

and fees for such foreclosure shall be the same as are provided in section 5892 of the revised codes. A report of such foreclosure shall be made in the manner set forth in section 5888 of the revised codes; provided, that when the lien has not been filed in the office of any register of deeds, then a report of such sale shall be filed in the office of the register of deeds of the county wherein the property is sold. Such liens may also be foreclosed by action as provided in chapter 28 of the code of civil procedure.

§ 2. REPEAL.] All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 10, 1903.

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## LIVE STOCK.

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### CHAPTER 121.

[H. B. No. 198—McClure.]

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#### INSPECTION OF LIVE STOCK.

AN ACT to Amend and Re-enact Chapter 121 of the Laws of North Dakota for the Year 1901, Concerning the Inspection of Live Stock.

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

§ 1. AMENDMENT.] That chapter 121 of the laws of North Dakota for the year 1901 be and the same is hereby amended to read as follows;

§ 1. STOCK INSPECTION.] Whenever the board of county commissioners in any county are petitioned so to do by at least ten per cent of the voters of their county, as evidenced by the number of votes cast for congressman at the last general election, they may appoint the sheriff of their county as live stock inspector, and when so appointed, the said sheriff shall perform the duties and receive the compensation therefor as hereinafter prescribed by this act.

§ 2. INSPECTION BEFORE SHIPPING.] It shall be the duty of said stock inspector to inspect all horses of which he has knowledge are about to be loaded for shipment, or to be driven or shipped out of the county in which he resides, to any other point within the state or to a point outside the state, before the same is shipped.

§ 3. INSPECTOR TO KEEP RECORD.] Said inspector shall make and keep a record in his office in a book expressly for that purpose, which record shall be open to the public, and shall contain: First, the marks and brands upon each of said animals; and, second, if no marks or brands appear thereon, he shall take a general description of the same; third, the owner of said horses, if ascertainable, and if not, he shall so

state in his record; fourth, the person in whose name said horses are shipped; fifth, the name of the person in charge of the same; and, sixth, the point of destination, together with such other information as may assure the inspector that the person shipping or driving is the owner, or has lawful right to ship or drive the same. If the inspector shall be satisfied from his inspection that the person shipping or driving said horses is the owner or has lawful right to ship or drive the same, he shall, on payment of the fees hereinafter prescribed, give to such person a permit to ship or drive the same, which permit shall be in writing and shall set forth the number and description of the animals.

§ 4. UNLAWFUL TO SHIP WITHOUT PERMIT.] It shall be unlawful for any person or persons to cause to be shipped or driven, any horses from any county in this state or any other county therein, or to a point without said state, without such person or persons first notifying the said stock inspector of the proposed shipment or driving, and request that an inspection of the animals to be shipped or driven be made, and until the permit shall have been issued, as specified in this act, no railway or transportation company shall ship any such stock until said permit shall have been issued. But the said stock inspector may at his discretion issue a written permit to drive horses from one county to another within this state without any personal inspection or fees.

§ 5. INSPECTOR'S FEES.] The said stock inspector shall be entitled to demand and collect the following fees for inspection, viz: Ten cents per head for each horse, and he is hereby given a lien upon said animals for such inspection fees, and mileage at the rate of ten cents per mile for each mile actually traveled in going to and returning from the place of inspection.

§ 6. PENALTY.] Any person who shall ship any horses from any county in this state without having first procured the inspection of said stock and received a permit authorizing said shipment, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than two hundred dollars, or imprisonment in the county jail for not less than thirty days, nor more than six months, or by both such fine and imprisonment.

§ 7. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

Approved March 12, 1903.