

EDUCATION

CHAPTER 125.

[H. B. No. 96—Purcell.]

BOARD OF EDUCATION, CITY OF FARGO.

AN ACT to Amend and Re-enact Section 14 of an Act Entitled, "An Act to Amend an Act Providing a Board of Education for the City of Fargo, and Regulating the Management of the Public Schools Therein, Approved March 4, 1885, and to Repeal Section 24 of said Act."

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

§ 1. AMENDMENT.] Section 14 of "An Act to amend an Act providing a Board of Education for the City of Fargo, and regulating the management of the public schools therein, approved March 4, 1885," is amended and re-enacted to read as follows:

§ 14. (a) The board of education of said city is authorized and empowered, and it is its duty whenever the board deems it necessary for the efficient organization, establishment, and maintenance of schools in said city, or when the taxes authorized by law shall not be sufficient, or shall be deemed by the board burdensome upon the taxpayers of said city, to issue the bonds of said city in denomination of fifty dollars or some multiple of fifty, payable at a time not to exceed twenty-five years after date, and bearing interest at a rate not to exceed eight per cent. per annum, payable semi-annually on the first day of January and July of each year; and to show up on their face that they are issued for school purposes; the said board of education is authorized to cause the same to be sold at not less than par value, and the money realized therefrom deposited with the City Treasurer to the credit of said board of education; and when any indebtedness is so incurred, it shall be the duty of the board to provide for the collection of an annual tax sufficient to pay the interest and also the principal thereof when due; *provided*, that at no time shall the aggregate amount of such bonds, including all other indebtedness, exceed fifty mills on the dollar of valuation of the taxable property of such district, to be determined by the last city assessment; *provided*, further, that the board of education shall at no time issue and there shall not be outstanding, bonds in the aggregate in an amount to exceed one hundred and sixty thousand dollars unless the issuance of bonds in excess of that amount be first authorized by the voters of the district as hereinafter prescribed.

(b) Before issuing bonds in excess of the aggregate amount of one hundred and sixty thousand dollars, the board of education

shall call an election for the purpose of submitting to the voters of the school district the question of issuing such bonds, notice of which shall be given in the manner prescribed by law for giving notice of the annual election for the several officers of the city, except that such shall be given fourteen days before such election. Such election shall be conducted and returns made in the manner provided for annual election of members of the board of education, and may be held at the time of the annual school election or at any other time named in the notice. The notice of such election shall clearly state the amount of bonds proposed to be issued, the rate of interest to be paid, the time in which they shall be made payable, the purpose for which they are to be issued, and the time and places such election will be held. At such election the voters shall have written or printed on their ballots "for issuing bonds" or "against issuing bonds," and if a majority of the votes cast upon that question is for issuing bonds such bonds shall be issued and negotiated by the board of education, otherwise such bonds shall not be issued, nor shall the question be again submitted for one year thereafter except for a different amount and then only upon the written petition of a majority of the voters of the district.

(c). Whenever bonds are issued under the provisions of this Act it shall be the duty of the board of education to notify the Auditor of the City of Fargo of any and all such issues of bonds, stating their amount, rate of interest, when due and to whom payable; and it shall be the duty of said City Auditor to register said bonds in a book to be provided for that purpose and he shall certify on the back of each of said bonds the fact that said bond has been duly registered by him in pursuance with the provisions of this Act, and that said bond is issued pursuant to law and is within the debt limit. The board of education may in its discretion invest for a limited time any part of the money so raised by taxation for the payment of said bonds or purchase such bonds before maturity, on such terms as it may deem advantageous whenever the sum on hand shall exceed five hundred dollars.

Said board from the proceeds of the sale and negotiation of such bonds may also in their discretion pay any indebtedness existing at the time of the passage of this Act, heretofore incurred, for the purchasing of school sites or the erection or improvement of school houses thereon.

§ 2. REPEAL.] Section 24 of said Act is hereby repealed.

§ 3. EMERGENCY.] Whereas, as emergency exists, therefore this Act shall be in force and effect from and after its passage and approval.

Approved, February 2, 1915.

CHAPTER 126.

[S. B. No. 244—Gibbens.]

AUTHORIZING BONDS FOR AGRICULTURAL TRAINING SCHOOLS.

AN ACT Entitled, "An Act, Authorizing Counties, in which County Agricultural and Training Schools have been Established, to Issue Negotiable County Bonds to Pay the Outstanding Warrants of such Institutions and to Meet the Current Expenses of Maintaining such Schools, in Anticipation of Funds to be Derived from State and County Levies; also, Providing for the Disposition of such Bonds and for the Levying of an Annual Tax, Sufficient to pay the Interest and also the Principal of such Bonds, When Due."

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

§ 1. COUNTY AUTHORIZED TO ISSUE BONDS.] Any organized county in this state which shall heretofore have established, or which may hereafter establish a County Agricultural and Training School, is hereby given the power and authority, by and through its Board of County Commissioners when in the judgment of said board it is deemed to be for the best interests of the county, to issue its negotiable bonds in the name of such county for the purpose of paying the current expenses of maintaining such schools in anticipation of funds levied for the maintenance by the state and county and to pay outstanding warrants of such institutions; *provided*, however, that no county shall, in any event, issue its bonds in any amount, which, with its prior bonded indebtedness, will exceed the maximum indebtedness allowed by law.

§ 2. \$10,000.00 BOND ISSUE AUTHORIZED.] Whenever the Board of County Commissioners of any such county shall be presented with a petition signed by all the members of the board of trustees of any County Agricultural and Training School, requesting such Board of County Commissioners to issue and negotiate bonds in the name of such county, for the purposes mentioned in Section 1 of this Act, the Board of County Commissioners of such county may, if in the judgment of such board it is deemed to be to the best interests of the county, issue negotiable bonds for such purposes in a sum of not to exceed ten thousand dollars (\$10,000.00); *provided*, that no bonds shall be issued, unless a building or buildings shall have been erected for such school and unless such school is in actual operation.

§ 3. ISSUANCE OF BONDS. RATE OF INTEREST.] Such bonds shall be in denominations of one hundred dollars (\$100.00), each, shall bear the date of their issue, and shall be made payable to bearer in not less than five, nor more than twenty, years from their date and shall bear interest at a rate not to exceed six per cent. per annum, payable semi-annually, with coupons attached for each interest installment. Such bond and coupons shall be signed by the chairman of the Board of County Commissioners and shall be

attested by the County Auditor. The seal of the county shall be affixed to each bond, but not to the coupons. Such bonds shall be printed, lithographed or engraved on bond paper, and shall state on its face that it is issued in accordance with the provisions of this Act. Such bonds may be made payable anywhere in the United States.

