

North Dakota as amended by Chapter 99 of the Session Laws of North Dakota for 1917, is hereby amended and re-enacted to read as follows:

§ 4521. CORPORATIONS MAY BE REINSTATED. How.] Any domestic corporation which is engaged in active business under its charter or any foreign corporation authorized to transact business in the State of North Dakota engaged in active business under its certificate of authority to transact business, failing to make said report as required by Section 4518 of this chapter, may be reinstated upon the records of the office of the Secretary of State upon the filing of complete annual corporation reports as provided for by Section 4518 and the payment of a fee of \$2.50 and in addition thereto the payment of a fee of \$5.00 for such reinstatement; and filing in the office of the Secretary of State an affidavit stating the further fact that such corporation was at the time of such default and still is engaged in active business in the State of North Dakota. Said corporations shall be reinstated at any time upon filing said full and complete annual report within a period of six months from the time of cancellation as provided by Section 4518, and the payment of said fees; and at any time after the said six months upon filing of all and complete annual reports for all years in default with a fee of \$2.50 for each of said reports and the payment of \$15.00 for each and every year the said corporation has failed and neglected to file full and complete report.

§ 2. - EMERGENCY.] Whereas, an emergency exists, in that the charters of many corporations have been cancelled by the Secretary of State by reason of the failure to make annual reports as required by law; and there being no method for validating and reinstating such corporations; and whereas, it is necessary for the public peace, health and safety, therefore, this Act shall take effect and be in full force from and after its passage and approval.

Approved January 30, 1918.

COUNCIL OF DEFENSE

CHAPTER 5.

[H. B. No. 11—Walton.]

COUNCIL OF DEFENSE.

An Act Creating the North Dakota Council of Defense; Defining its Powers and Duties, and Appropriating Money for Carrying out the Purpose Thereof; and to Reimburse the Members of the Present Organization Known as the North Dakota State Council of Defense for Monies Expended.

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

§ 1. CREATION OF COUNCIL OF DEFENSE.] There is hereby created a council to be known as the North Dakota Council of Defense, to consist of the governor and thirteen other members,

one of which members shall be the attorney general, and one to be appointed by the governor from each judicial district of the state, such appointees to be an elector of the judicial district from which appointed, and to hold office during the pleasure of the governor. Immediately after their appointment the members of the council shall meet at the office of the governor and organize by electing a secretary. The governor shall be the chairman of said Council of Defense.

§ 2. COMPENSATION.] Members of the council shall receive no compensation other than traveling and necessary expense incurred in the performance of their duty, except the secretary, who shall receive a salary of five dollars per diem for such time as he devotes to the work of the council, in the discretion of the council as hereinafter provided.

§ 3. POWERS AND DUTIES.] They shall co-operate with the commissioner of agriculture and labor and consult with farmers and others who might be in need of labor and labor organizations and such other persons as might be in position to furnish labor and devise means for the furnishing thereof, and with the North Dakota Federal Fuel and Food Administrators in stimulating an increased production of food and economy and preservation thereof.

They shall make a careful survey and investigation concerning the practicability of the use of lignite coal and other fuel resources of the state and shall encourage its use, production and distribution, and shall suggest to the governor means of developing and extending the same. They shall co-operate and advise with the Federal Government as to the fuel conditions of the state, and see that an adequate supply of fuel will be furnished to this state during the summer months, when transportation is not over-taxed, so as to avoid a fuel shortage in the state during the coming year.

They shall make a record of all property belonging to persons in military service or in any establishment or branch thereof, who are out of the state because of such service; and shall make such rules and regulations as will protect and preserve the same whenever necessity exists therefor.

They shall further have power and it shall be their duty to make and promulgate from time to time rules and regulations for the promotion and preservation of the public peace, safety and welfare, and they may prescribe rules and regulations under which the citizens of this state, not a part of active militia, may organize. They may also from time to time, as the exigencies of the occasion shall require, make and promulgate rules and regulations to assist the government of the United States in carrying out and enforcing its laws and regulations relative to the conduct of the war.

Each member of the council shall possess the same powers as the sheriffs of the several counties and may exercise such powers in any part of the state, separately or in conjunction with other police officers.

