

Sec. 4. EMERGENCY.) Whereas an emergency exists in that there is now no way to serve subpoenas except by personal service, and whereas, it is necessary for the immediate preservation of public peace, health and safety that immediate relief be given, therefore this Act is hereby declared an emergency measure and shall take effect and be in force from and after its passage and approval.

Approved February 14, 1919.

## SUPREME COURT

### CHAPTER 210.

(H. B. No. 45—Fredrickson.)

#### SALARY CLERK SUPREME COURT.

An Act to Amend and Re-enact Section 727 of the Compiled Laws of North Dakota for the Year 1913, and Fixing the Salary of the Clerk of the Supreme Court.

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

1. AMENDMENT.) That Section 727 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 727. That from and after the passage and approval of this Act, the annual salary of the Clerk of the Supreme Court is hereby fixed at Twenty-five Hundred (\$2500.00) Dollars per year, which said salary shall be paid by the State Auditor monthly as other state officers' salaries are paid.

2. EMERGENCY.) Whereas, the salary now provided by law for the Clerk of the Supreme Court is insufficient to secure and retain the services of a competent clerk, and whereas, it is necessary for the immediate preservation of the health, peace and safety of the public; therefore, this Act is hereby declared an emergency measure and shall become and be in effect and force immediately after its passage and approval.

Approved February 14, 1919.

### CHAPTER 211.

(H. B. No. 22—Martin.)

#### SUPREME COURT REPORTER AND STATE LAW LIBRARIAN.

An Act Providing for a Supreme Court Reporter, a State Law Librarian, and a Legislative Librarian, Prescribing His Duties and Compensation, Providing for the Printing, Publishing and Distribution of Supreme Court Reports and Granting Power to the Supreme Court Concerning the Same and Repealing all Acts Inconsistent Therewith, and Providing an Appropriation Therefor.

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

Sec. 1. The judges of the Supreme Court shall appoint a person of known integrity, experienced and learned in law, who

shall hold office during the pleasure of the judges and who shall be known as the Supreme Court Reporter, the State Law Librarian and the Legislative Reference Librarian, and who shall be generally known as the Supreme Court Reporter.

Sec. 2. Such Reporter shall give a bond to the State in the sum of Two Thousand Dollars (\$2,000) in the State Bonding Fund, conditioned for the faithful performance of his official duties, the premium thereof shall be paid out of the fund hereinafter designated.

Sec. 3. Such Reporter shall print, publish and distribute the official reports and opinion of the Supreme Court under the direction and control of the Supreme Court and subject to such rules and regulations as it may provide therefor.

Sec. 4. Such Reporter shall have the care and custody of the State Law Library, subject to the supervision and control of the Supreme Court and shall perform such duties in connection with the maintenance and operation of the same as the Supreme Court may by rule or regulation provide.

Sec. 5. Such Reporter shall perform the duties of a Legislative Reference Librarian and shall give information and assistance to the members of the Legislative Assembly in the work of legislation.

Sec. 6. The Supreme Court shall have power and authority to provide by rules and regulations for filing, printing, publication and distribution of the official reports of the opinions of the Court and for making a contract through the Supreme Court Reporter, with any person, individual or corporation for the printing or publishing or distribution of such report not in excess of the biennial appropriation made by the Legislative Assembly including moneys to be received in the sale of such reports.

Sec. 7. Such Supreme Court Reporter shall have power and authority subject to the direction and control of the Supreme Court and under the rules and regulations as it may prescribe to sell and dispose of copies of such official reports at not less than the cost thereof to the public and to each county in this State, and it shall be the duty of every county in this State through its County Auditor to receive at least four copies of such official report and to make payment of the same at the rate prescribed by the Supreme Court Reporter. Likewise, such Reporter shall distribute such official reports to each Judge of the Supreme Court and each of the Judges of the District Court in this State, the United States Attorney for North Dakota and Attorney General for the State, the Librarian of Congress of the United States, the Librarian of the Supreme Court of the United States, the Attorney General of the United States and the Governor of this State, and shall further be empowered to make exchanges of such official reports for the official reports of the Courts of other states. All money received from the sale of such official reports

shall be paid to such Reporter and shall be covered by him monthly into the State Treasury to be kept in a special fund to be known as the Supreme Court Reporter Fund. All disbursements shall be made in connection with publication of such official reports and to such Fund shall be covered and kept the Legislative appropriation made for the printing, publication and distribution of such official reports.

