.

Reported back, 553,

Indefinitely postponed, 607.

House Bill No. 170 .- (Brostnen)

A Bil for an Act Amending and Re-enacting Sections 1, 2 and 8 of Chapter 131, Laws of North Dakota for the Year 1917, Relating to the Creation of a State Highway Commission, Defining its Duties and Powers and Authorizing Said Commission to Purchase Right of Ways, Materials and Machinery for the Construction of Highways; Providing for the Co-operation of Said Commission with the State Educational Institution; Amending and Re-enacting Section 2976-0 as Amended by Chapter 131 of the Session Laws of North Dakota for the Year 1917; Declaring an Emergency, and Repealing all Acts and Parts of Acts in Conflict Herewith.

Received from the House, 708, First and second reading, 713. Reference, 713. Reported back, 742. Passed, 748.

House Bill No. 172 .- (Larkin)

A Bill for an Act Relative to Payment of Deposits in Trust. Received from the House, 257.
First and second reading, 263.
Reference, 263.
Passed, 436.
Amended, 389.
Other action, 348.

House Bill No. 174.—(Kellogg)

A Bil for an Act to Make the Teaching of Music Compulsory in the Public Schools of the State of North Dakota.

Received from the House, 360. First and Second reading, 369. Reference, 369. Reported back, 374. Indefinitely postponed, 399.

House Bill No. 176 .- (Kell)

A Bill for an Act Relating to the Practice of Chiropractic in the State of North Dakota,

Received from the House, 266. First and second reading, 276. Reference, 276. Pased, 488, 513. Amended, 422. Other action, 506.

House Bill No. 179-(Nesvig)

A Bil for an Act to Amend and Re-enact Section 1147, Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 135 of the Session Laws for the Year 1915, Relating to the Formation of New School Districts.

Received from the House, 465. Reference, 491, 567. Passed, 567, 663. Amended, 591.

House Bill No. 180.—(Renauld)

A Bil for an Act to Amend and Re-enact Section 2223 of the Compiled Laws of North Dakota for the Year 1913 Relating to the Redemption of Land Sold for Taxes,

Received from the House, 465.

Reference, 491.

Reported back, 614,

Passed, 675.

Amended, 614,

House Bill No. 182,-(Keitzman)

A Bill for an Act to Amend and Re-enact Section 6749, Compiled Laws of 1913, Relating to the Satisfaction of Mortgages and Liens.

Received from the House, 465. Reference, 491. Reported back, 556. Indefinitely Postponed, 663.

House Bill No. 184 .- (Malone)

A Bil for an Act to Protect the Lives and Health and Morals of Women and Minor Workers, and to Establish Maximum Hours and Minimum Wages Therefor; Authorizing and Empowering the Workmen's Compensation Bureau to Fix Such Maximum Hours and Minimum Wages and Standard Conditions of Labor for Such Workers; Providing Penalties for Violation of this Act; Making an Appropriation Therefor and Repealing Chapter 181 of the Session Laws of North Dakota for the Year 1917, and All Acts or Ports of Acts in Conflict with the Provisions of this Act.

Received from the House, 610. First and second reading, 615. Reference, 615. Reported back, 622. Passed, 679.

House Bill No. 186 .- (Malone)

A Bill for an Act Regulating and Fixing the Hours of Labor for Females, and Providing Penalties for the Violation Thereof.

Received from the House, 637. First and Second reading, 638. Reference, 638. Reported back, 679. Passed, 728.

House Bill No. 189 .- (Appropriations Committee)

A Bill for an Act Creating the Flood Control Commission; Prescribing its Powers and Duties; Providing for the Appointment and Compensation of the Flood Control Engineer and Such Other Employees as May be Necessary and Providing an Appropriation to Carry Out the Purposes of this Act.

Received from the House, 682. First and second reading, 690. Reference, 690. Reported back, 725. Passed, 740. Amended, 725.

House Bill No. 190 .- (Arnold)

A Bill for an Act Reinstating and Validating Charters of Corporations and Organizations for the Purpose of Securing Homes for Orphans, Affected by Failure to Comply with the Provisions of Section 5100 of the Compiled Laws of the State of North Dakota for the Year 1913.

Received from the House, 282. First and second reading, 298. Reference, 298. Reported back, 398. Passed, 437.

House Bill No. 192.—(Bratsberg)

A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1915, Being an Act to Provide for the Support of Needy Women, who are Mothers of and who are Compelled to Support one or more Children Under the Age of Sixteen Years of Age.

Received from the House, 688. First and second reading, 690. Reference, 690. Indefinitely postponed, 724.

House Bill No. 193 .- (Delayed Bills Committee)

An Act Amending and Re-enacting Section 1755 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Salaries of Resident Officers of the State Hospital for the Insane.

Received from the House, 708. First and second reading, 713. Reported back, 723. Passed, 739. Passed, 748. Reference, 713.