

Commissioner of Agriculture and Labor

CHAPTER 79.

[H. B. No. 67—Dixon.]

REGULATING OFFICIAL ESTRAY PAPER.

AN ACT to Amend and Re-enact Section 2659 of Compiled Laws of the State of North Dakota for 1913 Relating to Official Estray Paper.

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

§ 1. AMENDMENT.] That Section 2659 of the Compiled Laws of the State of North Dakota for 1913 is hereby amended to read as follows:

§ 2659. (a) OFFICIAL ESTRAY PAPER. PAYMENT OF FEES.] A weekly newspaper published in the state shall be designated by the Governor as the official newspaper in which all estray notices of the state received by said paper shall be published once. It shall be the duty of the publisher of said paper to transmit one copy, weekly, to the County Auditor of each county in the state and to the Commissioner of Agriculture and Labor at his office at the State Capitol. If such publisher shall fail to transmit copies thereof as herein provided he shall forfeit all right to his fees for publication of estray notices, and shall be liable in civil damages for any loss or damage caused by his neglect. The Board of County Commissioners of each county shall, on the first Monday of January each year, appropriate the sum of five dollars to pay the official estray paper for such publications.

(b) ESTRAY NOTICES. HOW PRINTED.] The estray notices in the official estray paper shall be published in the said paper in a column headed in display type "Official Estray Notices" and shall be printed in the same relative position in each issue of said official estray paper.

Approved, February 6, 1915.

CHAPTER 80.

[H. B. No. 317—Harris.]

STATISTICS FOR COMMISSIONER OF AGRICULTURE AND LABOR.

AN ACT to Amend Section 1905 of the Compiled Laws of North Dakota for 1913, Relating to Statistics.

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

§ 1. AMENDMENT.] That Section 1905 of the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted to read as follows:

§ 1905. STATISTICS. HOW OBTAINED.] Each assessor shall perform the services required of him by a personal visit to each dwelling house and to each family in his township, district, city or village, and shall secure the information which he is required to ascertain by inquiries made of some member of each family, if any can be found capable of giving the information, but, if not, then he shall obtain such information from the most reliable source; and he shall personally visit the farms, shops and other places in the district, respecting which information is required, as specified on the blanks furnished him by the State Statistician, and he shall obtain all information from the best and most reliable sources. The County Auditor shall furnish to each assessor in his county such blanks as may be necessary for taking such statements, which blanks shall be furnished by the State Statistician to the County Auditors, together with printed instructions explaining the duties of the assessor in collecting the statistics aforesaid; and the County Auditor shall, within ten days after such statements are returned to him, make out a duplicate tabular statement thereof, properly verified, one copy of which shall be preserved in the office of the County Auditor and the other forwarded by registered mail to the State Statistician. In case such statement is not received by the State Statistician on or before the twentieth day of July of each year he shall report such fact in writing to the Attorney General, who shall notify such County Auditor in writing of such delinquency, and if such County Auditor neglects or refuses to forward such statement on or before the first day of August, then the Attorney General shall at once proceed to enforce the penalties provided in Section 1907 of the Compiled Laws of North Dakota for 1913.

§ 2. EMERGENCY.] An emergency exists in that the present law does not provide sufficient time between the last day upon which such statements can be filed and the time upon which the report of the Commissioner of Agriculture and Labor is required to be filed with the Governor. Therefore this Act shall take effect and be in force from and after the date of its passage and approval.

Approved, March 2, 1915.

CHAPTER 81.

[S. B. No. 149—Englund.]

DAIRY COMMISSIONERS.

AN ACT to Amend and Re-enact Sections 2836, 2844, 2853, and 2854, of the Compiled Laws of North Dakota for 1913, Relating to the Dairy Department in the Department of Agriculture and Labor.

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

§ 1. AMENDMENT.] That Section 2836 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:

§ 2836. 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 Commissioner, and who 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, with the advice of the Dairy Commissioner, two Assistant Dairy Commissioners who shall possess the same qualifications as the Dairy Commissioner. Said Dairy Commissioner and Assistant Dairy Commissioners shall hold their offices during the term of the Commissioner of Agriculture and Labor who shall appoint them, subject to removal by said commissioner for inefficiency, neglect or violation of duty. The Commissioner of Agriculture and Labor may also appoint, with the advice of the Dairy Commissioner, such other assistants in the dairy department as the needs of the department demand and the funds available permit, not to exceed three in number. The assistants so appointed shall hold office for such time as may be determined by the Commissioner of Agriculture and Labor and shall be subject to removal for inefficiency, neglect or violation of duty.

§ 2. AMENDMENT.] That Section 2844 of the Compiled Laws of North Dakota for the year 1913, is hereby amended to read as follows:

§ 2844. LICENSE.] Every person, firm or corporation owning or operating a creamery, cheese factory, renovating or process butter factory, ice cream factory, or cream station, in the 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, ice cream 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, ice cream 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.

§ 3. AMENDMENT.] That Section 2853 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:

§.2853. STANDARD MILK AND CREAM MEASURES AND TESTS.] The state standard milk measure, or pipette, shall have a capacity of seventeen and six-tenths cubic centimeters, and the standard test tubes or bottles for milk shall have a capacity of two cubic centimeters of mercury at a temperature of sixty degrees Fahrenheit between "zero," and ten on the graduated scale on the neck thereof. Cream shall be tested by weight and the standard unit for testing shall be eighteen grams, and the standard test tubes or bottles shall have a capacity for ten cubic centimeters of mercury at a temperature of sixty degrees Fahrenheit between "zero," and fifty on the graduated scale on the neck thereof, and it is hereby made a misdemeanor to use any means of determining the amount of butterfat in milk or cream other than the Babcock test, or to use any measures, weights, test tubes or bottles, other than those herein described to test the value of milk or cream or the products of either or both, or to determine the percentage of butterfat contained therein. Any manufacturer, merchant, dealer or agent in this state who shall offer for sale or sell a milk pipette or measure, test tube or bottle, which is not marked or graduated as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided by law.

§ 4. AMENDMENT.] That Section 2854 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:

§ 2854. FALSE READING UNLAWFUL.] It shall be unlawful for the owner, manager, agent or employee of any factory, station, plant or place of any character whatsoever, where milk or cream or the products of either or both combined are tested, or for any other person whatsoever, to manipulate, under-read, over-read, or in any other manner to alter, the true reading of the Babcock test, or any other instrument, contrivance or method that is, or can be, legally used to determine the quality or value of milk or cream in butterfat or the products of either, or both combined.

§ 5. EMERGENCY.] An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval.

Approved, March 8, 1915.