Sec. 8. Such Reporter shall receive an annual salary of \$2500.00 and shall be entitled to one stenographer or one clerk and to have an office in the State Capitol.

Sec. 9. Chapter 20, Compiled Laws, 1913, for the State of North Dakota, being Sections 1843 to 1846 inclusive; Article 3 of Chapter 10, Compiled Laws, 1913, being Sections 731 to 737 inclusive, and Article six of said Chapter 10, Compiled Laws, 1913, being Sections 743 to 745 inclusive, Compiled Laws, 1913, and all Acts and parts of Acts inconsistent herewith are hereby repealed.

Sec. 10. APPROPRIATION.) There is hereby appropriated for the purposes of this Act out of any moneys in the State Treasury, not otherwise appropriated, the sum of Three Thousand Dollars (\$3,000) to be immediately available upon the passage and approval of this Act.

EMERGENCY.) Whereas, it is necessary for the preservation of public peace, health and safety that this Act become effective without delay in that in the administration of justice and efficiency of our Courts, it is necessary that the decision of our Supreme Court be printed and published and that the Law Library in the Capitol be given immediate attention in order that it may be useful and available as a Law and Reference Library and that loss may not be occasioned to the State by the loss, misplacement or failure to catalogue valuable books and publications, therefore this Act is hereby declared an emergency measure and shall become effective immediately upon its passage and approval by the Governor.

Approved March 3, 1919.

## CHAPTER 212.

(S. B. No. 30—Church.)

### TERMS OF SUPREME COURT.

An Act Amending and Re-enacting Sections 715 and 716 of the Compiled Laws of North Dakota for the Year 1913, Providing for the Terms of the Supreme Court and the Placing of Cases on the Calendar Thereof.  
*Be it Enacted by the Legislative Assembly of the State of North Dakota:*

Sec. 1. Section 715 of the Compiled Laws of the State of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 715. The Supreme Court shall prescribe by rule or regulation the time and manner in which the general and special

terms thereof shall be held.

Sec. 2. Section 716 of the Compiled Laws of the State of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

Sec. 716. All cases pending in the Supreme Court on appeal or otherwise, shall be placed on the Calendar of such Court and be liable for call for argument and for final disposition in such manner and at such time as the Supreme Court may by rule or order prescribe.

Sec. 3. All Acts and parts of Acts inconsistent herewith are hereby repealed.

Approved February 14, 1919.

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## TAX COMMISSION

### CHAPTER 213.

(S. B. No. 67—Taxes and Tax Laws Committee.)

#### TAX COMMISSIONER.

An Act Providing for the Appointment of a Tax Commissioner; Prescribing His Qualifications, Powers and Duties; Fixing His Salary and Term of Office; and Repealing Article 4, Chapter 34, Compiled Laws of North Dakota, 1913, as Amended by Chapter 232, Laws of North Dakota, 1917, and all Other Acts and Parts of Acts in Conflict Herewith.

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

Sec. 1. On or before the last Monday in February, the Governor by and with the advice and consent of the Senate, shall appoint a Tax Commissioner, who shall serve for a term of six years from the date of his qualification, or until his successor is appointed and qualified. The Governor may remove the Tax Commissioner at any time and appoint his successor, or may fill by appointment any vacancy in such office, and the person appointed to fill such vacancy shall serve for the unexpired term, unless earlier removed or unless at any regular session of the Senate, it shall fail to approve such appointment.

Sec. 2. To be eligible to appointment as Tax Commissioner a person must possess knowledge of the subject of taxation and skill in matters pertaining thereto. No person appointed as such Commissioner shall hold any other office under the laws of this State, any other State, or the United States. He shall devote his entire time during his term to the duties of his office, and shall not hold any position of trust or profit, or engage in any occupation or business interfering or inconsistent with his duties, nor shall he serve on or under any committee of any political party.

Sec. 3. Before entering upon the discharge of the duties of his office, the person appointed as Commissioner shall take, subscribe to, and file with the Secretary of State, the oath of office