

MALICIOUS INJURY.

CHAPTER 133.

[S. B. No. 232—Spoonheim.]

MALICIOUS INJURY TO FREEHOLD.

AN ACT to Amend Section 7569 of the Revised Codes of 1899, Relative to Malicious Injury to Freehold.

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

§ 1. AMENDMENT.] That section 7569 of the revised codes of 1899 be amended so as to read as follows:

§ 7569. MALICIOUS INJURY TO FREEHOLD.] Every person who wilfully commits any trespass by either:

1. Cutting down or destroying any kind of wood or timber, standing or growing upon the lands of another, or driving or riding through, into or across any cultivated hedge or tree row, or any grove of ornamental trees or orchard of fruit trees growing upon the land of another, or in any other manner injuring the same; or,

2. Carrying away any kind of wood or timber that has been cut down and is lying on such lands; or,

3. Maliciously severing from the freehold any produce thereof or anything attached thereto; or,

4. Digging, taking or carrying away from any lot situated within the bounds of any incorporated city, without the license of the owner or legal occupant thereof, any earth, soil or stone, being a part of the freehold or severed therefrom at some previous time, under such circumstances as would render the trespass a larceny, if the thing so severed or carried away was personal property; or,

5. Digging, taking or carrying away from any land in any incorporated city or town of this state, laid down on the map or plan of said city or town as a street or avenue, or otherwise established or recognized as a street or avenue without the license of the mayor and common council, or other governing body of such city or town, or owner of the fee thereof, any earth, soil or stone, under such circumstances as would render the trespass a larceny, if the thing so severed or carried away was personal property; or,

6. Hauling upon the real estate, lot or farm of another any dead horse, dog, cow, or other animal, or any manure, offal, putrid or unsound beef, pork, fish, hides or skins, or flesh of any kind or description, or any tin cans, filth, offal, vegetables, or other unsound or offensive matter or thing whatsoever, or any matter or thing which

by putrefaction or decomposition will produce an offensive smell or effluvia, or any other substance of any kind, nature or description, without first obtaining the consent of the owner or occupant thereof in writing, is guilty of a misdemeanor.

§ 2. EMERGENCY.] An emergency is hereby declared to exist, and this act shall take effect and be in force on and after its passage and approval.

Approved March 6, 1905.

MEDICINE AND SURGERY.

CHAPTER 134.

[S. B. No. 72—Taylor.]

PROMOTING ANATOMICAL KNOWLEDGE.

AN ACT to Promote Anatomical Knowledge and the Science of Medicine and Surgery and to Provide for Anatomical Material for Such Purposes, and Penalties for Neglecting to Comply With the Provisions of This Act.

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

§ 1. BODIES OF DECEASED PERSONS WHO ARE BURIED AT PUBLIC EXPENSE TO BE GIVEN TO PHYSICIANS AND SURGEONS TO PROMOTE ANATOMICAL KNOWLEDGE.] That superintendents of penitentiaries, hospitals, insane asylums and poor houses, coroners, sheriffs, jailors, city and county undertakers, and all other state, county, town and city officials who shall have custody of any body, of any deceased person required to be buried at public expense, shall give permission to any physician or surgeon who is a licentiate of the state board of medical examiners, or to any medical school or college, public or private, of any city, town or county within this state, upon his or their request therefor, to receive and remove free of charge or expense, after having given proper notice to the relatives or guardians of the deceased, the bodies of such deceased persons to be buried at public expense, to be by him or them used within the state for advancement of anatomical knowledge and medical science, preference being given to medical colleges or schools, public or private; such bodies to be distributed to, and among the same equitably; the number assigned to each being in proportion to the students of each college or school; provided, however, that if any person claiming to be, and satisfying the proper authorities that