

## NUISANCE

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### CHAPTER 160.

[S. B. No. 200—Rowe.]

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#### PUBLIC NUISANCE.

An Act to Amend and Re-enact Section 7235 of the Compiled Laws of North Dakota for the year 1913, Relating to Public Nuisance; Remedies Against.

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

§ 1. AMENDMENT.] That Section 7235 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 7235. REMEDIES AGAINST.] The remedies against a public nuisance are:

1. Indictment.
  2. Filing an information.
  3. Bringing a criminal action before a Justice of the Peace, who shall have authority to bind the defendant over to the District Court.
  4. A civil action; or
  5. Abatement.
- Approved March 8, 1917.

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## OIL INSPECTION

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### CHAPTER 161.

[H. B. No. 42—Quam.]

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#### FOOD COMMISSIONER EX-OFFICIO STATE OIL INSPECTOR.

An Act to Amend and Re-enact Section 1 of Chapter 188 of the Session Laws of North Dakota for the year 1915, Making the State Food Commissioner Ex-Officio State Inspector of Oils, and Providing for the Appointment of Deputies and their Salaries.

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

That Section 1 of Chapter 188 of the Laws of North Dakota for 1915 be and the same is hereby amended and re-enacted to read as follows:

§ 1. AMENDMENT.] The food commissioner stationed at the Agricultural College at Fargo shall be and is hereby made ex-officio state inspector of oils, and shall perform all the duties thereof, as

now prescribed by law, without further or additional compensation. The said commissioner shall appoint a deputy state inspector of oils, and shall appoint a deputy inspector for each of the points designated as ports of entry, as hereinafter provided.

Said commissioner and his deputies shall have the right, and it shall be their duty, to enter into or upon the premises of any manufacturer, dealer or vendor of refined petroleum oils or gasoline at any time, for the inspection of such oils or gasoline, or other petroleum products; and to inspect any books or papers of such manufacturers, dealers or transportation companies, pertaining to the shipment or sale of such oils or gasolines, and all receptacles in which such oils or gasolines are or may be contained. The said deputy state inspector of oils shall receive an annual salary of two thousand dollars payable monthly, and all other deputies shall receive salaries payable monthly unless otherwise ordered by said commissioners, as follows:

At ports of entry where the total number of barrels inspected is in excess of 8,000 per annum, the salary shall be fifty dollars per month.

At ports of entry where the total number of barrels inspected is in excess of 15,000 per annum the salary shall be seventy-five dollars per month.

At all ports of entry where the total number of barrels inspected is in excess of 25,000 per annum, the salary of deputy oil inspectors shall be one hundred dollars per month; provided, that the salaries of the deputy oil inspectors at the designated points of entry shall be based upon the last annual report of the state oil inspector as to the number of barrels of oil inspected.

All other deputies shall receive such salary, of not less than ten dollars nor more than thirty dollars, per month, as in the judgment of the food commissioner is deemed just compensation for services performed.

The commissioner as state inspector of oils ex-officio, shall make and file with the state auditor on or before the fifth day of each month, a monthly statement under oath, of all inspections made by himself and his deputies under the provisions of this article.

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

§ 3. EMERGENCY.] Whereas an emergency exists, in that provision is not made for the food commissioner to act as state inspector of oils ex-officio, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 10, 1917.

## CHAPTER 162.

[S. B. No. 37—Kretschmar.]

## OIL INSPECTION FEES.

An Act to Amend and Re-enact Section 13 of Chapter 188 of the Session Laws of North Dakota for the year 1915.

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

§ 1. AMENDMENT.] That Section 13 of Chapter 188 of the Session Laws of North Dakota for the year 1915 be and the same is hereby amended to read as follows:

§ 13. INSPECTION FEES.] Each and every Inspector and Deputy Inspector who shall inspect any consignment of illuminating oils or gasoline or petroleum products of less than one hundred (100) degrees Fahrenheit, flash test, as provided in this Article, shall charge the consignor or consignee of such goods the sum of three (3) cents for testing a barrel or less quantity. Fifty gallons shall constitute a barrel. Every such Inspector or Deputy Inspector, shall keep an accurate record of all such goods inspected, rejected, branded or certified to by him, which record shall state the date of such inspection, the number of packages, barrels, casks, or tanks approved, the number rejected, the name of the person for whom inspected, the name of the person to whom consigned, with his address, the sum of money charged for such inspection, and such records shall be open to all persons interested. The State Inspector of Oils shall, in the month of January, in each year, make and deliver to the Governor a report of his acts, and those of his deputies, during the year preceding, together with remarks and suggestions for the benefit of the service, which shall include a copy and summary of the report submitted by said deputies as provided for in this section.

Approved February 14, 1917.

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PEDDLERS

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## CHAPTER 163.

[H. B. No. 248—Weld of Wells.]

## TRANSIENT MERCHANTS AND PEDDLERS.

An Act to Amend Section 3036 of the Compiled Laws of North Dakota for 1913, Relating to Transient Merchants and Peddlers.

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

§ 1. AMENDMENT.] Section 3036 of the Compiled Laws of North Dakota for 1913, is hereby amended to read as follows: