

GRASSHOPPERS

CHAPTER 139.

(S. B. No. 143—Mees.)

EXTERMINATION OF GRASSHOPPERS.

An Act Providing for the Levy of Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers; and Providing for the Administration of Such Law by the County Commissioners, Designating Their Duties and the Duties of Owners, Renters and Lessees of Land With Respect Thereto and Prescribing a Penalty for the Violation Thereof.

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

Sec. 1. TAX LEVY BY COUNTY COMMISSIONERS UPON PETITION OF ELECTORS) When petitioned so to do by not less than ten per cent of the legal electors of the county, which petition may be filed with County Auditor at any time prior to the July meeting of the County Commissioners at which taxes are levied, it shall be the duty of the County Commissioners to levy a tax upon all the taxable property in the county to create a fund to be known as the "Grasshopper Extermination Fund." The amount of such levy shall be in such sum as the County Commissioners determine necessary for fully carrying out the purposes of this Act in said county; provided, however, in no case shall such levy exceed one and one-half mills on all taxable property in said county; and provided, further, that any unexpended balance remaining in such fund at the end of the fiscal year shall be covered into the general fund of the county when so ordered by the County Commissioners.

Sec. 2. COUNTY COMMISSIONERS SHALL PURCHASE POISON AND OTHER MATERIAL.) It shall be the duty of the County Commissioners, immediately upon the filing of a sufficient petition as is provided for in Section 1 of this Act, to make arrangements for and to purchase poison and other material to be used for exterminating grasshoppers, and they shall be guided in such purchase by the recommendation of the State Agricultural College and the Federal Department of Agriculture.

Sec. 3. NOTICE OF DISTRIBUTION. HOW GIVEN. RULES AND REGULATIONS) The County Commissioners shall give notice in all local papers in the county of a day upon which such poison and other material shall be given out, and the same shall be distributed from the county seat, and any other place in the county designated by the County Commissioners, in the notice hereinbefore mentioned. At the time such distribution is made a list of the persons applying for and receiving the same shall be made and there shall be accurately included in such list the description of the

land which each such person will cover. The County Commissioners shall prepare in accordance with the recommendations of the Agricultural College and the Federal Department of Agriculture, printed regulations to be given each person applying for and obtaining such poison, which shall clearly set forth the manner in which the same is to be used and designated a period not exceeding seven days during which such poison shall be set out. Instructions as to the number of times and periods when such poison shall be scattered shall also appear therein.

Sec. 4. DUTIES OF COUNTY COMMISSIONERS WITH RESPECT TO VACANT OR ILL LAND.) From the lists provided for in the preceding sections the County Commissioners shall determine what land within the county no poison has been distributed for, and it shall be their duty to employ competent persons in sufficient numbers to cover such land within the time specified by the rules and regulations. The County Commissioners shall have the power to fix the compensation of such persons so employed, which, however, shall not exceed the sum of four dollars for each day actually spent in performing such work, and the necessary expenses incurred therein, which expenses may be limited to a suitable sum per day by the said County Commissioners and such amount so expended for such labor may be by the County Commissioners assessed against each respective tract of land to be collected in the same manner as taxes are collected. All such compensation, expenses and other expenditures made by the County Commissioners under the provisions of this Act shall be paid out of the "Grasshopper Extermination Fund"; provided, however, that the County Commissioners when necessary may order the same paid out of the general fund of the county until such time as the tax levy for that purpose has been collected, when it shall be the duty of the County Treasurer, upon the order of the County Commissioners, to reimburse the general fund for such advances.

Sec. 5. DUTIES OF OWNERS, RENTERS AND LESSEES OF LAND.) It shall be the duty of all owners, renters and lessees of land within such county and residing therein to apply for, obtain and distribute the poison furnished by the county for the extermination of grasshoppers, in strict conformity with the provisions of this Act and the rules and regulations promulgated by the County Commissioners as herein provided for. It shall likewise be the duty of every owner, renter or lessee of land within such county, who resides elsewhere but who has notice of the distribution of such poison, to apply for, obtain and distribute the same as is required by resident owners, renters or lessees.

Sec. 6. PENALTY.) Any owner, renter or lessee of land in said county, who fails, refuses or neglects to comply with the provisions of this Act, or the rules and regulations of the County Commissioners promulgated under authority of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than Fifty nor more than One Hundred Dollars.

Sec. 7. DUTY OF COUNTY AGENT.) It shall be the duty of the county agent of each county to aid, assist and advise the County Commissioners and the residents of each county in carrying out the provisions of this Act.

Sec. 8. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

Approved March 7, 1919.

HERD LAW

CHAPTER 140.

(S. B. No. 86—Hagan.)

HERD LAW.

An Act to Repeal Sections 2619, 2620 and 2621, Compiled Laws of North Dakota for the Year 1913, and to Amend and Re-enact Sections 2618 and 2622, Compiled Laws of North Dakota for the Year 1913, Relating to the Herd Law, and Prescribing the Damages.

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

Sec. 1. AMENDMENT.) Section 2618, Compiled Laws of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

Sec. 2618. HERD LAW. HOW AND WHEN SUSPENDED.) The Board of County Commissioners of each county in the State shall establish stock districts including all territory within the county for the purposes hereinafter provided. The boundaries of districts so established shall follow township lines. A district may consist of one or more congressional townships or the entire county may be made to comprise one district and all districts shall be subject to the jurisdiction of the Board of County Commissioners for the purposes of this Act. Upon petition of sixty per cent of the electors of any such district as determined by the whole of the number of votes polled at the general election last held therein excluding those votes cast within the corporate limits of any city, town or village within such district, being filed in the office of the County Auditor asking that stock be permitted to run at large between certain dates specified in such petition, it shall be the duty of the Board of County Commissioners of such county, within ten days thereafter, at a regular or special meeting to declare by resolution that stock may run at large within the limits of said district between the dates named in said petition, except within the corporate limits of any city, town or village, but no stallion, jack, boar, ram, bull or any animal known to be vicious shall be permitted to run at large at any time. Said resolution shall state the date of its taking effect and the date of its dis-