§ 4. TAX LEVY.] At or before the time of incurring such indebtedness or issuing such bonds, the Board of County Commissioners shall provide for the collection and levy of an annual tax on all the taxable property of the county, sufficient to pay the interest and also the principal thereof, when due, and the resolution of such board, providing for such tax and for the payment of the interest and principal of such debt shall be irrevocable until such debt be paid.

§ 5. REGISTRATION OF BONDS.] Such bonds, before being negotiated, must be registered in the office of the County Auditor of such county, who shall endorse on each of such bonds a certificate, signed by the County Auditor, stating that such bond or evidence of debt is issued pursuant to law, and is within the constitutional debt limit.

§ 6. SALE OF BONDS.] Such bonds need not be advertised for sale but may be negotiated by such board at private sale, but must not be sold for less than par.

§ 7. WHO MAY PURCHASE.] Such bonds may be purchased by the Board of University and School Lands, and may also be purchased by private parties.

§ 8. COUNTY TREASURER TO PAY. WHEN.] When such bonds, and the coupons thereto attached, mature, it shall be the duty of the County Treasurer to pay the sum on presentation out of any funds in his hands, applicable thereto, and he shall cancel them by writing or stamping across the face of each bond or coupon the words "paid this.....day of.....," inserting the date of payment.

§ 9. BONDS RETIRED BEFORE MATURITY.] After such bonds shall have been in force for three years, the Board of County Commissioners may, if deemed prudent to do so, by resolution, order said bonds to be retired, in whole or in part, and paid before maturity on any date when the semi-annual interest shall be due. The County Auditor must publish such resolution for three weeks in one of the official papers of the county, and it shall be the duty of the holders of such bonds to present the same and accept payment accordingly. If not so presented within ninety days from the publication of such notice, interest on such bonds shall cease in accordance with such resolutions.

§ 10. FUNDS, HOW HANDLED.] The money derived from the sale of such bonds must be paid to the County Treasurer and by him placed to the credit of such County Agricultural and Training School. At the regular August meeting of the board of trustees

each year the County Treasurer shall meet with the board and have an annual settlement of funds. It shall be the duty of the treasurer to see that a sum equal to at least 80 per cent. of such bond issue shall be kept on hand by the board at the time of such settlement to meet the payment of warrants during the ensuing year.

§ 11. EMERGENCY CLAUSE.] Whereas, there is no law to enable County Agricultural and Training Schools to raise money for the payment of the current expenses of such institutions until the time when the amounts levied for such purpose are actually paid into the county treasury in the shape of taxes, therefore, an emergency exists and for that reason this Act shall take effect and be in force from and after the date of its passage and approval.

Approved, March 2, 1915.

CHAPTER 127.

[S. B. No. 201—Nelson of Rolette.]

CONSOLIDATION OF SCHOOLS.

AN ACT to Amend and Re-enact Section 1190 of the Compiled Laws of 1913 of the State of North Dakota, Relating to the Consolidation of Schools.

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

§ 1. AMENDMENT.] That Section 1190 be amended and re-enacted to read as follows:

§ 1190. CONSOLIDATION OF SCHOOLS.] The district school board may call, and if petitioned by one-third of the voters in the district, shall call an election to determine the question: (1) "To consolidate two or more schools or the territory usually served by two or more schools and select a site and provide a suitable building," or (2) "to select a school already established and, if necessary, make suitable additions thereto to accommodate the pupils of the school to be vacated."

Said election shall be conducted, both as to notices and as to manner of canvassing the votes, in the same manner as the annual school elections. If a majority of the votes cast at such an election are in favor of either proposal, then the board shall carry out the decision of the district within four months thereafter.

In the event of carrying out either proposal prior to or after the passage of this Act, it shall be the duty of the board to provide for the transportation of the pupils at public expense to and from the consolidated school, except to those pupils living less than two and one-half miles from such school; and it shall also be the duty of the board, if deemed expedient, to move to the site selected schoolhouses already built or to sell such schoolhouses.

Approved, March 11, 1915.

CHAPTER 128.

[S. B. No. 127—Gardiner.]

COUNTY AID TO SCHOOLS.

AN ACT to Provide for County Aid to Rural, Graded and Consolidated Schools.

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

§ 1. PETITION. ELECTION.] Whenever a petition, signed by qualified electors of the county equal in number to ten per centum of the votes cast in the county for the candidates of all parties for the office of Governor at the last preceding general election, is presented to the Board of County Commissioners at least forty days prior to any general election praying that a tax be levied upon all taxable property in the county for the purpose of providing county aid to rural, graded and consolidated schools, the Board of County Commissioners shall submit such question to the people of the county at the next succeeding general election. Such question shall appear upon the ballot in the following form:

For county aid to rural, graded and consolidated schools .. []

Against county aid to rural, graded and consolidated schools []

If a majority of the electors voting upon the proposition be in favor of granting such aid, the County Commissioners shall levy a tax of not to exceed one mill on each dollar of assessed valuation of all taxable property in the county.

§ 2. APPORTIONMENT OF TAX.] The moneys derived from the tax so levied shall be apportioned among the rural, graded and consolidated schools of the county in the same manner as the moneys received from the state are now apportioned among such schools. When making the apportionment among the schools, the Board of County Commissioners shall consult with the County Superintendent of Schools and it shall be his duty to assist the Board of County Commissioners in making the apportionment of said moneys in the manner herein provided.

§ 3. EMERGENCY.] Whereas, an emergency exists in that no provision is made by law for county aid to rural, graded and consolidated schools, therefore, this Act shall take effect and be in force from and after its passage and approval.

Approved, March 11, 1915.

CHAPTER 129.

[H. B. No. 213—Purcell.]

FREE KINDERGARTENS.

AN ACT to Amend and Re-enact Section 1402 of the Compiled Laws of 1913, Relating to the Establishment of Free Kindergartens, Payment of Costs Thereof, Government Thereof, and Duty of Superintendent of Public Instruction.

