

or if the parent or parents of such child have refused or neglected to provide for its care or support for such period and if such child has in the meantime become a public charge upon the county in which it resides and has remained such for a period of at least two years, then and in such case it may be legally adopted without the consent of its parent or parents upon due proof of the fact of such abandonment or neglect for the period above specified and upon the consent of the board of county commissioners of the county wherein such child resides given at one of its regular meetings. In case the child has no parent living or the consent of the parent is not necessary under the provisions of this section and no other provision is made in this article for the obtaining of consent to such adoption, such consent may be given by the guardian if the child has a guardian and if there is no guardian, consent to the adoption may be given by the person having the custody of the child, or by the next of kin of the child residing in this state.

§ 2. **EMERGENCY.**] Whereas, there is at present no method by which children who have been abandoned by their parents and who are public charges, may be adopted without the consent of such parents, an emergency exists, and this act shall take effect from and after its passage and approval.

Approved March 6, 1911.

## AGRICULTURE AND LABOR

### CHAPTER 4.

[S. B. No. 267—Duncan]

#### CREATING A DAIRY DEPARTMENT.

**AN ACT** to Amend Sections 2, 3, 4, 10 and 14 of Chapter 92 of the Session Laws of the State of North Dakota of 1909, Relating to the Creation of a Bureau of the Department of Agriculture and Labor, to be known as the Dairy Department, to Provide for the Appointment of a Dairy Commissioner and Assistant Dairy Commissioners, Fixing Their Compensation, Defining Their Powers and Duties, Prescribing Rules and Regulations for the Manufacture and Sale of Dairy Products, Providing for a License for Creameries, Cream Stations, Cheese Factories, and Renovating or Process Butter Factories, Throughout the State.

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

§ 1. **AMENDMENT.**] Section 2 of chapter 92 of the Session Laws of North Dakota for the year 1909, is hereby amended to read as follows:

§ 2. **DEPUTY COMMISSIONERS.**] The Commissioner of Agriculture and Labor is hereby authorized and directed to appoint a deputy in his department, who shall be known as the Dairy Com-

missioner, and shall be the official head of the dairy department. He shall have a practical knowledge and experience in the manufacture of dairy products. There shall also be appointed by the Commissioner of Agriculture and Labor two assistant dairy commissioners, who shall possess the same qualifications as the dairy commissioner. Said dairy commissioner and assistant dairy commissioners shall hold their office during the term of the commissioner of Agriculture and Labor, who shall appoint them, subject to removal for inefficiency, neglect or violation of duty.

§ 2. AMENDMENT.] Section 3 of Chapter 92 of the Session Laws of North Dakota for the year 1909, is hereby amended to read as follows:

§ 3. COMPENSATION.] The dairy commissioner shall receive the same salary as is paid to the assistant or chief deputy in other departments of the state government; and the assistant dairy commissioners shall be paid a salary of fifteen hundred dollars per annum, such salary to be paid on vouchers approved by the commissioner of Agriculture and Labor, in the same manner as the salaries of the employees of other departments of the state government are paid.

§ 3. AMENDMENT.] Section 4 of Chapter 92 of the Session Laws of North Dakota for 1909, is hereby amended to read as follows:

§ 4. EXPENSES OF COMMISSIONERS PAID.] In addition to the compensation in this act provided, the said dairy commissioner and assistant dairy commissioners shall be paid all actual and necessary expenses incurred in the performance of their duties, to be paid as the expenses of other departments are paid.

§ 4. AMENDMENT.] Section 10 of Chapter 92, of the Session Laws of North Dakota for 1909, is hereby amended to read as follows:

§ 10. LICENSE.] Every person, firm or corporation owning or operating a creamery, cheese factory, renovating or process butter factory, or cream station in this state, shall be required before beginning business, or within thirty days thereafter, to obtain from the dairy commissioner a license for each and every creamery, cheese factory, renovating or process butter factory, or cream station owned or operated by said person, firm or corporation, which shall be good for one year. The fee for such license shall be ten dollars, and no license shall be transferable. Each license shall record the name of the person, firm or corporation owning or operating the creamery, cheese factory, renovating or process butter factory, or cream station license, its place of business, the location thereof, the name of the manager thereof, and the number of the same. Each license so issued shall constitute a license to the manager or agent of the place of business named therein.

§ 5. AMENDMENT.] Section 14 of Chapter 92 of the Session Laws of North Dakota for 1909, is hereby amended to read as follows:

§ 14. AUTHORITY OF ASSISTANTS.] The assistant dairy commissioners shall perform such duties as may be directed by the dairy commissioner, or the commissioner of agriculture and labor; and when acting as such, the assistant dairy commissioners shall be invested with the same authority as is by this act conferred upon the dairy commissioner.

EMERGENCY.] There is hereby declared to be an emergency in that there is now no law covering the provisions of this bill, therefore, this act shall be in full force and effect on and after its date of passage and approval.

Approved March 3, 1911.

---

## AUTOMOBILES

---

### CHAPTER 5.

[S. B. No. 25—Pierce]

---

#### REGULATING USE OF STREETS.

AN ACT To Authorize Boards of Trustees of Incorporated Villages to Regulate the Use of Streets, Alleys, and Public Grounds by Automobiles, Traction Engines, and other Self-propelled Vehicles, and to Provide for Registration and Identification of the same, at the Expense of the Owners or Operators thereof.

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

§ 1. That in addition to the powers already conferred upon them by law, the boards of trustees of villages shall have and are hereby given the power to regulate by ordinance, the traffic over and use of their streets, alleys and public grounds by automobiles, motor cycles, motor trucks, motor cars, and traction engines, and to provide for the registration and identification of such vehicles owned or operated within the corporate limits of such villages, and at the expense of the owners or operators thereof.

§ 2. EMERGENCY.] Whereas there is now no law by which villages may regulate the operation of such vehicles within their borders, and the safety of the public demands that there be one, therefore an emergency exists and this act shall take effect upon its passage and approval.

Approved February 10, 1911.