

by law for the county tuition fund. The remaining half of such funds shall be paid to such counties for road purposes to be expended as the county commissioners shall determine. This act shall apply to all funds heretofore received or to be received by the counties entitled thereto.

§ 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 5, 1951.

HEALTH AND SAFETY

CHAPTER 173

H. B. No. 543
(Legislative Research Committee)

BURIAL OF DEAD, DUTY OF COUNTIES

AN ACT

To amend and reenact subsection 5 of section 23-0603 of the 1949 Supplement to the North Dakota Revised Code of 1943, relating to the duty of counties to bury deceased persons.

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

§ 1. AMENDMENT.) Subsection 5 of section 23-0603 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

5. If the deceased left no husband, wife, or kindred answering the foregoing description and did not leave means sufficiently to defray his funeral expenses, including the cost of a casket, upon the county welfare board of the county in which the deceased had residence for poor relief purposes and if such residence cannot be established, then in the county in which the death occurs, and such board shall employ some person to arrange for and supervise the burial. The necessary and reasonable expense thereof, not exceeding one hundred fifty dollars, shall be borne by the county. The county also shall pay reasonable costs of transporting the body to the place of burial when burial is made in a cemetery out of the county in which death occurred, but not exceeding one hundred dollars.

Approved February 3, 1951.

CHAPTER 174

H. B. No. 554
(Legislative Research Committee)

ABANDONED OR DISUSED WELLS OR SHAFTS TO BE FILLED;
PENALTY

AN ACT

To amend and reenact section 23-1306 of the North Dakota Revised Code of 1943, relating to the filling of abandoned or disused wells or shafts, and providing a penalty.

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

§ 1. AMENDMENT.) Section 23-1306 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

23-1306. OWNER OF LAND TO FILL ABANDONED OR DISUSED WELLS, SHAFTS AND OTHER EXCAVATIONS.) Any person, firm, or corporation owning or occupying lands in this state upon which is located any abandoned or disused well or shaft, shall cause such well or shaft to be filled with earth or stone so as to obviate any possible menace to the safety of persons or property. Any violation of this section shall be punished by a fine of not to exceed ten dollars for each day such violation is continued.

Approved March 5, 1951.

CHAPTER 175

S. B. 66

(Legislative Research Committee)

FIREWORKS DEFINED

AN ACT

To amend and reenact section 23-1501 of the 1949 Supplement of the North Dakota Revised Code of 1943, relating to Fireworks.

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

§ 1. AMENDMENT.) Section 23-1501 of the 1949 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

23-1501. FIREWORKS DEFINED.) As used in this chapter, the term "fireworks" means any substance or combination of substances or articles prepared for the purpose of producing a visible or an audible effect by explosion, or detonation, and includes blank cartridges, toy cannons, and toy canes in which explosives are used, the type of balloons which require fire underneath to propel them, firecrackers, torpedoes, sky rockets, roman candles, daygo bombs, or other fireworks of like construction, and any fireworks containing any explosive or compound, or any tablets or other device containing any explosive substance and commonly used as fireworks. The term "fireworks" shall not include toy pistols, toy guns, in which paper caps containing twenty-five hundredths grains or less of explosive compound are used and toy pistol caps which contain less than twenty hundredths grains of explosive mixture.

§ 2. EFFECTIVE DATE.) This act shall become effective after July 10, 1951.

Approved February 26, 1951.