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

§ 1. AMENDMENT.] That Section 1402 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted so as to read as follows:

§ 1402. The school board of any school district in the state, upon a petition signed by a majority of the legal voters in the district, shall establish and maintain free kindergartens in connection with the public schools of said district, for the instruction of children between four and six years of age, residing in said district; *provided* that in cities of over five thousand inhabitants such board shall establish and maintain such kindergarten upon petition of one-fifth of the legal voters; and shall establish such course of training, study and discipline and such other rules and regulations governing such preparatory or kindergarten schools as said board may deem best; *provided*, that nothing in this Act shall be construed to change the law relating to the taking of the census of the school population or of the apportionment of the state or county school funds among the several counties and districts in the state; *provided*, further, that the cost of establishing and maintaining such kindergartens may be paid from the school funds of said districts raised by direct taxation for such purpose, and the said kindergartens shall be a part of the public school system, and governed as far as practicable, in the same manner and by the same officers as are provided by law for the government of the other public schools of the state; *provided*, further, that no person shall be employed as a teacher in such kindergarten schools who has not passed a satisfactory examination in such subjects as the State Examining Board shall require. The State Examining Board shall adopt rules governing the examination of kindergarten teachers, and shall furnish County Superintendents with examination questions and the examination shall be held in the manner provided by law for the examination of teachers in the public schools; *provided*, further, that any person who shall complete the course of training for kindergarten teachers at the state normal schools shall be entitled to teach in the kindergarten schools of this state without examinations.

Approved, March 11, 1915.

CHAPTER 130.

[H. B. No. 264—Carey.]

HIGH SCHOOL GRADUATES MAY TEACH SCHOOL.

AN ACT to Amend and Re-enact Section 1369 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Accrediting of High School Diplomas as Second Grade Elementary Certificates.

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

§ 1. That Section 1369 of the Compiled Laws of North Dakota for the year 1913, be amended to read as follows:

§ 1369. HIGH SCHOOL DIPLOMAS.] Diplomas from North Dakota high schools doing four years' work, granted to graduates who have had psychology, school management and methods of instruction, and three senior-review subjects, shall be accredited as second grade elementary certificates; and if within two years from the date of the diploma the holder has had at least eight months' successful experience in teaching, he shall be entitled to a first grade elementary certificate.

Approved, March 11, 1915.

CHAPTER 131.

[S. B. No. 26—McLean.]

SINKING FUND FOR REDEMPTION OF SPECIAL SCHOOL DISTRICT WARRANTS.

AN ACT to Amend and Re-enact Section 1276 of the Compiled Laws of 1913, Relating to the Levying of Taxes in Special School Districts for the Payment of Interest on Bonds and Outstanding Warrants, and the Creating of a Sinking Fund to Redeem Same.

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

§ 1. AMENDMENT.] That Section 1276 of the Compiled Laws of 1913 be amended to read as follows:

§ 1276. LEVY FOR INTEREST AND SINKING FUND.] The board of education at the time of making its annual tax levy for the support of schools shall also levy a sufficient amount to pay the interest as the same accrues on all bonds issued under the provisions of this Article, and also to create a sinking fund for the redemption of such bonds, which it shall levy and collect in addition to the rate per cent. authorized by the provisions aforesaid for school purposes, and such amount of funds when paid into the treasury shall be and remain a special fund for such purpose only, and shall not be apportioned in any other way except as hereinafter provided. At or before the issuance of any bonds as herein provided the board shall by resolution provide for such annual levy to pay the

interest and to create such sinking fund, and such resolution shall remain in force until all such bonds and the interest thereon shall have been paid; *provided* that the provisions of this Section shall also apply to payment of all warrants issued for a legal purpose and outstanding on January 15th, 1915.

Whereas, an emergency exists in that the money created by this levy is needed for immediate use, therefore this Act shall take effect immediately after its passage and approval.

Approved, February 20, 1915.

CHAPTER 132.

[H. B. No. 239—Stinger.]

LIBRARIES FOR COMMON SCHOOLS.

AN ACT to Amend and Re-enact Section 1176 of the Compiled Laws of North Dakota, Relating to School Libraries.

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

§ 1. AMENDMENT.] That Section 1176 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 1176. FURNITURE, MAPS, REGISTER, SCHOOL LIBRARY.] The district school board shall, with the approval of the County Superintendent of Schools, furnish to each school all necessary and suitable furniture, maps, charts, globes, blackboards, and other school apparatus, including any dictionary which is recognized as a standard authority. The school register and all school blanks used shall be those furnished by the State Department of Public Instruction. It shall appropriate and expend each year not less than ten (\$10.00), or more than twenty-five (\$25.00), for each school of the district for the purpose of school library, to be selected by the school board and the teacher, from any list of books authorized by the Superintendent of Public Instruction, and furnished by him to the County Superintendent for that purpose; *provided*, that all books purchased for the library shall be bound in cloth or some material equally as durable; *provided* further, that when a school board of a common school, has purchased and has in their library two hundred books as afore provided, that the school board having such school under their supervision shall be obliged to expend not less than five dollars (\$5.00) annually, until such library shall contain, in good condition, three hundred volumes, after which said school board shall not be obliged to purchase so as to increase the number, but shall keep the books in good condition, and replace annually as many books as may become lost or destroyed.

Approved, March 11, 1915.

CHAPTER 133.

[H. B. No. 144—Sandbeck.]

MEDICAL INSPECTION OF PUPILS IN PUBLIC SCHOOLS.

AN ACT to Amend and Re-enact Section 1346 of the Compiled Laws of 1913,
Relating to Medical Inspection of Pupils in the Public Schools.

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

§ 1. AMENDMENT.] That Section 1346 of the Compiled Laws of 1913 be amended to read as follows:

§ 1346. MEDICAL INSPECTION OF PUPILS IN PUBLIC SCHOOLS.] The board of any school corporation in this state may, and whenever petitioned by a majority of the persons having children attending the schools of the district, shall employ one or more physicians as medical inspectors of schools. It shall be the duty of the medical inspector to examine, at least once annually, all children enrolled in the public schools of the district, except those who present a certificate of health from a licensed physician, and to make out suitable records for each child, one copy of which shall be filed with the County or City Superintendent of Schools. Notice of physical defects of abnormal or diseased children shall be sent to the parents, with recommendations for the parents' guidance in conserving the child's health. The medical inspector shall co-operate with state, county and township boards of health in dealing with contagious and infectious diseases and to secure medical treatment for indigent children. It shall be the duty of the County and City Superintendents of Schools to co-operate with school boards in promoting medical inspection. He may arrange schools by groups, especially in the rural districts, for the purpose of inspection, and shall advise school boards with a view to securing the most efficient and economical administration of this law. The school board or board of education shall furnish all blanks and other needed supplies for this purpose.

Approved, February 12, 1915.

