

have been organized without petition as required by law and a de facto organization of such districts have voted for the issue of certain bonds which can not be sold unless the organization of said district is legalized; and whereas, there is an urgent need to dispose of said bonds to enable said districts to make the necessary improvements, therefore this act shall take effect on and after its passage and approval.

Approved March 16, 1909.

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## SCHOOL LANDS

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### CHAPTER 207.

[S. B. No. 155—Crane]

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#### SCHOOL LAND COLLECTIONS.

AN ACT to Amend Section 192 of the Revised Codes of the State of North Dakota of 1905, Relating to the Collection by County Treasurers of Moneys Due on School Lands Held Under Contract or Lease From the State, and Providing the Manner of Reporting Such Collections to the State Auditor and the Commissioner of University and School Lands, and Prescribing the Duties of the County Treasurers, State Auditor and Land Commissioner in Connection Therewith.

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

§ 1. AMENDMENT.] Section 192 of the revised codes of the state of North Dakota of 1905, is amended and re-enacted to read as follows:

§ 192. COLLECTIONS, HOW MADE. DUTIES OF COUNTY TREASURER.] The purchasers of any land mentioned in this article and the lessees of any such lands, or their executors, administrators or assigns, shall pay to the county treasurer of the county in which such land lies, any and all amounts that may become due from time to time upon such contracts or leases for principal, interest, penalties or rent, and for the amounts so paid the county treasurer shall give to such person a duplicate receipt specifying the amount paid, date of payment, the number of the contract or lease and the description of the land for which the payment is made, name of the person making such payment, nature of the payment, whether for interest, principal, penalty or rent and for what year, and a separate receipt shall be given for each contract or lease, and a separate receipt for each year's interest, and principal and interest shall not be included in the same receipt. All moneys received by each county treasurer under the provisions of this article shall at all times be held by him subject to the order and direction of the state treasurer and the board of university and school lands, and on the first day of each month or within fifteen days thereafter, the county treasurer of each county shall make report to the commissioner of university and school lands of all moneys so collected by him during

the next preceding calendar month, which report shall be in such form and on such blanks as may be prescribed and furnished by the commissioner, and a separate report shall be made for principal, interest, and rent, and such report shall embrace a list of all receipts for the month, briefly described, amount of each receipt, and the total amount collected for the month from each source. Such reports shall be duly certified by the county treasurer as correct and shall be by him transmitted forthwith to the commissioner of university and school lands, together with a triplicate of each receipt shown on each report. The county treasurer shall also and at the same time that he makes his report to the land commissioner, make a similar report to the state auditor, of the total amount collected from each of said sources for the month, which shall correspond with the amount reported to the land commissioner as herein provided, from principal, interest, rent and other sources. As soon as possible after he has received the reports from the several county treasurers, as provided in section one of this act, it shall be the duty of the commissioner of university and school lands to check up and verify said reports from the records of his office and to apportion the several amounts to the funds to which the same are applicable, which apportionment he shall certify to the state auditor, who shall proceed to make drafts on the respective county treasurers in the same manner as drafts are made for state taxes, and to the credit of the proper funds as certified to him by the land commissioner.

§ 3. EMERGENCY.] Whereas, an emergency now exists in that there is no provision under the present law requiring county treasurers to make prompt report of school land moneys collected by them, this act shall be in force and take effect upon its passage and approval.

Approved March 5, 1909.

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## CHAPTER 208.

[H. B. No. 125—Lucke]

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### SCHOOL LAND CONTRACTS.

AN ACT Giving Holders of Contracts for the Purchase of State Land the Right to Bring Actions in the Courts in Certain Cases With Reference Thereto, and Providing for the Protection of the Interest of the State in Such Property When Taken by Railways for Right of Way or Other Purposes, and Providing for the Release of the Claim of the State Thereto.

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

§ 1. HOLDER OF CONTRACT FOR PURCHASE OF LAND FROM STATE MAY SUE.] Any person who shall hold any contract from the state

through the board of university and school lands, or otherwise, for the purchase of any real property within the state, may maintain any action for injuries done the same; also an action to recover possession thereof in the same manner as though he possessed the fee simple title to such lands; provided, however, that in any action or proceeding by or against a railway company with reference to right of way or otherwise, the court shall, in any judgment which it may enter, protect the interest of the state in and to such real property, to the extent that the value of such lands taken, at the price agreed to be paid per acre to the state therefor, shall be directed to be paid to the proper officials of the state; and upon such payment any claim of the state or any of its boards to such part of said property as shall be taken by the railway company shall be at an end.

§ 2. EMERGENCY.] Whereas, an emergency exists in that there is in this state at this time no law giving the holder of school lands the right to bring actions against railway companies for right of way taken without the consent of the state; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 13, 1909.

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## SEEDS

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### CHAPTER 209.

[S. B. No. 119—Cashel]

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#### PURE SEED LAW.

AN ACT to Regulate the Selling, Offering or Exposure of Seeds for Sale, and Providing Penalties for the Violation Thereof.

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

§ 1. SEEDS, HOW LABELED OR BRANDED.] Each and every package or lot of seeds, excepting only garden seeds in a packet or a package of one pound or less, whether in package or in bulk, which is sold, offered or exposed for sale by any person, firm or corporation in the state of North Dakota, shall be plainly, legibly and indelibly labeled in English upon the exterior of the container with a written or printed label. Such label shall show:

First: The commonly accepted name of the kind and variety of seed.

Second: The full name and address of the person or persons, firm or corporation selling, offering or exposing the seeds for sale.