

## CHAPTER 211.

[S. B. No. 118—Gunderson]  

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## PURCHASE OF GRAIN.

AN ACT Making It Unlawful for Any Person, Firm, Association, Co-Partnership or Corporation Doing Business in the State to Purchase Grains at a Different Weight for the Bushel Than Is Fixed by Law, or to Take or Accept any Dockage on Grains Not Docked at the Terminal Markets of Minnesota and Wisconsin.

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

§ 1. UNLAWFUL TO BUY AT OTHER THAN LEGAL WEIGHT. DOCKAGE.] It shall be unlawful for any person, firm, association, co-partnership or corporation doing business in the state to purchase or receive any wheat, oats, barley, flax or other grains at a different weight for the bushel measure than the number of pounds fixed by the laws of our state, and no dockage shall be taken or received on same, excepting on such grains as the grain inspection boards for the terminal markets of the states of Minnesota and Wisconsin place a dockage.

§ 2. PENALTY.] Any person, firm, association, co-partnership or corporation found guilty of violating the provisions of this act shall be guilty of a misdemeanor and be fined not less than twenty-five nor more than one hundred dollars for each and every offense.

Approved March 11, 1909.

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STATE INSTITUTIONS

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## CHAPTER 212.

[S. B. No. 268—Cashel]  

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## DEPORTATION OF NON-RESIDENT FEEBLE MINDED.

AN ACT Authorizing the Trustees of the Institution for Feeble Minded to Transport, at the Expense of the State, Inmates Whose Parents or Guardian has Removed from the State to the Residence of Such Parent or Guardian Without the State, and Providing an Appropriation Therefor.

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

§ 1. INMATE MAY BE DEPORTED, WHEN.] Whenever it shall be found by the board of trustees of the institution for feeble minded

that the parent or guardian of any inmate, if legally chargeable with the support of such inmate, shall have removed from the state and become a resident of another state or country, such board shall have authority to send such inmate, at the expense of the state, to the place where such inmate belongs in every case where the place of residence of his parent or guardian can be ascertained. The superintendent of such institution shall cause such inmate to be conveyed to the place of his parent's or guardian's residence, and shall be entitled to be reimbursed in the amount of the actual expense thereof out of the state treasury upon the presentation of his bill therefor, audited and certified to by the board of trustees.

§ 2. APPROPRIATION.] There is hereby appropriated out of any moneys in the state treasurer's hands, not otherwise appropriated, a sum sufficient to carry out the provisions of this act.

§ 3. EMERGENCY.] An emergency exists, in that there are inmates in the institution for the feeble minded, now, coming under the provisions of this act, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 15, 1909.

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## CHAPTER 213.

[S. B. No. 264—Cashel]

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### INSTITUTION FOR FEEBLE MINDED.

AN ACT Amending Section 1165 of the Revised Codes of 1905, the Same Being Amended and Embraced in Chapter 237 of the Laws of 1907, Relating to the Inmates of the Institution for the Feeble Minded.

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

§ 1. AMENDMENT.] Section 1165 of the revised codes of 1905, as amended and embraced in chapter 237 of the laws of 1907, be and the same is hereby amended and re-enacted so as to read as follows:

§ 1165. WHO MAY RECEIVE BENEFITS OF SCHOOL.] All feeble minded persons residents of this state, who, in the opinion of the superintendent, are of suitable age and capacity to receive instruction in the institution for the feeble minded, and whose defects prevent them from receiving proper training in the public schools of the state, and all idiotic and epileptic persons residents of this state, may be admitted to and receive the benefits of the institution subject to payment of the sums hereinafter provided and to such rules and regulations as may be made by its board of trustees; provided, however, that any inmate of such institution shall not be removed therefrom, except upon a written request of the parent, parents, guardian or custodian of such inmate, which said request must

receive the approval of the superintendent before such inmate can be removed.

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

Approved March 15, 1909.

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## CHAPTER 214.

[H. B. No. 374—Traynor]

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### PENITENTIARY RECORDS.

AN ACT to Provide for the Completing of the Audit and Examination of the Books and Records in the State Penitentiary and Twine Plant and for the Perpetuation of the Record of Such Audit and Examination and for Installing and Completing an Adequate System of Books and Records for Said Institutions, and Making an Appropriation to Provide for the Expense Incurred in Carrying Out the Provisions of This Act.

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

§ 1. BOOKS AND RECORDS TO BE INSTALLED.] The governor, the secretary of state and the state auditor be and they are hereby authorized, directed and empowered, to install, or procure installed, a complete and adequate set of books and records for the state penitentiary and twine plant conforming to the needs of the institutions, and to existing laws governing the operation thereof and to transfer or procure to be transferred thereto, a complete and correct account or abstract of the condition of said institutions as will be disclosed upon the completing of the accounting and auditing now in progress.

§ 2. CERTAIN STATE OFFICERS INSTALL SYSTEM.] The governor, the secretary of state and the state auditor are hereby authorized and empowered to assume charge of and complete or procure to be completed such part or portion of the audit or examination of the books and records of said penitentiary and twine plant as may remain undone at the time of the adjournment of the eleventh legislative assembly, and perpetuate the record thereof.

§ 3. EXPENSES PAID.] All expenses connected with the completion of said audit and examination and perpetuating of the record thereof, and with installing and completing such system of books and records of the said state penitentiary and twine plant, shall be audited and allowed by the state auditing board in the same manner as other expenses of government.

§ 4. APPROPRIATION.] In order to carry out the provisions of this act there is hereby appropriated out of any monies in the state treasury not otherwise appropriated the sum of ten hundred dollars, or so much thereof as may be necessary therefor.

§ 5. EMERGENCY.] Whereas, an emergency exists in that a large portion of the work in connection with the carrying out of the provisions of this act is now under way and cannot be interrupted or delayed without loss to the state, an emergency is declared to exist and this act shall take effect upon its passage and approval.

Approved March 12, 1909.

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## STATE OFFICERS

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### CHAPTER 215.

[H. B. No. 294—Wolbert]

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#### STATE EXAMINER AND DEPUTIES.

AN ACT to Amend Section 150 of the Revised Codes of the State of North Dakota of 1905, Relating to the Salary of the State Examiner and to the Appointment, Salaries and Qualifications of Deputies of the State Examiner.

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

§ 1. AMENDMENT.] Section 150 of the revised codes of the state of North Dakota of 1905 is hereby amended to read as follows:

§ 150. SALARY, DEPUTIES AND PENALTY FOR MALFEASANCE.] The only salary of the state examiner for all services rendered in any capacity whatever, shall be three thousand dollars per year, and his actual and necessary expense incurred in the discharge of his official duties, to be audited and paid in the same manner as the salary and expense of the state officers are paid. He is authorized, with the approval of the governor, to appoint deputies, five, who shall receive an annual salary of eighteen hundred dollars, and one who shall receive an annual salary of fifteen hundred dollars and their actual and necessary traveling expenses, to be audited and paid as hereinbefore stated. The deputy state examiners shall be skilled accountants. If said examiner or his deputies, or either of them, shall directly or indirectly receive any compensation or pay for his services, or extra services, or neglect of services, other than is provided in this article, he shall be deemed guilty of felony.

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

§ 3. EMERGENCY.] This act shall take effect and be in force from and after its passage and approval.

Approved March 20, 1909.