CHAPTER 134.

[S. B. No. 226—Gibbens.]

RE-NAMING SCHOOL DISTRICTS.

AN ACT to Amend and Re-enact Section 1145 of the Compiled Laws of 1913,
Relating to the Naming of School Districts.

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

§ 1. AMENDMENT.] Section 1145 of the Compiled Laws of 1913 is amended to read as follows:

§ 1145. SCHOOL DISTRICTS. HOW NAMED.] Each school district constituted or formed under the provisions of this Article, shall

be designated a school district as distinguished from a civil township or congressional township and shall be named as follows: Each school district which consists of a civil township shall be named ".....School District of.....County, State of North Dakota," with the name of the civil township inserted in the blank before the word "school" and the name of the county in which it is situated inserted before the word "county." Each school district which consists of territory not organized into a civil township, but which has already a distinctive name, may by a majority vote at any annual school election, after such territory has been organized into a civil township, change such distinctive name to conform to the name given the civil township. Each school district consisting of territory not organized into a civil township which has no distinctive name shall be named "School District No..... of.....County, State of North Dakota," which is organized for school purposes under the district system at the taking effect of this Act, the several school districts shall retain and be known by the number which they have respectively at the time of the taking effect of this Act and any school district hereafter formed in any such county shall be known by the number next higher than that of the highest pre-existing numbered district.

Approved, March 9, 1915.

CHAPTER 135.

[H. B. No. 266—Johnson.]

ORGANIZATION NEW COMMON SCHOOL DISTRICTS.

AN ACT to Amend Section 1147 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Organization of New Common School Districts.

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

§ 1. AMENDMENT.] That Section 1147 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:

§ 1147. NEW COMMON SCHOOL DISTRICTS. HOW ORGANIZED.] The Board of County Commissioners and County Superintendent may organize a new school district from portions of school districts already organized, if in their judgment the organization of a new district is desirable and necessary, upon being petitioned so to do by at least a majority of the school voters residing in the districts, whose boundaries will be affected by the organization of a new district, and by at least three-fourths of the residents of the territory to be included in the new district. No school district shall be organized under the provisions of this Section which shall have less than twenty thousand dollars assessed valuation and shall have residing therein less than twelve children of school age;

provided, that when the districts from portions of which such new district is sought to be organized, lie in two or more adjoining counties, such new district shall be organized by the concurrent action of the Boards of County Commissioners and County Superintendents of such counties; *provided*, further, that action on such organization shall be taken only at the July meeting of the County Commissioners when petitioned by a majority of the voters residing in each of the districts to be affected.

Provided, further, that the County Commissioners and County Superintendent of Schools may organize a new school district from portions of school districts already organized, if in their judgment a new school district is desirable and necessary, upon being petitioned so to do by at least three-fourths of the school voters residing within the territory to be included in the new district, *provided*, such proposed new district shall have an assessed valuation of at least one hundred twenty thousand dollars, and shall have an area equal to a congressional township or major fraction thereof, and shall have residing therein at least twelve children of school age, *provided*, that such organization will not leave the district from which such new district is sought to be organized with an area of less than one congressional township and an assessed valuation of at least one hundred fifty thousand dollars.

Approved, March 13, 1915.

CHAPTER 136.

[S. B. No. 91—Albrecht.]

GIVING COUNTY SUPERINTENDENT OF SCHOOLS AUTHORITY OVER CERTAIN SPECIAL DISTRICTS.

AN ACT to Amend Section 1252 of the Compiled Laws of 1913, of the State of North Dakota, Relating to Supervision of Schools in Special School Districts.

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

§ 1. AMENDMENT.] That Section 1252 of the Compiled Laws of 1913, relating to supervision of schools in special school districts be amended to read as follows:

§ 1252. SCHOOL UNDER SUPERVISION OF WHOM.] The schools of each special district shall be under the immediate supervision of the board of education or the school superintendent appointed by such board, *provided* that where no superintendent is appointed by the board, the schools of such district shall be under the supervision of the County Superintendent of Schools in the same manner as are the schools of a common school district.

Approved, February 13, 1915.

CHAPTER 137.

[S. B. No. 171—Jacobson.]

FIRE DRILL AND GUARDS FOR PUBLIC SCHOOLS.

AN ACT Requiring Fire Drills in the Public Schools Providing for Fire Guards, and Prescribing Penalties for the Violation Thereof.

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

§ 1. DUTIES OF TEACHERS AND SUPERINTENDENTS.] It shall be the duty of all teachers in the public schools of this state where any school has more than one room, to give at least two fire drills each month, and no such teacher shall draw his salary for any month until he has certified to the clerk of the school board that such fire drills have been given; *provided*, that in districts having a superintendent, such superintendent shall prescribe rules governing such fire drills for the schools under his supervision, and he shall not draw his salary until he shall have certified to the clerk of the school board or the secretary of the board of education that at least two such fire drills have been given in each school under his supervision, as provided for in this Act.

§ 2. DUTY OF COUNTY SUPERINTENDENT.] It shall be the duty of the County Superintendent of Schools to prescribe reasonable rules for giving fire drills in the rural schools of his county, with special reference to prairie fires, and any school board may direct that no teacher shall draw his salary until one fire drill each month shall have been given.

§ 3. FIRE GUARDS.] It shall be the duty of every school board in this state to provide such fire guards as they may deem reasonable around schools in their districts. Should any school board fail or neglect to provide such fire guards, it shall be the duty of the County Superintendent of Schools to notify such school board of such failure, and it shall be a misdemeanor for any member of such school board, after being so notified, to draw his salary until such guards have been made.

Approved, February 27, 1915.

CHAPTER 138.

[H. B. No. 8—Torfin.]

SCHOOL BOARDS MAY LEASE BUILDINGS.

AN ACT to Provide for and Regulate the Leasing of School Rooms and School Buildings and Equipment by Board of Education of Special School Districts in Certain Cases, and to Provide for the Levying of Taxes Therefor.

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

§ 1. POWER TO LEASE BUILDINGS.] Whenever any board of education of any special school district, not having funds or

credit available for construction or purchase, shall determine by resolution that additional school buildings or school rooms are necessary, and that it will be to the advantage of or for the best interests of the school district to rent such school buildings or school rooms and equipment, instead of buying or constructing the same, it may enter into a contract or lease for a term not to exceed twenty years, for the use of such building or buildings, to be constructed, re-arranged and equipped for the use of the district, at a quarterly, semi-annual or annual rental to be stated therein.

