

upon to do so, and a refusal shall be deemed prima facie evidence that the solicitor is violating the provisions of this act.

§ 4. EXCEPTIONS.] This act shall not apply to sisters of charity, salvation army, deaconesses, who wear a distinct garb, nor to taking up collections in churches for organizations distinctly denominational in character and management.

§ 5. PENALTY.] Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and shall be subject to punishment as provided in section 6812 of the revised codes.

Approved March 10, 1903.

BOARDS OF HEALTH.

CHAPTER 40.

[H. B. No. 186—McLain.]

COMPENSATION OF MEMBERS OF COUNTY BOARDS OF HEALTH.

AN ACT Amending Section 250 of the Revised Codes of North Dakota, Relating to County Boards of Health.

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

§ 1. AMENDMENT.] That section 250 of the revised codes of North Dakota be amended so as to read as follows:

§ 250. COMPENSATION.] The president and vice president of the board shall receive three dollars per day for every day in which they may be actually and necessarily engaged in the performance of their duties, and five cents per mile for every mile actually and necessarily traveled in the discharge of their duties. The county superintendent of health shall receive five dollars per day for every day in which he may be actually and necessarily engaged and five cents for each mile actually and necessarily traveled in the performance of his duties. Physicians employed by the county board of health shall not receive less than two dollars per visit for medical attendance upon any patient, and not to exceed ten cents per mile for each mile actually and necessarily traveled in visiting such patient. No member of such board of health shall receive any other or further compensation for his services than as herein provided.

Approved March 19, 1903.

CHAPTER 41.

[S. B. No. 77—Taylor.]

EXPENSES OF LOCAL BOARDS OF HEALTH.

AN ACT to Amend Section 273 of the Revised Codes of North Dakota.
Relating to Expenses Incurred by Local Boards of Health.

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

§ 1. AMENDMENT.] That section 273 of the revised codes of North Dakota be amended so as to read as follows:

§ 273. BOARD HAS FULL POWER. EXPENSES.] Local boards of health may employ such persons as may be necessary to carry into effect the provisions of this article and the regulations established by them, and such physicians as they deem necessary, and provide such necessaries of life as in their judgment shall be needed for the maintenance, welfare and comfort of persons afflicted with contagious and infectious diseases. All expenses incurred by any local board of health in carrying into effect the provisions of this article, and in providing for the care and maintenance of such sick persons, and all expenses incurred under any of the provisions of this article, shall be audited and allowed by the board incurring the same; such expenses in case of township boards of health shall be certified to the township clerk and paid out of the general fund of the township, and in case of city boards of health shall be certified to the city auditor and paid out of the general fund of the city, and in case of county boards of health, shall be certified to the county auditor and paid out of the general fund of the county; all expenses incurred by such boards of health for the care, medical attendance or support of any such sick person shall be a charge upon such person and upon the person legally chargeable with the support of such person, and may be collected by suit in the name of the township, city or county, which shall have incurred such expense; provided, however, that in cases where, after due investigation, such township or city board of health is satisfied that such sick person or the person legally charged with the support of such person is too poor to pay the expenses incurred in his behalf, then and in such cases the local board of health shall make an indorsement to such effect on the bill of expenses incurred in such case, and the clerk of such township or the city auditor of such city shall send a certified statement of such bill of expenses with the endorsement of such local board of health to the county auditor; such statement shall contain the date upon which such claims were allowed, to whom allowed, for what purpose and the amount allowed, and an itemized statement of the expenses incurred; upon receipt of such statement the county auditor shall

refer the same to the county board of health, and if approved by the county board of health, the county auditor shall issue his warrant upon the county treasurer, payable out of the general fund of the county, the amount allowed by such township or city; such warrant shall be made payable to the treasurer of such township or city, as the case may be.

§ 2. EMERGENCY.] Whereas, there now exists no adequate law for the payment of expenses incurred in preventing the spread of contagious and infectious diseases, an emergency exists; therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 5, 1903.

BOARD OF PARDONS.

CHAPTER 42.

[S. B. No. 73—LaMoure.]

RELATING TO BOARD OF PARDONS.

AN ACT Amending Section 2, Chapter 34, Session Laws of 1901, Relating to the Board of Pardons and Prescribing the Powers and Duties Thereof.

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

§ 1. AMENDMENT.] That section 2, chapter 34, session laws of 1901, be amended to read as follows:

§ 2. Every pardon or commutation of sentence shall be in writing and shall have no force or effect unless the same be granted by unanimous vote of those present of said board convened as such, four of whom shall constitute a quorum. A reprieve in a case where capital punishment has been imposed may be granted by the governor, but for such time only as may be reasonably necessary to secure a meeting of said board of pardons for the consideration of an application for a reprieve, pardon or commutation of the sentence of the person so reprieved. Said board may grant an absolute or conditional pardon, and any conditional pardon shall state the terms and conditions on which it was granted. Such board of pardons may issue its warrant under the seal of said board to any proper officers to carry into effect such pardon, which warrant shall be obeyed and executed instead of the sentence which was first originally pronounced.

§ 3. EMERGENCY.] An emergency exists in this, that the present law does not define what shall constitute a quorum of the board of