They shall assist and co-operate with all state and county

officials in promoting patriotism and loyalty to this government and humanity, and shall assist and co-operate [with the officials in preserving the public peace, health and safety, as well as the broad democratic principals upon which this Nation and State were founded.

And they shall have power to and shall perform all such other duties as the governor shall from time to time authorize and direct under the war powers and the laws and the constitution of this state.

§ 4. REPORTS.] It shall be the duty of the council to report at the end of each calendar month to the auditing board of the state of North Dakota, a voucher statement of its expenditures in regular form, properly verified by the chairman or secretary. The state auditor shall issue state warrants for all bills so reported and approved by the state auditing board, which warrants shall be presented to the state treasurer. If for any reason there shall be no funds to pay the same, he shall endorse upon the back of said warrant, "Not paid for want of funds" and if such endorsement is made, the said warrants shall thereafter bear interest at the rate of six per cent per annum until paid, provided, however, that no warrants shall be issued which with the interest thereon exceed the annual appropriation.

§ 5. MEETINGS OF COUNCIL AND ELECTION OF OFFICERS.] At the first meeting of the council it shall elect one of its members vice-chairman, who shall preside at its meetings whenever the governor is unable to attend, and shall from time to time provide for such clerical and such other assistance as shall be necessary to the proper performance of its duties, the expense thereof to be audited and paid as other charges against the state are audited and paid. The council shall hold such meetings as shall be necessary for the proper performance of its duties, which meetings shall be held at Bismarck, unless to meet the exigencies of some special occasion a meeting shall be specially called for some other place in the state. Meetings of the council may be called by the governor or by three members upon such notice as shall be practicable under the exigencies of the particular occasion, and the council may at any meeting provide for stated future meetings.

§ 6. REPORTS. TERMINATION. COMPENSATION.] The council shall make monthly reports to the governor of all its acts and expenditures.

Said council of defense is created for the duration of the war in which the United States is now engaged, and for the period of six months thereafter; provided, however, the governor may if in his judgment the public interest demands, extend the duration thereof by proclamation from time to time made.

If in the opinion of the council the work of the secretary requires an unreasonable expenditure of time as compared with the time spent by the other members of the council, it may allow him a

compensation not exceeding seven dollars and fifty cents a day for such time as it finds he should be compensated for.

§ 7. APPROPRIATIONS.] There is hereby appropriated from any money not otherwise appropriated the sum of fifteen thousand dollars per annum, for the purpose of carrying out the provisions of this act and for the purpose of defraying the expenses of existing de facto council of defense called into existence by the appointment of the governor.

§ 8. PROVISIONS SEPARABLE.] The provisions of the within act are hereby declared to be separable and not interdependent, and if one of the provisions shall be declared unconstitutional such declaration shall not affect the constitutionality of any other provision of said act.

§ 9. EMERGENCY.] Whereas it is necessary for the immediate preservation of the public peace, health and safety that this act shall become effective without delay for the following reasons, to-wit: That the United States is now at war, our citizens are now in a foreign land fighting for our own rights and the freedom of mankind; it is necessary to conserve and increase the resources of our state and to provide for the necessary co-operation between state and national governments in the emergency of the war, therefore, this act shall become and be in full force and effect upon its passage and approval by the governor.

Approved January 30, 1918.

ELECTIONS

CHAPTER 6.

[H. B. No. 17—Patterson.]

ELECTORS IN MILITARY SERVICE.

An Act to Permit Electors in the Military Service of the United States Absent from Their Respective Counties to Vote at General Elections Other than Primary and to Amend Section 1003 of the Compiled Laws of North Dakota for 1913 Relating to Ballots When Furnished the Auditor.

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

§ 1. ABSENT VOTER WHO MAY VOTE.] Any qualified elector of this state who is absent from the county in which he is an elector at any general election other than primary and engaged in the military or naval service of the United States may vote at such election as hereinafter provided.

§ 2. DUTY OF COUNTY AUDITORS.] The county auditors of each county in this state must prepare, keep and maintain a general register of names of all persons of their respective counties who are engaged in the military or naval service of the United States and shall further keep and maintain a register of such persons so engaged who are qualified to vote in their respective counties at general elections other than primary.