§ 2. PLANS AND SPECIFICATIONS.] In all cases wherein it shall appear that the annual rental of such rooms, building or buildings will exceed the sum of three hundred dollars, the said board of education must first prepare or cause to be prepared, plans and specifications of such proposed school building or rooms to be approved by the city board of health, and the State Superintendent of Public Instruction, and shall prepare or cause to be prepared the form or substance of the lease or contract to be entered into, and shall file copies of such proposed plans and specifications and lease or contract in the office of the clerk of the board of education, and at such other places as the board may by resolution designate. Such lease or contract shall include or provide an option or privilege on the part of the district to purchase, at a stipulated price, the property at any time during the term thereof in the manner provided by law for the purchase or erection of school buildings.

§ 3. ADVERTISE FOR BIDS.] It shall then be the duty of the clerk of the board of education to advertise in not less than one, or more than three newspapers within such special school district, not less than once each week for three successive weeks, for bids for the construction, remodeling, providing or furnishing of such building or rooms and equipment, the advertisement to state where the plans and specifications and proposed lease may be inspected and the time and place where and the conditions under which the bids will be received and opened, and the bids to specify the rate or rental per annum for which the bidder will supply the required rooms or building and equipment, and enter into the required contract. The board may reserve the right to accept or reject bids, and to require bidders to furnish bonds to insure their entering into the required contract and performing the same.

§ 4. TAX LEVY.] At the time of opening such bids, or at any subsequent meeting within three months thereafter, the board may accept the bid or bids appearing most advantageous to the district, and may enter into a contract as hereinbefore provided, for the providing of such building or rooms and equipment, and the rental and use thereof by the district. It shall then be the duty of the board forthwith, to levy a special tax against all the taxable property of the district, for a sufficient sum annually for the full term of such lease or contract, to cover the annual rental

therein provided for, and such tax shall be certified, entered and collected in the same manner as taxes to meet bond issues, and shall not be diverted or used for any other purpose, nor be subject to revocation nor rescission while said contract is in force and effect. If such contract be terminated prior to the end of the term for which such tax levy is made, then it shall be the duty of the board to revoke or rescind such tax levy and to certify such rescission to the County Auditor who will thereupon cancel the same for the unexpired term.

§ 5. **LEGAL CONSTRUCTION.**] The contracting for the payment of future annual rental of such school rooms, or school building and equipment shall not be construed as creating an indebtedness on the part of the district, nor as increasing any pre-existing indebtedness, nor operate to prevent the district at any future time from using its limit of credit under the constitution to the same extent as if no such lease or contract were made.

§ 6. **ELECTION.**] In case there should be filed with the clerk of the board of education, at any time prior to the opening of bids, or within ten days thereafter, a protest signed by not less than one-fourth of the legal voters of the district, protesting against the acceptance of any bid, or the entering into any such contract, then it shall be the duty of the board to call and hold a special election upon the notice and in the manner provided by law for elections upon the question of issuing bonds, and shall submit to the qualified electors the question of approving or disapproving the making of such contract, and if a majority of the electors voting at such election shall vote against the making of such contract, then no further proceedings shall be had for the same purpose until at some subsequent election a majority of the electors voting shall have signified their approval of the same.

§ 7. **EMERGENCY.**] Whereas, an emergency exists, in that in order for the benefits of this Act to accrue to any such school district in time for the opening of the next ensuing school year, it should become operative at once; therefore, this Act shall take effect immediately upon its passage and approval.

Approved, March 11, 1915.

CHAPTER 139.

[S. B. No. 191—Wartner.]

TAX LEVY IN GENERAL SCHOOL DISTRICTS.

AN ACT to Amend and Re-enact Section 1222 of the Compiled Laws of the State of North Dakota for the Year 1913, Providing for the Annual Tax Levies in General School Districts.

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

§ 1. **AMENDMENT.**] Section 1222 of the Compiled Laws of

North Dakota, for the year 1913, is hereby amended and re-enacted to read as follows:

§ 1222. SCHOOL BOARD TO LEVY TAX.] Each district school board shall have power and it shall be its duty to levy upon all property subject to taxation in the district, a tax for school purposes of all kinds authorized by law, not exceeding in the aggregate a rate of thirty mills on the dollar in any one year; *provided*, that such board may in addition thereto whenever there are past due warrants outstanding in said district levy not to exceed fifteen mills additional in any one year; *provided*, further, the provisions of this Section shall apply only to payment of warrants issued for a legal purpose and outstanding on July 1st, 1915. Such tax shall be levied by resolution of the board prior to the twentieth day of July of each year, which resolution shall be entered in the records of the proceedings of the board. The clerk shall immediately thereafter notify the County Auditor in writing of the amount of tax levied, and such notice shall be substantially the following form:

State of North Dakota,

ss.

County of

.....School District.

.....

To

County Auditor ofCounty:

Sir:

You are hereby notified that the school board of..... school districthas levied a tax of.....dollars upon all real and personal property in said school district for school purposes. You will duly enter and extend such tax upon the county tax list for collection upon the taxable property of such school district for the current year.

Dated atthisday of.....19...
.....District Clerk.

Approved, March 4, 1915.

CHAPTER 140.

[S. B. No. 284—Gibbens.]

TEACHERS' INSURANCE AND RETIREMENT FUND.

AN ACT to Amend and Re-enact Sections 1503, 1506, 1508, 1513 and 1515 of the Compiled Laws of 1913, Relating to the Teachers' Insurance and Retirement Fund.

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

§ 1. AMENDMENT.]. Section 1503 of the Compiled Laws of 1913 is hereby amended to read as follows:

§ 1503. RETENTION OF ASSESSMENTS.] Each school district board, each board of education, or other managing body of each city, and of each school district, and of each village, and of each town operating its schools under the township system of school government, shall retain on every pay day from the salary of each teacher in their respective schools the amounts herein provided. Each teacher shall be furnished a statement by such board, showing the amount so deducted from his or her salary. In like manner, each County Superintendent and Assistant County Superintendent who has come within the provisions of the law must authorize the County Board of Commissioners to deduct the proper assessment from each of the twelve monthly payments of his salary.

§ 2. AMENDMENT.] Section 1506 of the Compiled Laws of 1913 is hereby amended to read as follows:

§ 1506. ASSESSMENTS OPTIONAL FOR TEACHERS NOW TEACHING IN THE STATE.] Any person employed as teacher in said public schools when this Act takes effect, may, at any time before January 1, 1917, elect to join the fund and to come within the provisions of this Act, by notifying in writing the board of trustees of the teachers' insurance and retirement fund before January 1st, 1917.

