

of this Act; provided, however, that at no time shall the amount of bonds issued and outstanding pursuant to the terms of this Act exceed the total of Two Million Dollars.

§ 16. There is hereby appropriated out of the general funds of the State, not otherwise appropriated, five thousand dollars, or as much thereof as may be necessary, to carry out the provisions of this Act.

Approved 9:10 p. m. December 11, 1919.

COMMISSIONER OF NOXIOUS WEEDS

CHAPTER 25.

[S. B. No. 16—Hemmingson.]

COMMISSIONER OF NOXIOUS WEEDS.

An Act to Amend and Re-enact Sections 625 and 626 of the Compiled Laws of North Dakota for the Year 1913; and to Amend and Re-enact Sections 624 and 627 of the Compiled Laws of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 252 of the Session Laws of North Dakota for the Year 1917.

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

§ 1. That Section 625 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 625. The Commissioner of Noxious Weeds shall diligently examine and investigate into the existence and introduction of sow thistles in his district and if any of such noxious weeds are found growing therein he shall take charge of all such as are growing upon highways and upon cultivated lands and prevent the same from going to seed, or otherwise spreading, and it shall be his duty to investigate and ascertain the best practicable methods for their destruction and he shall persistently apply at proper times such remedy or treatment as he shall deem best suited to prevent their spread and to eradicate the same, and he shall serve upon all persons, partnerships, firms, corporations and associations owning or controlling any lands where such noxious weeds are growing, written notice to destroy the same within a time specified in said notice; and, upon their failure to do so, he may enter upon any such lands for the purpose of destroying any sow thistles growing thereon.

§ 2. That Section 626 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 626. In case said sow thistles are found growing upon cultivated lands or lands sown to crop or upon which crops may be growing and the owner, agent or occupant thereof has failed to destroy the same as provided by in the preceding section; the Commissioner shall consult and advise with the owner, agent or occupant as to their treatment and if the said Commissioner shall deem it necessary and expedient for him to fully control the same, he shall agree with the owner, agent or occupant as to the boundaries of the tract so infected which it is expedient for him to control for the purpose of destroying such noxious weeds and shall mark the same by stakes and thereafter such infected tract, or as much as from time to time remains infected, shall be managed and controlled by the said Commissioner for the purpose of destroying said thistles and for so long a time for which it may be necessary to complete such work. In case the Commissioner and the owner, agent or occupant of said land cannot agree as regards the propriety of the Commissioner controlling such tract, or the boundaries of the same, the question shall be settled in the following manner:

The owner, agent or occupant of the land shall select one person to represent him, the Weed Commissioner shall select one to represent him and the two parties shall select a third party and these men so selected shall constitute a Board of Arbitration to settle all questions relating to the destruction of sow thistles, and there shall be no appeal from their decision; and the owner or occupant of such land shall pay all costs and expenses of labor for said extermination, which shall not exceed the sum of One Hundred Dollars for each One Hundred Sixty Acres or fraction thereof, in any one year, without the written consent of the County Commissioners and that the sum so expended shall be a lien upon said tract of land so infected and treated; and if the owner or occupant shall not pay the same to said Commissioner on or before the first Monday of December following, the Commissioner shall certify under oath to the County Auditor the amount so due on each tract; and it shall be the duty of said Commissioners to collect the same and to certify the amount to the County Treasurer, the same to be charged in the form of taxes against the land so infected and so treated.

§ 3. That Section 624 of the Compiled Laws of North Dakota for the year 1913 as amended and re-enacted by Section 1 of Chapter 252 of the Laws of North Dakota for the year 1917 is hereby amended and re-enacted to read as follows:

§ 624. Whenever the Board of County Commissioners of any county is petitioned by at least one-sixth of the voters in such county, said Board shall appoint some competent person in each Commissioner's district of said county, who shall be styled Commissioner of Noxious Weeds, who shall take the oath required of county officers and shall hold his office for the term of one year, and until his successor is appointed and qualified. Each such Commissioner shall

receive for compensation the sum of five dollars per day for each day necessarily spent in the performance of his duties, and mileage at the rate of ten cents per mile for each mile necessarily traveled. The Board of County Commissioners may at any time for good cause remove any Weed Commissioner from office and appoint a successor to serve the remaining portion of his time, and it shall be the duty of said Board of County Commissioners to strictly enforce all of the provisions of Article 28 of Chapter 5 of the Political Code of the Compiled Laws of 1913.

And all the powers and duties of the Township Supervisors, City Council or Board of Trustees of any town or village, in said Article 28 are hereby transferred and made part of the duties and powers of the County Commissioners of each county.

§ 4. That Section 627 of the Compiled Laws of North Dakota for the year 1913 as amended and re-enacted by Section 2 of Chapter 252 of the Laws of North Dakota for the year 1917 is hereby amended and re-enacted to read as follows:

§ 627. It shall be the duty of the Board of County Commissioners to pay out of the general fund the salary and mileage of the Commissioners of Noxious Weeds, and all expenses incurred for labor by said Weed Commissioner or Commissioners in the destruction of the noxious weeds and all expenses and disbursements incurred under the provisions of Article 28 of Chapter 5 of the Political Code of said Compiled Laws, upon verified vouchers duly audited and approved.

And the Board of County Commissioners in each county may appropriate and set aside a sum not exceeding five thousand dollars in each year, or so much thereof as is necessary to pay the salaries and expenses of the Commissioners of Noxious Weeds; and the Board is authorized to levy a sufficient tax on all taxable property for such purpose.

§ 5. All acts and parts of acts in conflict herewith are hereby repealed.

§ 6. 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 9:55 December 11, 1919.

CONSTITUTIONAL AMENDMENTS

CHAPTER 26.

[S. B. No. 48—Ployhar.]

DEBT LIMIT OF POLITICAL SUBDIVISIONS.

Concurrent Resolution Amending and Re-enacting Chapter 91 of the Session Laws of 1919, Being a Concurrent Resolution to Amend Section 183 of