§ 3. AMENDMENT.] Section 1508 of the Compiled Laws of 1913 is hereby amended to read as follows:

§ 1508. TRANSMISSION OF MONEY TO COUNTY TREASURER.] Each such school district board, each board of education, or other managing body, and each Board of County Commissioners, shall each year, between the 20th and the 30th days of June, forward to the Treasurer of the county in which the school house of said teacher is located, a statement verified by the secretary, the clerk, or the auditor thereof, of the moneys so retained, in accordance with the provisions of this Act together with said moneys so retained. Said statement shall also include the following: Name and monthly salary of each of said teachers; number of months of school taught by each teacher in said public schools of the district, village, city, or county over which said school board or other managing body has jurisdiction during the school year for which the statement is made; the number of months constituting a school year in each such district, village, city or county; the total salary of each teacher; the total amount withheld from the salary of each teacher, in accordance with the provisions of this Act; the total amount withheld from the salaries of all of said teachers for the school year next preceding, and the total number of years such teacher has taught in the public schools of the state.

§ 4. AMENDMENT.] Section 1513 of the Compiled Laws of 1913 is hereby amended to read as follows:

§ 1513. TRANSMISSION OF FUNDS TO THE STATE TREASURER.] Between the 15th day of July and the 1st day of August of each year, the County Treasurer shall transmit to the State Treasurer

all moneys which he has received from the school boards and from the Boards of County Commissioners in accordance with the provisions of this Act in the same manner that other moneys are transmitted to the State Treasurer; and shall certify under oath to the board of trustees of the teachers' insurance and retirement fund the amount so received and transmitted to the State Treasurer as herein provided. The State Treasurer shall credit all moneys received under the provisions of this Act to the fund designated as the teachers' insurance and retirement fund.

§ 5. AMENDMENT.] Section 1515 of the Compiled Laws of 1913 is hereby amended to read as follows:

§ 1515. FUND TO BE SET ASIDE FROM COUNTY TUITION FUND AND TRANSMITTED TO STATE TREASURER.] Each County Treasurer shall annually set aside from the county tuition fund a sum equal to ten cents for each child of school age in his county and shall transmit this sum to the State Treasurer in the same manner that others are transmitted to the State Treasurer at the same time that he transmits the funds received from the school boards and the Boards of County Commissioners in accordance with Section 19, and shall certify under oath to the board of trustees of the teachers' insurance and retirement fund the amount so transmitted to the State Treasurer. The State Treasurer shall credit all moneys received in accordance with this Section to the fund designated as the teachers' insurance and retirement fund.

Approved, March 11, 1915.

CHAPTER 141.

[H. B. No. 287—Committee on Education.]

TRANSPORTATION OF PUPILS.

AN ACT to Amend and Re-enact Section 1342 of the Compiled Laws of North Dakota for the Year 1913, Relating to Compulsory Attendance, School Age and the Transportation of Pupils.

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

§ 1. AMENDMENT.] That Section 1342 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 1342. SCHOOL AGE. WHO EXEMPT FROM COMPULSORY ATTENDANCE.] Every parent, guardian or other person who resides in any school district or city and who has control over any child of or between the ages of eight and fifteen, inclusive, shall send or take such child to a public school in each year during the entire time the public schools of such district or city are in session; and every parent, guardian, or other person having control over any deaf, blind or feeble minded child or youth between the ages of seven and

twenty-one years of age shall be required to send such deaf child to the School for the Deaf at the City of Devils Lake for the entire school year unless excused by the superintendent or principal of such school, such blind child to the School for the Blind at Bathgate for the entire school year unless excused by the superintendent or principal of such school, and such feeble minded child to the Institution for the Feeble Minded at Grafton; *provided*, that such parent, guardian, or other person having control of any child shall be excused from such duty by the school board of the district or by the board of education of the city or village whenever it shall be shown to their satisfaction, subject to appeal as provided by law, that one of the following reasons therefor exists:

1. That such child is taught for the same length of time in a parochial or private school approved by the County Superintendent of Schools subject to appeal to the Superintendent of Public Instruction; that no school shall be approved by the County Superintendent of Schools or Superintendent of Public Instruction unless the branches usually taught in the public schools are taught in such schools.

2. That such child is actually necessary to the support of the family.

3. That such child has already acquired the branches of learning taught in the public schools.

4. That such child is in such a physical or mental condition (as declared by a licensed physician, if required by the board) as to render such attendance inexpedient or impracticable.

5. If no school is taught the requisite length of time within two and one-quarter miles of the residence of such child by the nearest route, such attendance shall not be enforced, except in cases of consolidated schools, where the school board has arranged for the transportation of pupils. In school districts where consolidated schools have not been established, the school board shall pay a sum not to exceed thirty-five cents nor less than fifteen cents per day to any one family living more than two and one-quarter miles from the nearest school, which shall be equitably based upon the number of children attending school from each family; *provided*, that the tender of such a daily compensation shall be construed as furnishing transportation and when such a tender is made by the school board, the compulsory attendance law shall apply to all children of school age living more than two and one-quarter and not to exceed five miles from school; *provided*, further, that the provisions for transportation shall not apply to deaf, blind and feeble minded children in this state, and this Section shall not be construed to apply to parents, guardians, or other person having control of any child or children between the ages of eight and fifteen, inclusive, who desire to send such child or children for a total period of not exceeding six months, which may be taken in one or more years, to any parochial school for the purpose of preparing such child or

children for certain religious duties. It shall be the duty of the clerk of the school board to include in his annual statement an item setting forth the amount spent for the transportation of pupils.

Approved, March 11, 1915.

CHAPTER 142.

[H. B. No. 471—Lathrop Committee.]

TUITION AT INSTITUTIONAL MODEL SCHOOLS

AN ACT Requiring the Payment of Tuition for Attendance at any Model High or Graded or Elementary School Which is Operated, Maintained or in any Manner Connected with the State University, any Normal School or any Educational Institution of Higher Learning.

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

§ 1. That all students attending any model high, graded or elementary school which is operated, maintained or in any manner connected with the State University, any normal school, publicly maintained educational institution of higher learning in this state in which model, high, graded or elementary school members of the faculty or student body of such university, normal school or institution of higher learning teach there shall be paid by the school district in which said pupils reside to said institution as tuition for such attendance as follows: Not less than two and one-half dollars per month of actual membership per pupil in such model high school and not less than two dollars per month of actual membership per pupil in any such graded, or elementary school, *provided*, however, that such tuition is payable at the close of each term or semester.

§ 2. All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved, March 11, 1915.

CHAPTER 143.

[H. B. No. 335—Leonard.]

LIMITING MILL LEVY FOR COMMON SCHOOL DISTRICTS.

AN ACT to Amend Section 1182 of the Compiled Laws of North Dakota for the Year 1913.

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

§ 1. AMENDMENT.] That Section 1182 of the Compiled Laws of North Dakota for the year 1913 be amended to read as follows:

§ 1182. TAX LEVY. NOTICE TO COUNTY AUDITOR.] It shall have power to levy upon the property in the district a tax for school pur-

poses of not exceeding thirty mills on the dollar in any year, *provided*, however, that in districts having a high school an additional tax of ten mills on the dollar may be levied if a majority of the school voters of such district annually authorize such levy at the annual school election; notice that the question of levying such additional tax will be voted on at the election shall be given by posting the same in three of the most public places in the district, at least fourteen days prior to said election. The levy of such additional tax, if authorized by the voters as aforesaid, shall be made by a resolution of the board prior to the twentieth day of July.

§ 2. EMERGENCY.] Whereas, an emergency exists in that the election provided for in this Act will take place prior to July 1st, 1915, therefore this Act shall take effect and be in force from and after its passage and approval.

Approved, March 11, 1915.

CHAPTER 144.

[H. B. No. 345—Hedalen.]

FORTY-MILL LEVY FOR SPECIAL DISTRICTS.

AN ACT Amending Section 1258 of the Compiled Laws of North Dakota for the Year 1913, Providing for an Annual School Tax in Special School Districts.

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

§ 1. AMENDMENT.] Section 1258 of the Compiled Laws of North Dakota for the year 1913, providing for an annual school tax in special school districts.

§ 1258. ANNUAL SCHOOL TAX.] The Board of Education shall on or before the twentieth day of July of each year levy a tax for the support of the schools of the corporation, including any expenditures allowed by law, for the fiscal year next ensuing, not exceeding in any one year thirty mills on the dollar on all the real and personal property within the district which is taxable according to the laws of this state, the amount of which levy the clerk of the board shall certify to the County Auditor, who is authorized and required to place the same on the tax roll of such county to be collected by the County Treasurer as other taxes and paid over by him to the Treasurer of the Board of Education of whom he shall take a receipt in duplicate, one of which he shall file in his office and the other he shall forthwith transmit to the Clerk of the Board of Education. *Provided*, however, that in districts having a high school an additional tax of ten mills on the dollar may be levied if a majority of the school voters of such district annually authorize such levy at the annual school election; notice that the question of levying such additional tax will be voted on at the election, shall

be given by posting or publishing the same in the manner provided for the giving of notice of the election of the Board of Education in Section 1263 of the Compiled Laws of North Dakota for the year 1913. The levy of this additional tax, if authorized by the voters as aforesaid, shall be made by a resolution of the board prior to the twentieth day of July.

§ 2. EMERGENCY.] Whereas, an emergency exists in that the election provided for in this Act will take place prior to July 1, 1915, therefore this Act shall take effect and be in force from and after its passage and approval.

Approved, March 11, 1915.

CHAPTER 145.

[S. B. No. 59—Rowe.]

PROVIDING UNIFORM TEXT-BOOKS.

AN ACT to Provide Uniformity of School Text-books in Each of the Common, Independent and Special School Districts; to Regulate the Sale and Price of Same; to Provide for Selection, Adoption, and Contract by Common School District Boards and Boards of Education of Independent and Special School Districts, and the Sale of same Through Purchasing Agents of such Boards, or the Purchase Direct of such Boards [Books] and Sale at Cost or Loan Free of Expense to Pupils.

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

§ 1. Before any person, firm, company or corporation shall offer for selection, adoption, contract, sale or exchange any school text-book or book for use in the schools of the State of North Dakota, such person, firm, company or corporation shall comply with the following conditions:

1. File a copy of such school text-book or book for use in the schools of the state in the office of the State Superintendent of Public Instruction with a sworn statement of the published list price; the lowest wholesale price; and the lowest exchange price; based upon three and five-year *contract* periods, at which said school text-book or book is sold or exchanged for an old book in the same subject of like grade and kind but a different series, to any school board, school corporation, or school commission anywhere in the United States.

2. File with the State Superintendent of Public Instruction a bond running to the State of North Dakota, with a responsible surety company authorized to do business in the State of North Dakota, as surety thereon in the penal sum to be determined by the State Superintendent of Public Instruction but not less than two thousand dollars nor more than ten thousand dollars conditioned as follows:

(a) That any book listed in said statement and in any other statement subsequently filed by said person, firm, company or corporation shall be supplied by the publisher to any school district or any school corporation in the State of North Dakota at the price and terms contained in said statement:

(b) That such price and terms so filed are to be reduced automatically in North Dakota whenever reductions are made by the publisher elsewhere in the United States so that at no time shall any book so filed and listed be sold to district school boards, boards of education or to their authorized purchasing agents at a higher price than is received for such book by the publisher elsewhere in the United States:

(c) That all text-books offered for sale, adoption, contract or exchange by the publisher in the State of North Dakota shall be equal in quality to those deposited in the office of the State Superintendent of Public Instruction as regards paper, binding, printing, illustrations, subject matter, and all particulars that may effect the value of such text-books:

(d) That in case an abridged or special edition of any book shall be prepared the person, firm, company, or corporation manufacturing the same shall sell such special edition to district school boards, boards of education of North Dakota or to their authorized purchasing agents at the same wholesale price at which the book is sold elsewhere:

(e) That no person, firm, company, or corporation filing their books in North Dakota under the provisions of this Act shall enter into any understanding, agreement or combination to control prices or restrict competition in the sale of school text-books.

§ 2. Such bond shall be approved by the Attorney General and upon such approval, said person, firm, company or corporation shall be licensed by the State Superintendent of Public Instruction to sell the book or books so filed in the State of North Dakota.

§ 3. It shall be the duty of the State Superintendent of Public Instruction to have printed and distributed to the clerks of district school boards, secretaries of boards of education of independent and special school districts and County Superintendents of Schools within six (6) months after this Act takes effect, a complete list of books filed with his department giving the prices and terms of sale; and the State Superintendent of Public Instruction shall have printed and distributed annually thereafter a supplementary list of text-books with prices and terms filed during the year, and all books used in the public schools of the State of North Dakota may be selected, adopted, and contracted for from said list by district school boards and boards of education, and books so designated and contracted for shall be used exclusively for three (3) or five (5) years during which time such books shall not be changed; *provided*, however, this shall not prevent school boards from using other supplementary books.

§ 4. If in any case any person, firm, company, or corporation, shall supply any district school board, board of education or purchasing agent of same, books inferior to the samples on file with the State Superintendent of Public Instruction, or charge a higher price than was filed or than the same are sold elsewhere in the United States, then it shall be the duty of the County Superintendent on written complaint filed with him by the school board of such a district to inform the State Superintendent of Public Instruction of the failure of said person, firm, company or corporation to comply with the terms of his filing. The State Superintendent of Public Instruction shall thereon notify the said person, firm, company or corporation of said complaint, and if said person, firm, company, or corporation shall disregard the notification and fail to comply with the terms of agreement filed with the State Superintendent, then the bond of said person, firm, company or corporation shall be forfeited, and the Attorney General shall upon written request of the State Superintendent of Public Instruction proceed to collect the full amount of said bond.

§ 5. No person, firm, company or corporation shall secure or attempt to secure the adoption, selection, contract or sale of any school text-book in this state by rewarding or promising to reward any teacher in any school in the state. No person, firm, company or corporation shall offer or give emolument money or any valuable thing, promise or work, or any other inducement to any teacher or school officer in any school district for any vote or promise of vote or for his influence for any school book to be used in this state; *provided*, that nothing in this Section shall be construed to prevent any person, firm, company, or corporation from giving, or any school officer or teacher from receiving a reasonable number of sample school books for examination with the view of obtaining information as to the text-book or series of books from which said officer shall give his vote, *provided*, further, that any school officer or teacher receiving for examination sample books, shall after such examination deliver such samples to the clerk of the school district and such books shall then become the property of the district.

§ 6. Boards of education and district school boards are hereby authorized and shall have the power to appoint agents or dealers to purchase, handle and sell the books which have been selected and contracted for, and it shall be unlawful for any dealer or for any purchasing agent of any school district to sell any books to pupils of the district listed with the State Superintendent of Public Instruction as herein before provided at a price to exceed fifteen per cent. advance on the net cost of the book as listed with the Department of Public Instruction and as named in the contract with the school district; *provided*, that to the selling price as above determined be added the net cost of transportation.

§ 7. School districts are hereby authorized to purchase text-books from the publisher at prices and terms listed with the State

Superintendent of Public Instruction and to sell said books to the pupils at said cost prices or at such prices as will include the cost of transportation and cost of handling. District school boards and boards of education shall have the authority and are authorized to purchase all necessary books for indigent pupils and pay for same out of the funds of the district, and to loan same free of expense to such pupils. The district school board or board of education shall purchase all books necessary for the use of teachers in conducting the work in the schools of the district where such teachers are employed and such books shall be paid for out of the funds of the district and be held as the property of the district.

§ 8. When a family removes from a school district, where free text-books are not provided, the school board of the district from which the family removes may purchase out of the funds of the district, the text-books in actual use by the children of such family at a fair price based upon the cost of the books and upon the condition of same: the books so purchased may be resold to other children in said district.

§ 9. When the district school board or board of education of any district deems it advisable, said board may provide for the free use of school text-books by the pupils of their school or schools, or whenever five or more legal voters of a common school district or ten per cent. of the legal voters of a consolidated, special or independent school district shall petition the board to submit to such district the question of providing free text-books to pupils attending such schools, it shall be the duty of such board to submit same to the legal voters of such district. Such questions may be submitted to a special meeting or at any annual meeting provided fourteen days notice is given thereof and by posting said notice on the school house or school houses of such district and in such other public place or places as the district school board or board of education deems advisable, and in all cases the notice of such meeting shall call attention to the fact that such question will be submitted, and in case a majority of the legal voters of such district present and voting at such meeting are in favor of such free text-books, it shall be the duty of the board to provide the same. All books purchased by school boards, as herein provided, shall be held as the property of the district and loaned to pupils of the district while pursuing a course of study therein, free of charge; but the school board shall hold such pupils responsible for any damage to, or loss of, or failure to return such books at the time and to the person that may be designated by the board of such district.

§ 10. Any person, firm, company or corporation violating any provision of this Act shall on conviction thereof be punished by fine not to exceed five hundred dollars, or by imprisonment not to exceed three months, or by both such fine and imprisonment at the discretion of the court.

§ 11. All Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved, March 1, 1915.

ELECTIONS

CHAPTER 146.

[H. B. No. 185—Committee on Elections and Election Privileges.]

COUNTY CANVASSING BOARDS MEET SECOND FRIDAY AFTER ELECTION.

AN ACT to Amend Section 1009 of the Compiled Laws of North Dakota, 1913, Relating to Canvass of Votes, Abstract of Votes, Certificates of Election, Decision in Case of Tie, and Publication of Abstract of Votes.

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

§ 1. AMENDMENT.] That Section 1009 of the Compiled Laws of North Dakota, 1913, is hereby amended to read as follows:

§ 1009. ABSTRACT OF VOTES; CANVASS OF VOTES; CERTIFICATES OF ELECTION; TIE, HOW DECIDED; PUBLICATION OF ABSTRACT.] On the second Friday after each election, or as soon as the returns are received, the County Auditor shall call to his assistance a majority of the County Commissioners of the county or the County Treasurer, County Judge, and one County Commissioner, and none of the persons so called shall be a candidate for office, unless there is not sufficient of such officers who are not candidates, and shall proceed to open such returns and make abstracts of votes in the manner following from the certified statements prepared by the different inspectors of election in the various precincts. The abstract of votes for United States Senator, Member of Congress, Governor, State Auditor, Commissioner of Insurance, Commissioner of Agriculture and Labor, State Treasurer, Secretary of State, Attorney General, Commissioners of Railroads, Superintendent of Public Instruction and Lieutenant-Governor shall be on one sheet; the abstract of votes for members of the legislative assembly shall be on one sheet; the abstract of votes for county and precinct officers shall be on one sheet; and it shall be the duty of the County Auditor immediately to make out a certificate of election to each of the persons having the highest number of votes for county and precinct offices, respectively, and to deliver such certificate to the person entitled thereto on his making application to the County Auditor therefor; *provided*, that when a tie shall exist between two or more persons for the Senate or House of Representatives, if such district is within the boundary of one county, the Auditor of such county, and if